

STATE OF MAINE
AROOSTOOK, SS

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. CARSC-CV-2025-5

CARIBOU COURTS
FEB 19 '25 AM 11:04

SHANNON SIMENDINGER,

Plaintiff

v.

FORT KENT CONGREGATION OF
JEHOVAH'S WITNESSES

and

WATCHTOWER BIBLE AND TRACT
SOCIETY OF NEW YORK, INC.,

Defendants

ANSWER

NOW COME Defendants Fort Kent Congregation of Jehovah's Witnesses, Maine, (*incorrectly identified as Fort Kent Congregation of Jehovah's Witnesses*) ("Congregation") and Watchtower Bible and Tract Society of New York, Inc. ("WTNY") (collectively, the "Defendants"), by and through undersigned counsel, and answer the complaint of Plaintiff Shannon Simendinger ("Plaintiff" or "Ms. Simendinger") as follows:

PARTIES

1. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.
2. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.
3. Defendant Congregation admits the allegations in this paragraph. Defendant WTNY is without knowledge or information sufficient to form a belief as to the truth of the

allegations in this paragraph and therefore deny them.

4. Defendant Congregation admits the allegations in this paragraph. Defendant WTNY is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

5. Defendant Congregation admits the allegations in this paragraph. Defendant WTNY is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

6. Defendant Congregation admits the allegations in this paragraph. Defendant WTNY is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

7. Defendant Congregation admits the allegations in this paragraph. Defendant WTNY is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

8. Defendant Congregation denies the allegations in this paragraph. Defendant WTNY is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

9. Defendants admit the allegations in this paragraph.

10. Defendant Congregation is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them. Defendant WTNY admits that it is a corporation organized under the laws of the State of New York and that it conducts business in New York and denies the remaining allegations.

11. Defendant Congregation is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them. Defendant

WTNY admits the allegation in this paragraph.

12. Defendant Congregation is without knowledge or information sufficient to form a belief as to the truth of the allegation in this paragraph and therefore deny it. Defendant WTNY admits the allegation in this paragraph.

13. Defendant Congregation is without knowledge or information sufficient to form a belief as to the truth of the allegation in this paragraph and therefore deny it. Defendant WTNY admits the allegation in this paragraph.

14. Defendant Congregation is without knowledge or information sufficient to form a belief as to the truth of the allegation in this paragraph and therefore deny it. Defendant WTNY admits that it is a not-for-profit corporation, but denies the remaining allegations in the paragraph.

15. Defendants deny the allegation in this paragraph.

16. Defendant Congregation is without knowledge or information sufficient to form a belief as to the truth of the allegation in this paragraph and therefore deny it. Defendant WTNY admits that it has an office at 100 Watchtower Drive, Patterson, New York.

BACKGROUND FACTS RELEVANT TO ALL COUNTS

Sexual Abuse of Plaintiff by Ezzy, Fyans, & Plourde

17. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

18. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

19. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

20. Defendants deny the allegation in this paragraph.
21. Defendants deny the allegation in this paragraph.
22. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.
23. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.
24. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.
25. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore deny them.
26. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore deny them.
27. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore deny them.
28. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.
29. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore deny them.
30. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.
31. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.
32. Defendants are without knowledge or information sufficient to form a belief as to

the truth of the allegations in this paragraph and therefore deny them.

33. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

34. Defendants are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph and therefore deny them.

35. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

36. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

37. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

38. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegation in this paragraph and therefore deny it.

39. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

40. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

41. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

42. Defendants deny the allegations in this paragraph.

43. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

44. Defendants are without knowledge or information sufficient to form a belief as to

the truth of the allegations in this paragraph and therefore deny them.

45. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

46. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegation in this paragraph and therefore deny it.

47. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegation in this paragraph and therefore deny it.

48. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

49. Defendants deny the allegations in this paragraph.

50. Defendants deny the allegations in this paragraph.

51. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegation in this paragraph and therefore deny it.

52. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

53. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

54. Defendants are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph and therefore deny them.

55. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

56. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

57. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

58. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

59. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

Notice to and Relationships between Defendants Arising from Watchtower's Control over Local Levels of the Jehovah's Witnesses Religion

60. Defendants deny the allegations in this paragraph.

61. Defendants deny the allegations in this paragraph.

62. Defendants deny the allegations in this paragraph.

A. Local Congregation Governance

63. Defendants admit the allegations in this paragraph.

64. Defendants deny the allegations in this paragraph.

65. Defendants deny the allegations in this paragraph.

B. Discipline

66. Defendants deny the allegations in this paragraph.

67. Defendants admit the allegations in this paragraph, except that Defendants deny the allegation that congregations cannot take adequate precautions when a child molester is in the congregation.

68. Defendants admit the allegations in this paragraph.

C. Sexual Abuse within the Jehovah's Witnesses

69. Defendant Congregation is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them. Defendant

WTNY admits that it sent a letter to all bodies of elders requesting information regarding certain individuals who had engaged in the serious sin of child molestation, but denies the remaining allegations in the paragraph.

70. Defendant Congregation is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them. Defendant WTNY admits that it sent a letter to all bodies of elders reminding elders to provide the requested information regarding certain individuals who had engaged in the serious sin of child molestation, but denies the remaining allegations in the paragraph.

71. Defendant Congregation is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them. Defendant WTNY denies the allegations in this paragraph.

72. Defendant Congregation is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them. Defendant WTNY denies the allegations in this paragraph.

73. Defendant Congregation is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them. Defendant WTNY denies the allegations in this paragraph.

COUNT I
SEXUAL ASSAULT/RESPONDEAT SUPERIOR

74. Defendants repeat their responses to the foregoing paragraphs as if fully set forth herein.

75. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations about Ezzy, Fyans and/or Plourde's actions and therefore deny them. The remainder of the allegations in this paragraph set forth a legal conclusion to which no

response is necessary.

76. Defendants deny the allegation in this paragraph.

77. Defendants deny the allegations in this paragraph.

78. Defendants deny the allegation Ezzy, Fyans, and Plourde were agents of the Defendants. Defendants are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph and therefore deny them.

79. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and therefore deny them.

80. Defendants deny the allegations in this paragraph.

81. Defendants deny the allegations in this paragraph.

82. Defendants deny the allegations in this paragraph.

83. Defendants deny the allegations in this paragraph, except that defendants admit that the actions of Ezzy, Fyans, and/or Ploude were concealed from them.

84. Defendants deny the allegations in this paragraph.

85. Defendants are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph and therefore deny them.

86. Defendants deny the allegations in this paragraph.

87. Defendants deny the allegations Ezzy, Fyans and/or Plourde were agents and/or Elders of the Defendants. The remaining allegations in this paragraph assert a legal conclusion to which no response is necessary.

88. Defendants deny the allegations in this paragraph.

89. Defendants deny the allegations in this paragraph.

90. Defendants deny the allegations in this paragraph.

91. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegation in this paragraph and therefore deny it.

92. Defendants deny the allegation in this paragraph.

WHEREFORE, Defendants deny that Plaintiff is entitled to any relief. They respectfully ask that the Court enter judgment in their favor, award the costs they have incurred in this action, and grant such other and further relief as it may deem just.

COUNT II
BREACH OF FIDUCIARY DUTY

93. Defendants repeat their responses to the foregoing paragraphs as if fully set forth herein.

94. Defendants deny the allegations in this paragraph.

95. Defendants deny the allegations in this paragraph.

96. Defendants deny the allegations in this paragraph.

97. This paragraph asserts a legal conclusion to which no response is necessary.

98. This paragraph asserts a legal conclusion to which no response is necessary.

99. This paragraph asserts a legal conclusion to which no response is necessary.

100. Defendants deny the allegations in this paragraph.

101. Defendants deny the allegation in this paragraph.

102. Defendants deny the allegation in this paragraph. Defendants are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph and therefore deny them.

103. Defendants deny the allegation in this paragraph.

WHEREFORE, Defendants deny that Plaintiff is entitled to any relief. They respectfully ask that the Court enter judgment in their favor, award the costs they have incurred in this action,

and grant such other and further relief as it may deem just.

COUNT III
NEGLIGENCE

104. Defendants repeat their responses to the foregoing paragraphs as if fully set forth herein.

105. Defendants deny the allegation in this paragraph.

106. Defendants deny the allegations in this paragraph.

107. This paragraph asserts a legal conclusion to which no response is necessary.

108. Defendants deny the allegations in this paragraph.

109. Defendants deny the allegations in this paragraph.

110. Defendants deny the allegations in this paragraph.

111. Defendants deny the allegation in this paragraph.

112. Defendants deny the allegations in this paragraph.

WHEREFORE, Defendants deny that Plaintiff is entitled to any relief. They respectfully ask that the Court enter judgment in their favor, award the costs they have incurred in this action, and grant such other and further relief as it may deem just.

COUNT IV
NEGLIGENT SUPERVISION

113. Defendants repeat their responses to the foregoing paragraphs as if fully set forth herein.

114. Defendants repeat their responses to the foregoing paragraphs as if fully set forth herein. The remainder of this paragraph asserts a legal conclusion to which no response is necessary.

115. Defendants deny the allegations in this paragraph.

116. This paragraph asserts a legal conclusion to which no response is necessary.

117. Defendants deny the allegations in this paragraph.

118. Defendants deny the allegations in this paragraph.

119. Defendants deny the allegations in this paragraph.

120. Defendants deny the allegations in this paragraph.

121. Defendants are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph and therefore deny them.

122. Defendants deny the allegation in this paragraph.

123. Defendants deny the allegation in this paragraph.

WHEREFORE, Defendants deny that Plaintiff is entitled to any relief. They respectfully ask that the Court enter judgment in their favor, award the costs they have incurred in this action, and grant such other and further relief as it may deem just.

COUNT V
RECKLESS INFLICTION OF EMOTIONAL DISTRESS

124. Defendants repeat their responses to the foregoing paragraphs as if fully set forth herein.

125. Defendants deny the allegation in this paragraph.

126. Defendants deny the allegations in this paragraph.

127. Defendants deny the allegations in this paragraph.

128. Defendants deny the allegation in this paragraph.

129. Defendants deny the allegations in this paragraph.

WHEREFORE, Defendants deny that Plaintiff is entitled to any relief. They respectfully ask that the Court enter judgment in their favor, award the costs they have incurred in this action, and grant such other and further relief as it may deem just.

COUNT VI
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

130. Defendants repeat their responses to the foregoing paragraphs as if fully set forth herein.

131. Defendants deny the allegations in this paragraph.

132. Defendants deny the allegation in this paragraph.

133. Defendants are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph and therefore deny them.

134. Defendants deny the allegations in this paragraph.

WHEREFORE, Defendants deny that Plaintiff is entitled to any relief. They respectfully ask that the Court enter judgment in their favor, award the costs they have incurred in this action, and grant such other and further relief as it may deem just.

COUNT VII
PUNITIVE DAMAGES

135. Defendants repeat their responses to the foregoing paragraphs as if fully set forth herein.

136. Defendants deny the allegations in this paragraph.

WHEREFORE, Defendants deny that Plaintiff is entitled to any relief. They respectfully ask that the Court enter judgment in their favor, award the costs they have incurred in this action, and grant such other and further relief as it may deem just.

137. Every allegation of fact in every Paragraph of the Complaint that has not been expressly admitted is denied.

AFFIRMATIVE DEFENSES

1. Plaintiff's claims are barred by the applicable statute of limitations.

2. Plaintiff's injuries, if any, were caused by parties over whom Defendants are not legally responsible.

3. Plaintiff may have failed to mitigate her damages.

4. Plaintiff's damages, if any, are the result of conditions that pre-existed or post-dated the conduct alleged in the complaint.

5. Plaintiff's claims are barred by the doctrine of charitable immunity.

DATED at Portland, Maine this 14th day of February, 2025.



Jonathan W. Brogan—Bar No. 3163
Bradford A. Pattershall—Bar No. 8939

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