

Jon A. Wilson
Brett C. Jensen
Michael P. Sarabia
BROWN LAW FIRM, P.C.
315 North 24th 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 27th Street, Suite 1900
P. O. Box 2559
Billings, Montana 59103-2559
Telephone: (406) 248-7731
Fax: (406) 248-7889

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**

Pursuant to Local Rule 56.1(a), Defendants Watchtower Bible and Tract Society of New York, Inc. (“WTNY”) and Watch Tower Bible and Tract Society of Pennsylvania (“WTPA”) (collectively “Defendants”) submit this Statement of Undisputed Facts in support of their Joint Motion for Partial Summary Judgment as to Plaintiffs’ Second Claim: Negligence Per Se.

STATEMENT OF UNDISPUTED FACTS

1. Plaintiff Tracy Caekaert was born on May 21, 1966. Depo. Tracy Caekaert 11:25-12:3 (Feb. 9, 2023), excerpts attached hereto as Exhibit 1.
2. Plaintiff Camillia Mapley was born on June 2, 1968. Depo. Camillia Mapley 12:25-13:1 (Nov. 29, 2022), excerpts attached hereto as Exhibit 2.
3. Plaintiffs’ father, Bruce Mapley Sr., had been molesting them as children “for several years” before they began associating with Jehovah’s Witnesses in 1973. Doc. 22 at ¶¶ 33-34.
4. Plaintiffs’ mother was aware that her husband was a pedophile. Doc. 22 at Ex. A.
5. Plaintiffs began attending non-party Hardin Congregation of Jehovah’s Witnesses in Hardin, Montana (the “Congregation”) in 1973 or 1974. Ex. 1, Depo. Caekaert at 35:20-36:24; Ex. 2, Depo. Mapley at 35:17-36:22.
6. Plaintiffs also allege they were molested by Gunner Haines, another member of the Congregation, in 1976 or 1977. Doc. 22 at ¶ 36.

7. Plaintiffs allege that their father and Haines both confessed to Congregation elders around 1979, and that the elders did not report the sexual abuse to law enforcement or child protective services. Doc. 22 at ¶¶ 39-40, 46.

8. Plaintiffs allege that their father continued abusing them after 1979, but not beyond 1983. *See* Doc. 22 at ¶ 48; Ex. 1, Depo. Caekaert at 87:1-8; Ex. 2, Depo. Mapley at 56:14-18.

9. Haines, however, did not abuse them again after his confession to Congregation elders. *See* Doc. 22 at ¶¶ 36, 39-40, 46; Ex. 1, Depo. Caekaert at 112:18-113:4; Ex. 2, Depo. Mapley at 65:21-25.

DATED this 26th day of December, 2023.

BROWN LAW FIRM, P.C.

By: /s/ Michael P. Sarabia

JON A. WILSON
BRETT C. JENSEN
MICHAEL P. SARABIA

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

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*