

NO. 15 CI 02975

JEFFERSON CIRCUIT COURT
DIVISION _____
JUDGE _____

ERIC HOEY
4710 Grand Dell Drive
Crestwood, Kentucky 40014

PLAINTIFF



vs.

VERIFIED COMPLAINT

PRESBYTERIAN CHURCH (U.S.A.), A CORPORATION
100 Witherspoon Street
Louisville, Kentucky 40202

DEFENDANT

JURY FEE PAID

CM
Serve: Martha E. Clark, Registered Agent
100 Witherspoon Street
Louisville, Kentucky 40202

Comes the Plaintiff, Eric Hoey ("Hoey"), and for his Verified Complaint against Presbyterian Church (U.S.A.), a Corporation ("PCUSA"), states as follows:

1. That the Plaintiff is an employee of the PCUSA and resides at the above-listed address in Oldham County, Kentucky.
2. PCUSA is authorized to do business in Kentucky and has a business address in Kentucky and the subject events occurred in the Commonwealth of Kentucky with the amount of controversy exceeding the jurisdictional amount of this Court.
3. Venue is proper in that PCUSA maintains offices in Louisville, Kentucky, and its directors, officers, and/or employees who either published the statements at issue or directed the

statements to be published at issue, and took or failed to take the actions at issue causing damage to the Plaintiff in Jefferson County, Kentucky.

4. PCUSA is a Pennsylvania corporation authorized to do business in Kentucky.

5. PCUSA is the organizational structure for the Presbyterian Church's operations in the United States and is governed by the PCUSA Board.

6. The Presbyterian Ministry Agency ("PMA") is one of six PCUSA agencies and functions as the PCUSA's ministry and mission agency.

7. That the Plaintiff has been employed at PCUSA and has been a valuable and integral part of PCUSA since his employment began.

8. In or about March, 2014, PMA staff members in furtherance of the 1001 New Worshiping Communities outreach created a separate non-profit corporation in the Presbyterian Centers for New Church Innovation, Inc. ("PCNCI") and transferred a PCUSA grant for the movement to a PCNCI account.

9. No staff members, employees, or others received, took, diverted to personal use or in any fashion misused any of the funds transferred from the PCUSA account to the PCNCI account.

10. Said monies were returned to the PCUSA account. That upon information and belief there has been no finding that Hoey caused to be diverted to his use or anyone else's use said funds previously discussed.

11. That the *Presbyterian Outlook* is a regularly published newsletter reporting to the PCUSA community and reported that Hoey committed ethical violations and/or engaged in unethical conduct.

12. That Hoey had requested that PCUSA not make false allegations accusing him of ethical violations but these violations were and continued to be published.

13. Every statement from PCUSA, its directors, officers, and/or employees acting within the scope of their employment, to the *Presbyterian Outlook* that Hoey had committed ethical violations was the publication of a false and defamatory statement. Such statements are defamatory and actionable under the laws of the Commonwealth of Kentucky. Said false and defamatory statements were not privileged and such statements are defamatory *per se* and actionable under the laws of Kentucky.

14. That Hoey's reputation has been injured, exposing him to public ridicule and humiliation and will further affect his future employment prospects and career. They further exposed Hoey to public hatred, ridicule, contempt, or disgrace, or to induce an unfavorable opinion of him.

WHEREFORE, the Plaintiff demands as follows:

1. Trial by jury on all issues so triable;
2. Judgment against PCUSA for defamation and for defamation *per se*;
3. An award of compensatory damages for public embarrassment and humiliation, adverse affects on his future employment prospects, and other economic damages;
4. An award of punitive damages sufficient to punish PCUSA and to deter it from engaging in similar conduct in the future;
5. Attorney's fees and costs; and

