

SUPERIOR COURT OF THE STATE OF CALIFORNIA
For The County Of Los Angeles - Central District

Coordinated Proceedings) JUDICIAL COUNCIL
Special Title (Rule 1550(b))) COORDINATION
THE CLERGY CASES I) PROCEEDING NO.: 4286

This Document Relates to Santa Barbara Superior Court Case No. 01131929

ANDREW RUIZ, an individual,
Plaintiff,

v.

ARCHDIOCESE OF LOS ANGELES)
EDUCATION AND WELFARE) VOLUME 1
CORPORATION; ROMAN CATHOLIC) (PAGES 1-178)
ARCHBISHOP OF LOS ANGELES;)
and DOES 3 - 100, inclusive,)
Defendants.)

Videotaped deposition of FATHER [REDACTED] taken on behalf of Plaintiff, commencing at 10:43 A.M., Friday, January 19, 2007, at 865 S. Figueroa Street, Los Angeles, California, before SUSAN E. LANSING, C.S.R. #6355.

--oo0oo--

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 2
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 23
 24 Also present:
 25 David Kastner, Videographer

1 LOS ANGELES, CALIFORNIA; FRIDAY, JANUARY 19, 2007
 2 10:43 A.M.
 3 THE VIDEOGRAPHER: We are on the record. My
 4 name is David Kastner. I am a certified videographer
 5 representing Telegenics located in Ventura, California.
 6 Today's date is January 19th, 2007 and the time is 10:43
 7 a.m. This deposition is taking place at 865 S. Figueroa
 8 Street, Suite 2900, Los Angeles, California.
 9 Judicial Council Coordination Proceeding No.
 10 4286 entitled Andrew Ruiz v. The Archdiocese of Los
 11 Angeles, et al. The deponent is Father [REDACTED]
 12 This deposition is being taken on behalf of the
 13 plaintiff. Your court reporter is Sue Lansing from
 14 Tri-County Reporting.
 15 May we please have introductions from counsel.
 16 MS. YOUNG: Bless Young for Defendant Roman
 17 Catholic Archbishop of Los Angeles and for the witness.
 18 MR. HALE: Tim Hale for plaintiffs.
 19 MR. GRIFFITH: R. Thomas Griffith for the
 20 plaintiff.
 21 MR. NYE: David Nye for the plaintiff.
 22 THE VIDEOGRAPHER: Thank you.
 23 Will the court reporter please swear in the
 24 witness.
 25 --oo0oo--

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1 FATHER [REDACTED]
 2 having been duly administered an oath in accordance
 3 with CCP 2094 was examined and testified as
 4 follows:
 5 EXAMINATION
 6 BY MR. HALE:
 7 Q. Good morning, Father. I know I've already,
 8 we've already been introduced off the record but for the
 9 record my name is Tim Hale. Could you state your full
 10 name for the record, please.
 11 A. [REDACTED]
 12 Q. And could you spell your last name?
 13 A. [REDACTED]
 14 Q. Thank you. Have you ever had your deposition
 15 taken before?
 16 A. No.
 17 Q. Okay. I assume your attorney's had a chance to
 18 explain the process to you a little bit, but I just want
 19 to cover some of the basic ground rules to make sure
 20 we're both on the same page. Do you understand that you
 21 have been placed under oath by the court reporter?
 22 A. Yes.
 23 Q. Okay. And do you understand that your
 24 testimony today, even though we're in the relatively,
 25 relatively, informal setting of this law office, that

1 your testimony today has the same force and effect as if
2 we were in a courtroom before a judge and a jury?

3 A. Yes.

4 Q. Okay. Have you consumed any alcohol in the
5 last 12 hours?

6 A. No.

7 Q. Have you consumed any drugs in the last 24
8 hours?

9 A. No.

10 Q. Okay. Is there any reason you can't give your
11 best deposition testimony today?

12 A. No. No reason.

13 Q. Is there anything impairing your cognitive
14 function in any way?

15 A. Old age.

16 Q. Okay. Fair enough. You're doing a good job so
17 far. As you can see, the court reporter is typing down
18 everything I say and she's typing down everything you
19 say, so, it's important that we both wait for the other
20 to finish whatever the other is saying before we say
21 anything. So, when I ask a question, please try and
22 wait to respond. Even though there's going to be times
23 where you correctly anticipate what my question is going
24 to be, please try and wait until I finish before you
25 respond. That will give the court reporter an

1 opportunity to get a clear statement of your testimony
2 and also give your counsel an opportunity to raise any
3 objections she feels are appropriate.

4 By the same token, I will do my best to wait
5 till you finish your answer before I ask you another
6 question. Do you understand that?

7 A. Yes.

8 Q. Okay. If I ask you a question today and you
9 respond, I'm going to assume you understood what I meant
10 by the question. So, it's very important that if
11 something I say is not clear to you or doesn't make
12 sense, just ask me to rephrase or what I mean and I'll
13 try to rephrase that question in a clearer fashion. Do
14 you understand that?

15 A. Yes.

16 Q. Okay. When I ask you a question today I'm
17 going to be entitled to your best estimate as to the
18 answer to some of those questions. We do not want you
19 to guess to the answer to any questions that I ask you.
20 Do you understand the difference between a guess and an
21 estimate?

22 A. Yes.

23 Q. Okay. At the end of your deposition your
24 testimony is going to be placed into a typed booklet
25 form. You're going to have a chance to review that

1 testimony, have a chance to make any changes you think
2 are necessary to that testimony. But if you do make any
3 changes, you need to be aware that either myself or some
4 other attorney in this matter will be free to comment on
5 those changes at the time of trial. It could affect
6 your credibility at the time of trial, so, it's
7 important you give your best testimony today. Do you
8 understand that?

9 A. Yes.

10 Q. Great. You're doing a great job of speaking
11 affirmatively, just keep doing what you are doing. What
12 we want to avoid so we have a clear record is answers to
13 questions with "uh-huhs" and "huh-uhs" and nods of the
14 head and that kind of thing. It makes for a less clear
15 record. So, just keep doing what you're doing, and if
16 you can answer the questions affirmatively, we'll have a
17 nice clear record at the conclusion of this deposition.
18 You understand that?

19 A. Yes.

20 MS. YOUNG: Affirmatively or negatively I
21 assume you mean.

22 MR. HALE: Correct. Yes, yes, yes. Sorry.

23 Q. Do you have any questions?

24 A. No.

25 Q. If you need to take a break at any time today,

1 I'm not holding you prisoner here, so, please feel free
2 to speak up and say "I need to take a break." Okay?

3 A. Yes.

4 Q. Did you review any documents in preparation for
5 your deposition today?

6 A. No.

7 Q. Okay. I just, I'd like to start by getting
8 some background information from you. What's your birth
9 date?

10 A. October 28, 1928.

11 Q. And where were you born?

12 A. Bellflower, California.

13 Q. Where did you attend high school?

14 A. Verdugo Hills High School, Tajunga, California.

15 Q. And did you graduate from there?

16 A. Yes.

17 Q. What year did you graduate?

18 A. 1946.

19 Q. And was that a public school or a private
20 school?

21 A. Public.

22 Q. And did you go -- I assume you went to school
23 somewhere after you graduated from high school. Where
24 was that?

25 A. I went to Loyola University.

1 Q. Here in Los Angeles?
 2 A. Yes.
 3 Q. Did you graduate from there?
 4 A. No. I went from there into the Junior
 5 Seminary. Los Angeles College it was called.
 6 Q. How many years, if it was years, did you attend
 7 Loyola University?
 8 A. It was two and a half.
 9 Q. And so did you, did you attend Loyola for the
 10 1946 and 1947 school year and then the 1947 and 1948
 11 school year?
 12 A. I started in second semester, so, it would be
 13 early '47.
 14 Q. Okay. So, you started second semester of the
 15 1946/'47 school year?
 16 A. Uh-huh.
 17 Q. And then did you do -- was that a yes?
 18 A. Yes.
 19 Q. And then did you do a full year in '47/'48?
 20 A. Yes.
 21 Q. Okay. And then did you do a full year in
 22 '48/'49 as well?
 23 A. I did the spring semester.
 24 Q. So, you skipped the semester for the '48/'49
 25 school year?

1 MS. YOUNG: Objection; misstates his testimony.
 2 Q. BY MR. HALE: I'm sorry, the fall semester for
 3 the '48/'49 school year?
 4 A. That's when I entered into the Los Angeles
 5 College.
 6 Q. I'm probably not completely tracking. So, what
 7 was your last semester at Loyola University, what year?
 8 A. Okay, let me see, I graduated in '46, I started
 9 in February of '47, '48, so, it would have ended up in
 10 June of '49.
 11 Q. Okay. So, that was the last, the end of your
 12 last semester at Loyola?
 13 A. Yeah.
 14 Q. Did you obtain an A.A. degree from Loyola?
 15 A. No.
 16 Q. Were you attending school somewhere else during
 17 that fall of 1946 before you started at Loyola?
 18 A. No. I started work after I graduated from high
 19 school and I worked up until the end of January because
 20 I needed money for college.
 21 Q. Okay.
 22 MS. YOUNG: Don't volunteer any information,
 23 just answer his questions. And if he wants to know
 24 more, he'll ask you.
 25 THE WITNESS: All right.

1 Q. BY MR. HALE: And then, so, you enrolled at the
 2 Junior Seminary at Los Angeles College. Was that in
 3 around August or September of 1949?
 4 A. Yes.
 5 Q. And how long did you attend the Junior Seminary
 6 at Los Angeles College?
 7 A. Let's see, that was two years.
 8 Q. And did you obtain an A.A. degree from Los
 9 Angeles College?
 10 A. I don't know. I didn't pay any attention.
 11 Q. Okay. And did you finish your time at the
 12 Junior Seminary at Los Angeles College at the end of the
 13 '50/'51 school year?
 14 A. If that's the way it adds up. I don't remember
 15 exactly, but, yeah.
 16 Q. Okay. And where did you study after your two
 17 years in the Junior Seminary at Los Angeles College?
 18 A. St. John's Seminary, Camarillo, California.
 19 Q. And did you start off attending the Major
 20 Seminary?
 21 A. That's the Major Seminary.
 22 Q. And your first full year there, was that the
 23 '51/'52 school year?
 24 A. Yes.
 25 Q. And how many years -- well, when did you finish

1 your studies at St. John's?
 2 A. I did two years there.
 3 Q. Okay. Where, did you go somewhere else at the
 4 end of the 1952/1953 school year?
 5 A. Yes. The, for the Major Seminary, which is the
 6 last four years of preparation, I went to Burgos, Spain.
 7 Q. How do you spell Burgos?
 8 A. B-u-r-g-o-s.
 9 Q. Where in Spain is Burgos? Is it near
 10 Barcelona or Madrid?
 11 A. It's up in the north, not close to Barcelona
 12 or Madrid.
 13 Q. Okay. How was it you came to attend the
 14 seminary -- was it a seminary at Burgos you said?
 15 A. Uh-huh.
 16 Q. What was the name of the seminary?
 17 A. Seminario de Misiones, Foreign Mission
 18 Seminary.
 19 Q. How was it you came to attend the Foreign
 20 Mission Seminary?
 21 MS. YOUNG: Objection; vague.
 22 But you can answer.
 23 THE WITNESS: It's a complicated answer. I
 24 don't know how much...
 25 Q. BY MR. HALE: Was it --

1 A. The foreign missions from that seminary,
 2 foreign missionaries from that seminary, some of them
 3 were assigned to Japan but for some reason - this is the
 4 explanation I heard - for some reason they couldn't
 5 learn Japanese from Spanish. It was necessary for them
 6 to learn English and then they could learn Japanese.
 7 And so they started sending missionaries to Los Angeles
 8 to work in the Spanish-speaking parishes and to learn
 9 English so that they could send them on to Japan.
 10 Q. Okay.
 11 A. And the Bishop decided that since Spanish was
 12 important here in this area, that he would send a couple
 13 of seminarians to study at the Foreign Mission Seminary
 14 in Spain. Kind of an exchange thing.
 15 Q. Okay.
 16 A. And when I heard about it I said I want to go,
 17 so, they let me go.
 18 Q. Did anyone else from California go and study
 19 with you?
 20 A. Yes.
 21 Q. Who was that?
 22 A. [REDACTED], he was my classmate.
 23 Q. How do you spell his last name?
 24 A. [REDACTED].
 25 Q. And did he become a priest in the Archdiocese

1 eventually?
 2 A. No. He left.
 3 Q. Is he still alive?
 4 A. Yes.
 5 Q. Do you know, when was the last time you spoke
 6 with him?
 7 A. I can't be exact but two or three years ago.
 8 Q. Do you know where he lives now?
 9 A. He's living in Spain.
 10 Q. Do you know where in Spain?
 11 A. No.
 12 Q. Has he ever lived in the United States, to your
 13 knowledge, since your time in the seminary with him or
 14 did he stay over there after?
 15 MS. YOUNG: Objection; speculation.
 16 You can answer if you know.
 17 THE WITNESS: I don't, I don't know, I don't
 18 know for sure.
 19 Q. BY MR. HALE: When you spoke with him a couple
 20 years ago, what was the occasion; did you call him or
 21 did he call you or was there a gathering somewhere?
 22 A. What was it. Let me see. Oh, right, okay, I
 23 remember now. I visited him where he's living. He was
 24 living at the time near Washington, D.C. So, that's the
 25 last time I saw him.

1 Q. But now you believe he's living in Spain?
 2 A. No, he's probably still there. I haven't been
 3 in touch so I don't know for sure.
 4 Q. Do you know his phone number?
 5 A. No.
 6 Q. Do you know his mailing address?
 7 A. No.
 8 Q. And you say his last name is spelled [REDACTED]?
 9 A. Yes.
 10 Q. And you said he never became a priest; correct?
 11 A. Right.
 12 Q. Do you know what he does for a living, or what
 13 he did? I assume he would be retired by now.
 14 A. No, I don't know.
 15 Q. Is he married?
 16 MS. YOUNG: If you know.
 17 You mean is he married now or was he ever
 18 married?
 19 Q. BY MR. HALE: Has he ever been married? Is he
 20 married.
 21 MS. YOUNG: Objection; speculation.
 22 You can answer.
 23 THE WITNESS: He married a girl over in Spain.
 24 Q. BY MR. HALE: When you left St. John's, did you
 25 leave with a degree of any sort? In '53 that is.

1 A. I imagine it was a Bachelor of Arts. Finished
 2 college.
 3 Q. Do you remember what that was in, what the
 4 Bachelor's was in?
 5 A. No.
 6 Q. And then, did you, did you move to Spain in the
 7 fall of 1953?
 8 A. Yes.
 9 Q. And how many years were you there again? I'm
 10 sorry, I think you told me.
 11 A. Three school semesters. I mean, three years.
 12 Q. Did you spend your summers there or did you
 13 come back to the United States during the summer?
 14 A. I spent my summers in Europe.
 15 Q. Okay. Other than Mr. [REDACTED], during your three
 16 years at the Foreign Mission Seminary were there any
 17 other priest candidates from the Archdiocese attending
 18 there?
 19 MS. YOUNG: If you know.
 20 THE WITNESS: [REDACTED] was there.
 21 Q. BY MR. HALE: How do you spell Mr. [REDACTED]'s
 22 last name?
 23 A. [REDACTED].
 24 Q. Did he become a priest in the Archdiocese?
 25 A. Yes.

1 Q. Is he still alive?
 2 A. I don't know.
 3 Q. When was the last time you spoke to him?
 4 A. I can't remember.
 5 Q. Have you ever been aware of him having any
 6 assignments in the Archdiocese in Los Angeles?
 7 A. Yes.
 8 Q. Where has he been assigned to your knowledge?
 9 A. I don't know.
 10 Q. Do you know if it's been in Los Angeles or
 11 outside of the Los Angeles area?
 12 A. I can't tell you. The Diocese goes all the way
 13 up to Santa Barbara, so.
 14 Q. Right.
 15 A. Where he served, I didn't keep track.
 16 Q. Okay. Any other priest candidates from
 17 California that you recall attending the Foreign Mission
 18 Seminary during any of the three years you were there?
 19 A. [REDACTED]
 20 Q. And did he become a priest in the Archdiocese?
 21 A. I don't know.
 22 Q. Do you know if he's still alive?
 23 A. No.
 24 Q. No, you don't know if he's still alive, or is
 25 he dead?

1 A. I don't know.
 2 Q. Okay. Any other from -- any others from
 3 California while you were there?
 4 A. [REDACTED]
 5 Q. And did he become a priest?
 6 A. No.
 7 Q. Do you know if he's still alive?
 8 A. No, I don't.
 9 Q. And his last name is spelled just like it
 10 sounds?
 11 A. (Witness nods head affirmatively.)
 12 Yes.
 13 Q. Thank you.
 14 Anyone else?
 15 A. No.
 16 Q. And was the Foreign Mission Seminary, was that
 17 a theologate?
 18 A. Yes, theologate.
 19 Q. So, instead of going to St. John's for your
 20 theologate study you went to the Foreign Mission
 21 Seminary; is that correct?
 22 A. Yes.
 23 Q. Where were you ordained?
 24 A. Here in Los Angeles.
 25 Q. What year were you ordained? If you

1 graduated -- it sounds like you graduated from the
 2 Foreign Mission Seminary in 1956; does that sound right?
 3 A. That sounds right. So then I would have been
 4 ordained in 1957.
 5 Q. Okay. So, during your three years at the
 6 Foreign Mission Seminary, I realize you said you didn't
 7 come home for the summer breaks; did you stay in Europe
 8 the entire time all three years? Did you come home for
 9 any holidays or anything like that?
 10 A. No, I didn't come home at all during that
 11 period.
 12 Q. So, you were in Spain continuously for three
 13 years?
 14 A. France, Germany, England, Ireland, Switzerland.
 15 Q. Sounds great to me. And when did you, when was
 16 the first time you returned to the United States after
 17 going to study at the Foreign Mission Seminary?
 18 A. That would have been when school finished in
 19 June, my third year.
 20 Q. Okay. So, June of 1956?
 21 A. Sounds right.
 22 Q. And were you, have you ever been aware of any
 23 of your former classmates at the Foreign Mission
 24 Seminary serving as priests within the Archdiocese of
 25 Los Angeles?

1 MS. YOUNG: Asked and answered.
 2 MR. HALE: Not that question.
 3 MS. YOUNG: You can answer.
 4 THE WITNESS: Some of them served here as
 5 priests.
 6 Q. BY MR. HALE: Okay. Aside from the names you
 7 already told me, who else?
 8 A. I don't remember any of the names.
 9 Q. Okay. When you, when you returned, were there
 10 any Spaniards or people you believed were Spaniards,
 11 native Spaniards, who studied at the Foreign Mission
 12 Seminary with you but ended up becoming priests within
 13 the Archdiocese of Los Angeles?
 14 A. Not to my knowledge.
 15 Q. Okay. When you returned to the U.S. in June of
 16 1956, I understand you weren't ordained until 1957, so,
 17 what happened between the time when you returned in June
 18 of 1956 and your ordination in 1957?
 19 A. That was their final year of classes at the
 20 Major Seminary.
 21 Q. So, you went back to St. John's?
 22 A. Uh-huh.
 23 Q. Okay. So, that would have been the '56/'57
 24 school year; correct?
 25 A. Yes.

1 Q. And it was at the end of that school year when
2 you were ordained?
3 A. Yes.
4 Q. During that final year at St. John's in the
5 '56/'57 school year, did you do any kind of parish work?
6 MS. YOUNG: Objection; vague and ambiguous.
7 You can answer.
8 THE WITNESS: No.
9 Q. BY MR. HALE: Okay. What was your, what was
10 your first assignment after you were ordained in 1957?
11 A. Our Lady of Guadalupe Parish in Santa Barbara.
12 Q. Do you recall when -- did you start there
13 immediately after ordination in June or July or did you
14 get a few months off before you started? Father, I know
15 it's been a long time, if you don't remember the exact
16 process --
17 A. If I had any time off it was maybe one week.
18 Q. Okay. So, you think you started during the
19 summer of 1957?
20 A. Yes.
21 Q. And how many, how many years did you serve at
22 Our Lady of Guadalupe?
23 A. Four years.
24 Q. So, did your time at Our Lady of Guadalupe end
25 in the summer of 1961 or --

1 A. Yes.
2 Q. Do you remember what month you left Our Lady of
3 Guadalupe?
4 A. Probably June. That's when they make the
5 changes.
6 Q. So, when there was a change in assignments,
7 generally in the Archdiocese during that time it would
8 have been in June?
9 A. (Witness nods head affirmatively.)
10 Q. Is that a yes?
11 A. Yes.
12 Q. Thanks.
13 And when you were first assigned there, was
14 Father Matthew Kelly the pastor?
15 A. Yes.
16 Q. And who was the -- was there an assistant or
17 associate pastor when you were first assigned there,
18 other than yourself?
19 A. There was another priest. I don't remember his
20 name.
21 Q. Do you recall if that other priest was an
22 assistant or an associate pastor?
23 A. Associate pastor.
24 Q. Okay. Let me run some names by you and see if
25 any of them sound familiar. Was it [REDACTED]?

1 A. No.
2 Q. How about [REDACTED]?
3 A. No.
4 Q. How about [REDACTED] - I might mispronounce this
5 again - [REDACTED] or [REDACTED]; [REDACTED]?
6 A. No.
7 Q. How about [REDACTED]?
8 A. I served with him for a time.
9 Q. But do you think he was the one who was there
10 when you got there?
11 A. No, I don't.
12 Q. Was this other priest, was this priest in
13 residence or to your knowledge was he actually an
14 associate or --
15 A. An associate.
16 Q. Okay. Do you remember, was he, his ethnicity,
17 was he caucasian? Was he Hispanic?
18 A. I don't know.
19 Q. How about [REDACTED]?
20 A. I don't remember that name.
21 Q. Do you remember what -- was he an older
22 gentleman? A younger gentleman?
23 A. No, I don't remember.
24 Q. Do you remember how long he was there after you
25 arrived?

1 A. No.
2 Q. But at some point someone replaced him?
3 A. Yes.
4 Q. Okay. Do you remember who replaced him?
5 A. No.
6 Q. Do you remember the name of any of the
7 associates or assistant pastors who were there while you
8 were there?
9 A. [REDACTED] is the only one I remember.
10 Q. Okay. Anyone else?
11 A. No, I don't remember.
12 Q. Okay. But do you recall if there were others
13 other than him and this first gentleman that you don't
14 recall the name of?
15 A. I don't know for sure.
16 Q. Okay. During your four years there were there
17 any priests in residence at Our Lady?
18 A. No.
19 Q. Were there any priest candidates who lived at
20 Our Lady during those four years?
21 A. No.
22 Q. Were there any priest candidates who spent the
23 night at Our Lady during those four years?
24 MS. YOUNG: Objection; speculation.
25 You can answer.

1 THE WITNESS: I have no memory of anything like
2 that.
3 Q. BY MR. HALE: Okay. What was your next
4 assignment? Let me backtrack for a second. When you
5 left Our Lady, was that because you received an
6 assignment? Did you ask to leave Our Lady? How did
7 your transfer come about?
8 A. It was --
9 MS. YOUNG: Try not to keep your hand in front
10 of your mouth.
11 THE WITNESS: Oh, sorry.
12 MS. YOUNG: The court reporter won't understand
13 you.
14 MR. HALE: Thanks, Counsel.
15 THE WITNESS: As I remember, it was standard,
16 after four years you moved.
17 Q. BY MR. HALE: So, you have no recollection of
18 requesting a transfer or a change?
19 A. Oh, no, I didn't.
20 Q. In the course of your career did you ever
21 request a transfer or a change from your assignment?
22 A. No.
23 Q. Was that unusual in your experience, were you
24 aware of any other priests requesting a transfer or a
25 change from an assignment?

1 A. I don't know of any cases.
2 Q. Would that have been an unusual thing in your
3 experience?
4 MS. YOUNG: Objection; speculation.
5 Q. BY MR. HALE: You can answer.
6 A. I don't, don't know an answer.
7 Q. Do you have any awareness or knowledge of a
8 priest ever asking for a transfer or a change of an
9 assignment?
10 A. I don't know.
11 Q. So, what was your next assignment?
12 MS. YOUNG: After Our Lady of Guadalupe?
13 MR. HALE: Yes.
14 THE WITNESS: I think it was Sacred Heart
15 Lancaster but I, I might be wrong.
16 Q. BY MR. HALE: Okay. So, that started in the
17 summer of '61?
18 A. I guess so.
19 Q. And how long were you there for?
20 A. I think that was five years.
21 Q. So, until the summer of 1966?
22 A. Sounds right.
23 Q. Do you recall who was the pastor there?
24 A. No.
25 Q. Do you recall who any of the associates or

1 assistant pastors were there?
2 A. Can't think of any names right now.
3 Q. Okay. What was your next assignment in the
4 summer of 1966, assuming that's when it began?
5 A. I think that was St. Thomas the Apostle in Los
6 Angeles.
7 Q. And how long did that assignment last for?
8 A. Eight months.
9 Q. Why did that assignment only last eight months?
10 A. When I got there the other associate told me it
11 will take him a year to decide if he likes you or not,
12 but it didn't take a year.
13 Q. Who was the other associate?
14 A. Let me see, what was his name. Pass -- no. I
15 can't remember right now.
16 Q. Okay. And who was this pastor who took eight
17 months to decide he didn't like you?
18 A. O'Dwyer. I don't remember his first name.
19 Q. Did he communicate to you why he didn't like
20 you?
21 A. I don't think he ever spoke to me during those
22 eight months. He talked a lot, but he never talked to
23 me.
24 MS. YOUNG: Okay, don't volunteer any
25 information, just answer his questions.

1 THE WITNESS: Okay.
2 Q. BY MR. HALE: So, did you request a transfer
3 out of there or did it come down from the Archdiocese or
4 the chancery office?
5 A. From the chancery.
6 Q. Okay. And where was your next assignment?
7 A. Okay. Torrence. Can't remember the name of
8 the parish right now.
9 Q. So, was that sometime around early 1967? Since
10 it only lasted eight months.
11 A. I believe so, yeah.
12 Q. Okay. How long were you at the parish in
13 Torrence?
14 A. I think that was about five years.
15 Q. So, until around 1972?
16 A. I don't remember the dates, but I guess so.
17 '72.
18 Q. And who was the pastor there?
19 A. Don't remember.
20 Q. Do you remember who the associate or assistant
21 pastors were?
22 A. [REDACTED] was there.
23 Q. How do you spell his last name?
24 A. [REDACTED].
25 Q. Okay. Anyone else?

1 A. I don't remember any other name.
 2 Q. Was there anyone in residence there?
 3 A. No.
 4 Q. What about St. Thomas, was there anyone in
 5 residence with you there during your time at St. Thomas?
 6 A. No.
 7 Q. What about Sacred Heart, same question?
 8 A. No.
 9 Q. Before we get to your fifth assignment, when
 10 you were assigned to Our Lady had you ever been there
 11 previously, Our Lady of Guadalupe in Santa Barbara?
 12 A. No, I hadn't.
 13 Q. When you were assigned to Our Lady, did you ask
 14 anyone about what life in Santa Barbara was like?
 15 A. No.
 16 Q. When you were assigned to Our Lady, had you
 17 ever met Father Kelly previously?
 18 A. No.
 19 Q. Did you ask anyone what Father Kelly was like?
 20 A. No.
 21 Q. Did anyone ever comment to you what Father
 22 Kelly was like before you actually took up residence at
 23 Our Lady?
 24 A. No.
 25 Q. And when you took up residence at Our Lady, did

1 you discuss Father Kelly with any of the associate or
 2 assistant pastors?
 3 A. I have to say no.
 4 Q. Okay. Your fifth assignment after Torrence, do
 5 you recall what that was?
 6 A. Let me see here. Must have been from there to
 7 Sacred Heart in -- wait a minute.
 8 Q. I know it's been a while.
 9 A. Oh, gosh.
 10 Q. Just do your best. If you don't recall, it's
 11 all right.
 12 A. In Azusa, The Sacred Heart. I served in Azusa
 13 eight years as associate pastor, eight years as pastor
 14 and I have eight years, a little over eight years as
 15 retired.
 16 Q. What's the name of the parish there?
 17 A. St. Francis of Rome.
 18 Q. So, let me know if I misunderstood you but did
 19 you start there in 1972?
 20 A. That doesn't sound right. I've been there
 21 almost 25 years.
 22 Q. Are you still there right now?
 23 A. Yes.
 24 Q. And has your time there ever been interrupted
 25 with an assignment somewhere else?

1 A. No.
 2 Q. Okay. Do you think it's possible there was
 3 another assignment before you got to Azusa?
 4 A. I don't remember any other.
 5 Q. Okay. And again, correct me if I'm misstating
 6 your testimony, so, you served at St. Francis as an
 7 associate for eight years, then as pastor for eight
 8 years, and then you've been in residence for eight
 9 years?
 10 A. Uh-huh.
 11 MS. YOUNG: Yes?
 12 THE WITNESS: Yes.
 13 MR. HALE: Thanks.
 14 Q. Who was the pastor when you got there?
 15 A. ██████████.
 16 Q. All right. And were there any other associates
 17 when you got there?
 18 A. There was another associate, I don't recall the
 19 name.
 20 Q. Okay. And then since ██████████ and before
 21 you became pastor, were there any other pastors?
 22 A. No.
 23 Q. And after you became a priest in residence, who
 24 became the pastor?
 25 A. ██████████.

1 Q. How do you spell the last name?
 2 A. ██████████.
 3 Q. Is he still the pastor?
 4 A. Yes.
 5 Q. During your time there who else, what other
 6 priests have served as associate pastors or assistant
 7 pastors? I know you're probably not going to be able to
 8 recall all the names, whatever names you can recall is
 9 fine.
 10 MS. YOUNG: At St. Francis of Rome?
 11 MR. HALE: Yes.
 12 THE WITNESS: St. Francis of Rome. I can't
 13 remember the names right now.
 14 Q. BY MR. HALE: Okay, that's fine. Has there
 15 been anyone else in residence during your approximately
 16 24 years at St. Francis other than yourself?
 17 A. Residence, no.
 18 Q. Have you ever served on any committees within
 19 your Archdiocese?
 20 A. No.
 21 Q. Have you ever served on any boards or
 22 commissions within the Archdiocese?
 23 A. No.
 24 Q. Have you ever held any other positions other
 25 than as a pastor or an associate pastor or assistant

1 pastor?
 2 A. No.
 3 Q. Okay.
 4 MS. YOUNG: Let him finish his question before
 5 you answer even if you think you know what he's going to
 6 ask.
 7 MR. HALE: Which he did, but, thank you,
 8 Counsel.
 9 MS. YOUNG: And try to keep your hand down from
 10 your mouth.
 11 THE WITNESS: Sorry. Got any tape?
 12 Q. BY MR. HALE: When you were at Our Lady of
 13 Guadalupe in Santa Barbara, were there priests who came
 14 in and did -- let me backtrack for a second.
 15 Do you know what supply work is?
 16 A. Yes.
 17 Q. What's your understanding of supply work?
 18 A. A priest from outside the parish comes in for
 19 one of the weekend masses.
 20 Q. Okay. Were there priests -- during the four
 21 years you severed at Our Lady, were there priests from
 22 the Santa Barbara community or elsewhere who came in and
 23 did supply work at Our Lady?
 24 A. I do not remember any incident.
 25 Q. Okay. I understand from Father [REDACTED], or,

1 Father [REDACTED] that there was no deanery at the time
 2 he -- deaneries did not exist at the time he was at Our
 3 Lady. I assume because you were before him that the
 4 same is true for you as well, there was no such thing as
 5 a deanery at that time?
 6 A. Right.
 7 Q. He discussed there was some kind of
 8 semi-informal gathering of the area priests. Do you
 9 recall anything like that? I believe he said there
 10 wasn't a name for it but that there was a group that got
 11 together.
 12 A. I don't have any clear memory. If there was a
 13 gathering it would be a social thing.
 14 Q. Do you have any recollection of that happening
 15 on a regular basis with priests from the area?
 16 A. No.
 17 Q. Aside from your counsel, have you ever been
 18 aware of there being a fire anywhere on the property at
 19 Our Lady of Guadalupe?
 20 A. A fire. No.
 21 Q. Did you go and visit Father Kelly when he was
 22 in Nazareth House? Actually, I should -- let me back
 23 up.
 24 Were you aware at some point Father Kelly took
 25 up residence in Nazareth House?

1 A. I knew that, yes.
 2 Q. Okay. Did you ever go and visit him?
 3 A. I remember thinking about it. Whether I
 4 actually did it, I don't know for sure.
 5 Q. Okay. When was the last time you spoke to
 6 Father Kelly?
 7 MS. YOUNG: Before he died hopefully. No, I'm
 8 just kidding. You answer.
 9 MR. HALE: Well, hey, you know, anything's
 10 possible.
 11 THE WITNESS: I don't know, long time.
 12 Q. BY MR. HALE: Okay. Do you recall where or
 13 when that conversation took place?
 14 A. No.
 15 Q. Was it in person or over the phone?
 16 A. I don't remember ever talking to him on the
 17 phone.
 18 Q. Did you consider yourself to be friends, you
 19 and Father Kelly?
 20 A. We got along good.
 21 Q. Did you stay in touch after you left Our Lady?
 22 A. No.
 23 Q. And you were never assigned anywhere else with
 24 him?
 25 A. No.

1 Q. Okay. Were you ever, did you ever go on a
 2 retreat with him or go on a vacation with him or take a
 3 trip with him or anything like that?
 4 A. Huh-uh, no.
 5 Q. Thank you. Did you go to Father Kelly's
 6 funeral?
 7 A. No.
 8 Q. Were you notified that it was taking place?
 9 A. They always send a death notice, so, I must
 10 have known.
 11 Q. Okay. Do you recall, did you choose not to go
 12 to the funeral?
 13 MS. YOUNG: Objection; vague and ambiguous.
 14 THE WITNESS: I don't remember what, what the
 15 circumstances were.
 16 Q. BY MR. HALE: I'm sorry, I didn't catch that
 17 last part.
 18 A. I don't remember the circumstances.
 19 Q. Okay. Do you know someone -- is there a bishop
 20 in the Archdiocese or has there ever been a bishop in
 21 the Archdiocese with the first name of Joe, Bishop Joe?
 22 A. Sartoris.
 23 Q. Sartoris. Is he an auxiliary bishop?
 24 A. Yes. He was.
 25 Q. Is he dead?

1 A. I don't know.
 2 Q. Do you know if he presided or participated in
 3 Father Kelly's funeral?
 4 A. I don't know.
 5 Q. Do you know who did?
 6 A. No.
 7 Q. Did you ever talk to anyone who attended Father
 8 Kelly's funeral?
 9 A. No.
 10 Q. Was the first time that you met Father Kelly
 11 when you walked into the Our Lady and took up residence
 12 there?
 13 A. Yes.
 14 MS. YOUNG: Objection; asked and answered.
 15 Sorry, give me a second to make my objections
 16 before you answer his questions, but, that's fine. You
 17 gave the same answer.
 18 Q. BY MR. HALE: During your time at Our Lady,
 19 were you aware of any kind of storage facility for
 20 parish documents?
 21 A. No.
 22 Q. Were you aware of where parish documents were
 23 maintained?
 24 A. There was an office in the rectory with
 25 baptisms and marriages and all that, yes.

1 Q. Was that, was that kept with the parish
 2 secretary? Or perhaps --
 3 A. We didn't have a parish secretary when I was
 4 there.
 5 Q. Okay. Was that, was that in the pastor's
 6 office?
 7 A. I don't remember the details.
 8 Q. Okay. While you were there who was responsible
 9 for maintaining or filing parish documents, if anyone?
 10 A. That would be, like, baptisms and weddings and
 11 things?
 12 Q. Or business records, correspondence from the
 13 Archdiocese to the parish, that kind of thing.
 14 A. Oh, that sort of thing would be the pastor.
 15 Q. Okay. And what about, what about baptisms and
 16 communions?
 17 A. Whoever, whoever was presiding for those
 18 ceremonies would enter it in the books.
 19 Q. So, there were, there was a book wherein if
 20 there was a first communion or baptism that would be
 21 documented within that book?
 22 A. Not first communion. Baptisms, confirmations,
 23 weddings.
 24 Q. Okay. And so it would be handwritten into that
 25 book?

1 A. (Witness nods head affirmatively.)
 2 Q. Is that a yes?
 3 MS. YOUNG: Yes?
 4 THE WITNESS: Yes.
 5 MR. HALE: Thanks.
 6 Q. And so what would be written into the book; the
 7 name of the person, the date of the event, anything
 8 else?
 9 A. Let's see, it would usually have a parent's
 10 name, date of birth, for baptisms. For weddings it
 11 would include the witnesses at the wedding.
 12 Q. Okay. What other kinds of events would be
 13 entered into that book, if any?
 14 A. Confirmations, we kept a record of that.
 15 Q. Okay.
 16 A. And that would have the name of the bishop that
 17 did the ceremony.
 18 Q. Was it usually the bishop or sometimes an
 19 auxiliary bishop that would come and perform the
 20 ceremony?
 21 A. Any of the bishops.
 22 Q. Was there a particular, or, actually, you know,
 23 I should back up for a second.
 24 Were there, during your time at Our Lady, did
 25 axillary bishops exist or were they simply bishops?

1 A. Terminology, I don't remember when they started
 2 using the terminology.
 3 Q. Was there a bishop who was responsible, to your
 4 knowledge, for the Santa Barbara area while you were at
 5 Our Lady of Guadalupe?
 6 A. No.
 7 Q. Was there a monsignor or some kind of
 8 higher-ranking priest who had any kind of responsibility
 9 for the Santa Barbara area while you were at Our Lady of
 10 Guadalupe?
 11 A. No.
 12 Q. Do you remember any particular, any bishops in
 13 particular who came and performed these ceremonies on a
 14 regular basis at Our Lady of Guadalupe?
 15 A. No, I don't have any clear knowledge or memory
 16 of that.
 17 Q. Okay. Where were your living quarters when you
 18 first arrived at Our Lady?
 19 A. Okay, the bedrooms were on the second floor.
 20 Q. Okay.
 21 A. Mine were right at the head of the stairs on
 22 the left.
 23 Q. Okay. And was Father Kelly's kind of down the
 24 hallway on the right a little ways?
 25 A. Yeah, right.

1 Q. And was anyone else living upstairs when you
2 first moved into that bedroom on the left at the top of
3 the stairs?

4 A. The, the other bedroom, there was the other
5 associate priest. We shared a bathroom.

6 Q. Okay. Did you share a bathroom with Father
7 Kelly as well --

8 A. No.

9 Q. -- or just with the other associate?

10 A. Just the other associate.

11 Q. Father Kelly had his own bathroom?

12 A. Yes.

13 MS. YOUNG: Can we take a break when it's
14 convenient because it's been a little over an hour now.

15 MR. HALE: Yeah.

16 THE VIDEOGRAPHER: We are going off the record
17 at 11:37.

18 (A recess was taken.)

19 THE VIDEOGRAPHER: We are back on the record at
20 11:50.

21 Q. BY MR. HALE: Father, I know we were talking
22 about your living quarters. Before we finish that line
23 of questioning, were you ever, were you aware that
24 Father Kelly had identified you as the alternate
25 executor or administrator of his will?

1 A. No, I was not.

2 Q. Is me asking you that today the first time
3 you've heard that being the case, aside from anything
4 you learned from your attorneys?

5 A. I did not know that I was on his will.

6 Q. Okay. Did he ever come and visit you when you
7 were at Azusa?

8 A. No.

9 Q. Did you ever go and visit him at San Sebastian?

10 A. No.

11 Q. What about at Pico Rivera, his Pico Rivera
12 assignment?

13 A. No.

14 Q. What about when he was living in Mt. Pinos?

15 A. In what?

16 Q. Mt. Pinos.

17 MS. YOUNG: Assumes facts.

18 THE WITNESS: No.

19 Q. BY MR. HALE: Okay. Back to your living
20 quarters. I understand you were kind of the first door
21 to the left up the stairs, Father Kelly was a little bit
22 down the hallway to the right, and then there was
23 another living quarters for another associate pastor or
24 priest on that upstairs level as well?

25 A. Yeah.

1 Q. And where was the door for that, that room?

2 A. Okay, the, the stairs going up led to a hallway
3 and I was right there in that room. And then, down the
4 hallway there was the other associate. And then, a
5 little bit this way was the, the general room, living
6 room thing.

7 Q. Okay. So --

8 A. And then his bedroom was off of that living
9 room.

10 Q. When you say "his" you mean the other associate
11 pastor's?

12 A. No.

13 Q. Father Kelly's?

14 A. Father Kelly.

15 Q. Was there a communal living room for you and
16 the other associate pastor?

17 A. The three of us, Father Kelly and, we used that
18 for meetings and kind of a living room. Yeah. There
19 was also a kind of living room downstairs for, you know,
20 people came and wanted to talk.

21 Q. In that upstairs living room area, did you ever
22 see a record player or stereo of any kind?

23 A. I don't remember that, no.

24 Q. Okay. Were you ever aware of Father Kelly
25 having a record or record player or stereo in his living

1 quarters?

2 A. I have no idea.

3 Q. Did you ever set foot in his room, his living
4 quarters?

5 A. I don't, don't remember going in there for any
6 reason.

7 Q. Okay. Did your room, did you have the same
8 room all four years you were at Our Lady?

9 A. Yes.

10 Q. Did Father Kelly stay in the same room all four
11 years you were at Our Lady?

12 A. Uh-huh.

13 MS. YOUNG: That's a yes?

14 THE WITNESS: Yes.

15 MR. HALE: Thanks.

16 Q. Was there, during your four years at Our Lady,
17 was there anyone living in the downstairs area at any
18 time? On the first floor I should say.

19 A. Yeah. A lot of times the rectory had the
20 housekeeper's room right off the kitchen but I don't
21 remember whether it was that way in Santa Barbara.

22 Q. Okay. And do you recall there being any priest
23 candidates living in the downstairs area during any time
24 during your four years at Our Lady?

25 A. No.

1 Q. What about in the upstairs area?
 2 A. No.
 3 Q. Okay. In the downstairs area was there a
 4 stereo or record player of any sort?
 5 A. I don't know.
 6 Q. Were you aware of a stereo or a record player
 7 anywhere in the rectory?
 8 A. No, I have no memory of that.
 9 Q. Did you ever hear music coming out of Father
 10 Kelly's living quarters?
 11 A. I don't remember hearing music coming out of
 12 there.
 13 Q. Were you ever aware that Father Kelly liked
 14 music?
 15 A. No.
 16 Q. Okay. All right, so, you say when you first
 17 got there there was no secretary; is that correct?
 18 A. Yes, that's right.
 19 Q. Was there ever a secretary for the parish
 20 during your four years?
 21 A. I don't recall a secretary in the rectory.
 22 Q. Do you recall a secretary anywhere else?
 23 A. No. The school had a secretary.
 24 Q. We'll get to the school in a second. Do you
 25 recall there being any janitors, a janitor for the

1 rectory, any time during your four years?
 2 A. Somebody had to do the cleaning so there must
 3 have been somebody.
 4 Q. Okay. Do you remember a janitor named ██████
 5 ██████
 6 A. No, I don't.
 7 Q. Let me see if I can refresh your recollection.
 8 Do you remember there being a teenage boy around 17
 9 years old who served as the janitor for the rectory
 10 around 1959 or 1960?
 11 A. I don't remember the name of the person.
 12 Q. Do you remember Father Kelly allowing a teenage
 13 boy to hang around and do janitorial-type work at the
 14 rectory during your four years at Our Lady?
 15 A. No, I don't remember.
 16 Q. Was there a cook or a housekeeper for the
 17 rectory during your four years at Our Lady?
 18 A. Yes, we always had somebody to do the cooking.
 19 Q. Was it the same person during your four years?
 20 MS. YOUNG: Same person as what?
 21 MR. HALE: Cook or housekeeper.
 22 THE WITNESS: Same person all four years. I
 23 don't remember.
 24 Q. BY MR. HALE: Do you recall the person's name?
 25 A. No.

1 Q. Do you recall if it was a man or a woman?
 2 A. A woman.
 3 Q. Do you recall if there was -- strike that.
 4 During your four years at Our Lady, did you
 5 ever see anyone under the age of 18 inside the rectory?
 6 MS. YOUNG: Objection; speculation.
 7 You can answer.
 8 THE WITNESS: I'm sure that there were people,
 9 you know, people that age in the rectory because we had
 10 meetings there.
 11 Q. BY MR. HALE: Do you have any recollection of
 12 that though?
 13 A. No, no specific.
 14 Q. And what meetings are you referring to?
 15 A. I don't remember any details.
 16 Q. Are you talking about Blue Jackets Club
 17 meetings?
 18 A. Those, those were always in the parish hall.
 19 Q. Okay. Meetings of St. Mary's Boys Club?
 20 A. That was before my time.
 21 Q. Okay. Did you ever see anyone who appeared
 22 could have been under the age of 18 to you on the second
 23 floor of the rectory?
 24 A. I don't have any -- I don't remember anything
 25 like that, no.

1 Q. Do you recall ever hearing any voices other
 2 than Father Kelly's coming from Father Kelly's room?
 3 A. No.
 4 Q. Do you recall ever seeing boys who appeared to
 5 be or could have been under the age of 18 hanging out on
 6 the front yard of the rectory during your four years at
 7 Our Lady of Guadalupe?
 8 A. I don't think there was a front yard.
 9 Q. Well, by the front porch area.
 10 A. If anybody -- I don't know.
 11 Q. No recollection of that?
 12 A. No.
 13 Q. These meetings you reference, were these some
 14 sort of teen-age club meeting of some sort or --
 15 MS. YOUNG: Which meetings, Counsel?
 16 MR. HALE: He referenced the fact there were
 17 meetings.
 18 MS. YOUNG: The meetings in the rectory on the
 19 first floor?
 20 MR. HALE: Right.
 21 THE WITNESS: No, no, that would be personal
 22 counseling, things like that. They didn't use the
 23 rectory for meetings in that sense.
 24 Q. BY MR. HALE: So, when you say "meetings," do
 25 you mean meetings with multiple people or just meetings

1 between one person and a priest?
 2 A. If somebody was coming personally for
 3 counseling, that would probably be in the rectory, but
 4 if there was a club or a group, whatever it might be,
 5 that would be in the auditorium or in the school.
 6 Q. So, do you have any recollection of seeing boys
 7 who appeared that they could have been under the age of
 8 18 to you, I should say more than one boy, being on the
 9 first floor of the rectory?
 10 MS. YOUNG: Asked and answered.
 11 You can answer.
 12 THE WITNESS: I don't have any -- I don't
 13 remember any specific incidents unless there were
 14 teenagers inside, but I don't know.
 15 Q. BY MR. HALE: When you say personal counseling
 16 meetings, are you referring, you're not referring to
 17 confession, are you?
 18 A. It could have happened, confession, people just
 19 coming in, talk things over.
 20 Q. Okay. Outside any kind of penitential
 21 communications, can you recall what other kind of things
 22 were personally counseled by you or to your knowledge
 23 any other priest within the rectory?
 24 A. No, nothing specific to Santa Barbara.
 25 Q. What do you mean "nothing specific to Santa

1 Barbara"? Specific, you mean personal issues for the
 2 individual who came in?
 3 A. Yeah. Over the years in parishes people come
 4 in because they have problems they want to talk over or
 5 because they need advice or because, you know, for
 6 whatever reason. There was always someplace to talk to
 7 people when they came in.
 8 Q. Okay. But do you have a recollection of Father
 9 Kelly having personal counseling sessions with
 10 individuals who appeared to you to be possibly under the
 11 age of 18?
 12 A. Nothing that came to my attention that I was
 13 aware of something like that.
 14 Q. Do you recall ever being aware of there being
 15 any persons who appeared to you possibly under the age
 16 of 18 -- well, let me start this. Did Father Kelly have
 17 an office as well downstairs?
 18 A. No.
 19 Q. Did he have an office upstairs?
 20 A. No.
 21 Q. Was there an office for priests anywhere?
 22 A. Let me see. Downstairs we had, there was a
 23 kind of living room and then there was a dining room. I
 24 can't remember any other specific.
 25 Q. Okay. Did the parish have a Director of

1 Religious Education?
 2 A. No.
 3 Q. How about a Director of Youth Ministry?
 4 A. No.
 5 Q. Were there any volunteers who stick out in your
 6 mind who were kind of pillars of the community so to
 7 speak who spent a lot of time volunteering at the parish
 8 while you were there?
 9 A. I can't remember any specific person or name.
 10 Q. Did the parish have alter boys?
 11 A. Yes.
 12 Q. Who supervised the alter boys?
 13 MS. YOUNG: I assume you're asking while he was
 14 there?
 15 MR. HALE: Yeah.
 16 THE WITNESS: While I was there I did the work
 17 with the alter boys, yeah.
 18 Q. BY MR. HALE: Only you?
 19 A. As far as I remember, yeah.
 20 Q. Do you remember the names of any of the alter
 21 boys?
 22 A. No.
 23 Q. Did you train the alter boys?
 24 A. Yes.
 25 Q. Were you aware of Father Kelly training any of

1 the alter boys?
 2 A. Not while I was there.
 3 Q. Are you aware of him training alter boys at
 4 some time other than when you were there?
 5 A. I don't know.
 6 Q. Do you recall seeing any of the alter boys
 7 inside the rectory ever?
 8 A. Don't have any specific memory of that.
 9 Q. Okay. Do you recall seeing Father Kelly spend
 10 time, and excluding any kind of Blue Jackets Club or St.
 11 Mary's Boys Club, we'll get to that in a second, but do
 12 you recall seeing Father Kelly spending any time with
 13 boys who to you appeared they could have been under the
 14 age of 18, spending time with them outside of the
 15 rectory?
 16 A. No, I don't have any memory of that.
 17 Q. Okay. Can you think of any other parish
 18 employees that we haven't already discussed during your
 19 four years at Our Lady?
 20 A. No.
 21 Q. The front door to the parish, was that kept
 22 locked? Could anybody walk in at any time of the day?
 23 MS. YOUNG: The parish or --
 24 MR. HALE: I'm sorry, the rectory.
 25 THE WITNESS: Rectory. I don't know.

1 Q. BY MR. HALE: Do you recall if someone had to
 2 knock before they could be admitted into the rectory?
 3 A. I believe, yeah, they'd ring a doorbell or
 4 something.
 5 Q. Okay. And then would one of the priests come
 6 and answer the door or would the housekeeper answer the
 7 door?
 8 MS. YOUNG: Objection; speculation.
 9 THE WITNESS: Either one. Whoever was
 10 downstairs, or if there was nobody downstairs then I
 11 probably would be the one to run downstairs to answer.
 12 Q. BY MR. HALE: Do you have a recollection of
 13 anyone simply walking through the front door of the
 14 rectory without knocking or ringing the doorbell?
 15 MS. YOUNG: Objection; speculation.
 16 THE WITNESS: No, I don't remember that
 17 happening.
 18 Q. BY MR. HALE: Was there, were there any other
 19 entrances to the rectory other than the front door?
 20 A. Let me see. There must have been a backdoor
 21 off the kitchen, but I'm not positive.
 22 Q. Was there a basement in the rectory?
 23 A. I don't remember a basement.
 24 Q. Do you recall if the backdoor was kept locked
 25 or unlocked?

1 A. I imagine it was locked.
 2 Q. Do you know who had keys to the rectory?
 3 A. No.
 4 Q. You had a key to the rectory though; correct?
 5 A. Right.
 6 MS. YOUNG: Try and keep your hands away from
 7 your face.
 8 THE WITNESS: Oh, sorry.
 9 Q. BY MR. HALE: Who did the grocery shopping for
 10 the rectory when you were there?
 11 A. I expect it was whoever was doing the cooking
 12 but I can't give you a certain answer.
 13 Q. Okay. Did you ever do grocery shopping for the
 14 rectory?
 15 A. No.
 16 Q. Were you ever aware of any priests doing
 17 grocery shopping for the rectory?
 18 A. No.
 19 Q. Do you know who bought wine for communion?
 20 A. That was usually delivered.
 21 Q. Do you know who arranged for that delivery?
 22 A. No, but I imagine the pastor.
 23 Q. Remember, we don't want you to guess to any of
 24 the questions we ask you.
 25 A. Okay.

1 Q. Do you have any recollection of who arranged
 2 for the delivery of wine for communion?
 3 A. No.
 4 Q. Did you ever arrange for delivery of wine for
 5 communion?
 6 A. No.
 7 Q. Were you ever aware of Father Kelly arranging
 8 for delivery of wine for communion?
 9 A. No.
 10 Q. Did you ever help unload a delivery of wine for
 11 communion?
 12 A. I don't have any specific memory of helping.
 13 Q. Okay. Who determined -- well, is it safe to
 14 say that Father Kelly determined who would perform mass
 15 on any given day?
 16 MS. YOUNG: Objection; assumes facts.
 17 Q. BY MR. HALE: Who determined who performed mass
 18 at Our Lady? During your four years obviously. And,
 19 Father, unless I say otherwise, I'm focusing in on your
 20 four years at Our Lady.
 21 A. Yeah, right.
 22 I would imagine it would be the pastor, but I
 23 don't, I can't say for sure.
 24 Q. Do you have a recollection of there being any
 25 kind of written schedule, like, a weekly schedule,

1 Monday through Sunday, where your names would be
 2 penciled in as far as who was responsible for what mass?
 3 A. Yeah, I think there was a bulletin board
 4 upstairs so we'd know when the masses were.
 5 Q. Do you recall participating in filling out that
 6 bulletin board or was that something --
 7 A. I don't remember that, no.
 8 Q. Okay. Do you recall Father Kelly filling out
 9 that bulletin board?
 10 A. I expect that that's what he did, but I don't
 11 have any specific memory of it.
 12 Q. Okay. Do you recall if there was maybe a
 13 meeting at the beginning of every week regarding who
 14 would perform what mass or was there kind of a set
 15 schedule where you guys knew who was responsible for
 16 what?
 17 A. I don't remember what the specifics.
 18 Q. During your four years at Our Lady, was it
 19 common or uncommon for there to be changes in that
 20 assignment schedule as far as who would be performing
 21 mass?
 22 A. I'd have to guess. I don't know.
 23 Q. Don't guess. Do you ever recall seeing
 24 somebody's name crossed out and a new name penciled in
 25 on that schedule?

1 A. I don't remember that.
 2 Q. Was it a blackboard or a piece of paper or a
 3 calendar?
 4 A. No, it wasn't a blackboard, so. I don't
 5 remember a calendar.
 6 Q. Okay. Where was the communion wine kept; in
 7 the rectory or in the sacristy?
 8 A. I don't remember.
 9 Q. Okay. Do you recall if there was any alcohol
 10 of any kind kept in the rectory?
 11 A. I didn't drink, so, I don't remember. I don't
 12 know.
 13 Q. Do you remember seeing any bottles of liquor in
 14 the kitchen or anything like that?
 15 A. No.
 16 Q. Were you ever aware of Father Kelly drinking
 17 while in the rectory?
 18 A. No.
 19 Q. Did you ever smell alcohol on Father Kelly's
 20 breath?
 21 A. No.
 22 Q. Ever aware of anyone saying that they smelled
 23 alcohol on Father Kelly's breath?
 24 A. No.
 25 Q. Ever aware of Father Kelly appearing drunk?

1 A. No.
 2 Q. Ever aware of anyone saying that Father Kelly
 3 appeared drunk?
 4 A. No, I don't remember anything like that.
 5 Q. This is probably a crazy question but did the
 6 rectory have a bar? I think the answer is going to be
 7 no I assume, but I want to ask it anyways.
 8 A. I can't remember a bar there, no.
 9 Q. Okay. Who, during your four years -- so,
 10 during your four yours there was never a secretary. Who
 11 would be responsible for receiving mail to the parish?
 12 MS. YOUNG: Objection to the extent it
 13 misstates his testimony, but go ahead, you can answer.
 14 MR. HALE: Let me back up a second.
 15 Q. During your four years was there ever a
 16 secretary for the parish?
 17 A. I do not remember a secretary.
 18 Q. Okay. Do you recall who was responsible for
 19 receiving mail at the parish?
 20 A. I expect it would be the pastor.
 21 Q. Okay. But you don't have a recollection now?
 22 A. No.
 23 Q. Did the rectory have a mailbox right outside
 24 the rectory or was mail delivered to the rectory into
 25 the office?

1 MS. YOUNG: Your last questions were about the
 2 parish, now you're moving to the rectory?
 3 MR. HALE: Yes.
 4 MS. YOUNG: Do you understand the question?
 5 THE WITNESS: Yeah, but, if there was delivery
 6 it was through a slot in the door but I can't say for
 7 sure that that's what happened.
 8 Q. BY MR. HALE: Do you remember how mail was
 9 distributed while you were there?
 10 A. No.
 11 Q. Do you remember picking up any mail of your
 12 own?
 13 A. (Witness shakes head negatively.)
 14 Q. Is that a no?
 15 A. No.
 16 Q. Did you have a car while you were at Our Lady?
 17 A. Yes.
 18 Q. What kind of car?
 19 A. I don't remember.
 20 Q. And was it parked in the, did you park it in
 21 the garage?
 22 A. We had a garage, yeah.
 23 Q. Behind the rectory?
 24 A. Uh-huh.
 25 Q. Did the garage face the street?

1 A. Yes.
 2 Q. And did Father Kelly have a car?
 3 A. Yes.
 4 Q. Do you remember what kind of car he had?
 5 A. No.
 6 Q. Do you remember where he parked his car?
 7 A. The other garage I expect.
 8 Q. If we were standing on Nopal, facing the
 9 garages, would Father Kelly's space have been on the
 10 right side and yours on the left?
 11 A. As I recall, the front door was on the side
 12 street. I forget the name.
 13 Q. Jennings?
 14 A. Was it Jennings? Okay. So that the garages
 15 would have been on Jennings.
 16 Q. So, let's scratch the reference to the street.
 17 If you're facing the garage, were there two spaces for
 18 cars or three?
 19 A. I can't say for sure. I don't remember.
 20 Q. Do you remember if Father Kelly would park on
 21 the right or on the left?
 22 A. Seems to me he was on the left of where I
 23 parked.
 24 Q. Okay. And were these covered spaces with a
 25 garage door?

1 A. Yes.
 2 Q. Okay. Do you recall Father Kelly getting a new
 3 car while you were at Our Lady?
 4 A. I don't remember that.
 5 Q. Do you recall him driving the same car all four
 6 years you were at Our Lady?
 7 A. No.
 8 Q. Do you have any recollection of him having a
 9 different car during the four years you were at Our
 10 Lady?
 11 A. No recollection.
 12 Q. Okay. What, if anything, do you recall about
 13 the Blue Jackets Club?
 14 A. It was, it was, it was something, it was a good
 15 activity for that age group and also an opportunity to
 16 get them ready for the catechism of confirmation.
 17 Q. Was the Club already in existence when you
 18 arrived at Our Lady?
 19 A. Yes.
 20 Q. Do you know who started the Club?
 21 A. It was started by Father Kelly when he was
 22 there earlier on as an associate pastor.
 23 Q. Are you referring to the period before he went
 24 to the Bishop's Committee for the Spanish Speaking?
 25 MS. YOUNG: Objection; assumes facts not in

1 evidence.
 2 THE WITNESS: As I recall that's right.
 3 Q. BY MR. HALE: Did you ever talk with him about
 4 his time serving on the Bishop's Committee for the
 5 Spanish Speaking?
 6 A. No.
 7 Q. How did you become aware that he served on the
 8 Bishop's Committee for the Spanish Speaking?
 9 A. I don't recall any specifics.
 10 Q. Okay. And did he tell you that he started the
 11 Blue Jackets Club before he left the Bishop's Committee
 12 for the Spanish Speaking?
 13 A. Yes.
 14 Q. What did he say about starting the Blue Jackets
 15 Club?
 16 A. I don't remember any specifics.
 17 Q. What did he tell you -- did he tell you what
 18 the purpose of the Blue Jackets Club was?
 19 A. I don't remember discussing it with him.
 20 Q. How did, during your time there, how, did you
 21 have an understanding of how a boy could become a member
 22 of the Blue Jackets Club? Was it invitation only or
 23 could anyone join?
 24 A. I don't remember any process of recruitment or
 25 anything.

1 Q. Okay. But do you recall, was Father Kelly
 2 responsible for the Club, to your knowledge?
 3 MS. YOUNG: Are you asking -- what time frame?
 4 MR. HALE: While he was there.
 5 THE WITNESS: While I was there I was in
 6 charge.
 7 Q. BY MR. HALE: Did Father Kelly participate in
 8 the Club?
 9 A. Not at that time, no.
 10 Q. During your four years not at all?
 11 A. No.
 12 Q. He was not involved in any Club activities
 13 during your four years at Our Lady?
 14 A. No. There might be something that I'm
 15 forgetting, but I'd say no.
 16 Q. Okay. How was it that you came to be in charge
 17 of the Blue Jackets Club?
 18 A. The associate took care of the teenagers.
 19 That's what happened back then.
 20 Q. And did someone discuss with you what your
 21 responsibilities would be with the Blue Jackets Club?
 22 A. I don't remember that.
 23 Q. Okay. Did any other priests help you with the
 24 Blue Jackets Club?
 25 A. No.

1 Q. What exactly were your responsibilities with
 2 the Blue Jackets Club?
 3 A. When they -- I guess I was there to keep order
 4 and to kind of guide the processes. I used it as a
 5 chance to educate them, getting them ready for
 6 confirmation.
 7 Q. Okay. Was it a boys-only club?
 8 A. Yes.
 9 Q. Do you have any understanding as to why it was
 10 for boys only?
 11 A. That junior high age, that's usually, you know,
 12 "girls eeau." I mean, I wouldn't expect a junior high
 13 to be co-ed back then.
 14 Q. Was there any kind of equivalent club for girls
 15 that you were aware of?
 16 A. No.
 17 Q. Did anyone ever complain about that? Some kind
 18 of equal opportunity argument or something like that?
 19 MS. YOUNG: You mean complain to him?
 20 MR. HALE: Yes.
 21 THE WITNESS: No.
 22 Q. BY MR. HALE: Were you ever aware of anyone
 23 complaining to anyone about that fact?
 24 MS. YOUNG: Is that a no? Try to keep your
 25 hands --

1 THE WITNESS: No, I don't remember that coming
2 up at all.

3 Q. BY MR. HALE: Okay. And what were the ages
4 generally? Was there an age group generally for the
5 boys in the Blue Jackets Club? Did you have to be a
6 certain age and you couldn't be over a certain age to be
7 in it?

8 A. In general it was, like, it was junior high,
9 which would be seventh, eighth and ninth grade.

10 Q. Okay. And do you have any understanding of how
11 that came to be the age for the boys in the Blue Jackets
12 Club?

13 A. Except that that's the age for confirmation,
14 no.

15 Q. So, did you ever discuss with Father Kelly that
16 that was the specific age group for boys in the Blue
17 Jackets Club?

18 A. I don't remember that at all.

19 Q. Okay. And did he ever offer you any
20 explanation as to why that was the age for boys in the
21 Blue Jackets Club?

22 A. I don't think I ever asked him for an
23 explanation.

24 Q. But it was your understanding that that was the
25 age group for boys in the Blue Jackets Club?

1 A. I can't think of any specifics. It wasn't like
2 leadership or anything but he was there willing to help
3 out.

4 Q. Okay. Anyone else other than Mr. [REDACTED] that
5 you recall who helped out with the Club?

6 A. No, I don't remember any name.

7 Q. How often would the Club meet during your four
8 years; was it a weekly thing? A monthly thing?

9 A. I believe it was weekly but I'm not positive.

10 Q. Okay. And were the meetings always at the
11 parish hall? While you were there.

12 A. As far as I recall, yeah.

13 Q. Okay. How many boys were generally members of
14 the Blue Jackets Club during your four years? Can you
15 give me a high and a low as far as membership goes?

16 A. Probably between 20 and 30.

17 Q. Okay. And I take it there wasn't any kind of
18 application process or anything like that?

19 A. I don't remember any initiation.

20 Q. Okay. And did they literally, were they
21 required to wear a blue jacket?

22 A. There were times when everybody had the same
23 jacket but not all the time.

24 Q. Okay. And what kind of activities did the Blue
25 Jackets Club do at the parish hall?

1 A. Yeah.

2 Q. Okay. Were there any boys younger than seventh
3 grade in the Blue Jackets Club during your four years?

4 A. I doubt it. I don't think so.

5 Q. Were there any boys older than ninth grade in
6 the Blue Jackets Club while you were there?

7 A. I don't know.

8 Q. Okay. Were there any lay people that assisted
9 with the Blue Jackets Club?

10 A. I don't remember any names. There was always
11 somebody that was helping out.

12 Q. Do you remember someone named [REDACTED]?

13 A. Oh, yeah, I remember [REDACTED].

14 Q. How do you remember [REDACTED]?

15 A. He was around a lot. He was single and kind of
16 shy but he felt at home around the church. He was there
17 a lot.

18 Q. Was he a member of the Club or was he assisting
19 the Club?

20 A. He probably helped out on some of the projects.
21 Not as a member, no, he was older.

22 Q. So, he was over the age of 18 when you knew
23 him?

24 A. Yes.

25 Q. How did he help out with the Club?

1 A. I can't remember specifics. I imagine there
2 was some basketball games.

3 Q. Did the Blue Jackets Club have a team?

4 A. No.

5 Q. When you say "games," you mean just games
6 between Blue Jackets Club club members?

7 A. Yeah.

8 Q. And where would those games be played?

9 A. Would have been in the parish hall. I think
10 there was a standard or something I think they'd shoot
11 the baskets in.

12 Q. So, the parish hall had a basketball court?

13 A. More like a --

14 Q. Half court?

15 A. -- a standard and then they could, you know,
16 had the basket on it that was movable that I recall.

17 Q. What other kind of activities did the Blue
18 Jackets Club engage in? You said they played sports.

19 MS. YOUNG: Objection; misstates the testimony.

20 MR. HALE: Okay.

21 MS. YOUNG: Basketball was the only thing I
22 heard.

23 Q. BY MR. HALE: Were there any other sports?

24 A. I don't remember any specifics.

25 Q. Okay. I think you said there was also some,

1 you used it as a way to prepare the kids for their
 2 first --
 3 A. Confirmation.
 4 Q. Confirmation, okay.
 5 MS. YOUNG: Try to keep your hands away from
 6 your mouth.
 7 Q. BY MR. HALE: How did that come about? How did
 8 you help prepare them in the context of Blue Jackets
 9 Club meetings?
 10 A. There was a certain amount of, you know,
 11 catechism that they needed to learn getting ready for
 12 confirmation.
 13 Q. Okay. So --
 14 A. I did some instruction in that sense.
 15 Q. Did Blue Jackets Club meetings at times become
 16 sort of informal CCD classes?
 17 A. Yes.
 18 Q. Okay. Anything else you recall taking place at
 19 the parish hall related to the Blue Jackets Club
 20 meetings? Was there sometimes food and soda involved at
 21 those meetings?
 22 A. I wouldn't be surprised.
 23 Q. Okay. But do you have a recollection of that?
 24 A. No.
 25 Q. Okay. Anything else at the parish hall club

1 meetings?
 2 A. No.
 3 Q. What about outside the Club, what kind of
 4 activities outside the Club if any did the Club
 5 participate in?
 6 A. I don't remember anything specific.
 7 Q. Okay. Did the Club ever take trips anywhere?
 8 A. I don't remember any trip.
 9 Q. Okay. Were there ever any Blue Jackets Club
 10 meetings at Father Kelly's cabin?
 11 A. Not that I knew of.
 12 Q. Okay. Did the Club ever participate in any
 13 kind of parish activities other than what we've already
 14 discussed?
 15 A. Can't remember anything specific now.
 16 Q. Okay. And during your four years did any other
 17 assistant or associate pastors step up and also help out
 18 with the Club?
 19 A. No.
 20 Q. Okay. Did anyone ever get kicked out of the
 21 Club while you were there?
 22 A. I don't remember any incident.
 23 Q. Okay. Did you ever personally invite anyone to
 24 join the Club?
 25 A. I don't remember.

1 Q. Do you know who did invite boys to join the
 2 Club?
 3 MS. YOUNG: Objection; assumes facts not in
 4 evidence.
 5 THE WITNESS: I don't know.
 6 Q. BY MR. HALE: How did membership come about;
 7 was it generally the result of some kind of invitation
 8 to a boy or would a boy approach you and say "I'd like
 9 to join"?
 10 MS. YOUNG: Objection; assumes facts not in
 11 evidence.
 12 You can...
 13 THE WITNESS: It wasn't anything that formal.
 14 I don't remember the specifics about, you know, any
 15 individual joining, but there wasn't any process that I
 16 could define.
 17 Q. BY MR. HALE: Did a boy ever approach you and
 18 say that he wanted to join the Club?
 19 A. Wouldn't be surprised, but.
 20 Q. You don't have a recollection of that though?
 21 A. No.
 22 Q. Do you ever recall Father Kelly saying that a
 23 boy had approached him and said he wanted to join the
 24 Club?
 25 A. No.

1 Q. Did Father Kelly ever tell you that he invited
 2 a boy to join the Club?
 3 A. No.
 4 Q. Was there a roster maintained of Blue Jackets
 5 Club members?
 6 A. I don't remember any formal organization like
 7 that, no.
 8 Q. Do you remember any kind of written
 9 documentation whatsoever related to the Blue Jackets
 10 Club?
 11 A. No.
 12 Q. Did the parish have any kind of newsletter or
 13 bulletin while you were at Our Lady?
 14 A. The parish usually has a weekly bulletin but I
 15 don't remember specifically that we had it.
 16 Q. At Our Lady?
 17 A. Right.
 18 Q. Do you have any recollection of seeing any
 19 reference in any kind of parish publication to the Blue
 20 Jackets Club?
 21 A. No, I don't have any.
 22 Q. Do you recall there ever being any discussions
 23 of the Blue Jackets Club during any kind of parish
 24 meetings or during mass or anything like that?
 25 A. I don't remember anything about that, no.

1 Q. Was there a boxing club of some sort while you
2 were at Our Lady?
3 A. There was one before I was there. There wasn't
4 one there when I was there.
5 Q. How did you become aware of there being one
6 before you were there?
7 A. I don't know.
8 Q. Do you know --
9 A. Hear talk about it.
10 Q. Who would talk about it?
11 A. I don't remember.
12 Q. Do you remember Father Kelly talking about it?
13 A. I might have asked him, I don't know.
14 Q. Okay. Do you remember -- do you have any
15 understanding of why the boxing club ceased to exist?
16 A. No.
17 Q. Are you familiar with something called the St.
18 Mary's Boys Club?
19 A. No.
20 Q. Never heard of that?
21 A. Might have, might have heard it, but I don't
22 have any kind of knowledge of it.
23 Q. Okay. Did the priests of the parish eat dinner
24 together every night while you were there?
25 A. Ordinarily.

1 Q. Okay.
2 MS. YOUNG: Keep your hands down.
3 MR. HALE: Thanks, Counsel.
4 Q. Was it generally you and Father Kelly and the
5 associate, another associate pastor at the dinner table?
6 A. Yes.
7 Q. And was the dinner table downstairs?
8 A. Yes.
9 Q. Would anyone else ever join you for dinner?
10 A. I don't have any specific recollection. There
11 might have been another priest at some time.
12 Q. Did you know [REDACTED]?
13 A. [REDACTED]?
14 Q. Yes.
15 A. No.
16 Q. What about a Mr. [REDACTED]?
17 A. [REDACTED], yes, very well.
18 Q. How did you know him?
19 A. He was, you know, lived nearby and he was very
20 very much involved with parish activities.
21 Q. How was he involved with parish activities?
22 A. He was an altar boy and I think he kind of
23 helped out with assistant sacristan or something. Got
24 to know him really well because he was around a lot.
25 Q. Okay.

1 A. Lived nearby.
2 Q. Was he involved in the Blue Jackets Club in any
3 way?
4 A. I don't think so.
5 Q. Did the priests of the parish when you were
6 there generally have breakfast together as well?
7 A. Breakfast. I don't remember that. In general
8 the parish is you have breakfast after you say mass, so,
9 it's a solitary thing.
10 Q. Okay. With regards to dinner, do you recall
11 any parishioners or lay people ever joining you for
12 dinner in the rectory?
13 A. I don't remember that happening.
14 Q. Okay. Do you recall any, anyone who appeared
15 to be under the age of 18 joining you for dinner in the
16 rectory?
17 A. Huh-uh.
18 Q. Is that a no?
19 A. No.
20 Q. Thanks. Sorry.
21 A. That's all right. I need reminding.
22 Q. Did you ever see Father Kelly drinking wine or
23 any other alcohol at dinner at the rectory?
24 A. No.
25 Q. Okay. Did you and Father Kelly have a habit of

1 going for walks together after dinner during your time
2 at Our Lady?
3 MS. YOUNG: Objection; vague and ambiguous as
4 to "habit."
5 You can answer.
6 THE WITNESS: Going for walks together, I don't
7 have any specific recollection. I think we probably did
8 sometimes.
9 Q. BY MR. HALE: Did you sometimes walk down to
10 the nearby store and buy some ice cream together?
11 A. I don't remember doing that.
12 Q. Okay. Let's talk about the school a little
13 bit. The school was still open while you were there;
14 correct?
15 A. Yes.
16 Q. Okay. What responsibilities, if any, did you
17 have with regards to the school?
18 A. I spent a lot of time over there, you know,
19 during the recess spending time with the kids, getting
20 acquainted. I helped out with the seventh and eighth
21 grade religion classes.
22 Q. Okay. Anything else?
23 A. Can't think of anything else.
24 Q. What would you do on recess?
25 A. Sometimes I joined in kickball or other times I

1 just talked to kids.
 2 Q. And was that a daily thing you did? Weekly
 3 thing?
 4 A. It was usually more than once a week.
 5 Q. And when you say "recess" you're talking about
 6 the lunch recess or the morning recess?
 7 A. The time off at lunch was the longest one.
 8 That was probably the times when I would be over there.
 9 Q. And, I'm sorry, you said something about
 10 seventh and eighth grade?
 11 A. Huh?
 12 Q. You said something with seventh and eighth
 13 grade.
 14 A. You know, there was more organized sports for
 15 them than for the younger kids.
 16 Q. Were you involved -- what sports do you
 17 remember at Our Lady?
 18 A. Touch football and basketball.
 19 Q. Was it flag football or just touch?
 20 A. I don't remember flags. Probably just touch.
 21 Q. Was there a football coach?
 22 A. No.
 23 Q. Do you recall, was there a football season?
 24 A. Don't remember that.
 25 Q. Okay. Do you recall what months football would

1 be played at Our Lady?
 2 A. No. I could make guesses, but.
 3 Q. Did you help coach -- so, did Our Lady have a
 4 football team to your knowledge, the school, a touch
 5 football team that is?
 6 A. Oh, for interschool competition?
 7 Q. Right.
 8 A. I don't remember any organized thing like that.
 9 Q. Okay. Did you ever help coach any of these --
 10 did you go to touch football games?
 11 A. Yeah, I did help coach.
 12 Q. Okay. How did you help coach?
 13 A. You know, making sure they followed the rules
 14 and doing some umpiring or refereeing or whatever.
 15 Q. Okay. But it wasn't, like, organized football
 16 where there would be position coaches and that kind of
 17 thing?
 18 A. Oh, no.
 19 Q. Okay. Do you recall what year you first helped
 20 with the touch football at Our Lady?
 21 A. Probably when I first got there.
 22 Q. And do you think you helped every year?
 23 A. Probably, yeah.
 24 Q. But do you have a specific recollection of
 25 that?

1 A. No.
 2 Q. Okay. Do you recall any other adults being
 3 involved with the touch football?
 4 A. I have a feeling that there were others that
 5 helped out but I don't have any specifics.
 6 Q. Does the name [REDACTED] ring any bells to
 7 you?
 8 A. [REDACTED]
 9 Q. [REDACTED]
 10 A. I don't remember that name.
 11 Q. Okay. Do you remember there being games at
 12 Cabrillo Field?
 13 A. Yeah.
 14 Q. Do you remember there being practices at
 15 Cabrillo Field?
 16 A. Yes.
 17 Q. Do you remember there being games away from the
 18 school, at other schools?
 19 A. I don't remember any specifics but, yeah, there
 20 was some, some interschool/intermural.
 21 Q. And did you coach at those games?
 22 A. At some of them, yeah.
 23 Q. Did you ever referee at any of those games?
 24 A. Could be, I don't remember.
 25 Q. With regards to the practices at Cabrillo

1 Field, do you remember attending some of those?
 2 A. Yes.
 3 Q. Okay. Do you remember what ages of kids would
 4 play? Was that strictly a seventh grade/eighth grade
 5 activity?
 6 A. As far as I remember, yes.
 7 Q. Do you remember football being, taking place
 8 after school got out or was it during school hours?
 9 A. It would be after.
 10 Q. Okay. Was Cabrillo Field walking distance from
 11 Our Lady or did kids get a ride there generally, do you
 12 know? Would be kind of a hike, wouldn't it?
 13 A. It was probably five blocks. I know it wasn't
 14 over half a mile, so, I wouldn't say it was a distance.
 15 Q. Okay. Did they have uniforms they had to wear
 16 or practice gear or anything like that?
 17 A. I think we got some t-shirt jersey things. At
 18 one point they got to have a uniform.
 19 Q. But this was definitely not full contact
 20 football with pads or helmets?
 21 A. No, no.
 22 Q. Okay. Do you recall, was there a try-out for
 23 the team or could anybody come out?
 24 A. In general that kind of thing I'd say, you
 25 know, the ones that wanted to play got to play. I don't

1 remember details about it.
 2 Q. Okay. What about basketball season; was there
 3 a basketball team for Our Lady?
 4 A. Oh, yeah. We had a basketball standard over at
 5 the school, so, they played basketball, yeah.
 6 Q. And did you help coach that team?
 7 A. I wasn't very good at basketball. I probably
 8 helped out some.
 9 Q. Going back to football, do you recall Father
 10 Kelly ever participating or assisting in any practices
 11 or games?
 12 A. Not while I was there.
 13 Q. Okay. And as far as the basketball, do you
 14 remember who the basketball coach was?
 15 A. No.
 16 Q. Did you help every year that you were at Our
 17 Lady with the basketball team?
 18 A. I think so.
 19 Q. Were you an assistant coach or did you just
 20 help out?
 21 A. It wasn't well enough organized to say there
 22 was a coach and assistant coach.
 23 Q. Okay. Was there a schedule? Were there games
 24 played against other schools?
 25 A. As I recall, yes.

1 Q. And where were those played at?
 2 A. Some of them were at our school, some of them
 3 were at the other school.
 4 Q. Okay. Do you remember traveling anywhere with
 5 the team to a game?
 6 A. Not specifically.
 7 Q. Do you remember Father Kelly helping out with
 8 the basketball, the school's basketball team?
 9 A. No.
 10 Q. Okay. And were there try-outs for the school
 11 basketball team?
 12 A. No.
 13 Q. Do you recall what time of year the school
 14 basketball took place?
 15 A. No. I imagine it would be in the fall but I
 16 don't know.
 17 Q. My recollection from high school is generally
 18 it started around November and continued into January or
 19 February. Does that sound about right to you?
 20 MS. YOUNG: Don't speculate.
 21 MR. HALE: Don't speculate.
 22 THE WITNESS: I don't know.
 23 MS. YOUNG: You're quite a bit younger than he
 24 is.
 25 MR. HALE: I know. I realize that.

1 Q. Do you remember there being any cross-over,
 2 maybe it starting during the first part of the school
 3 year and continuing into the second part of the school
 4 year, or was it all in one portion of the school year?
 5 A. I don't remember.
 6 Q. Okay. Do you remember Father Kelly assisting
 7 with the basketball team?
 8 A. No.
 9 MS. YOUNG: Objection; asked and answered.
 10 THE WITNESS: No.
 11 Q. BY MR. HALE: Do you recall the parish having a
 12 basketball team?
 13 A. Apart from the school?
 14 Q. Yes.
 15 A. No.
 16 Q. Do you recall Father Kelly attending any
 17 basketball games away from the school?
 18 A. No.
 19 Q. Who transported kids from the school to
 20 football games or to basketball games?
 21 A. Parents I expect.
 22 Q. But you don't have a recollection?
 23 A. There was not -- I don't remember it being
 24 well, you know, organized.
 25 Q. Okay.

1 A. So, it would be parents.
 2 Q. Do you recall there being any overnight trips
 3 for basketball or a football game?
 4 A. No.
 5 Q. Okay.
 6 We've been going about an hour, do you want to
 7 take a break here or do you want --
 8 MS. YOUNG: Sure. And let's take a break.
 9 Let's decide what time we should eat. I prefer it not
 10 be now because I don't have any lunch.
 11 MR. HALE: I'm fine. In fact, if you want --
 12 MS. YOUNG: How about 1:30?
 13 MR. HALE: That's fine too. If you want to try
 14 and press through, we could try to finish before 2:30,
 15 but I don't know, I just can't promise you that that's
 16 going to happen. But we can try if you want to. If you
 17 want to take lunch, that's okay too.
 18 MS. YOUNG: You mean --
 19 MR. HALE: Just skip lunch altogether.
 20 MS. YOUNG: Okay. Why don't we go till 1:30
 21 and just see where we're at.
 22 MR. HALE: See where we're at. That sounds
 23 good. So, let's take five and we'll keep going and see
 24 where we're at.
 25 THE VIDEOGRAPHER: We're going off the record

1 at 12:44. This is the end of Tape No. 1 in the
 2 continuing deposition.
 3 (A recess was taken.)
 4 THE VIDEOGRAPHER: We are back on the record at
 5 12:55 p.m. This is the beginning of Tape No. 2 in the
 6 continuing deposition.
 7 Q. BY MR. HALE: Father, we were talking about
 8 whatever, what responsibilities, if any, you had at the
 9 school. So, you assisted with some of the sports
 10 programs. Anything other than football and basketball?
 11 A. I don't remember any others, no.
 12 Q. Okay. And then you went over for recess at
 13 times. Anything else that you did with regards to the
 14 school?
 15 A. Yeah, I taught religion class for the seventh
 16 and eighth.
 17 Q. Okay. You did that all four years?
 18 A. Probably.
 19 Q. When you went over for recess would Father
 20 Kelly go with you?
 21 A. No.
 22 Q. Did you ever see him with the kids at recess?
 23 A. No, I didn't.
 24 Q. And when you taught religion class, was that
 25 once a day? Once a week? How often would that happen?

1 A. This isn't exact but I would say maybe either
 2 two or three times a week.
 3 Q. And how long would the class last for?
 4 A. Forty minutes.
 5 Q. Any other responsibilities at the school?
 6 A. At the school. Being friendly with the
 7 principal.
 8 Q. Okay. Anything else?
 9 A. No.
 10 Q. Were you, were any faculty or staff for the
 11 school hired while you were there?
 12 A. I don't know.
 13 Q. Were you ever involved in the hiring process?
 14 A. No.
 15 Q. Were any faculty or staff fired while you were
 16 there?
 17 A. I don't remember.
 18 Q. Were you ever involved in any kind of firing
 19 process?
 20 A. No.
 21 Q. Who was the principal while you were there?
 22 A. Name that comes to mind is Sister Francis but I
 23 don't remember specifics.
 24 Q. Was she a member of the Sisters of Notre Dame?
 25 A. Yeah, Notre Dame Sisters.

1 Q. Do you recall, what was the faculty size while
 2 you were there? How many in other words?
 3 A. I think there was, like, three nuns. Seven
 4 grades, so, the others would be laymen.
 5 Q. How many lay teachers?
 6 A. Maybe four.
 7 Q. Okay. And was the principal a nun too it
 8 sounds like?
 9 A. Yes.
 10 Q. And was she in addition to the faculty or was
 11 she one of the faculty?
 12 A. She tended to be the eighth grade teacher.
 13 Q. Okay. When was the last time you spoke to her?
 14 Not since you were there?
 15 A. Not since I was there.
 16 Q. Do you know what her last name was?
 17 A. No.
 18 Q. The nuns did not live on parish grounds;
 19 correct?
 20 A. They had a convent in Santa Barbara. It wasn't
 21 at the parish, no.
 22 Q. They were bussed to the school every day, do
 23 you know?
 24 A. Yeah, I expect they drove down.
 25 Q. Was there a vice principal?

1 A. Probably. I don't remember.
 2 Q. Don't recall. Do you recall the names of any
 3 of the other nuns on the faculty or staff while you were
 4 there?
 5 A. Huh-uh.
 6 Q. Do you recall the names of any of the lay
 7 people on the faculty or staff while you were there?
 8 A. No.
 9 Q. But they were all women?
 10 A. As I recall, yes.
 11 Q. Was there a school secretary?
 12 A. Probably.
 13 Q. But you don't recall?
 14 A. (Witness shakes head negatively.)
 15 Q. Did any other priest teach classes at Our Lady?
 16 MS. YOUNG: While he was there?
 17 Q. BY MR. HALE: While you were there.
 18 A. While I was there, no.
 19 Q. Any other employees from Our Lady that you
 20 recall, the school that is; janitor or was there a
 21 school nurse?
 22 A. I don't remember.
 23 Q. Do you recall there being a school yearbook?
 24 A. No.
 25 Q. Was there any kind of publication by the school

1 that you can recall?
 2 A. Not that I know of.
 3 Q. Were you ever aware of the school closing?
 4 A. No.
 5 Q. Okay.
 6 MS. YOUNG: You mean for holidays?
 7 MR. HALE: No, no, for good. Permanently.
 8 Q. No?
 9 A. No.
 10 Q. Okay. I understand from your testimony that
 11 you don't recall, and correct me if I'm wrong, if I'm
 12 misstating it, you don't recall seeing anyone who
 13 appeared to be under the age of 18 inside the rectory;
 14 correct?
 15 MS. YOUNG: Objection; misstates his testimony.
 16 Q. BY MR. HALE: Please feel free to correct my
 17 statement.
 18 A. There wasn't any -- I don't remember any age
 19 limit.
 20 Q. But do you recall seeing anyone who appeared to
 21 be under the age of 18 inside the rectory?
 22 A. Specific instance, no.
 23 Q. Okay. Was there any kind of rules prohibiting
 24 anyone under the age of 18 from being on the first floor
 25 of the rectory?

1 A. No.
 2 Q. What about from being on the second floor of
 3 the rectory?
 4 A. I would never take anybody up there. I don't
 5 think the other priest did either.
 6 Q. Why not?
 7 A. There was, the priests' rooms were up there, it
 8 wasn't for the public.
 9 Q. Okay. But was there any rule prohibiting, that
 10 you were aware of while you were there, prohibiting
 11 anyone under the age of 18 from being on the second
 12 floor of the rectory?
 13 A. No.
 14 Q. Were you ever aware of anyone, any priest,
 15 being chastised or reprimanded for allowing someone
 16 under the age of 18 to be on the second floor of the
 17 rectory?
 18 A. No.
 19 Q. If you had seen, during your four years at Our
 20 Lady, if you had seen someone who appeared to you
 21 possibly under the age of 18 on the second floor of the
 22 rectory, would you have reported that to anyone?
 23 MS. YOUNG: Objection; hypothetical, --
 24 THE WITNESS: That is hypothetical.
 25 MS. YOUNG: -- speculation.

1 Q. BY MR. HALE: You can answer.
 2 A. What I would have done is ask them what they
 3 were doing up there.
 4 Q. Okay. But would you have reported it to anyone
 5 though?
 6 A. No.
 7 Q. Okay. Do you remember, does the name [REDACTED]
 8 [REDACTED] sound familiar to you?
 9 A. No.
 10 Q. Do you have any recollection of Father Kelly
 11 calling from some location outside of the parish and
 12 asking you or another assistant or associate to take his
 13 place at mass?
 14 A. I don't recall that.
 15 Q. Do you recall Father Kelly going on vacation
 16 while you were at Our Lady?
 17 A. Yes.
 18 Q. How many times?
 19 A. I don't know.
 20 Q. More than once?
 21 A. I'm sure. I was there four years.
 22 Q. Do you recall where he went on vacation?
 23 MS. YOUNG: Don't speculate.
 24 THE WITNESS: No, I didn't have any specifics
 25 on that.

1 Q. BY MR. HALE: Did you ever discuss with him any
 2 vacation plans he had?
 3 A. No.
 4 Q. Do you ever recall him spending a night away
 5 from the rectory, or from the parish I should say?
 6 A. I wouldn't be surprised but I don't remember
 7 any specific instance.
 8 Q. You recall him spending the night at the cabin?
 9 A. I knew he had the cabin up there and I knew he
 10 spent some time up there, so, I'm sure he spent some
 11 overnights.
 12 Q. Do you have a recollection of how often that
 13 would happen during your four years?
 14 A. No.
 15 Q. Do you recall if it was once a month or once a
 16 week?
 17 A. I doubt that he went up there every week, but I
 18 don't -- I couldn't guess how often.
 19 Q. Do you think it might have been once a month
 20 though?
 21 A. Could be.
 22 Q. Do you recall anyone ever complaining about
 23 Father Kelly spending a night away from the parish?
 24 A. No.
 25 Q. Did you ever, do you ever recall taking a phone

1 call from him when he was calling from the cabin?
 2 A. No, I don't remember that.
 3 Q. Did you ever hear anyone take a phone call from
 4 him when he was calling from the cabin?
 5 A. (Witness shakes head negatively.)
 6 MS. YOUNG: Objection; speculation.
 7 Q. BY MR. HALE: Did you ever -- was that a no?
 8 A. That's no.
 9 Q. Did you ever, did you know what the cabin phone
 10 number was?
 11 A. No.
 12 Q. Did you ever ask him for the cabin phone
 13 number?
 14 A. No.
 15 Q. Do you have a recollection of Father Kelly ever
 16 failing to show up for a mass that he was supposed to
 17 handle?
 18 A. Don't remember that happening.
 19 Q. Did you ever hear any, were you ever aware of
 20 any complaints that Father Kelly was intoxicated during
 21 a mass?
 22 A. No.
 23 Q. Did you ever, were you ever aware of any
 24 complaints that Father Kelly was drinking the communion
 25 wine during a mass?

1 A. No.
 2 Q. Did Father Kelly ever discuss with you
 3 parishioner confessions?
 4 A. No. Wow. Automatic excommunication, I guess
 5 not.
 6 Q. Would that be the penalty for discussing
 7 confessions?
 8 A. Yes.
 9 Q. Is that a canon somewhere?
 10 A. Uh-huh.
 11 Q. That's a yes?
 12 A. Yes.
 13 Q. What about, I assume the penalty would be the
 14 same for allowing someone to listen in on a
 15 parishioner's confession; correct?
 16 A. Yeah, I don't know specifically but it's pretty
 17 serious, yeah.
 18 Q. Do you have any awareness of priests who had
 19 been assigned to Our Lady leaving the priesthood to get
 20 married, either before or after you were there?
 21 A. No, I don't remember anything like that.
 22 Q. Do you recall, do you have any awareness of
 23 Father Kelly seeking medical treatment other than,
 24 excluding his time at the Nazareth House?
 25 A. No, I don't have any recollection of that.

1 Q. And you don't have a specific recollection of
 2 any kind of long trips he took while you were there?
 3 A. No. I know he liked to go down to Mexico.
 4 Q. How did you become aware of that?
 5 A. I suppose because he told me, but I don't have
 6 any specific memory, you know, recollection.
 7 Q. Did he tell you where he went in Mexico?
 8 A. I had the impression that it was mainly
 9 Tijuana.
 10 MS. YOUNG: Don't guess.
 11 THE WITNESS: Okay.
 12 MS. YOUNG: Unless he told you.
 13 MR. HALE: Counsel, wait a minute. He said the
 14 impression, so, please let him finish his response.
 15 THE WITNESS: You know, Tijuana, Mexicali,
 16 those are the closest.
 17 Q. BY MR. HALE: Did he ever mention Ensenada to
 18 you?
 19 A. Could have been. That's a popular spot.
 20 Q. Do you recall if he went to Mexico by himself
 21 or if he had company with him?
 22 A. My impression is that he went by himself.
 23 Q. When you say your impression, what is the basis
 24 for your belief?
 25 A. That I don't remember any, you know, him going

1 with anybody.
 2 Q. Okay. Do you remember how long he would go to
 3 Mexico for? Strike that.
 4 Do you remember, did he go to Mexico more than
 5 once while you were at Our Lady?
 6 A. Oh, yeah.
 7 Q. How many times do you think he went to Mexico?
 8 A. We have a day off every week. He probably
 9 spent more time down there than anyplace else, but other
 10 than that, I can't speculate.
 11 Q. Do you recall if it was once a year or twice a
 12 year? Three times a year?
 13 A. More often than that.
 14 Q. Okay. And would it usually be just a weekend
 15 trip or would he take a full week off or more?
 16 MS. YOUNG: Objection; misstates his testimony.
 17 THE WITNESS: We had, you know, we had one day,
 18 one day off a week sometime during the week and then we
 19 got, we were getting three weeks a year for vacations.
 20 It would vary.
 21 Q. BY MR. HALE: Do you have a recollection of him
 22 going to Tijuana just for a one-night trip, just for
 23 that one day off you mentioned? That's a long drive.
 24 MS. YOUNG: Don't guess.
 25 THE WITNESS: Nothing specific, no.

1 Q. BY MR. HALE: And do you have any awareness of
 2 him taking anyone with him on any of these trips?
 3 A. No.
 4 MS. YOUNG: Asked and answered.
 5 Q. BY MR. HALE: Do you recall if he would drive
 6 or would he -- how would he get there?
 7 A. Driving as far as I know.
 8 Q. Okay. Did he tell you where he stayed?
 9 A. No.
 10 Q. Any awareness of Father Kelly having an
 11 affinity for expensive scotch?
 12 A. No.
 13 Q. Ever aware of him spending a day or days in his
 14 room drinking alcohol?
 15 A. I wasn't aware of anything like that.
 16 Q. Ever hear of anyone, or, ever aware of anyone
 17 complaining about that happening?
 18 A. No.
 19 Q. You've been assigned at a number of parishes
 20 over the course of your career.
 21 A. Yes.
 22 Q. In your experience as a priest, has it been
 23 unusual during those assignments to hear parishioners
 24 complain about the way one of your fellow priests is
 25 conducting mass or performing his ministry?

1 MS. YOUNG: Objection; speculation.
 2 THE WITNESS: Every parish I've been in there
 3 are people that like to complain.
 4 Q. BY MR. HALE: There's always some kind of
 5 disgruntled parishioner somewhere; is that a fair
 6 statement?
 7 A. Yes.
 8 Q. Okay. Did you attend the Silver Jubilee 25th
 9 anniversary celebration for Father Kelly?
 10 A. I don't remember doing that but I could have.
 11 Q. Does the fact -- does a celebration in 1967 in
 12 the parish hall of Our Lady ring any bells to you?
 13 MS. YOUNG: Objection; assumes facts not in
 14 evidence.
 15 THE WITNESS: No, it doesn't.
 16 Q. BY MR. HALE: Do you recall assisting in a mass
 17 related to the celebration?
 18 A. No.
 19 Q. Do you know who Father [REDACTED]?
 20 A. Yes.
 21 Q. Is he still alive?
 22 A. No, I doubt it, he'd be over 100 years old.
 23 Q. Okay. I saw a designation after his name, I
 24 assume it's for his order, CM. What designation is
 25 that, do you know?

1 A. Congregation of the Missions, Vincentian.
 2 Q. Okay. What about [REDACTED] was that --
 3 did you know him?
 4 A. I know the name. I have no idea who it is.
 5 Hardigan.
 6 Q. Did you know any of the Franciscans at the
 7 mission while you were at Our Lady?
 8 A. I expect so, yeah. I don't recall any specific
 9 individuals.
 10 Q. Okay. Did you know Father, Father [REDACTED]?
 11 A. Yeah. He was younger than me. I knew his
 12 older brother.
 13 Q. When did you first meet Father [REDACTED]? I'm
 14 talking about [REDACTED].
 15 A. Let me see, that last year at the seminary he
 16 was probably one of the younger classmen.
 17 Q. So, you attended St. John's with him?
 18 A. My last year, yeah.
 19 Q. Just your last year?
 20 A. Yeah.
 21 Q. When was the last time you spoke with him?
 22 A. I don't remember.
 23 Q. Has it been a while?
 24 A. It isn't recent. It isn't recent.
 25 Q. Have you ever discussed Father Kelly with him?

1 A. No.
 2 Q. Do you recall him preparing some kind of
 3 history regarding Father Kelly for the Silver Jubilee
 4 celebration?
 5 A. No, I didn't know about it.
 6 Q. Do you know a [REDACTED]?
 7 A. Yeah, I remember the name. I couldn't connect
 8 it to a face right now.
 9 Q. What do you remember the name from?
 10 A. I don't remember.
 11 Q. When was the last time you spoke to Mr. [REDACTED]?
 12 He hasn't called you within the last week or two, has
 13 he?
 14 A. Oh, no, no. No, it would have been many many
 15 years ago.
 16 Q. He hasn't left a message for you within the
 17 last week or two, has he?
 18 A. No.
 19 Q. Okay. Did you know [REDACTED]?
 20 A. [REDACTED]. No, I don't remember the name.
 21 Q. How about [REDACTED]? I'm asking you all
 22 priests that were assigned to Our Lady.
 23 A. Yeah, I knew Henry, I knew [REDACTED].
 24 Q. Did you ever discuss Father Kelly with him?
 25 A. No.

1 Q. And he's deceased; correct?

2 A. Yeah.

3 Q. What about [REDACTED], did you know him?

4 A. I don't recognize the name.

5 Q. Okay. [REDACTED]?

6 A. Yeah.

7 Q. How did you know him?

8 A. I know he was a friend of Father Kelly's.

9 Q. He's deceased?

10 A. Oh, yeah, he was quite a bit older.

11 Q. Did you ever discuss Father Kelly with him?

12 A. No.

13 Q. Do you remember him staying at Our Lady while

14 you were there?

15 A. I don't have any memory of that. It could have

16 happened.

17 Q. Was there a guest room at the rectory while you

18 were there?

19 A. Most the time no because there were three

20 bedrooms and usually there were three priests assigned.

21 Q. Okay. Do you recall priests from outside of

22 Santa Barbara ever coming in and staying overnight at

23 Our Lady while you were there?

24 MS. YOUNG: Asked and answered.

25 You can answer.

1 THE WITNESS: I don't have any specific memory

2 of that, no.

3 Q. BY MR. HALE: How about [REDACTED],

4 [REDACTED], did you know him?

5 A. No.

6 Q. Never heard of that name? How about [REDACTED]

7 [REDACTED], did you know him?

8 A. No.

9 Q. [REDACTED]?

10 A. The name seems familiar but I have no, no image

11 involved, who he might be.

12 Q. [REDACTED]?

13 A. Oh, yeah, he was working at the Catholic

14 Welfare in Santa Barbara when I was there.

15 Q. Do you know if he's still alive?

16 A. I don't know.

17 Q. Do you know -- when was the last time you spoke

18 with him?

19 A. Many years.

20 Q. You say he was working. Was he working with

21 Catholic charities?

22 A. Yeah.

23 Q. Do you know where he was in residence?

24 A. No.

25 Q. But, and you don't recall him being in

1 residence at Our Lady while you were there?

2 A. No.

3 Q. How did you know he was working with Catholic

4 charities?

5 A. He was in the area, so, I knew him. But which,

6 where he had residence, I don't know.

7 Q. Okay. Did he ever assist at Our Lady?

8 A. Not that I recall.

9 Q. And then, I forget, did you say [REDACTED]

10 [REDACTED] is deceased? Or maybe you didn't say at all.

11 A. I don't know.

12 Q. When was the last time you spoke with him?

13 A. Be a lot of years. I don't remember exactly

14 how many.

15 Q. Any idea where he is now?

16 A. No.

17 Q. And you don't recall [REDACTED]?

18 A. No.

19 Q. What about Father [REDACTED]?

20 A. [REDACTED]. He was there for a while when I was

21 there.

22 Q. When was the last time you spoke with him?

23 A. Been quite a while. Several years. But I

24 don't have any specific memory of it.

25 Q. Ever discuss Father Kelly with him?

1 A. Probably over the years, but I don't remember

2 any specific conversation.

3 Q. When was the first time you heard -- had you

4 heard -- strike that.

5 When was the first time you heard that Father

6 Kelly had been accused of childhood sexual abuse?

7 MS. YOUNG: Assumes facts not in evidence but

8 you can answer.

9 Q. BY MR. HALE: Had you heard that?

10 MS. YOUNG: Other than from your lawyers?

11 MR. HALE: Right.

12 THE WITNESS: I would say, you know, I had --

13 MS. YOUNG: Do you understand the question?

14 THE WITNESS: Yeah. To my knowledge I don't

15 know that he was involved in, you know, I didn't, I

16 never knew --

17 MS. YOUNG: He's not asking you that. He's

18 asking you, like, did you -- I don't know, maybe you can

19 rephrase the question. I'm not sure what you're asking

20 him.

21 Did you read it in the paper, or, how did you

22 first find out about these cases against --

23 THE WITNESS: Oh, how did I first find out.

24 MS. YOUNG: -- Father Kelly?

25 Q. BY MR. HALE: When was the first time you heard

1 he had been accused of childhood sexual abuse, aside
2 from your attorneys?

3 A. I don't remember. This whole thing came out a
4 few years ago. Accused, it's been several years.

5 Q. Okay. How about [REDACTED]?

6 A. Don't know that name.

7 Q. [REDACTED]?

8 A. I knew [REDACTED], yeah.

9 Q. Have you ever talked about Father Kelly with
10 him?

11 A. No.

12 Q. Ever been assigned anywhere with him?

13 A. Not that I recall, no.

14 Q. How about [REDACTED]; [REDACTED]?

15 MS. YOUNG: When you say "how about" in each of
16 these instances, you're asking him if he knows this
17 person?

18 MR. HALE: Yes.

19 THE WITNESS: I don't know [REDACTED].

20 Q. BY MR. HALE: [REDACTED]?

21 A. Seems to me there was an old-time priest named
22 that but I didn't know him. That would go way back if
23 that's him.

24 MS. YOUNG: Okay, don't, don't -- just answer
25 the question yes or no.

1 MR. HALE: Yeah, we should take lunch.

2 Unfortunately. So, if you want to take it now, we can
3 take it now.

4 MS. YOUNG: You want to do it now? I mean, are
5 you at the end of those people?

6 MR. HALE: There's a few more but it doesn't
7 make any difference one way or the other.

8 MS. YOUNG: Okay. I know my lunch has arrived
9 because I see them motioning me.

10 MR. HALE: I don't want your salad to get wilted
11 or anything, so, why don't we stop now. How long do you
12 guys want; 40? 50?

13 MS. YOUNG: 45 minutes is the norm in these
14 cases that we've been doing together.

15 MR. HALE: That will work.

16 THE VIDEOGRAPHER: We are going off the record
17 at 1:22.

18 (The lunch recess was taken at 1:22 P.M.,
19 and the deposition reconvened at 2:12 P.M.,
20 with all parties present as before.)

21 THE VIDEOGRAPHER: We are back on the record at
22 2:12.

23 MR. HALE: Okay, back on the record. Father,
24 do you know Bishop Tom Curry?

25 A. Yes.

1 Q. BY MR. HALE: And when did you first meet
2 Father [REDACTED]?

3 A. [REDACTED] --

4 MS. YOUNG: Asked and answered.

5 THE WITNESS: I suppose sometime when I was in
6 the seminary.

7 MR. HALE: That's right.

8 MS. YOUNG: He already answered this.

9 MR. HALE: The one year where you guys were in
10 the same, attending school together, okay.

11 Q. What about - mispronounce the name again -
12 [REDACTED]?

13 A. He usually said "[REDACTED]."

14 Q. [REDACTED].

15 A. But. I knew him. I knew who he was. I really
16 didn't know him, but I knew who he was. Nothing
17 specific that I could tell you about him.

18 Q. Never discussed Father Kelly with him?

19 A. No.

20 MS. YOUNG: It's almost 1:30. How are we
21 doing?

22 MR. HALE: It's not going to happen. I mean,
23 we'll be out at a reasonable time, but it's not going to
24 happen --

25 MS. YOUNG: So, we should take lunch?

1 Q. How do you know Bishop Curry?

2 A. Let me see. Well, from, we have our retreats
3 every year up at the seminary, I got to know him up
4 there.

5 Q. Okay. Anywhere else?

6 A. No.

7 Q. Have you ever discussed Father Kelly with him?

8 A. No.

9 Q. Did he ever contact you about an investigation
10 he was conducting regarding Father Kelly?

11 A. No, he hasn't.

12 Q. Have you ever discussed Father Kelly with
13 Cardinal Mahoney?

14 A. No.

15 Q. Do you know [REDACTED]?

16 A. Not the movie star. No, I don't.

17 Q. Okay. Do you know [REDACTED]?

18 A. Yes.

19 Q. Have you ever discussed Father Kelly with him?

20 A. No.

21 Q. Do you know [REDACTED]?

22 A. Yes.

23 Q. Have you ever discussed Father Kelly with him?

24 A. No.

25 Q. Do you know [REDACTED]?

1 A. I think I met him.
 2 Q. A priest in Oxnard?
 3 A. If I met him it was many years ago.
 4 Q. And in what context did you meet him?
 5 A. I don't know, maybe a seminary for retreats or
 6 something.
 7 Q. Did he ever contact you about an investigation
 8 he was conducting regarding Father Kelly?
 9 A. No, he didn't.
 10 Q. Do you know [REDACTED]; [REDACTED]?
 11 A. No.
 12 Q. How about [REDACTED]?
 13 A. [REDACTED], I know his name.
 14 Q. Or [REDACTED]?
 15 A. No.
 16 Q. Do you remember attending seminary or attending
 17 the school in Spain with a Spaniard named [REDACTED] or [REDACTED]
 18 [REDACTED]?
 19 A. Oh. Not specifically. I don't remember.
 20 Q. Okay. Do you remember a student from St.
 21 John's named [REDACTED] or [REDACTED] living at the
 22 rectory on summer breaks and holiday breaks when you
 23 were at Our Lady of Guadalupe?
 24 A. Wow. No, I don't remember that.
 25 Q. Okay. I take it you have no recollection of

1 any conversations you've ever had with Mr. [REDACTED];
 2 correct?
 3 A. No.
 4 Q. Do you remember a priest named [REDACTED] or
 5 [REDACTED]?
 6 MS. YOUNG: Asked and answered.
 7 THE WITNESS: I -- no.
 8 Q. BY MR. HALE: Okay. Do you remember ever
 9 telling anyone that you had problems with Father Kelly?
 10 A. No.
 11 Q. Do you remember ever telling anyone that you
 12 had problems with Father Kelly's drinking?
 13 A. No.
 14 Q. Do you remember anyone ever telling you that
 15 they thought Father Kelly was strange or very strange?
 16 A. No.
 17 Q. Have you ever been aware of anyone telling you
 18 that Father Kelly, or, have you ever been aware of
 19 anyone saying that Father Kelly was very strange?
 20 MS. YOUNG: Objection; asked and answered.
 21 THE WITNESS: No.
 22 Q. BY MR. HALE: Do you recall ever telling anyone
 23 that Father Kelly had problems?
 24 A. I don't remember any specific instance. I know
 25 that everybody has got problems.

1 Q. Do you remember any non-specific instances
 2 about telling someone that Father Kelly had problems?
 3 A. No.
 4 Q. Do you recall any problems that you perceived
 5 that Father Kelly had?
 6 A. Nothing, nothing, no, nothing specific.
 7 Q. Anything non-specific, general problems?
 8 A. Well, everybody has got problems, but specific
 9 problems, I don't know of anything.
 10 Q. Anything specifically, or, related to Father
 11 Kelly though?
 12 A. No.
 13 Q. You have no recollection of anything like that?
 14 MS. YOUNG: Asked and answered.
 15 THE WITNESS: No.
 16 Q. BY MR. HALE: Do you recall ever telling anyone
 17 that you left Our Lady because of problems with Father
 18 Kelly?
 19 A. That's not true.
 20 Q. So, the answer is no?
 21 MS. YOUNG: The answer is --
 22 THE WITNESS: No.
 23 Q. BY MR. HALE: Were you ever aware of anyone
 24 saying that they left Our Lady because of problems they
 25 had with Father Kelly?

1 A. I don't recall.
 2 Q. Do you recall anyone ever asking you, other
 3 than your attorneys, if you ever observed any
 4 inappropriate conduct by Father Kelly?
 5 A. I don't remember anyone ever asking me, no.
 6 Q. Were you ever aware of anyone saying that they
 7 had observed inappropriate conduct by Father Kelly?
 8 A. No.
 9 Q. Do you recall ever telling anyone that you did
 10 not like Father Kelly?
 11 A. No.
 12 Q. Are you ever aware of anyone saying that they
 13 did not like Father Kelly?
 14 A. That's very possible. Nobody's perfect. I
 15 don't remember.
 16 MS. YOUNG: He's asking you if anybody told you
 17 that they didn't like Father Kelly, don't --
 18 THE WITNESS: I don't know. Somebody might
 19 have said something sometime but nobody is perfect, so.
 20 Q. BY MR. HALE: But do you have any recollection
 21 of that happening?
 22 A. Any specific, no.
 23 Q. Did you ever hear that Father [REDACTED], Father
 24 [REDACTED], had complained to Timothy Manning about
 25 Father Kelly?

1 A. No.
 2 MS. YOUNG: Objection; assumes facts not in
 3 evidence.
 4 THE WITNESS: I never heard that.
 5 Q. BY MR. HALE: Did you ever hear that anyone had
 6 complained to Manning about Kelly?
 7 A. No.
 8 Q. Ever aware that, other than from your
 9 attorneys, that anyone told Manning that Kelly is not
 10 normal?
 11 A. I had no, I have no knowledge of that, no.
 12 Q. Ever aware of anyone saying they complained to
 13 anyone about Father Kelly?
 14 MS. YOUNG: Objection; vague and ambiguous and
 15 calls for speculation.
 16 Q. BY MR. HALE: You can answer.
 17 A. Nobody's perfect. I probably heard people
 18 criticize him but I don't remember any special instance.
 19 Anything I considered serious.
 20 Q. Well, anything that you didn't consider serious
 21 that you heard criticisms about?
 22 A. Nothing specific but I'm sure there are people
 23 who were annoyed by certain things. Certain things that
 24 I do that annoy some people, so.
 25 Q. Okay. While you were at Our Lady -- have you

1 A. It's the sort of thing that, you know, I can't
 2 say nobody ever said that. I know that that kind of
 3 thing happens.
 4 Q. But was it, over the course of your career was
 5 that a regular occurrence?
 6 A. No.
 7 Q. Do you recall ever testifying on behalf of a
 8 young man while you were at Our Lady of Guadalupe at a
 9 juvenile court hearing about an assault or an attempted
 10 assault by the juvenile's stepfather?
 11 A. I don't remember that, no.
 12 Q. What about do you recall ever talking to a
 13 judge in a juvenile court proceeding about an assault or
 14 an attempted assault by a juvenile's stepfather?
 15 A. I have no memory of that.
 16 Q. And you don't have any recollection of Mr.
 17 [REDACTED], [REDACTED], telling you that he was
 18 assaulted or there was an attempted assault by his
 19 stepfather?
 20 A. No, I don't remember that.
 21 Q. Do you recall ever telling anyone about an
 22 assault or an attempted sexual assault by Mr. [REDACTED]'s
 23 stepfather against him?
 24 A. No.
 25 Q. Have you ever testified on behalf of anyone at

1 ever known a gentleman by the name of [REDACTED]
 2 A. I don't remember specifically anybody by that
 3 name.
 4 Q. Do you remember a boy under the age of 18 named
 5 [REDACTED] while you were at Our Lady?
 6 A. No.
 7 Q. Were you ever aware of any, any boys under the
 8 age of 18 while you were at Our Lady being sent to
 9 Juvenile Hall?
 10 A. No, I, I'm not aware of any specific instance,
 11 no.
 12 Q. While you were at Our Lady, do you recall any
 13 boy under the age of 18 telling you that he had been the
 14 victim of an assault or an attempted sexual assault by
 15 his stepfather?
 16 A. I don't remember that.
 17 Q. During the course of your career has anyone ever
 18 come to you outside the context of a penitential
 19 communication and told you they were the victim of a
 20 sexual assault by a parent?
 21 A. I don't remember any specific case of that, no.
 22 Q. Would that have been unusual if that had
 23 happened?
 24 A. Over the 50 years, no.
 25 Q. It would have been a regular -- how often --

1 a juvenile hearing?
 2 A. Not that I remember, no.
 3 Q. What about at just a standard criminal
 4 proceeding?
 5 A. I don't remember ever being involved in that.
 6 Q. Okay. Do you recall any of Mr. [REDACTED]'s
 7 brothers; [REDACTED]?
 8 A. Don't know the name.
 9 Q. How about [REDACTED]?
 10 A. No.
 11 Q. Do you recall Mr. [REDACTED] telling you that
 12 Father Kelly was taking boys to the cabin?
 13 A. No.
 14 Q. Were you ever aware of anyone saying this?
 15 A. I don't remember anything, anything like that,
 16 no.
 17 Q. Okay. If someone had said something, had said
 18 to you that Father Kelly was taking boys to the cabin
 19 while you were assigned at Our Lady, would you have told
 20 anyone?
 21 MS. YOUNG: Objection; calls for speculation
 22 about what never happened and what he might have done
 23 had it happened, and I think it's an improper question
 24 and I instruct him not to answer.
 25 MR. HALE: You're going to what?

1 MS. YOUNG: I'm going to instruct him not to
2 answer.
3 MR. HALE: That's an inappropriate instruction,
4 Bless. There's no privilege here. That is completely
5 inappropriate. There will be a Motion to Compel filed
6 if you stick with that instruction. What is the basis
7 for that instruction?
8 MS. YOUNG: He's already testified it didn't
9 happen. You're asking him if something would have
10 happened that didn't happen would he have done something
11 50 years ago. It's a totally improper question.
12 MR. HALE: That's not improper. He was there
13 50 years ago and if there was some kind of triggering
14 event that would have led him to report it --
15 MS. YOUNG: He's going to speculate what he
16 might have done 50 years ago if something that didn't
17 happen happened.
18 MR. HALE: Well, he said he didn't recall, if
19 you'll recall his testimony.
20 MS. YOUNG: No, I think he said it never
21 happened.
22 MR. HALE: I disagree. He said he didn't
23 recall. He didn't say it didn't happen.
24 THE WITNESS: What's that I didn't recall?
25 MR. HALE: Anyone telling you that Father Kelly

1 was taking boys to the cabin.
2 THE WITNESS: Oh, I can't say that nobody ever
3 said anything to me because my memory isn't that good.
4 MR. HALE: That instruction is completely
5 inappropriate in light of that response.
6 MS. YOUNG: Okay, what was the question?
7 Q. BY MR. HALE: If someone had said to you that
8 Father Kelly was taking boys to the cabin while you were
9 assigned at Our Lady, would you have told anyone?
10 A. The fact that he was taking boys to the cabin?
11 Q. Right.
12 A. I don't know -- no, I don't think I would have
13 thought anything bad.
14 Q. Okay. Did Mr. [REDACTED] ever tell you that Father
15 Kelly was touching boys he took to the cabin
16 inappropriate, touching inappropriately boys he took to
17 the cabin?
18 A. No.
19 MS. YOUNG: He said he didn't know Mr. [REDACTED].
20 MR. HALE: I recognize that but there's going
21 to be evidence, ample evidence presented to the
22 contrary. The trier of fact is going to be entitled to
23 hear his testimony and hear the evidence to the contrary
24 presented and so I'm going to go through the scenario.
25 MS. YOUNG: Okay.

1 MR. HALE: He can say he doesn't remember. The
2 trier of fact needs to hear this. They need to hear
3 this.
4 Q. So, the question is, did Mr. [REDACTED] ever tell
5 you that Father Kelly was touching boys inappropriately
6 who he took to the cabin?
7 A. No.
8 Q. Were you ever aware of anyone saying this, that
9 Father Kelly was touching boys inappropriately that he
10 took to the cabin?
11 A. No.
12 Q. And if someone had said something like that to
13 you or said that to you while you were assigned to Our
14 Lady, would you have told anyone?
15 MS. YOUNG: Same objection.
16 THE WITNESS: That's so speculative. I don't,
17 I don't know what I would have done.
18 Q. BY MR. HALE: Okay. Did Mr. [REDACTED] ever tell
19 you that Father Kelly was sexually abusing boys he took
20 to the cabin?
21 A. No.
22 Q. Were you ever aware of anyone saying that
23 Father Kelly was sexually abusing boys he took to the
24 cabin?
25 A. No.

1 Q. And if someone had told you that Father Kelly
2 was sexually abusing boys he took to the cabin while you
3 were assigned at Our Lady, would you have told anyone?
4 MS. YOUNG: Same objections.
5 THE WITNESS: I suspect that I would, but I,
6 you know, I can't say for sure.
7 Q. BY MR. HALE: Okay. If you would have, who
8 would you have told?
9 MS. YOUNG: Same objection; calls for
10 speculation. You know, why don't you make your Motion
11 to Compel. I'm going to instruct him not to answer.
12 MR. HALE: You can count on it. I absolutely
13 will. This is wrong. This is inappropriate.
14 MS. YOUNG: That's fine.
15 MR. HALE: He's saying he can't even say for
16 certain that it didn't happen.
17 MS. YOUNG: No, he didn't say that. He
18 said -- you asked him whether [REDACTED] ever told
19 him that, whether anybody, you just asked him those
20 questions. He said nobody ever told him that and now
21 you're asking him would he have told somebody and he
22 said maybe, you know, probably. Who would you have
23 told. I mean, you know, who would he have told 50 years
24 ago.
25 MR. HALE: Yeah. Would he have told the

1 Bishop? Would he have told an ancillary Bishop? Would
 2 he have told somebody in another parish because Father
 3 Kelly was the pastor at his parish? Those are all
 4 relevant questions.
 5 THE WITNESS: But pretty speculative. I don't
 6 know what, how I would have reacted. It was something
 7 that didn't happen.
 8 MS. YOUNG: Okay, I'm going to instruct him not
 9 to answer.
 10 MR. HALE: The trier of fact is going to want
 11 to know what he would have done because they're going to
 12 hear evidence --
 13 MS. YOUNG: They're going to hear evidence --
 14 MR. HALE: Yes.
 15 MS. YOUNG: -- from a convicted felon. You
 16 know, whether they're going to believe that evidence is
 17 a whole different story and I don't want to get into a
 18 dispute with you on this record about what evidence
 19 they're going to hear, what they're going to believe,
 20 what the trier of fact is going to believe. I'm
 21 instructing him not to answer that question.
 22 MR. HALE: I think we've got --
 23 MS. YOUNG: You want to go down that path,
 24 we'll go down that path before the judge.
 25 MR. HALE: I agree and I think we've got to

1 MS. YOUNG: It's an inappropriate question.
 2 MR. HALE: This is discovery. Your objection
 3 and instruction is -- your objection -- you can make all
 4 the objections you want, but your instruction is
 5 entirely inappropriate. You've been doing this far too
 6 long to know -- you know it's inappropriate. You know
 7 it is.
 8 MS. YOUNG: It's an inappropriate question.
 9 MR. HALE: But that's not a basis for you to
 10 instruct him not to answer.
 11 MS. YOUNG: We have instructed at depositions
 12 where not you personally but other people have asked the
 13 same types of questions. It's an inappropriate question
 14 and I'm instructing him not to answer. And if you have
 15 a problem with it, don't threaten me but you're welcome
 16 to do whatever you're permitted to do.
 17 MR. HALE: I don't think I threatened. I just
 18 told you I'm going to file a Motion to Compel.
 19 MS. YOUNG: And you don't need to threaten me
 20 with sanctions or anything else.
 21 MR. HALE: I don't think I have any choice. I
 22 don't want -- my client should not have to pay for me to
 23 come back down here.
 24 MS. YOUNG: You can do whatever the law permits
 25 you to do, Tim. I'm instructing him not to answer.

1 make a clear record for Judge Fromholz so he knows
 2 exactly what the dispute is about.
 3 MS. YOUNG: And the dispute is I'm instructing
 4 him not to answer.
 5 MR. HALE: No. There's more to the dispute
 6 than that. The fact is the trier of fact is going to
 7 hear evidence completely contrary to what we're hearing
 8 so far.
 9 MS. YOUNG: You know, you can tell Judge
 10 Fromholz that.
 11 MR. HALE: Well, I know but I want a record. I
 12 want to make sure you understood where I'm coming from.
 13 MS. YOUNG: I understand that. I also
 14 understand where your purported evidence is coming from.
 15 MR. HALE: Is Mr. ████████ a convicted felon?
 16 Yeah, answer that question, Bless.
 17 MS. YOUNG: That has nothing to do with this
 18 witness.
 19 MR. HALE: Sure it does. How do you think --
 20 well, we're going to find that out too, aren't we?
 21 MS. YOUNG: Well, we are.
 22 MR. HALE: Your instruction is inappropriate.
 23 You've cited no privilege. I'm going to seek sanctions
 24 for having to come back down here and question this man
 25 again. This is inappropriate. Inappropriate.

1 MR. HALE: The problem is, the law permits me
 2 to ask that question and entitles me to an answer to
 3 that question.
 4 MS. YOUNG: I disagree. You know, we went
 5 through this at the last deposition. The question is
 6 improper, I'm not going to have him speculate on what he
 7 would have done 50 years ago when he says something
 8 didn't happen so he never had the occasions to go do it.
 9 MR. HALE: Now you're putting words in his
 10 mouth.
 11 MS. YOUNG: That's what he said.
 12 MR. HALE: The record will speak for itself.
 13 MS. YOUNG: It will.
 14 Q. BY MR. HALE: Did Mr. ████████ ever tell you that
 15 he stopped attending church because he knew what Father
 16 Kelly was doing to boys he took to the cabin?
 17 A. No.
 18 Q. Were you ever aware of anyone saying that they
 19 had stopped attending church because they knew what
 20 Father Kelly was doing to boys he took to the cabin?
 21 A. No.
 22 Q. If someone had said to you that they were
 23 ceasing, they're no longer attending church because
 24 they're aware of what Father Kelly was doing to boys he
 25 took to the cabin, would you have told anyone?

1 MS. YOUNG: Same objection.

2 THE WITNESS: I don't, you know, going back
3 that far, I don't know what I would have done.

4 MR. HALE: Let's take a break for a second.

5 MS. YOUNG: Sure.

6 THE VIDEOGRAPHER: We are going off the record
7 at 2:31.

8 (A recess was taken.)

9 THE VIDEOGRAPHER: We are back on the record at
10 2:37.

11 Q. BY MR. HALE: Father ██████, during your time
12 at Our Lady, do you recall receiving any kind of
13 instruction or guidance from the Archdiocese as to your
14 obligation, if any, to report reports to you of any kind
15 of sexual misconduct by a priest towards a child?

16 A. Do I remember getting any kind of direction
17 from the Diocese, no. Whether it happened --

18 MS. YOUNG: You've answered.

19 THE WITNESS: -- I can't say because it was a
20 long time ago but I don't remember.

21 Q. BY MR. HALE: As you sit here today do you have
22 any recollection of what your understanding during your
23 time at Our Lady was as to what, if any, reporting
24 obligation or duty you had if you received a report of
25 sexual misconduct by a priest towards a child?

1 A. Well, my first reaction would be to hit
2 somebody, but.

3 Q. Okay.

4 A. I don't know what.

5 MS. YOUNG: I'm sure that wasn't in the
6 guidelines, so, whatever guidelines there may or may not
7 have been.

8 MR. HALE: Probably not.

9 Q. But as far as reporting to anyone goes, do you
10 remember if you would have, if that would have been
11 something you would have expected to do if you received
12 some kind of report while you were at Our Lady?

13 MS. YOUNG: Objection; vague and ambiguous.
14 Are you asking him if there was any reporting guideline
15 that he --

16 MR. HALE: No. No, no, no. I'm asking him if
17 he just recalls if he would have, if he felt there was
18 some sort of obligation on his part at that time to
19 report it to anyone.

20 MS. YOUNG: Same objection; vague and ambiguous
21 and calls for speculation.

22 THE WITNESS: To try to go back to my mindset
23 on all that --

24 MS. YOUNG: If you're asking him if there's a
25 specific guideline that he remembers?

1 A. If there was any kind of specific instruction
2 on that, I can't remember. But I don't remember what it
3 might have been, but.

4 Q. Okay. But keep in mind --

5 MS. YOUNG: If you don't remember --

6 Q. BY MR. HALE: -- I'm not looking for a specific
7 instruction right now. Now I'm asking do you have any
8 recollection of you having an understanding of what, if
9 any, your reporting obligation would be if you received
10 such information. And if you don't, you don't.

11 MS. YOUNG: Objection; assumes facts not in
12 evidence.

13 THE WITNESS: I have no, I don't have any
14 answer to that because, you know, trying to get to what
15 was my mindset about it at that time is, you know, a
16 waste of time.

17 MS. YOUNG: I don't think that's what he's
18 asking you.

19 THE WITNESS: It wasn't on my mind.

20 MR. HALE: Actually, that was.

21 Q. Just, if you have any recollection of what you
22 would do --

23 A. No.

24 Q. -- if you heard something like that, a report
25 of abuse by a priest.

1 MR. HALE: No, no, no.

2 MS. YOUNG: That's fair.

3 MR. HALE: Not a guideline, just, as he sits
4 here today, does he recall what his mindset was while he
5 was at Our Lady if he received a report of abuse by
6 anyone. Let's say anyone, not just a priest but by
7 anyone.

8 Q. Would you have told anyone?

9 MS. YOUNG: Same objection; vague and
10 ambiguous, calls for speculation.

11 THE WITNESS: I would have done something about
12 it, but as far as telling somebody, I don't know. I
13 don't know if that would have been, been any use to it
14 or, you know, I'd have to judge the situation to figure
15 out what's best, what could I do best to help this
16 person that's being abused, you know. That would be my
17 concern.

18 MS. YOUNG: Okay.

19 THE WITNESS: To be effective.

20 MS. YOUNG: That's enough. I don't want you to
21 speculate.

22 Q. BY MR. HALE: Did Mr. ██████ and I'm talking
23 about ██████ ever tell you that he had stopped
24 being an altar boy because he knew that Father Kelly was
25 assaulting other boys?

1 A. No.
 2 Q. Ever aware of anyone saying that they had
 3 stopped being an alter boy because they knew Father
 4 Kelly was assaulting other boys?
 5 A. No.
 6 Q. Did Mr. [REDACTED] ever tell you that he had
 7 dropped out of the Blue Jackets Club because he was
 8 aware that Father Kelly was assaulting other boys?
 9 A. I don't remember him ever saying anything like
 10 that.
 11 Q. Okay. Ever aware of anyone saying that they
 12 had dropped out of the Blue Jackets Club because they
 13 were aware that Father Kelly was assaulting --
 14 A. No.
 15 Q. -- other boys?
 16 During your career as a priest, have you ever
 17 been aware of a priest who did not have faculties from
 18 the Archdiocese perform mass within the Archdiocese?
 19 A. I don't remember any instance of that.
 20 Q. While you were at Our Lady, do you have any
 21 recollection of a priest from another Diocese coming in
 22 just for the week or for a weekend just to say mass
 23 without receiving any faculties before he did so?
 24 A. No, I don't have any, any remembrance of
 25 something like that.

1 Q. Do you have any recollection while you were at
 2 Our Lady of a priest from Mexico coming to the parish
 3 and saying mass?
 4 A. No.
 5 Q. Do you remember Father [REDACTED], does that
 6 name sound familiar to you at all?
 7 A. No. But at the time there wasn't any, they
 8 didn't need faculties in order to say mass.
 9 Q. No. So, a priest for instance from the Diocese
 10 or the Archdiocese of St. Louis could have, at that
 11 time, come into Santa Barbara and performed mass
 12 without, without receiving faculties?
 13 A. As far as I remember, yeah.
 14 Q. When did faculties become a requirement to
 15 perform mass?
 16 A. I don't know specifically.
 17 Q. Do you recall what brought about that change?
 18 A. No.
 19 Q. Are you familiar with the concept of a priest
 20 coming to a parish and giving missions?
 21 A. Sure.
 22 Q. Do you recall any priest coming from Mexico to
 23 Our Lady while you were there and giving missions?
 24 A. No.
 25 Q. Do you recall the -- are you familiar with a

1 religious order called The Sisters of Bethany?
 2 A. The name is familiar, but.
 3 Q. Do you recall there being a convent of nuns
 4 that lived either on parish grounds or nextdoor to the
 5 parish grounds?
 6 A. There was a group of nuns that lived, that had
 7 a convent nextdoor to the church.
 8 Q. Okay. And do you recall, was it The Sisters of
 9 Bethany?
 10 A. I don't remember.
 11 Q. Did you know any of those nuns?
 12 A. Yeah.
 13 Q. Who did you know?
 14 A. I don't remember, I don't remember names.
 15 Q. How about, does Sister Guadalupe ring any
 16 bells?
 17 A. That's a pretty common name. That whole thing,
 18 you know, I'd say mass for the nuns and stuff, but to
 19 try to say, you know, if I knew them, I didn't. They
 20 were, you know, they kept to themselves.
 21 Q. What about, did you know a nun named Sister
 22 [REDACTED]?
 23 A. I don't recall the name, no.
 24 Q. Were you aware of them having any involvement
 25 in parish activities?

1 A. I don't remember anything specific, no.
 2 Q. Do you recall them ever attending mass?
 3 A. Yes.
 4 Q. Do you recall them participating in teaching
 5 any of the CCD classes?
 6 A. Can't say for sure. I don't remember it.
 7 Q. Their convent, if you were looking at the
 8 church, was it to the left of the church?
 9 A. You mean from the, where the rectory is?
 10 Q. Yeah. Let's say we were standing from the
 11 rectory, we looked over at the church.
 12 A. Yeah, it would be on the left. The school was
 13 on the right.
 14 Q. Did you ever go in their convent?
 15 A. Said mass there.
 16 Q. Okay. Do you recall them attending mass at the
 17 church?
 18 A. Yeah.
 19 MS. YOUNG: Asked and answered.
 20 Q. BY MR. HALE: Did you ever go to the convent
 21 for any reason other than attending mass, or, giving
 22 mass to the sisters?
 23 A. I don't think so. I don't remember anything.
 24 Q. Did you ever see any of the Sisters of Bethany
 25 in the school?

1 MS. YOUNG: Objection; misstates his testimony
 2 as to Sisters of Bethany. He said he didn't remember or
 3 know what order it was.
 4 Q. BY MR. HALE: Did you not realize those were
 5 the Sisters of Bethany?
 6 A. What I knew then, what I remember, I couldn't
 7 tell you now who they were. I'm sure I knew then but
 8 not something that stuck in my memory.
 9 Q. I'll rephrase the question. Did you ever see
 10 any of the sisters from that convent to the left of the
 11 church at the school?
 12 A. I don't remember that. I don't remember seeing
 13 any.
 14 Q. Do you ever remember seeing any of those
 15 sisters from the convent to the left of the church in
 16 the parish hall?
 17 A. I don't remember.
 18 Q. What about in the rectory?
 19 A. I don't remember.
 20 Q. Did you ever discuss any of the sisters in the
 21 convent to the left of the church with Father Kelly or
 22 any of the associate or assistant pastors?
 23 A. I don't know why I would ever have reason to do
 24 that. As far as I know I never did.
 25 Q. Were you ever aware of Father Kelly giving any

1 kind of instruction to the sisters in the convent to the
 2 left of the church?
 3 A. No.
 4 Q. Were you aware of what kind of, what the
 5 sisters to the left of the church, what their daily
 6 activities were? Do you know if they were affiliated
 7 with Catholic charities or --
 8 A. Specifically, I'm not sure what they did.
 9 Q. Did you ever see parishioners talking to the
 10 sisters from the convent to the left of the church?
 11 A. Probably. I don't know.
 12 Q. Were you aware of the sisters from the convent
 13 to the left of the church sometimes acting as
 14 translators for some of the Spanish-speaking
 15 parishioners?
 16 A. I don't know if I knew about it. It seems
 17 pretty logical but I don't know.
 18 Q. Do you recall a young man named [REDACTED]
 19 [REDACTED]?
 20 A. No.
 21 Q. Do you recall [REDACTED] ever telling you
 22 that he wanted to talk to you?
 23 A. No.
 24 Q. Do you recall telling him that you would see
 25 him when you had time?

1 A. I don't remember.
 2 Q. Do you recall [REDACTED] asking to talk to
 3 you again after a football practice at Cabrillo Field?
 4 A. No.
 5 Q. Do you recall ever agreeing to talk to [REDACTED]
 6 [REDACTED] after a football practice at Cabrillo Field?
 7 A. No.
 8 Q. Do you recall ever sitting down in the grass
 9 with [REDACTED] after a football practice at
 10 Cabrillo Field?
 11 A. No.
 12 Q. Do you recall [REDACTED] telling you he
 13 needed to talk to you about Father Kelly?
 14 A. No, I don't recall that.
 15 Q. Do you recall [REDACTED] beginning to
 16 shake and to cry as he began to talk to you about Father
 17 Kelly?
 18 MS. YOUNG: Objection; assumes facts not in
 19 evidence.
 20 THE WITNESS: I don't, I don't remember that.
 21 Q. BY MR. HALE: Do you recall putting your arm
 22 around him to comfort him as he began to talk to you
 23 about Father Kelly at Cabrillo Field?
 24 MS. YOUNG: Objection; assumes facts not in
 25 evidence.

1 THE WITNESS: That I would, that I would do
 2 that with somebody that needed consoling, yes, but
 3 whether I did it with him, I have no specific
 4 recollection.
 5 Q. BY MR. HALE: Okay. I understand. Do you
 6 recall [REDACTED] asking you if you knew that
 7 Father Kelly was taking boys to the cabin?
 8 A. No.
 9 MS. YOUNG: No, you don't remember or no, it
 10 didn't happen.
 11 THE WITNESS: He asked me if I remember, I
 12 don't remember that.
 13 Q. BY MR. HALE: Were you ever aware of anyone
 14 saying to you that Father Kelly was taking boys to the
 15 cabin?
 16 A. No.
 17 Q. Do you recall telling [REDACTED] that in
 18 fact, yes, you were aware that Father Kelly was taking
 19 boys to the cabin?
 20 A. I don't remember that.
 21 Q. Do you recall [REDACTED] telling you that
 22 Father Kelly did things to [REDACTED] and other boys that
 23 [REDACTED] didn't like?
 24 A. No, I don't remember that.
 25 Q. Were you ever aware of anyone saying that

1 Father Kelly was doing things to boys that amounted to
 2 sexual misconduct?
 3 A. No.
 4 Q. Do you recall [REDACTED] telling you that
 5 Father Kelly was making boys sleep with Father Kelly?
 6 A. No.
 7 Q. Do you recall [REDACTED] telling you that
 8 Father Kelly was touching [REDACTED] inappropriately?
 9 A. No.
 10 Q. Do you recall [REDACTED] telling you that
 11 Father Kelly was touching the boys he took to the cabin
 12 inappropriately?
 13 A. No.
 14 Q. Ever aware of anyone saying that, that Father
 15 Kelly was touching boys he took to the cabin
 16 inappropriately?
 17 MS. YOUNG: Asked and answered.
 18 THE WITNESS: I do not remember anybody saying
 19 that.
 20 Q. BY MR. HALE: Do you recall [REDACTED]
 21 telling you that Father Kelly was sexually abusing
 22 [REDACTED]?
 23 A. No, I don't.
 24 Q. Have you ever been aware of anyone saying that
 25 Father Kelly was sexually abusing any child?

1 A. No.
 2 Q. Ever aware of [REDACTED] -- do you recall [REDACTED]
 3 [REDACTED] telling you that Father Kelly was sexually
 4 abusing the other boys he took to the cabin?
 5 MS. YOUNG: Objection; asked and answered.
 6 THE WITNESS: No.
 7 Q. BY MR. HALE: Ever aware of anyone saying
 8 anything like that?
 9 MS. YOUNG: Same objection; asked and answered.
 10 THE WITNESS: No.
 11 Q. BY MR. HALE: Do you recall [REDACTED] telling you
 12 that Father Kelly always wanted the boys either to be
 13 naked or in their underwear?
 14 A. No.
 15 Q. Ever aware of anyone saying anything like this?
 16 A. No. Till now.
 17 Q. Do you recall telling [REDACTED] or, asking [REDACTED]
 18 [REDACTED] if he was imagining or misinterpreting
 19 something Father Kelly had said or done?
 20 MS. YOUNG: Objection; he already testified he
 21 didn't know [REDACTED].
 22 But you can answer.
 23 THE WITNESS: I don't recall telling him that.
 24 Q. BY MR. HALE: Do you recall [REDACTED]
 25 answering your question by saying no?

1 A. No, I don't remember that.
 2 Q. Do you recall asking [REDACTED] if his
 3 parents knew about what he was telling you about Father
 4 Kelly?
 5 A. No. Do not remember.
 6 MS. YOUNG: Objection; assumes facts not in
 7 evidence.
 8 Q. BY MR. HALE: I'm sorry, what was the answer?
 9 A. Do not remember that.
 10 Q. Do you recall [REDACTED] telling you that,
 11 yes, his mother knew and that she had told him to wash
 12 his mouth out with soap?
 13 MS. YOUNG: Same objection.
 14 THE WITNESS: No.
 15 Q. BY MR. HALE: Is that a no, it didn't happen or
 16 no, you don't recall?
 17 A. Whether it happened I have no idea. I don't
 18 remember anybody saying something like that.
 19 Q. Do you recall telling [REDACTED] that you
 20 would look into what he had been telling you?
 21 A. No.
 22 Q. Do you recall telling [REDACTED] that he
 23 should try to not go to the cabin?
 24 A. No.
 25 Q. Do you ever recall telling anyone they should

1 try not going to the cabin?
 2 A. No.
 3 Q. Do you recall that after this conversation
 4 ended that [REDACTED] cried for a while and you patted him
 5 on the back?
 6 MS. YOUNG: Objection; assumes facts not in
 7 evidence.
 8 THE WITNESS: No.
 9 Q. BY MR. HALE: I'm sorry, what was the answer?
 10 A. No.
 11 Q. Okay. And do you recall then walking with
 12 [REDACTED] away from the practice field with your
 13 hand on his shoulder?
 14 A. No, I don't.
 15 Q. Father, are you familiar with the Bishop's
 16 Committee for the Spanish Speaking?
 17 A. I don't know a whole lot about it but there is
 18 a commission.
 19 Q. What do you know about it?
 20 A. I haven't been involved with it personally.
 21 MS. YOUNG: Well, don't speculate. You're not
 22 a witness for that. If you don't know, you don't know.
 23 THE WITNESS: I don't know.
 24 Q. BY MR. HALE: Did you ever talk about it with
 25 Father Kelly?

1 MS. YOUNG: Asked and answered.
 2 THE WITNESS: No.
 3 Q. BY MR. HALE: Do you know any priests that have
 4 been sent to the Bishop's Committee for the Spanish
 5 Speaking or assigned to the Bishop's Committee for the
 6 Spanish Speaking?
 7 A. No.
 8 Q. In your experience as a priest, are minors
 9 given wine representing the blood of Christ during
 10 communion or are they given an alternative?
 11 A. That's up to the parents if they want their
 12 children to receive the blood. Children's mass we
 13 wouldn't give it.
 14 Q. Have you ever seen, like, grape juice or an
 15 alternative of some sort given?
 16 A. No. That would be really weird.
 17 Q. Okay. What about when you were at Our Lady,
 18 was there a practice to not or to give?
 19 A. When I was in Santa Barbara, Our Lady of
 20 Guadalupe, the priest was the only one that received
 21 Christ's blood, nobody else.
 22 Q. I think you already testified, I'm sure your
 23 counsel will correct me if I'm wrong, but you were aware
 24 of the cabin at the time you were at Our Lady of
 25 Guadalupe?

1 A. I knew he had a cabin.
 2 Q. How did you first become aware of the cabin?
 3 A. I don't recall.
 4 Q. Did you ever go to the cabin?
 5 A. Once.
 6 Q. When did you go to the cabin?
 7 A. I don't have any point of reference. I went up
 8 there once. It was a nice cabin.
 9 Q. Do you think it was towards the beginning or
 10 towards the end of your time at Our Lady?
 11 A. Probably later on.
 12 Q. And how is it you came to go to the cabin; did
 13 he invite you or did you ask him if you could go?
 14 A. I don't remember asking him. I couldn't tell
 15 you how it came up that I went up there with him.
 16 Q. Okay. And did you drive up in his car?
 17 A. I think so.
 18 Q. Did anyone else go with you?
 19 A. No.
 20 Q. Did you go up for the afternoon or did you stay
 21 overnight?
 22 A. No, I didn't stay over.
 23 Q. How long did you stay at the cabin?
 24 A. I don't know. Couldn't say.
 25 Q. Were you both wearing your priestly garb?

1 A. I don't know.
 2 Q. Did you meet any of the neighbors?
 3 A. I don't remember meeting anybody, no.
 4 Q. Did he show you around the cabin?
 5 A. Yeah.
 6 Q. Did he take you down to the river?
 7 A. No.
 8 Q. What did you do while you were inside the
 9 cabin?
 10 A. I don't remember anything specific.
 11 Q. Did you --
 12 A. Found it interesting.
 13 Q. Did he show you the basement?
 14 A. I don't remember a basement.
 15 Q. What about it did you find interesting?
 16 A. You know, a rustic place like that out in the
 17 wilderness would be a nice place to have.
 18 Q. Did you see any photographs while you were
 19 there?
 20 A. No.
 21 Q. Did you see any photo albums?
 22 A. I don't know. Might have but I didn't look at
 23 anything.
 24 Q. Did he offer to show you any photo albums?
 25 A. No.

1 Q. At any time that you knew Father Kelly did he
 2 ever offer to show you any photo albums?
 3 A. I can't answer that. It was five years, I
 4 don't know.
 5 Q. You don't have a recollection of him offering
 6 to show you any photo albums?
 7 A. No.
 8 Q. Did you ever see any photo albums in his living
 9 quarters at the rectory?
 10 A. No. You know --
 11 MS. YOUNG: That's a yes or no.
 12 THE WITNESS: Okay, no.
 13 Q. BY MR. HALE: Do you recall Father Kelly having
 14 a camera?
 15 A. No.
 16 Q. Did you ever see Father Kelly take any
 17 pictures?
 18 A. No.
 19 Q. Do you ever recall seeing any photo albums
 20 anywhere in the rectory?
 21 A. Mine.
 22 Q. Okay. Anyone else's?
 23 A. No. I wasn't the type to snoop.
 24 MS. YOUNG: Just answer his question.
 25 THE WITNESS: Okay.

1 Q. BY MR. HALE: When you went to the cabin did
2 you go back into the bedroom?
3 A. I don't remember going into the bedroom, but,
4 no, I can't say I didn't. Probably looked around.
5 Q. Do you recall seeing a desk in the cabin?
6 A. I don't remember a desk.
7 Q. How about a chest of drawers?
8 A. I don't remember.
9 Q. Did you guys have anything to drink while you
10 were at the cabin?
11 A. I don't know. We got a glass of water, I don't
12 know.
13 Q. Any alcohol?
14 A. I didn't drink alcohol.
15 Q. Okay. Did he drink any while you were there?
16 A. I don't know.
17 Q. Not that you recall?
18 A. No.
19 Q. Were you ever aware of any other priest going
20 to the cabin with Father Kelly?
21 A. No, I wasn't.
22 Q. Ever aware of any adult lay people going to the
23 cabin with Father Kelly?
24 A. No.
25 Q. Is that a no?

1 A. No.
2 Q. What was the purpose of you going to the cabin?
3 Did he just want to show it to you?
4 A. I don't remember exactly. My guess is that he,
5 you know, he said he was going and I went along. But I
6 don't know any purpose.
7 Q. Did you see a cot in the cabin?
8 A. I don't remember any cot.
9 Q. Did you see any sleeping bags?
10 A. No.
11 Q. Did you see a stereo or a record player in the
12 cabin?
13 A. I don't know. I don't remember.
14 Q. Did you see any records?
15 A. I don't remember that.
16 Q. Were you aware that he was taking boys under
17 the age of 18 to the cabin?
18 MS. YOUNG: Objection; asked and answered.
19 THE WITNESS: I wasn't checking up. Didn't
20 have any reason to.
21 Q. BY MR. HALE: But did you ever have any
22 awareness though of him taking boys under the age of 18
23 to the cabin?
24 A. No.
25 Q. Did anyone ever tell you that he was taking

1 boys under the age of 18 to the cabin?
2 MS. YOUNG: Objection. Tim, you asked all
3 these same questions this morning. We're going to be
4 here all day long.
5 MR. HALE: Bless, I gave you an awful lot of
6 leeway asking the same questions of our clients. I'm
7 not going to beat this to death. Believe me, I want to
8 get out of here too to catch the early train. I'm not
9 going to spend a whole lot of time, so.
10 Q. Did you hear the question?
11 A. What was the question?
12 Q. Did anyone ever tell you that Father Kelly was
13 taking boys under the age of 18 to the cabin?
14 A. Not, no.
15 Q. Did you ever see boys under the age of 18 or at
16 least who appeared to be under the age of 18 to you in
17 Father Kelly's car?
18 A. I don't have any memory of that.
19 Q. Did you ever see boys under the age of 18
20 riding bikes with Father Kelly?
21 A. I don't remember.
22 Q. Did you ever have any awareness of Father Kelly
23 having boys under the age of 18 in his car?
24 MS. YOUNG: Asked and answered.
25 THE WITNESS: If I saw that I wouldn't think

1 anything of it.
2 Q. BY MR. HALE: I said awareness. In other
3 words, maybe did someone tell you that they had seen
4 that?
5 A. Riding in the car, I wouldn't react to it.
6 Q. I'm not asking if you would have reacted, but
7 were you ever aware that Father Kelly was --
8 A. No.
9 Q. Were you aware of Father Kelly's spending the
10 night at the cabin?
11 A. I know he spent some time up there.
12 MS. YOUNG: Asked and answered.
13 Q. BY MR. HALE: When did you first become aware
14 that he was spending the night at the cabin?
15 A. I don't remember.
16 Q. Do you think it was early on in your time at
17 Our Lady or towards the end?
18 A. I don't remember when I, you know, when he told
19 me about the cabin. I don't have any answer to that
20 because I don't know if I knew early on or later on. I
21 don't know.
22 Q. Do you recall if there was any change from when
23 you first got to Our Lady to when you left Our Lady as
24 to the frequency with which he would go to the cabin?
25 A. No.

1 Q. What about the frequency with which he would
 2 spend the night at the cabin, was there any change?
 3 A. I wasn't aware of it.
 4 Q. You weren't aware of any change?
 5 A. Right.
 6 Q. How often do you think he would go to the
 7 cabin? And when I say "go to the cabin," I mean either
 8 for an afternoon or overnight trip.
 9 MS. YOUNG: Objection; asked and answered.
 10 THE WITNESS: I don't have any way to answer
 11 that because I wasn't keeping track.
 12 Q. BY MR. HALE: Do you have any sense on average
 13 how often he would go to the cabin for an overnight trip
 14 during the course of your time at Our Lady?
 15 MS. YOUNG: Same objection; asked and answered.
 16 THE WITNESS: No.
 17 Q. BY MR. HALE: In any of your other prior or
 18 subsequent, actually, in your subsequent assignments,
 19 were you ever aware of other priests going on regular
 20 overnight trips to a separate property like Father Kelly
 21 did with the cabin?
 22 A. No, that wasn't a common thing. Most priests
 23 couldn't afford to have a cabin in the mountains.
 24 MS. YOUNG: Okay. Don't volunteer any
 25 information. You already answered the question.

1 MR. HALE: Just going to extend the deposition,
 2 Father. Don't want that to happen.
 3 THE WITNESS: Okay.
 4 Q. BY MR. HALE: Did you ever hear anyone complain
 5 about anything related to Father Kelly and the cabin?
 6 MS. YOUNG: Same objection; asked and answered.
 7 THE WITNESS: No.
 8 Q. BY MR. HALE: Do you know Father [REDACTED]?
 9 A. No.
 10 Q. How about [REDACTED], do you know her?
 11 A. No.
 12 Q. Do you remember someone named, a boy named
 13 [REDACTED]?
 14 A. Yes.
 15 Q. How do you remember [REDACTED]?
 16 A. He was a neighborhood terror.
 17 Q. What do -- when you say he was the neighborhood
 18 terror, why do you say that?
 19 A. Constantly looking for trouble and causing
 20 trouble.
 21 Q. How was he looking for trouble?
 22 A. Some of it was, it was, you know, punishable.
 23 He was a sneak and a thief. Some of it was just, he was
 24 a jerk, couldn't get along with the other kids.
 25 Q. When you say he was a sneak, what makes you say

1 that?
 2 A. People in the neighborhood learned to keep
 3 their doors locked. You know, he was just a, he wasn't
 4 an asset to the neighborhood, that's for sure. Just a
 5 constant troublemaker.
 6 Q. Were you aware of him breaking into someone's
 7 house?
 8 A. A specific instance of breaking in, I don't
 9 know. I wasn't keeping track. But his, everybody in
 10 the neighborhood knew he was trouble.
 11 Q. Do you recall him being arrested?
 12 A. While I was there, I don't remember for sure.
 13 I can't say that I remember any specific time when he
 14 was in Juvenile Hall. I can't answer.
 15 Q. Do you have any awareness of him being
 16 criminally convicted of anything?
 17 A. What I heard later on, yeah.
 18 Q. What did you hear later on?
 19 A. That he spent quite a few, quite a bit of time
 20 in jail.
 21 Q. And did you hear that from anyone other than
 22 your attorneys?
 23 A. Not from my attorneys, no. Just from I had
 24 contact with people in Santa Barbara after I left there.
 25 Q. Who is that?

1 A. I don't know, individuals in the parish.
 2 Q. Who?
 3 A. Couldn't name anybody. Don't know.
 4 Q. And then you said you also heard, described him
 5 as a thief. What made you describe him as a thief?
 6 A. The time I was there, you know, any time I went
 7 into any of the shops in the neighborhood the owners
 8 were really alert because they knew [REDACTED], they knew he
 9 would steal anything he could.
 10 Q. How do you know that?
 11 A. Everybody knew.
 12 Q. Did anyone tell you that he had stolen from
 13 them?
 14 A. I don't remember any specific instance. But
 15 everybody in the neighborhood knew he was trouble.
 16 Q. Do you recall who told you that?
 17 A. No.
 18 Q. What other kind of trouble did he get into?
 19 A. At the time, you know, I would have said
 20 anything he could, but to name specific things, it was
 21 just everybody in the neighborhood knew he was trouble,
 22 that's all, and nobody could trust him.
 23 Q. But do you have any specific recollection of
 24 instances of trouble that he got into?
 25 A. I never had any personal trouble with him.

1 Q. But do you have any specific recollection or
2 awareness of him getting into personal trouble?
3 A. I knew he spent time in Juvenile Hall.
4 Q. Do you know what for?
5 A. No.
6 Q. How old was [REDACTED] around this time that you're
7 describing?
8 A. He was like, 11, 12 years old, I think.
9 Q. Okay. How did you first meet him?
10 A. He lived down the street from the church. Got
11 to know all the kids in the neighborhoods.
12 Q. Was he in the Blue Jackets Club?
13 A. I don't know if he might have been for a little
14 while, but he wasn't very long because he was always
15 causing trouble. So, I can't say if he was ever in it
16 or not.
17 Q. Do you recall kicking him out of the Blue
18 Jackets Club?
19 A. No.
20 Q. Do you recall anyone kicking him out of the
21 Blue Jackets Club?
22 A. No.
23 Q. When you say -- did you say that he also got
24 into fights?
25 A. I suspect that was a regular thing.

1 Q. But do you have any recollection of that?
2 A. No.
3 Q. Do you have any knowledge of him getting into
4 fights?
5 A. Any specific fight, no.
6 Q. Any non-specific fight?
7 A. The fact that he was a troublemaker and was
8 constantly in some kind of trouble.
9 Q. Did you observe any of this trouble that he
10 made personally?
11 A. That I was following him, watching him destroy
12 property or something, no, it was nothing like that.
13 Just he was, you know, everybody in the neighborhood
14 knew to be careful when he was around because they had
15 to keep an eye on him.
16 Q. Did you ever try to counsel him?
17 A. Oh, sure. Him and a lot of others.
18 Q. When did you try to counsel [REDACTED]?
19 A. I don't know. I was there for four years.
20 Took a lot of time with the children.
21 Q. Do you recall what you said to [REDACTED]?
22 A. No.
23 Q. Did you ever try to counsel him after an
24 instance where he had gotten into trouble?
25 A. I'm sure I did but I don't remember any

1 specific instance.
2 Q. Did you ever talk to Father Kelly about [REDACTED]?
3 A. Probably.
4 Q. Do you have a recollection of that?
5 A. No.
6 Q. Do you have any awareness of whether Father
7 Kelly tried to counsel [REDACTED]?
8 A. Specifically, no.
9 Q. Ever aware of Father Kelly taking [REDACTED] to the
10 beach?
11 A. I don't have memory of that.
12 Q. Ever aware of Father Kelly taking anyone to the
13 beach?
14 A. Huh-uh. You know, I remember I took kids to
15 the beach but I don't know if he was doing it.
16 Q. Did you ever take a single kid to the beach,
17 just you and the kid?
18 A. Maybe. I don't know. Probably not but I don't
19 remember.
20 Q. Would that have been appropriate for a priest
21 back then to take a single kid to the beach?
22 MS. YOUNG: Objection; calls for speculation.
23 THE WITNESS: Yeah, it is, it's very
24 speculative.
25 Q. BY MR. HALE: Would you have been comfortable

1 doing that?
2 A. I would probably tend not to do it but I can't
3 say that, you know, I usually had a carful.
4 Q. But why would you tend not to do it if it was
5 just one kid?
6 A. There's so many around, you know, if you are
7 going to do something like that you get a bunch. Was I
8 worried about my reputation or something, no.
9 Q. I'm sorry, what was the last part?
10 A. If you're asking if I was worried about my
11 reputation or something, no, that wasn't have nothing to
12 do with it. But if it was a chance for some kind of an
13 outing for the kids, I wouldn't just take one because
14 there's so many of them that needed, needed distraction.
15 Q. So, at the time would you have thought there
16 was anything inappropriate about taking a single child
17 to the beach?
18 A. No.
19 Q. And you were never aware of Father Kelly taking
20 a single child to the beach?
21 A. I didn't know he went to the beach as far as I
22 remember.
23 Q. Would your answer be any different if the trip
24 to the beach was with a single child at night?
25 MS. YOUNG: Same objection; calls for

1 speculation.
 2 THE WITNESS: It is speculative. I have no
 3 idea.
 4 Q. BY MR. HALE: You just don't know?
 5 MS. YOUNG: Asked and answered.
 6 THE WITNESS: What I would have thought back
 7 then?
 8 MR. HALE: Right.
 9 MS. YOUNG: You know, I instruct you not to
 10 answer. I don't want you to speculate.
 11 THE WITNESS: That really is speculative.
 12 Q. BY MR. HALE: Any other trouble you can recall
 13 getting into?
 14 A. Nothing specific.
 15 Q. Can you recall talking to anyone about
 16 being, causing problems or getting into trouble?
 17 A. I'm sure I discussed it with people but I don't
 18 have any specific remembrance that, you know, I didn't
 19 single him out. He was one of the kids in the
 20 neighborhood.
 21 Q. When he was in Juvenile Hall did you attempt to
 22 go and talk to anyone on his behalf when he was in
 23 Juvenile Hall?
 24 A. I don't remember doing that, no.
 25 Q. Were you aware of anyone from the parish

1 attempting to go and talk to someone on his behalf when
 2 he was in Juvenile Hall?
 3 A. No.
 4 Q. Do you remember what he was in Juvenile Hall
 5 for?
 6 A. No.
 7 Q. Do you remember how many times he was in
 8 Juvenile Hall?
 9 A. No.
 10 Q. I'm sorry, I didn't catch that.
 11 A. No.
 12 MS. YOUNG: Can we take a short break? Is this
 13 a good time.
 14 MR. HALE: Yeah. Yeah. I'm close to being
 15 done.
 16 THE VIDEOGRAPHER: We're going off the record
 17 at 3:16.
 18 (A recess was taken.)
 19 THE VIDEOGRAPHER: We are back on the record at
 20 3:24.
 21 Q. BY MR. HALE: Before we leave the topic of
 22 , Father, do you remember an instance during
 23 a Blue Jackets Club meeting where Father Kelly asked
 24 to help him get something from his car?
 25 A. No.

1 Q. Do you recall refusing ever to help
 2 Father Kelly get something from his car?
 3 A. I don't remember that.
 4 Q. Do you recall -- do you recall asking
 5 why he didn't want to help Father Kelly?
 6 A. Huh-uh, no.
 7 Q. Do you recall telling you he didn't like
 8 Father Kelly?
 9 A. No.
 10 Q. Do you recall telling you he didn't trust
 11 Father Kelly?
 12 A. No.
 13 Q. Did you know of ?
 14 A. . I don't -- I can't, you
 15 know, the name is familiar but not that somebody I knew.
 16 I don't know.
 17 Q. How is it familiar to you; just sounds
 18 familiar?
 19 A. It's a common name.
 20 Q. Okay. What about , do you
 21 know him?
 22 A. I don't know anybody named .
 23 Q. During your time at Our Lady, if you had
 24 somehow become aware that Father Kelly was providing
 25 alcohol to minors or to kids under 18, would you have

1 told anyone about that?
 2 MS. YOUNG: Objection; calls for speculation,
 3 assumes facts not in evidence.
 4 THE WITNESS: That didn't happen that I know
 5 of.
 6 Q. BY MR. HALE: I'm just saying, if you had,
 7 would you have told anyone?
 8 MS. YOUNG: Same objection. You're asking him
 9 to speculate on something that didn't happen, what he
 10 would have done 50 years ago if it had happened.
 11 MR. HALE: If he doesn't know he can just say
 12 he doesn't know what he would have done. That's fine.
 13 MS. YOUNG: I don't want him to guess what he
 14 would have done.
 15 MR. HALE: All right. So, he's just going to
 16 say he doesn't know. That's the answer.
 17 Q. Don't guess. We don't want you to guess.
 18 A. Okay.
 19 Q. But do you know what you would have done if you
 20 had learned that?
 21 A. No.
 22 Q. Okay. Have you ever been aware of any member
 23 of the Archdiocese warning a member or members of a
 24 parish or a community that a priest who had been accused
 25 of childhood sexual abuse of a minor was assigned or was

1 in residence or was doing supply work at that location?
 2 A. I don't know of any specific instance.
 3 Q. Have you ever initiated or heard any
 4 discussions of whether the Archdiocese should take some
 5 actions, I mean, i.e., giving warnings?
 6 A. I don't -- I don't remember the topic coming up
 7 why there would need to be any discussion, so.
 8 Q. Have you ever drafted or seen any written
 9 communications regarding whether the Archdiocese should
 10 take such action, again, giving warnings about a priest
 11 accused of sexual abuse?
 12 A. No.
 13 Q. Have you ever discussed with anyone the fact,
 14 other than your counsel, that you were going to be
 15 deposed today?
 16 MS. YOUNG: Do you understand the question?
 17 THE WITNESS: Yeah. I don't remember telling
 18 anybody why I was here.
 19 Q. BY MR. HALE: Not why you were here but that
 20 you were going to be deposed.
 21 A. Oh, no.
 22 Q. Do you know who Michael Harris is?
 23 MS. YOUNG: He was the best man at my wedding.
 24 THE WITNESS: I knew a Mike Harris.
 25 MR. HALE: Not the priest.

1 MS. YOUNG: It's not the same one you're
 2 talking about but he was the best man at my wedding.
 3 MR. HALE: Otherwise I'll have to notice your
 4 deposition, Bless.
 5 MS. YOUNG: He's not a priest.
 6 THE WITNESS: I didn't know him well or
 7 anything, I just knew that he existed.
 8 Q. BY MR. HALE: You knew of Father Michael Harris
 9 though?
 10 A. Yeah.
 11 Q. Were you ever assigned anywhere with him?
 12 A. No.
 13 Q. How did you know him?
 14 MS. YOUNG: Asked and answered.
 15 THE WITNESS: We'd go on a retreat every year
 16 with the seminary, you know, and you get to know the
 17 priests.
 18 Q. BY MR. HALE: Did you know where he was
 19 assigned?
 20 A. No.
 21 Q. Do you know, did you know a boy named [REDACTED]
 22 [REDACTED] when you were in Santa Barbara or at any time?
 23 A. I don't, I don't remember the name, no.
 24 Q. How about [REDACTED]?
 25 A. No.

1 Q. [REDACTED]?
 2 A. [REDACTED]?
 3 Q. [REDACTED].
 4 A. No.
 5 Q. [REDACTED]?
 6 A. No.
 7 Q. How about [REDACTED]?
 8 A. Heart?
 9 Q. Yes.
 10 A. I don't think I --
 11 MS. YOUNG: [REDACTED].
 12 THE WITNESS: Oh, [REDACTED].
 13 MS. YOUNG: [REDACTED].
 14 THE WITNESS: I thought you said "Heart."
 15 MR. HALE: No, [REDACTED].
 16 THE WITNESS: Oh, [REDACTED]. I don't remember
 17 anybody named [REDACTED].
 18 Q. BY MR. HALE: [REDACTED]?
 19 A. [REDACTED]?
 20 Q. [REDACTED].
 21 A. [REDACTED], no.
 22 Q. How about [REDACTED]?
 23 A. Wow. No.
 24 Q. [REDACTED]?
 25 A. No.

1 Q. [REDACTED]?
 2 A. [REDACTED] No, huh-uh.
 3 Q. [REDACTED]?
 4 A. No.
 5 Q. Do you know a priest named [REDACTED];
 6 [REDACTED]?
 7 A. No.
 8 Q. Did you know any of [REDACTED]'s siblings?
 9 A. I don't remember anybody, no. Whether I ever
 10 met them or knew them.
 11 Q. Did you know Bishop John Ward?
 12 A. Yeah.
 13 Q. How did you know Bishop Ward?
 14 A. We lived together in the same rectory for a few
 15 months. He was a well-known figure. He's a bishop.
 16 Q. When was that? What rectory did you live in
 17 together?
 18 A. St. Thomas the Apostle and it was back in,
 19 maybe early '80s, something like that.
 20 Q. Do you recall Bishop Ward ever coming to Santa
 21 Barbara while you were at Our Lady?
 22 A. No.
 23 Q. Do you recall any bishops visiting Our Lady
 24 while you were in Santa Barbara?
 25 A. I'm sure there were bishops because we had

1 confirmation every year and only a bishop can do that.
 2 Q. Do you recall bishops ever visiting Our Lady
 3 for any reason other than confirmation?
 4 A. Not specifically, no. Possible but I don't
 5 remember anything.
 6 Q. Have you ever noticed or discussed with anyone
 7 other than your attorneys that, whether there was a high
 8 turn-over rate for associate or assistant pastors at Our
 9 Lady of Guadalupe in Santa Barbara?
 10 A. I never experienced that so I wouldn't have
 11 talked about it.
 12 Q. You never heard anyone talk about?
 13 A. No.
 14 Q. Have you ever talked to Father [REDACTED] -- strike
 15 that.
 16 A. I knew [REDACTED].
 17 Q. Have you ever talked to Father [REDACTED] about
 18 Father Kelly?
 19 MS. YOUNG: Asked and answered.
 20 THE WITNESS: I don't know.
 21 Q. BY MR. HALE: Do you recall Father [REDACTED] ever
 22 complaining about Father Kelly's drinking?
 23 A. I don't recall.
 24 Q. Ever have any awareness of Father [REDACTED]
 25 complaining about Father Kelly for other reasons?

1 A. No.
 2 Q. Ever aware of, other than from your attorneys,
 3 that a parishioner is filing a petition to have Kelly
 4 removed from Our Lady?
 5 A. No, I have no knowledge of that.
 6 Q. Let's attach as Exhibit 1 the deposition
 7 notice.
 8 If you could just, Father, just take a look at
 9 that real briefly, let me know, or, not briefly, just
 10 take a look as long as you want.
 11 A. Okay, Santa Barbara Superior Court Case.
 12 MS. YOUNG: You don't have to read it out loud.
 13 Just look at it for yourself.
 14 Q. BY MR. HALE: Basically I want to know if
 15 you've seen it before or if you are familiar with it.
 16 So, take a look at it if you could.
 17 A. (Witness peruses exhibit.)
 18 Okay. "Produce" --
 19 MS. YOUNG: No, you don't have to read it.
 20 He's just asking you if you've ever seen this document
 21 before.
 22 THE WITNESS: I don't remember seeing this.
 23 MR. HALE: Okay.
 24 MS. YOUNG: I did send it to him.
 25 THE WITNESS: You did, oh, okay. That

1 doesn't -- yeah. I should have read it.
 2 MR. HALE: Let me ask you a few questions.
 3 THE WITNESS: Documents. Okay, yeah, I don't
 4 know why -- document didn't occur to me. I don't know
 5 that I have anything.
 6 Q. BY MR. HALE: Father, why don't you turn back
 7 to that page and I'll ask you a few questions about it.
 8 A. Okay.
 9 Q. Request for Production No. 1 calls for any file
 10 relating to the perpetrator. The perpetrator is
 11 identified as Father Kelly. Do you have any files at
 12 your home relating to Father Kelly or in the rectory,
 13 wherever you live?
 14 A. Not that I know of.
 15 Q. Okay. No. 2 calls for all documents relating to
 16 sexual misconduct by the perpetrator. Do you have any
 17 documents --
 18 A. Nothing, huh-uh.
 19 Q. What about No. 3 which says, "All documents
 20 related to Our Lady of Guadalupe parish in Santa Barbara
 21 for the years 1942 through 1972." Do you have any
 22 documents responsive to that request?
 23 A. Whether I have anything left over from when I
 24 was in that parish, I don't know. I'd have to look
 25 through all my...

1 Q. Father, could you go back and actually look and
 2 see if you do have anything responsive to that request?
 3 A. I guess I'll have to.
 4 Q. And if you do, please, I'd ask that you just
 5 produce it to your counsel and that your counsel produce
 6 it to me subject to whatever objections she might want
 7 to raise. If there's anything she refuses to produce,
 8 I'd like to see a privilege log.
 9 What about No. 4; "All documents related to Our
 10 Lady of Guadalupe school in Santa Barbara for the
 11 years" --
 12 A. Same thing. I can look to see if I have
 13 anything.
 14 Q. Okay.
 15 Bless, is that agreeable? Is that okay that he
 16 go and -- do you have a problem with that?
 17 MS. YOUNG: Yeah. He told me before he didn't
 18 have anything, but, I'll, I have no objection to him
 19 looking.
 20 MR. HALE: Okay.
 21 MS. YOUNG: Not that I, you know, expect that
 22 there will be anything that comes up.
 23 Q. MR. HALE: And then, No. 5, Father, any of your
 24 diaries and/or calendars relating to or that mention
 25 Father Kelly. Do you have anything like that?

1 A. Not that I know of.
 2 Q. Could you look for that as well though, just
 3 check and see?
 4 A. I'll see what I got.
 5 Q. And if you have anything, please turn it over
 6 to your counsel.
 7 A. Uh-huh.
 8 Q. Thank you.
 9 MS. YOUNG: That's just your Proof of Service.
 10 THE WITNESS: I'll take this with me.
 11 MS. YOUNG: You can take it with you. You
 12 already have a copy.
 13 THE WITNESS: I do? Oh, okay.
 14 Q. BY MR. HALE: Since you were ordained, Father,
 15 has anyone ever told you they were sexually abused by a
 16 priest while they were a child?
 17 A. Gee, I can't remember any specific case.
 18 Q. Okay.
 19 A. I don't have any memory of that coming up.
 20 Q. Have you ever been aware of anyone saying that
 21 they had discovered child pornography in Father Kelly's
 22 mail?
 23 A. No.
 24 Q. Have you ever been aware of anyone saying, and
 25 again, this is excluding anything you learned from your

1 counsel, saying that they had discovered photos of
 2 semi-clothed boys in Father Kelly's mail?
 3 A. No.
 4 Q. Have you ever been aware of anyone saying they
 5 had found child pornography in or around the rectory at
 6 Our Lady of Guadalupe?
 7 A. No.
 8 Q. Have you ever been aware of anyone saying that
 9 they had found photos of semi-clothed boys in or around
 10 the rectory?
 11 A. No.
 12 Q. Have you ever been aware of anyone saying they
 13 had found child pornography in or around Father Kelly's
 14 cabin?
 15 A. No.
 16 Q. And have you ever been aware of anyone saying
 17 they had found photos of semi-clothed boys in or around
 18 Father Kelly's cabin?
 19 A. No.
 20 Q. Father, are you familiar with a doctrine called
 21 the Doctrine of Mental Reservation?
 22 A. Yeah, yeah, we had to learn about that.
 23 Q. What is your understanding of what that
 24 doctrine means?
 25 MS. YOUNG: I'm going to object to --

1 THE WITNESS: I don't recall --
 2 MS. YOUNG: Before you answer the question, I'm
 3 going to object to the question. My understanding is
 4 that he's here as a percipient witness, not as an expert
 5 on the doctrines, if it is a doctrine, or on canon law
 6 or any of that other stuff.
 7 MR. HALE: And I'm not asking for expert
 8 testimony, just his understanding, and it definitely
 9 goes to his credibility as a witness. I'm going to ask
 10 him a follow-up question, I'll ask him if he relied on
 11 that doctrine today. So, I think we're entitled to an
 12 answer to that.
 13 MS. YOUNG: I'm going to object. You can ask
 14 your question again and I'll make the objection.
 15 Q. BY MR. HALE: What is your understanding, your
 16 understanding, from your time in school what the
 17 Doctrine of Mental Reservation means?
 18 MS. YOUNG: Object; assumes facts not in
 19 evidence as to doctrine.
 20 Q. BY MR. HALE: You can answer. Did you study
 21 that in the seminary?
 22 A. Of course.
 23 Q. Okay. What is your understanding as you sit
 24 here today of what that doctrine is about?
 25 A. Not saying what could be said because of some

1 reason not to say it.
 2 Q. When you say "some reason," what reason are you
 3 referring to?
 4 A. I don't know. How do you like my dress? Oh,
 5 that's a nice dress. Mental reservation is, my, it's
 6 ugly. That's an example. Mental reservation, you
 7 know --
 8 MS. YOUNG: All right. You've answered the
 9 question. Let him ask his follow-up question.
 10 Q. BY MR. HALE: Is it related to not bringing
 11 scandal to the church, is that one possible use?
 12 A. Sure. Of course.
 13 MS. YOUNG: Objection; argumentative.
 14 Q. BY MR. HALE: Have you invoked that doctrine
 15 today during this deposition?
 16 A. No.
 17 Q. Okay. And if you had invoked that doctrine
 18 during today's deposition, would you even be able to
 19 tell us?
 20 MS. YOUNG: Objection. He said he hadn't.
 21 MR. HALE: That's the whole point of the
 22 doctrine.
 23 Q. Would you be able to tell us though if you had?
 24 A. If I used Mental Reservation because there
 25 would be a reason not to say something?

1 Q. Right.
 2 A. And then tell you what I didn't say would be
 3 pretty stupid.
 4 MR. HALE: Okay. All right. I don't have any
 5 other questions.
 6 MS. YOUNG: Why don't we take a couple seconds.
 7 I might have a couple.
 8 MR. HALE: Okay.
 9 THE VIDEOGRAPHER: We are going off the record
 10 at 3:41.
 11 (A recess was taken.)
 12 THE VIDEOGRAPHER: We are back on the record at
 13 3:47.
 14 MS. YOUNG: I have just a couple questions,
 15 Father [REDACTED].
 16 EXAMINATION
 17 BY MS. YOUNG:
 18 Q. When you were at Our Lady of Guadalupe for the
 19 four years you were there, would you say that you spent
 20 a lot of time trying to help the troubled, lower-income
 21 Hispanic youth?
 22 MR. HALE: Vague and ambiguous.
 23 THE WITNESS: Yeah, I put a lot of focus on
 24 what would be called troubled youth. They were, they
 25 really needed somebody that would care about them and I

1 spent a lot of time with them. I remember, you know,
 2 taking some kids out, stopping for lunch, and they
 3 didn't know how to act in a restaurant. They were just,
 4 you know, suddenly confused. There was just so much
 5 that they never experienced.
 6 Q. BY MS. YOUNG: Do you remember anyone ever
 7 saying to you, "I think I'll be a gangster so Father
 8 [REDACTED] will like me"?
 9 A. One of the eighth graders in the school, I
 10 guess he was jealous of the time I spent with his kids,
 11 he said that, "I think I'll be a gangster so Father will
 12 like me."
 13 Q. Do you ever remember driving some of these
 14 troubled, lower-income kids around in your car?
 15 A. Oh, yeah.
 16 Q. While you were at Our Lady?
 17 A. Took them on different trips. Yeah, took them
 18 on different trips.
 19 Q. When you were driving around with them in your
 20 car do you remember taking off your priest garb while
 21 you were in the car with them, your cassock? Did you
 22 ever do that?
 23 A. Yeah, that was pretty common. Around the
 24 parish I wore the cassock but when we were going out
 25 somewhere I'd slip out of it. Be there in my t-shirt,

1 especially in the summertime.
 2 MS. YOUNG: I have no other questions.
 3 FURTHER EXAMINATION
 4 BY MR. HALE:
 5 Q. Father, with regard to these lower-income boys,
 6 did you ever take one of these lower-income boys to the
 7 beach by yourself at night?
 8 A. No, I don't remember anything like that, no.
 9 MR. HALE: That's all I got. Same stipulation?
 10 MS. YOUNG: Same stipulation. So stipulated.
 11 THE VIDEOGRAPHER: This concludes the
 12 deposition. We are going off the record at 3:50 p.m.
 13 (The deposition was adjourned at 3:50 p.m.)
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1 DEPONENT'S DECLARATION
 2
 3 I, FATHER [REDACTED], hereby declare:
 4 I have read the foregoing deposition transcript
 5 and identify it as my own and approve same.
 6 I declare under penalty of perjury under the laws
 7 of the State of California that the foregoing testimony
 8 is true and correct.
 9 Dated this _____ day of
 10 _____, 2007 at _____
 11 California.
 12
 13
 14 FATHER [REDACTED]
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1 STATE OF CALIFORNIA)
) ss.
2 COUNTY OF VENTURA)
3

4 I, SUSAN E. LANSING, C.S.R. No. 6355, a Certified
5 Shorthand Reporter for the State of California, do
6 hereby certify:

7 That, prior to being examined, FATHER [REDACTED]
8 [REDACTED], was by me duly administered an oath to tell
9 the truth, the whole truth, and nothing but the truth;

10 That the deposition of the witness in this
11 proceeding was taken down by me in stenotype at the time
12 and place therein named and thereafter reduced to
13 typewriting by computer-aided transcription under my
14 direction.

15 I further certify that I am neither counsel for nor
16 related to any party to said action nor in any way
17 interested in the outcome thereof.

18 WITNESS my hand this 12th day of February, 2007, at
19 Ventura, California.
20
21

22 Certified Shorthand Reporter
State of California
C.S.R. No. 6355
23
24
25