

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 1-179)
ARCHBISHOP OF LOS ANGELES;)
and DOES 3 - 100, inclusive,)
Defendants.)

Videotaped deposition of FATHER [REDACTED]
taken on behalf of Plaintiff, commencing at 12:57 P.M.,
Wednesday, January 17, 2007, at 865 S. Figueroa Street,
Los Angeles, California, before SUSAN E. LANSING, C.S.R.
#6355.

--oo0oo--

1 APPEARANCES OF COUNSEL:

3 For Plaintiff:

4 NYE, PEABODY & STIRLING, LLP
BY: TIMOTHY C. HALE, ESQ.
5 33 West Mission Street, Suite 201
Santa Barbara, California 93101
6 (805) 963-2345
7 LAW OFFICES OF R. THOMAS GRIFFITH
BY: R. THOMAS GRIFFITH, ESQ.
8 Post Office Box 20002
Santa Barbara, California 93120
9 (805) 965-4323

10 For Defendants:

11 HENNIGAN, BENNETT & DORMAN, LLP
12 BY: BLESS YOUNG, ESQ.
865 S. Figueroa Street, Suite 2900
13 Los Angeles, California 90017
(213) 694-1200

14 Also present:

15 Dennis Davis, Videographer
16
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1 LOS ANGELES, CALIFORNIA; WEDNESDAY, JANUARY 17, 2007
2 12:57 P.M.

3 THE VIDEOGRAPHER: Good afternoon. My name is
4 Dennis Davis. I'm a certified legal video specialist
5 and I represent Telegenics in Ventura, California. I am
6 not financially interested in this action nor am I a
7 relative or employee of any attorney or any of the
8 parties. Today's date is Wednesday, January 17, 2007.
9 Time is approximately 12:57 p.m. This deposition is
10 taking place at the law firm of Hennigan, Bennett &
11 Dorman at 865 South Figueroa Street, Suite 2900, in Los
12 Angeles, California.

13 This is the Judicial Council Coordination
14 Proceeding No. 4286, in the Superior Court of the State
15 of California, in the County of Los Angeles, Central
16 District. The action is entitled Andrew Ruiz vs.
17 Archdiocese of Los Angeles, et al. This deposition is
18 being taken on behalf of the plaintiff. This begins
19 Tape No. 1 of the videotaped deposition of Father [REDACTED]
20 [REDACTED]. The court reporter is Sue Lansing.

21 Could we have appearances by counsel, please.
22 MR. HALE: Tim Hale for plaintiff.
23 MR. GRIFFITH: R. Thomas Griffith for
24 plaintiff.
25 MS. YOUNG: Bless Young for the Roman Catholic

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5 EXHIBITS

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9 QUESTIONS THE WITNESS WAS INSTRUCTED NOT TO ANSWER

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| 11 153 | 5 |

1 Archbishop of Los Angeles and for the witness.
2 THE VIDEOGRAPHER: Would the court reporter
3 please administer the oath.
4 FATHER [REDACTED],
5 having been duly administered an oath in accordance
6 with CCP 2094 was examined and testified as
7 follows:

8 EXAMINATION

9 BY MR. HALE:
10 Q. Good afternoon, Father. I know we've been
11 introduced off the record already, but for the record,
12 my name is Tim Hale.
13 THE VIDEOGRAPHER: Excuse me. I'm getting
14 interference by a blackberry or something. Obliterating
15 the -- obliterates the audio. Sorry.
16 MR. HALE: No problem. Do we need to start
17 over?
18 THE VIDEOGRAPHER: No. We're okay. Just your
19 introduction I guess.
20 Q. BY MR. HALE: Could you state your name for the
21 record, please.
22 A. [REDACTED].
23 Q. Okay. And could you spell your last name for
24 the record.
25 A. [REDACTED].

1 Q. Have you ever had your deposition taken before?
 2 A. Never.
 3 Q. Okay. I assume your attorney had a chance to
 4 explain the process to you, but just for the record, I
 5 want to go over a few of the ground rules to make sure
 6 we're on the same page. Do you understand that you've
 7 been placed under oath and that your testimony today has
 8 the same force and effect as if we were in a court of
 9 law before a judge and a jury?
 10 A. Yes.
 11 Q. Have you consumed any alcohol in the last 12
 12 hours?
 13 A. Morning mass communion.
 14 Q. Okay. Nothing that would impair your ability
 15 to give your best testimony today?
 16 A. None.
 17 Q. Have you consumed any drugs in the last 24
 18 hours?
 19 A. No.
 20 Q. Okay. Is there any reason you can't give your
 21 best testimony today?
 22 A. No.
 23 Q. Great. You're doing a real good job so far.
 24 As you can see we've got a court reporter here who is
 25 typing down everything you say and everything I say and

1 for clarity of the record and for the sake of the court
 2 reporter it's important that we both try not to
 3 interrupt each other and talk over each other. There's
 4 going to be points where you're going to correctly
 5 anticipate the questions coming from me and there may be
 6 points where I correctly anticipate where you're going
 7 with the answer. We both need to try to let the other
 8 one finish before we interject and proceed forth with
 9 our own statement. Do you understand that?
 10 A. Yes.
 11 Q. Great. If I ask you a question today and you
 12 respond, I'm going to assume you understood the question
 13 as it was phrased. So, if you don't understand
 14 something I've asked you, please don't hesitate to ask
 15 me what I meant by something or ask me to rephrase in a
 16 way that makes more sense to you. Do you understand
 17 that?
 18 A. Yes.
 19 Q. Great. I'm entitled to the best estimate you
 20 have to the questions I ask you today, but we don't want
 21 you to guess to the answers of any of the questions I
 22 ask you today. Do you understand the difference between
 23 a guess and an estimate?
 24 A. Help me.
 25 Q. Sure. Obviously this table, we're sitting

1 here, if I were to ask you to tell me the length of the
 2 table you can look at the table and you can give me an
 3 estimate. By the same token, if I ask you to tell me
 4 the length of the desk in my office in Santa Barbara,
 5 presumably you've never been in my office in Santa
 6 Barbara, that would be nothing but a guess.
 7 A. Right.
 8 Q. Does that explain the difference to you?
 9 A. Yes.
 10 Q. Thank you. At the end of your deposition your
 11 testimony is going to be placed into a typed booklet
 12 form. You're going to have a chance to review that
 13 testimony and make any changes you think are necessary,
 14 but you need to keep in mind that if you do make any
 15 changes, either myself or some other attorney will be
 16 free to comment on those change at the time of trial.
 17 It could impact your credibility. So, it's very
 18 important that if at all possible you give your best
 19 testimony today. Do you understand that?
 20 A. Yes.
 21 Q. Great. You're also doing a really good job
 22 speaking affirmatively. Just keep doing what you're
 23 doing. What we want to avoid is "uh-huhs" and "huh-uhs"
 24 and nods of the head and that kind of answer. You're
 25 not doing that. Just keep doing what you're doing. You

1 understand?
 2 A. Yes.
 3 Q. Great. Okay. I'm not holding you prisoner
 4 here today. If you need to take a break at any time,
 5 just let me know. Do you have any questions?
 6 A. No.
 7 Q. Okay. Did you review any documents in
 8 preparation for your deposition today?
 9 A. No.
 10 Q. Okay. I'd like to go over your background.
 11 First of all, what's your birth date?
 12 A. August 31st, 1938.
 13 Q. And where were you born?
 14 A. Taos, New Mexico.
 15 Q. Where did you go to high school?
 16 A. Our Lady Queen of Angels which used to be
 17 originally Los Angeles College.
 18 Q. And what year did you begin attending Our Lady
 19 Queen of Angels?
 20 A. I began attending when it was Los Angeles
 21 College in 1952.
 22 Q. And what year of school were you when you began
 23 attending?
 24 A. Ninth grade.
 25 Q. Ninth grade, okay. And I take it you graduated

1 from there as well?

2 A. Yes.

3 Q. And what year was your graduation?

4 A. 1956 from high school. And then another two
5 years at that same place in '58.

6 Q. Okay. Was Our Lady Queen of Angel a minor
7 seminary?

8 A. They both were. Moved physically from
9 Hollywood to --

10 Q. Was L.A. College a minor seminary before it
11 changed its name to Our Lady of --

12 A. It was. It was the high school seminary in Los
13 Angeles/Hollywood area. On Detroit Street.

14 Q. So, you graduated from high school in 1956 and
15 then you did two more years at the same location at Our
16 Lady?

17 A. First two years of college.

18 Q. Okay. And did you receive an A.A. degree at
19 the conclusion of those two years?

20 A. Yes.

21 Q. What year was that, '58?

22 A. Yes.

23 Q. Okay. And where did you go after, after you
24 received your A.A. in 1958?

25 A. St. John's Seminary, Camarillo.

1 Q. Okay. And how many years were you at St.
2 John's?

3 A. Six.

4 Q. So, your graduation would have been '64?

5 A. Right. I was ordained in 1964, uh-huh.

6 Q. I'm rusty, I forget, I know there's a
7 theologate, there was a theologate at St. John's?

8 A. Yeah. Sure. Sure. Two years of philosophy,
9 graduated with a degree in philosophy, and then four
10 years of theology.

11 Q. Okay, thank you.

12 A. In those days it was a six/six system.

13 Q. And were there different names for the schools
14 at St. John's?

15 A. St. John's Seminary, but it was, so, no, not
16 really. St. John's Seminary but it was two parts to it,
17 the college and the theologate.

18 Q. Okay. That was actually -- there you go, thank
19 you.

20 A. St. John's Major Seminary it was called.

21 Q. There we go. So, that was the two years at St.
22 John's Major Seminary and then the four years at the
23 theologate?

24 A. Same location.

25 Q. But just different name; right?

1 A. Yeah.

2 Q. Okay. Were you classmates with [REDACTED]

3 [REDACTED]?

4 A. No.

5 Q. Do you know him?

6 A. Yes.

7 Q. Okay. So, you weren't in the same year?

8 A. No.

9 Q. But did you attend St. John's around the same
10 time?

11 A. Yes.

12 Q. Do you remember attending St. John's with him?

13 A. Yes.

14 Q. Okay. And you say you were ordained in '64?

15 A. Correct.

16 Q. Okay. When you were attending the Minor
17 Seminary, Our Lady Queen of Angel, were you living on
18 campus or were your parents living in Los Angeles?

19 A. Los Angeles.

20 Q. So you were living at home when you attended?

21 A. Day school.

22 Q. Okay. And what about when you attended St.

23 John's. Let's just start with the two years at the

24 Major Seminary, did you live at home or did you live on
25 campus?

1 A. I'd like to go back for clarification.

2 Q. Sure, sure.

3 A. It was two years living at home, then the whole
4 seminary moved to its new location in San Fernando and
5 we began boarding then. And then certainly boarding at
6 the theologate, at philosophy and theology.

7 Q. So, make sure I understood. So, your junior
8 and senior years of high school you boarded?

9 A. Yeah.

10 Q. Okay. So, basically from, for the '54/'55 and
11 the '55/'56 school year you lived on campus; is that
12 correct?

13 A. Yes.

14 Q. Okay. And when there were, when there were
15 holidays or summer breaks, did you go back and live at
16 home with your parents?

17 A. Oh, yeah. Yes.

18 Q. Okay. Do you know why there was the change,
19 why did it become a boarding school?

20 A. Well, the other place was the boarding school
21 too. But we -- it was also a day school for those who
22 lived in the neighborhood.

23 Q. Okay, thanks.

24 A. Twelve miles.

25 Q. And then, let's move forward to when you're at

1 St. John's. Let's just talk about when you're at the
 2 Major Seminary, which I realize is on the same grounds.
 3 Were you living there or were you still commuting and
 4 living?
 5 A. No, no, living, living, boarding.
 6 Q. And what about the four years in the
 7 theologate?
 8 A. Same. I was 60 miles from L.A.
 9 Q. Okay. And same question regarding your six
 10 years at St. John's. During holidays, during summer
 11 breaks, did you go and live at home?
 12 A. Yes.
 13 Q. Did you ever go and spend a holiday break or a
 14 summer vacation living in, assisting at a parish?
 15 A. Yes, 1958. Before that it was the home parish,
 16 we worked at the home parish.
 17 Q. Okay.
 18 A. And then in '58 I worked at a parish but I
 19 lived at home I think, yeah.
 20 Q. Okay.
 21 A. Mission East L.A --
 22 MS. YOUNG: He'll ask you the questions. You
 23 just answer what he asks you. And if he wants to know
 24 more, he'll ask you another question.
 25 THE WITNESS: Okay.

1 Q. BY MR. HALE: So, was it the summer of 1958
 2 when you did the voluntary -- is it volunteering or
 3 assistance?
 4 A. Yeah.
 5 Q. But you didn't live at the parish?
 6 A. Correct.
 7 Q. Do you recall having classmates who would
 8 during holidays or summer breaks actually go and live at
 9 parishes?
 10 A. No.
 11 Q. Do you recall Mr. ██████ going during holidays
 12 or summer breaks and living at a parish?
 13 A. No.
 14 Q. Okay. Any, any schooling beyond when you
 15 finished your time at the theologate?
 16 A. Yes.
 17 Q. What was the next step in your educational
 18 process?
 19 A. Master's in education.
 20 Q. Okay. And where was that at?
 21 A. I was living in San Antonio, Texas. It was
 22 from Antioch College, Yellow Springs, Ohio.
 23 Q. What year, what year was that?
 24 A. 1976. And then, other educational things as
 25 well.

1 Q. And you said that was San Antonio, Texas?
 2 A. Yes.
 3 Q. And was Antioch College, was there a campus
 4 that you actually attended?
 5 A. It was -- no.
 6 Q. Okay. This is kind of a, was it just a
 7 correspondence school of some sort basically?
 8 A. No. I can tell you more.
 9 Q. Sure. Explain to me what --
 10 A. It was called University Without Walls. It was
 11 related to the Mexican American Cultural Center, which I
 12 was one of the cofounders of through the Padres
 13 organization for whom I worked in San Antonio.
 14 Q. Okay.
 15 A. Unreleased from this Diocese.
 16 Q. Okay. So, that was one year of study to get
 17 your Master's?
 18 A. Yeah.
 19 Q. Any other education other than that?
 20 A. Yes. Credits in liturgy through Institute of
 21 Pastoral. Institute of Superior Pastoral in Madrid and
 22 St. John's Collegeville and Notre Dame University.
 23 Q. Regarding Madrid, what year was that?
 24 A. 1976.
 25 Q. Okay. And then you said St. John's?

1 A. Collegeville, Minnesota.
 2 Q. And what year was that?
 3 A. Probably '77.
 4 Q. Okay. And then you said Notre Dame?
 5 A. Yeah.
 6 Q. What year was that?
 7 A. Summer course, probably '86, something like
 8 that.
 9 Q. Okay. Were all three of these summer courses?
 10 A. Yes.
 11 Q. Okay. Did you actually go and live in Madrid?
 12 A. Oh, yeah.
 13 Q. Lucky guy. It's a great city. And did you go
 14 and live in Minnesota?
 15 A. Yeah.
 16 Q. Okay. Did you do parish work while you were in
 17 those --
 18 A. No.
 19 MS. YOUNG: Try to wait till he finishes his
 20 question before you answer. Give him time, just for the
 21 court reporter, and in case I want to make an objection.
 22 THE WITNESS: Okay.
 23 Q. BY MR. HALE: And you said you just received
 24 certificates from those three experiences?
 25 MS. YOUNG: Objection; misstates his testimony.

1 Q. BY MR. HALE: Feel free to correct me.
 2 A. Credits.
 3 Q. Oh, credits, I'm sorry. Credits for what?
 4 A. Degree towards, I mean, for study in liturgy.
 5 Q. Okay. Did you actually ever receive a degree?
 6 A. No. I stopped after that. No.
 7 Q. Any further education other than what we've
 8 already talked about?
 9 A. Personal education in terms of history, areas
 10 in which I'm interested in and do writing.
 11 Q. Any degrees of any sort obtained?
 12 A. No.
 13 Q. Did you actually study at a campus somewhere
 14 for these?
 15 A. Yes, well, yes.
 16 Q. Where at?
 17 A. Rome, but it was individual study, the
 18 archives.
 19 Q. So you didn't have a teacher looking over you
 20 or professor?
 21 A. That's right. Independent study.
 22 Q. Any other education that we haven't already
 23 talked about?
 24 A. No.
 25 Q. What was your, so, you were ordained in '64.

1 Had you had any parish assignments before you were
 2 ordained?
 3 A. No.
 4 Q. What was your first assignment after you were
 5 ordained?
 6 A. St. Alphonsus, east L.A.
 7 Q. And what was your assignment there?
 8 A. Associate pastor. Assistant pastor we called
 9 them then.
 10 Q. And who was the pastor?
 11 A. Father Monsignor [REDACTED].
 12 Q. Okay. So, did you start at St. Alphonsus, do
 13 you remember what the date of your ordination was?
 14 A. April 30th, 1964, couple weeks later started my
 15 first assignment, May 14th.
 16 Q. Okay, thanks. So, May '64 you start at St.
 17 Alphonsus?
 18 A. Uh-huh.
 19 MS. YOUNG: You have to answer yes or no.
 20 THE WITNESS: Yes, yes, yes.
 21 MR. HALE: Thank you, Counsel.
 22 Q. How long were you at St. Alphonsus for?
 23 A. Two years.
 24 Q. Were there any other associate pastors with you
 25 at St. Alphonsus?

1 A. Yes.
 2 Q. Who was that?
 3 A. [REDACTED].
 4 Q. Okay. Anyone else?
 5 A. No.
 6 Q. Was there anyone in residence with you there?
 7 A. Yes.
 8 Q. Who was that?
 9 A. [REDACTED]t. Monsignor [REDACTED].
 10 Q. Anyone else?
 11 A. No.
 12 Q. Do you understand the term "supply work"?
 13 A. Yes.
 14 Q. Were there any particular priests who did --
 15 well, let's make sure we're on the same page. What is
 16 your understanding of supply work?
 17 A. A priest will come in and celebrate a mass on a
 18 Sunday, maybe help on a weekend.
 19 Q. Great. That's my understanding too. Okay.
 20 Were there any priests who regularly performed supply
 21 work at St. Alphonsus while you were there? I know it's
 22 been a while, if you can remember, great, if not just
 23 say so.
 24 A. No, I don't remember.
 25 Q. Okay. What was your next assignment after St.

1 Alphonsus?
 2 A. Our Lady of Guadalupe Church in Santa Barbara.
 3 Q. And what year did you start Our Lady?
 4 A. 1966.
 5 Q. And who was the pastor at Our Lady when you
 6 were assigned there?
 7 A. Matthew Kelly.
 8 Q. Okay. Were there any assistant pastors when
 9 you got there? Were they still called "assistant
 10 pastors" then?
 11 A. I think so, yeah. Yes.
 12 Q. Do you remember who they were?
 13 A. Father [REDACTED] was there.
 14 Q. Anyone else?
 15 A. No.
 16 Q. Was there anyone in residence during your time
 17 at Our Lady?
 18 A. No.
 19 Q. Were there any other assistant or associate
 20 pastors -- well, I'm sorry, let me back up for a second.
 21 How long were you at Our Lady for?
 22 A. Two years.
 23 Q. Okay. Do you recall what month it was, I know
 24 it's been a while, do you recall what month it was you
 25 began at Our Lady?

1 A. Yeah, May.
 2 Q. So, it really was two years after you started
 3 at St. Alphonsus?
 4 A. Yes.
 5 Q. And did you stay the full two years?
 6 A. Yes.
 7 Q. So, in May of 1968 you received a new
 8 assignment?
 9 A. Correct.
 10 Q. What about, was [REDACTED] there while you
 11 were there?
 12 A. I succeeded him I believe.
 13 Q. Okay. What about Father [REDACTED]? And I may
 14 pronounce this wrong.
 15 A. Yes.
 16 Q. Am I pronouncing that correctly?
 17 A. [REDACTED]. Yes, we were together. I think I
 18 forgot to mention that.
 19 Q. Okay. Anyone else?
 20 A. No.
 21 Q. Anyone else in residence?
 22 A. No. Just a little time-line thing?
 23 Q. Sure.
 24 A. I was first and then Father [REDACTED] came a few
 25 months later.

1 Q. Okay. But he was there relatively soon after
 2 you --
 3 A. Yes.
 4 Q. -- arrived?
 5 A. I don't recall how soon, but, yes.
 6 Q. Do you recall Father [REDACTED] being there the
 7 entire time or did [REDACTED] replace [REDACTED]?
 8 A. He must have replaced him because I don't
 9 remember Father [REDACTED] there.
 10 Q. Okay. I just want to make, but Father [REDACTED]
 11 was there when you first arrived?
 12 A. When I first came, yes.
 13 Q. What about supply work, were there any priests
 14 in town that --
 15 A. Yes.
 16 MS. YOUNG: Wait till he finishes his question
 17 before you answer.
 18 THE WITNESS: Yes.
 19 MR. HALE: It's okay.
 20 Q. Were there any specific priests who regularly
 21 did supply work at Our Lady while you were there?
 22 A. Yes.
 23 Q. Who was that?
 24 A. I can picture him. His name will come to me I
 25 think. I don't recall it right now.

1 Q. Was he a diocesan or religious?
 2 A. Started with a "P." And I'm pretty sure he was
 3 a diocesan.
 4 Q. Okay. So, he wasn't assigned --
 5 A. No.
 6 Q. -- to a mission for instance?
 7 A. No.
 8 Q. Okay. Do you recall any priests from the
 9 mission coming, any Franciscans coming down and
 10 assisting at Our Lady?
 11 A. No.
 12 Q. What about Jesuits?
 13 A. No.
 14 Q. Did you know a Jesuit named [REDACTED]?
 15 A. No, I don't recall.
 16 Q. Okay. Any other priests you recall doing
 17 regular supply work there?
 18 A. No.
 19 Q. And this one that you -- there's one in
 20 particular you recall, you just can't remember his name?
 21 A. I know he's dead and it started with a "P" I
 22 believe and he was tall. No.
 23 Q. But you're certain he's deceased?
 24 A. Yes.
 25 Q. Okay. How is it that you recall he did regular

1 supply; you just remember seeing him there a lot?
 2 A. Yeah, yeah.
 3 Q. Any other priests that you recall doing regular
 4 supply work at Our Lady while you were there?
 5 A. No.
 6 MS. YOUNG: Asked and answered. Wait so that I
 7 have time to make my objection.
 8 Q. BY MR. HALE: What was your next assignment
 9 after Our Lady?
 10 A. Our Lady of Guadalupe in La Habra.
 11 Q. Okay. And that was May of '70? About?
 12 A. '69, I believe.
 13 Q. Oh, I'm sorry, I'm sorry. I should have said,
 14 so, that should have been May of '68?
 15 A. Yeah, I think that's better.
 16 Q. Sorry. Didn't mean to cross you up there.
 17 And who was the pastor when you were there?
 18 A. [REDACTED].
 19 Q. Okay. And who were the associate or assistant
 20 pastors?
 21 A. [REDACTED] and myself.
 22 Q. Just for future reference in this deposition,
 23 if I mix up assistant or associate, will you understand
 24 what I'm talking about?
 25 A. Fine, yes.

1 Q. Okay, great. Because I may.
 2 Sorry, so, what was the name of the assistant?
 3 A. ██████████
 4 Q. Okay. Anyone else?
 5 A. Yeah. Later. This one is also deceased.
 6 Pat --
 7 Q. That's okay. How long were you at Our Lady of,
 8 you said it was in La Habra?
 9 A. Yes.
 10 Q. How long were you there for?
 11 A. Two years.
 12 Q. So, till May of 1970?
 13 A. Right.
 14 MS. YOUNG: Did you say "Our Lady of Sins"?
 15 MR. HALE: No, no, in La Habra.
 16 MS. YOUNG: Oh, I'm sorry.
 17 MR. HALE: It was Our Lady of Guadalupe too;
 18 correct?
 19 MS. YOUNG: Right.
 20 THE WITNESS: Yes.
 21 Q. BY MR. HALE: Was there anyone in residence
 22 while you were there?
 23 A. No.
 24 Q. Okay. What was your next assignment?
 25 A. St. Linus in Norwalk.

1 Q. So, that was May of 1970 until?
 2 A. '72.
 3 Q. May?
 4 A. November.
 5 Q. Okay, who was the pastor there?
 6 A. At St. Linus, deceased now and I don't recall
 7 his name offhand.
 8 Q. That's okay.
 9 MS. YOUNG: When he asks you his name, you
 10 don't have to tell him whether he's dead or not unless
 11 he asks you that.
 12 THE WITNESS: Okay.
 13 MR. HALE: Although, if you tell me he's dead
 14 that will be the end of any questions you hear from me.
 15 Q. Who were the associate pastors?
 16 A. I think I was the only one.
 17 Q. Okay. Anyone in residence?
 18 A. Yes.
 19 Q. Who was that?
 20 A. ██████████
 21 Q. ██████████?
 22 A. ██████████
 23 Q. The former Bishop of Monterey?
 24 A. Yes.
 25 Q. He is the former now, isn't he?

1 A. Yes.
 2 Q. Anyone else?
 3 A. Not that I -- no.
 4 Q. Okay. Who was after -- I'm sorry, what was
 5 your assignment after St. Linus?
 6 A. Executive Director of PADRES, National
 7 Organization of Spanish-Speaking Priests, headquartered
 8 in San Antonio, Texas.
 9 Q. Executive Director of PADRES?
 10 A. It's an acronym.
 11 Q. Okay. I know you probably just told it to me.
 12 What's the acronym again?
 13 A. Padres Asociados para Derechos Religiosos,
 14 Educativos y Sociales.
 15 Q. Okay. And did you start there in November of
 16 '72?
 17 A. Yes.
 18 Q. And how long did you hold that position for?
 19 A. Four years.
 20 Q. Was that affiliated with the Bishop's Committee
 21 for the Spanish Speaking in any way?
 22 A. No.
 23 Q. Any connection between the two at all?
 24 A. Yes.
 25 Q. What was the connection?

1 A. We would poke them and try to get them to do
 2 things that they should be doing.
 3 Q. Okay. Is the Bishop's Committee for the
 4 Spanish Speaking still in existence?
 5 A. Yes.
 6 Q. Is it still located in San Antonio?
 7 A. No, it hasn't been for a long time.
 8 Q. Where is it now?
 9 A. Washington, D.C.
 10 Q. Okay. And what about this, well, is PADRE
 11 still in San Antonio?
 12 A. It doesn't exist anymore.
 13 Q. Okay. Were there any other priests from
 14 California with you in PADRES while you served there?
 15 A. Yes.
 16 Q. Who?
 17 A. ██████████ ██████████
 18 Q. Do you know what Diocese he's from?
 19 A. Religious Order.
 20 Q. Do you know what --
 21 A. Salesians.
 22 Q. Okay. Anyone else?
 23 A. No.
 24 Q. Did you become incardinated into the Diocese to
 25 do that?

1 A. I was on loan.
 2 Q. Okay. Did you have faculties granted by the
 3 Diocese there?
 4 A. Did I have faculties for the San Antonio guys?
 5 Q. Yes.
 6 A. Yes.
 7 Q. Did you perform your ministry there?
 8 A. Yes.
 9 Q. Did you say mass?
 10 A. Yes.
 11 Q. Could you have done that without having
 12 faculties granted to you?
 13 A. Not licitly.
 14 Q. I'm sorry, what do you mean by that?
 15 A. Well, I could have validly as a priest but not
 16 licitly, meaning, within permissions of the local
 17 ordinary of the Diocese and so forth so you need
 18 faculties.
 19 Q. Would you have gotten in trouble if you had
 20 done that in other words?
 21 A. Yeah, yes.
 22 Q. Okay. It's just a no-no I would imagine?
 23 A. Sure.
 24 Q. What was your next assignment?
 25 A. Okay, I'd like -- may I say something on the

1 prior one, just --
 2 Q. If you have a correction, sure.
 3 A. Well, I'm still under ecclesiastical
 4 jurisdiction. I'm on loan. The Diocese was paying my
 5 salary. My immediate bishop was Bishop Flores. He was
 6 the president of the organization. So, we can bring
 7 that to a closure. My next one was return to the
 8 Diocese, to Los Angeles. Next assignment was St.
 9 Alphonsus parish, the same parish I'd begun in.
 10 Q. And were you a pastor now?
 11 A. No, assistant. I mean, associate. Definitely
 12 associate by this time.
 13 Q. Okay. Was that November of '76 or when do you
 14 think that was?
 15 A. Well, it was, I think it was July of '76, June
 16 or July. Probably July 1st.
 17 Q. And who was the pastor then?
 18 A. Bishop Juan Arzube.
 19 Q. Okay. How long were you at St. Alphonsus for?
 20 A. I think four years, I believe.
 21 Q. And was Bishop Arzube the pastor there the
 22 entire time?
 23 A. Yes.
 24 Q. And who were the, were there any other
 25 assistants or associates?

1 A. Yes, the administrator was Father [redacted] and
 2 another associate was [redacted].
 3 Q. Okay.
 4 A. And then there was some changes after a while.
 5 Then Father [redacted] came later.
 6 Q. Okay. Anyone else while you were there?
 7 A. Not as associates, no.
 8 Q. How long were you at St. Alphonsus for again,
 9 the second time?
 10 A. For -- '76 to '81.
 11 Q. Was anyone in residence at St. Alphonsus while
 12 you there were?
 13 A. Yes.
 14 Q. Who was that?
 15 A. [redacted] was in residence there and I
 16 don't recall anybody else offhand.
 17 Q. Okay. And did we cover every assistant or
 18 associate pastor who was there that you can recall?
 19 A. No.
 20 Q. Who else?
 21 A. [redacted] was there.
 22 Q. Okay.
 23 A. And there may have been others, I don't recall.
 24 Q. Okay. What was your next assignment? Father,
 25 if you just stayed in one place we would be doing this a

1 lot faster.
 2 A. Fast track. St. Martha's Church in La Puente,
 3 pastor.
 4 Q. Okay. And that was in '81?
 5 A. Yes.
 6 Q. How long did that assignment last for?
 7 A. I think four years.
 8 Q. So, till about '85?
 9 A. '84.
 10 Q. Okay.
 11 A. Fall.
 12 Q. And who did you have assisting you there?
 13 A. Father [redacted], Father [redacted].
 14 Q. Okay, anybody in residence?
 15 A. The emeritus pastor.
 16 Q. Who was that?
 17 A. Father John -- Monsignor John, I forget his
 18 last name. I forget the dead guys it sounds like.
 19 Q. No problem. That's okay. Anyone else?
 20 A. No.
 21 Q. Okay. Next assignment?
 22 A. Special Ministry, Washington, D.C., as the
 23 National Coordinator for the Peseden Quentro. The
 24 Office of the Spanish Speaking of the United States
 25 Catholic Conference.

1 Q. So, that was around '84?
 2 A. Yeah.
 3 Q. Were there any other -- how long did that last
 4 for?
 5 A. One year.
 6 Q. '84/'85?
 7 A. Right.
 8 Q. Were there any other priests from California
 9 with you at that assignment?
 10 A. No.
 11 Q. Were you aware of any other priests from
 12 California in the District of Columbia at that time?
 13 A. No.
 14 Q. Okay. What was your next assignment?
 15 A. Lomita, St. Margaret Mary, associate pastor.
 16 Q. Okay, what years were you there?
 17 A. '84 to about '86.
 18 Q. And who was the pastor there?
 19 A. [REDACTED]
 20 Q. Okay. And who were the other assistants or
 21 associates?
 22 A. I don't recall.
 23 Q. Okay. Was there anyone in residence there
 24 while you were there?
 25 A. I don't recall.

1 Q. Next assignment?
 2 A. Was Special Ministry as a priest secretary for
 3 Bishop Juan Arzube.
 4 Q. And what years did you serve in that capacity?
 5 A. '86 to '88 I think, something like that.
 6 Q. Okay. And did you have an office?
 7 A. Yes.
 8 Q. Where was it located?
 9 A. It was in West Covina.
 10 Q. Okay. Was that in the chancery office?
 11 A. No, it was a satellite to the chancery.
 12 Regional office of the San Gabriel region.
 13 Q. Okay. Were there any other priests sharing
 14 office space with you?
 15 A. No.
 16 Q. Okay. But I assume Bishop Arzube was?
 17 A. Yeah.
 18 Q. Okay. What was your next assignment?
 19 A. St. Anthony's in San Gabriel, associate.
 20 Q. Who was the pastor?
 21 A. Monsignor [REDACTED].
 22 Q. And how long did that assignment last for?
 23 A. About a year and a half.
 24 Q. So, '88 to around '89/'90?
 25 A. About '92 I think. So, it might have been

1 longer.
 2 Q. Okay. And were there any other assistants or
 3 associates?
 4 A. Yes.
 5 Q. Who?
 6 A. Father John was assistant and I don't recall
 7 his last name.
 8 Q. Okay. Anyone in residence?
 9 A. No.
 10 Q. Okay, next assignment? Getting close.
 11 A. East L.A., San Francisco Church, pastor.
 12 Q. And for what years?
 13 A. '92 to '96. Wait a while. '98 I think.
 14 Q. Okay. Did you have anyone helping you?
 15 A. No.
 16 Q. Was there anyone in residence there?
 17 A. No.
 18 Q. Was there anyone who came in regularly and did
 19 supply work to help you out there?
 20 A. Regularly, no.
 21 Q. Okay. Was there a particular priest who
 22 sometimes came and did supply work for you there?
 23 A. No.
 24 Q. Next assignment?
 25 A. St. Clement's, Santa Monica, pastor.

1 Q. And for what years were you there?
 2 A. '96 to about 2000.
 3 Q. I may have misunderstood you. I thought you
 4 said you were at east L.A., the San Francisco Church,
 5 until '98?
 6 A. Must have been '96.
 7 Q. Okay. And you said you were the pastor there?
 8 A. Yes.
 9 Q. Did you have any assistants or associates?
 10 A. You're talking about St. Clement's.
 11 Q. Yes, St. Clement's.
 12 A. Yeah. No associate, I did have a resident.
 13 Q. Okay, who was the resident?
 14 A. [REDACTED].
 15 Q. How do you spell the last name?
 16 A. I'm not sure.
 17 Q. Can you say it one more time?
 18 A. [REDACTED]. Starts with a V, ends with
 19 [REDACTED].
 20 Q. Okay. Anyone else in residence there?
 21 A. In residence, no.
 22 Q. Anyone doing supply work there regularly?
 23 A. No.
 24 Q. Okay. What was your next assignment?
 25 A. Let's see, I went to Rome on a sabbatical and

1 then --
 2 Q. What year was the sabbatical?
 3 A. Year 2000.
 4 Q. Was it the entire year?
 5 A. No, but a good part of it, yeah. It was a
 6 sabbatical year.
 7 Q. Good for you.
 8 A. It was great.
 9 Q. I bet.
 10 A. Great. Let's see, then I came back. Where did
 11 I go. 2001. Help me out. You probably have the
 12 record.
 13 Q. Actually, I don't. Believe it or not, I do not
 14 have your assignment history sitting in front of me.
 15 A. Yeah.
 16 Q. Were there any other priests from California
 17 when you were in Rome on sabbatical?
 18 A. Yes.
 19 Q. Who?
 20 A. [REDACTED], was in Rome.
 21 Q. Do you know where he was from; California?
 22 A. L.A. Diocese, yeah.
 23 Q. Anyone else?
 24 A. No.
 25 Q. All right, so, you are in Rome for three, four,

1 five months?
 2 A. About ten months at least.
 3 Q. And do you remember what your assignment was
 4 when you came back?
 5 A. Isn't that funny.
 6 Q. Was it a parish assignment?
 7 A. Yeah, I'm sure it was. Let's see.
 8 Q. Maybe if we work our way backwards from where
 9 you are now.
 10 A. Yeah, okay, let's do that.
 11 Q. So, where are you right now?
 12 A. Okay, I'm in residence at Our Lady of Guadalupe
 13 in Palm Springs.
 14 Q. How long have you been there?
 15 A. Three years in residence.
 16 Q. So, since 2004?
 17 A. Yeah. The closer I am the foggier.
 18 Q. Who is the pastor there?
 19 A. I was the administrator when I came.
 20 Q. Okay.
 21 A. Yeah. The pastor is somebody else now.
 22 Q. Okay. Who is that?
 23 A. [REDACTED] is the man now.
 24 Q. Is Palm Springs part of the San Bernardino
 25 Diocese?

1 A. Different Diocese. I'm retired. I'm retired
 2 from administration.
 3 Q. Okay.
 4 A. Very active in ministry.
 5 Q. Are you still performing mass occasionally out
 6 there?
 7 A. Yes.
 8 Q. So, do you have faculties from the San
 9 Bernardino Diocese?
 10 A. Yes.
 11 Q. Are there any other assistants or associates
 12 with you?
 13 A. No.
 14 Q. Anyone else in residence there?
 15 A. No.
 16 Q. Since you've been there in 2004 have there been
 17 any other associates or assistants?
 18 A. No.
 19 Q. Anyone else in residence?
 20 A. No.
 21 Q. Any other pastors?
 22 A. I'd like to explain the situation.
 23 Q. Yeah, I'm not sure I understand.
 24 A. Because it's a little different. I went in and
 25 requested of the bishop if I could live there and he

1 said sure, how about taking it over for a year, because
 2 this place was in transition. And the transition is
 3 holding the fort until a religious order came and they
 4 are in charge of the two parishes that are contiguous to
 5 each other. So, I remain living in the same place, the
 6 pastor of both places now lives in the other neighboring
 7 parish.
 8 Q. So, it's kind of a scratch my back, I'll
 9 scratch yours?
 10 MS. YOUNG: Objection; mischaracterizes his
 11 testimony.
 12 THE WITNESS: Yeah, it's sharing ministry and
 13 helping out in the lack of clergy.
 14 Q. BY MR. HALE: Okay. And you refer to the
 15 bishop, are you referring to Bishop Barnes?
 16 A. Yeah, Bishop Barnes.
 17 Q. Okay. Do you remember where you were before
 18 the Palm Springs?
 19 A. Yes, St. Matthew's, Long Beach, senior priest.
 20 Q. What is the difference between a senior priest
 21 and an associate or assistant and the pastor?
 22 A. You're older and you're not in charge and you
 23 have two days off a week and the same salary as a
 24 pastor.
 25 Q. Okay. How long were you there for?

1 A. I think two years.
 2 Q. So, 2002 to 2004?
 3 A. Yeah. That's the missing link.
 4 Q. Okay. Who was the pastor while you were there?
 5 A. [REDACTED].
 6 Q. Okay. And were there any associates while you
 7 were there?
 8 A. No.
 9 Q. Okay. Do you know Father Kelly's nephew?
 10 A. No.
 11 Q. Okay. Do you know any priests related to
 12 Father Kelly?
 13 A. No.
 14 Q. Okay. Any other associates or assistants at
 15 St. Matthew's?
 16 A. That was with me at St. Matthew's?
 17 Q. Right.
 18 A. Associates or assistants, no.
 19 Q. Anyone else in residence there?
 20 A. No.
 21 Q. So, do you think we've covered all your
 22 assignments?
 23 A. Yeah. Pretty good job.
 24 Q. Okay.
 25 A. Sorry, I forgot about one.

1 Q. No, no. Hey, it's not your fault. During your
 2 time as a priest, well, let me -- strike that.
 3 Since you've been ordained --
 4 A. Yes.
 5 Q. -- have there been any committees within the
 6 Archdiocese that you have served on?
 7 A. Yeah, yes.
 8 Q. What committees? Let's start with the first
 9 and see if we can trace your steps forward.
 10 A. Well, they have to do with Spanish-speaking
 11 ministry. Certain ad hoc committees and then with the
 12 Priest Senate Social Justice Committees, peace and
 13 justice kinds of committees.
 14 Q. Okay. How many different committees do you
 15 think?
 16 A. I don't know, three, four.
 17 Q. Okay, let's start with the first. What was the
 18 name of the first?
 19 A. I was appointed by Bishop Manning to help serve
 20 on an ad hoc exploratory committee for the
 21 Spanish-speaking office.
 22 Q. Okay. Who else was on the committee with you?
 23 A. Bishop Morena, he was Monsignor then, and I
 24 think [REDACTED].
 25 Q. What year was that do you think?

1 A. Probably around 1980, something like that.
 2 Q. Okay. Anyone else serve on that committee with
 3 you?
 4 A. Not that I recall. I think Monsignor [REDACTED].
 5 Q. All right, what was the next committee you were
 6 on?
 7 A. I was on the peace and justice, they called it
 8 the Social Justice Committee for the Priest Senate of
 9 the Archdiocese of Los Angeles.
 10 Q. What was the purpose of the Social Justice
 11 Committee?
 12 A. Well, promote ways and means in which the
 13 church can be more proactive in areas of social justice.
 14 Different issues that arose; race relations, farm
 15 workers, whatever.
 16 Q. So, for lay people, not for priests?
 17 A. No, no, for priests.
 18 Q. For priests?
 19 A. Yeah. This was for us.
 20 Q. What kind of issues -- well, let me ask you,
 21 what year or what years were you on the Social Justice
 22 Committee?
 23 A. Probably in '78, '79, something like that.
 24 Q. Okay. And who else was on the Social Justice
 25 Committee?

1 A. Father [REDACTED], Father, I think it was
 2 [REDACTED], Jesuit. I don't recall who else.
 3 Q. Okay. And what kind of things, can you give me
 4 examples of things you would discuss on the Social
 5 Justice Committee?
 6 A. Supporting the boycott of the farm workers.
 7 Q. Okay.
 8 A. War and peace kinds of things, supporting the
 9 Chicano moratorium, those kinds of things. No, that was
 10 not true because that was way prior to it. I don't
 11 recall other stuff.
 12 Q. What was the next committee you served on?
 13 A. I was the president of the East L.A. Priest
 14 Association.
 15 Q. And were there officers on that association?
 16 A. We had, like, we didn't call them officers but
 17 a core group would do planning for the meetings and that
 18 kind of thing.
 19 Q. Who was that core group?
 20 A. Well, Father [REDACTED] was one of them.
 21 Q. Okay.
 22 A. Father [REDACTED], that was his last
 23 name. [REDACTED] Sorry. That was his first name.
 24 And I don't recall offhand.
 25 Q. And what was the purpose of the --

1 A. East L.A. Priests?
 2 Q. Right.
 3 A. Solidarity, planning together things we could
 4 do together in parishes collectively, utilize our
 5 strength to more effectively serve the pastor and the
 6 people of the neighborhoods. And then, a lot to do with
 7 community organizing.
 8 Q. And what year did you serve as president?
 9 A. Around '78, something like that.
 10 Q. Okay. Any other committees?
 11 A. Not that I recall, no.
 12 Q. Any boards in the Archdiocese you served on?
 13 A. Liturgy Committee.
 14 Q. When did you serve on the Liturgy Committee?
 15 A. Probably in the same -- no, this would have
 16 been '86, something like that. '86/'87.
 17 Q. Were you appointed to the Liturgy Committee?
 18 A. Yeah.
 19 Q. Who appointed you?
 20 A. Asked to serve is better phrased.
 21 Q. Okay.
 22 A. The man who was in charge of the Liturgy
 23 Committee for the Diocese, whose name I do not recall
 24 offhand.
 25 Q. Okay. Who else was on the Liturgy Committee

1 with you?
 2 A. [REDACTED], Mr. [REDACTED], layman.
 3 Q. Okay. Anyone else?
 4 A. Those are the two that I recall.
 5 Q. Okay. And what was the purpose of the Liturgy
 6 Committee?
 7 A. Well, the major thing that I recall as a real
 8 focus was the visit of the Holy Father in, when he came
 9 to Los Angeles, but a variety of other things;
 10 coordinating the liturgical ministry in parishes,
 11 preparing people for ministry as eucharist ministers, as
 12 lectors, coordinating things.
 13 Q. Anything else you can remember?
 14 A. No.
 15 Q. Any other committees you've served on in your
 16 time as a priest as you were ordained?
 17 A. Any other committees?
 18 Q. Or boards.
 19 A. For the Archdiocese or just in general?
 20 Q. Just in general.
 21 A. Yes, a variety.
 22 Q. Okay.
 23 A. Would you like me to name them?
 24 Q. Yes, please.
 25 A. I was on the National Liturgy Committee. I was

1 on CCUM, the board of CCUM, which is Catholic Committee
 2 on Urban Ministry. I was a delegate and a member of the
 3 National Federation of Priest Councils. I was a founder
 4 and member of the board of the Instituto Suferio -- I'm
 5 sorry, the Instituto de Latutia Spana, which is liturgy
 6 but for Spanish-speaking things. The National Farm
 7 Worker Board, National Farm Worker Industry, I was on
 8 the board of that for some years.
 9 Q. Okay.
 10 A. That's about it.
 11 Q. Okay. On any of these committees you just
 12 referenced, or boards, were there any California priests
 13 serving with you?
 14 A. When I was -- I didn't mention this
 15 specifically except it was mentioned prior. When I was
 16 the coordinator of the Peseden Quentro in '84 there was
 17 some priests from California there, at least one.
 18 Q. Who was that?
 19 A. Father [REDACTED].
 20 Q. Okay, anyone else?
 21 A. From California, no, not that I recall.
 22 Q. All right. Have you held any other positions
 23 with the Archdiocese that we haven't already discussed?
 24 A. No, I -- no.
 25 Q. Okay.

1 MS. YOUNG: Counsel, when you're ready to move
 2 on to a new subject matter might be a good time to take
 3 a three-minute break.
 4 MR. HALE: Sure. We can do it right now.
 5 That's fine.
 6 MS. YOUNG: Would this be a good time?
 7 MR. HALE: Right now is fine.
 8 THE VIDEOGRAPHER: We're going to go off the
 9 record at 1:48 p.m.
 10 (A recess was taken.)
 11 THE VIDEOGRAPHER: We are back on the record at
 12 approximately 1:59 p.m.
 13 Q. BY MR. HALE: Father, while you were at Our
 14 Lady in Santa Barbara do you recall there ever being a
 15 fire anywhere on parish property?
 16 A. Yes, I do.
 17 Q. More than once?
 18 A. No.
 19 Q. Where was the fire?
 20 A. The sacristy of the church I believe it
 21 started.
 22 Q. Okay. Do you recall what year that was?
 23 A. Well, must -- not specifically but '67 I would
 24 guess.
 25 Q. Okay. That's a good guess.

1 Do you recall, were you present when the fire
 2 started?
 3 A. I don't recall that I was present. Day off or
 4 something.
 5 Q. So, you weren't even at the property?
 6 A. I don't remember it actually physically
 7 burning.
 8 Q. So, you weren't there -- do you know if the
 9 fire trucks had to come and put the fire out?
 10 A. I think they did because it was insurance.
 11 Q. Okay. How did you hear about the fire?
 12 A. I mean, the next day, whenever it was that I
 13 came to celebrate mass, it was burned up.
 14 Q. How severe was the damage?
 15 A. Pretty severe. Severe enough to require some
 16 redoing of the sanctuary area.
 17 Q. Okay. Did you talk to anyone about how the
 18 fire started?
 19 A. Asking, "Do you know how the fire started?"
 20 Q. Right. Right.
 21 A. Like that.
 22 Q. Right. Did anyone tell you that they heard or
 23 what they thought how the fire started?
 24 A. Yes.
 25 Q. And what were you told?

1 A. I was told that they thought it was started by
 2 an alter boy.
 3 Q. Okay. Do you know who the alter boy was who
 4 supposedly started the fire?
 5 A. I don't recall his name.
 6 Q. Okay. Do you recall who told you that they
 7 thought it was started by an alter boy?
 8 A. No.
 9 Q. Okay. Well, do you know, was there a criminal
 10 investigation of the fire as it being arson?
 11 A. I don't know that.
 12 Q. Okay. Did the person tell you anything other
 13 than the fire was started by an alter boy?
 14 A. Correction. Person did not tell me a fire was
 15 start by an alter boy.
 16 Q. What did they tell you exactly?
 17 A. "I think it was started by an alter boy."
 18 Q. Okay, okay. Do you recall having any
 19 discussions with Father Kelly or with anyone about
 20 whether the fire was started by an alter boy?
 21 A. I don't recall. I must have talked about it
 22 but I don't have no...
 23 Q. Okay.
 24 A. It was a fire and it needed to be fixed.
 25 Q. Okay. Do you recall, do you know who found or

1 who discovered the fire burning?
 2 A. No.
 3 Q. Okay. Do you know who called the -- was there
 4 911 back then? There probably wasn't.
 5 A. I'm sure there was or the equivalent, but I
 6 don't recall who called. I wasn't on the premise at the
 7 time.
 8 Q. Okay. Do you know what the name of the
 9 insurance company was for the parish?
 10 A. No.
 11 Q. Do you recall having any discussions with
 12 anyone about why an alter boy would start a fire?
 13 A. No.
 14 Q. Did you form any opinions as to why an alter
 15 boy would start a fire?
 16 MS. YOUNG: Objection; speculation.
 17 THE WITNESS: What was that?
 18 MS. YOUNG: I said objection; speculation.
 19 Q. BY MR. HALE: You can answer.
 20 A. No, I didn't form any opinion.
 21 Q. Okay. Were there --
 22 A. I thought it would be an accident. I mean,
 23 that's the opinion.
 24 Q. Did you have an understanding as to whether it
 25 was an intentional act --

1 A. No.
 2 Q. -- versus an accident?
 3 A. No. My presupposition, my supposition was
 4 definitely an accident. Period.
 5 Q. Do you recall there being any efforts by anyone
 6 in the parish to locate or identify the alter boy who
 7 started the fire?
 8 A. I think it came to my attention who it was. I
 9 don't remember the name.
 10 Q. Okay. Did you talk to that person?
 11 A. I'm sure I spoke with him but I don't remember.
 12 If I did I don't think I pushed the motivation. Why did
 13 you do it? Was it an accident?
 14 Q. Do you know if anyone else spoke to the alter
 15 boy?
 16 A. I do not know that they spoke, but, I mean.
 17 Q. Were there certain alter boys who only served
 18 certain priests or did an alter boy help either the
 19 pastor or the associate pastors, didn't make any
 20 difference?
 21 A. If you were assigned, you were assigned,
 22 rotated.
 23 Q. This alter boy, now, you don't remember his
 24 name but was it someone who you knew?
 25 A. Yes, I know I knew the alter boy and I'm sure

1 he served for me.
 2 Q. Do you know if he served for Father Kelly?
 3 A. If he was on rotation alter boy I'm sure he
 4 served for Father Kelly as well.
 5 Q. Do you remember if he was Hispanic or
 6 caucasian?
 7 A. I think he was Anglo.
 8 Q. Okay.
 9 A. Good family.
 10 Q. Okay. Does the name [REDACTED] sound
 11 familiar to you?
 12 A. No.
 13 Q. Okay. You say good family. Did he have
 14 siblings?
 15 A. I don't recall.
 16 Q. Do you remember what his father's name was?
 17 A. No.
 18 Q. Were they members of the parish community
 19 though?
 20 A. Yes.
 21 Q. So, you think the family was caucasian though?
 22 A. Yes. It's my recollection.
 23 Q. Okay. Do you recall having any conversations
 24 with Father Kelly about the fire?
 25 A. Not about the fire.

1 Q. About anything related to the fire?
 2 A. Yes. About how things are going to look in the
 3 sanctuary afterwards and that kind of thing.
 4 Q. Okay. Anything else with Father Kelly that you
 5 discussed related to the fire?
 6 A. No.
 7 Q. Do you recall if the -- I know I asked you if
 8 there was any kind of criminal investigation regarding
 9 the fire. Do you recall if the Fire Department did any
 10 kind of investigation regarding the fire?
 11 A. No.
 12 Q. Okay. Do you recall if the insurance company
 13 sent anyone out to do any investigation regarding the
 14 fire?
 15 A. No.
 16 Q. And is it your recollection there was only one
 17 alter boy involved in whatever the incident was?
 18 A. That's my recollection.
 19 Q. Okay. Were you aware of anyone from the parish
 20 trying to counsel the alter boy on the incident?
 21 A. No.
 22 Q. Did the young man continue to serve as an alter
 23 boy after the incident?
 24 A. I believe so but I don't -- I don't recall.
 25 Q. Okay. And do you recall hearing the exact

1 circumstances that resulted in the fire?
 2 A. No.
 3 Q. As you sit here now, have you ever had any
 4 knowledge of the circumstances that resulted in the
 5 fire?
 6 A. I'm not even sure what you mean by the
 7 circumstances that resulted from the fire.
 8 Q. Maybe he was trying to light a candle or
 9 something and the candle fell over.
 10 A. No.
 11 Q. How the fire started in other words.
 12 A. No.
 13 Q. Was anyone injured in the fire?
 14 A. Not that I'm aware of, no.
 15 Q. What was the -- you know what -- obviously you
 16 know what a deanery is; correct?
 17 A. Sure.
 18 Q. What was the Santa Barbara deanery? What
 19 deanery was Santa Barbara in I should ask?
 20 A. At that time we did not have the deanery
 21 system.
 22 Q. When was the deanery system instituted?
 23 A. With the arrival of Cardinal Mahoney, 1985 or
 24 so.
 25 Q. Back then was there something equivalent to a

1 deanery system? Was there any kind of regional?
 2 A. Well, we would have, just as we had an East
 3 L.A. Priest Association, the priests of the area would
 4 be together occasionally for some coordinated stuff.
 5 Q. Okay. I know now with deaneries there's a
 6 dean; correct?
 7 A. That's right.
 8 Q. With this association you talked about, was
 9 there a leader of the association?
 10 A. Yeah, yeah.
 11 Q. When you were in Santa Barbara, who was that
 12 person?
 13 A. It's a Franciscan priest Father [REDACTED],
 14 [REDACTED], of the mission, old mission, was kind of the
 15 glue of the area.
 16 Q. [REDACTED]?
 17 A. Deceased.
 18 Q. And was there --
 19 A. [REDACTED] was the Vicar For Reign,
 20 officially --
 21 MS. YOUNG: There's no question pending. Wait
 22 till he asks the question.
 23 Q. BY MR. HALE: I was going to ask you, is there
 24 any kind of governing board or someone, a group of
 25 officers underneath that person? Or was there I should

1 say.
 2 A. Under Monsignor [redacted]? No.
 3 Q. So, was it Father [redacted], was
 4 that --
 5 A. Yes.
 6 Q. And you say he's now diseased?
 7 A. Yes.
 8 Q. And was he, what was his title again as far as
 9 this organization?
 10 A. He was the pastor of the Old Mission Santa
 11 Barbara.
 12 Q. But as far as for this group?
 13 A. Amorphous. It was before such things as
 14 priests councils or anything like that, but it was the
 15 priests on their own who would kind of come together.
 16 Q. And was it your perception he was kind of the
 17 leader?
 18 A. Oh, yes.
 19 Q. And was he elected?
 20 A. No.
 21 Q. Was he just a strong personality?
 22 A. Good leader.
 23 Q. Okay. And tell me about the Vicar For Reign.
 24 What's a Vicar For Reign?
 25 A. Well, it's a position in Canon Law by which a

1 person is responsible for a zone or an area. So, it was
 2 on paper but it wasn't functioning in terms of any
 3 actual convoking people or anything else. The real
 4 stuff happened with Father [redacted] and the group around
 5 him for pastoral stuff. The other was diritical,
 6 official, on paper.
 7 Q. Who was the Vicar For Reign while you were at
 8 Our Lady in Santa Barbara?
 9 A. [redacted].
 10 Q. And where was [redacted] assigned?
 11 A. He was the pastor of Our Lady of Mt. Carmel in
 12 Montecito.
 13 Q. Was he a Jesuit or is that archdiocese?
 14 A. No. It is Diocese.
 15 Q. And who else was part of this informal group
 16 that Father [redacted] informally led?
 17 A. We didn't meet on a regular basis and I don't
 18 recall the other people. Well, Father [redacted] would
 19 have been. Deceased. Carpentaria.
 20 Q. Okay. Anyone else that you can recall?
 21 A. The pastor of Our Lady of Sorrows but I don't
 22 recall his name.
 23 Q. Okay. Did Father Kelly participate in this
 24 group?
 25 A. No.

1 Q. Did you participate in this group?
 2 A. Yeah.
 3 Q. Okay. And how did it come to be that you
 4 participated instead of Father Kelly; did he ask you to
 5 go in his stead?
 6 MS. YOUNG: Objection; speculation.
 7 You can answer if you know.
 8 THE WITNESS: Yeah. I was more in relationship
 9 pastorly with Father [redacted] through the Christio
 10 Movement and other things that were happening pastorly
 11 than Father Kelly.
 12 Q. BY MR. HALE: Okay. And you said the group
 13 didn't meet regularly?
 14 A. No.
 15 Q. Did they meet once a month?
 16 A. Not even that. It was just ad hoc kind of
 17 thing.
 18 Q. During your two years at Our Lady how often on
 19 average do you think the group met?
 20 A. Three, four, five.
 21 Q. Okay. And where would the group -- was there a
 22 particular location the group would meet at?
 23 A. At the mission.
 24 Q. Okay. Did they ever meet at St. Anthony's, the
 25 seminary that is?

1 A. No.
 2 Q. Okay. And what would the group discuss, what
 3 kind of things?
 4 A. Penance services scheduling, things -- I think
 5 that comes to mind mostly. Education, continuing
 6 education for adults in terms of the Second Vatican
 7 Council. Mostly that kind of things.
 8 Q. Okay. Anything else that you can recall being
 9 discussed?
 10 A. No.
 11 Q. Was supply work discussed?
 12 A. No.
 13 Q. Was that supply work generally handled by the
 14 pastor of the parish?
 15 A. Pastor and guys looking around.
 16 Q. Got it. Any other regional committees or
 17 groups or boards of any sort while you were at Our Lady
 18 in Santa Barbara?
 19 A. Church related or --
 20 Q. Uh-huh. Yes, sorry.
 21 A. I was on the Religious Education Board for the,
 22 that was interparochial.
 23 Q. What was that?
 24 A. The high school CCD or religious education
 25 people met at Our Lady of Sorrows group parish and I

1 would teach there.

2 Q. And who else was on that board?

3 A. "Board" is like too strong a word but the
4 pastor, and I don't remember his name.

5 Q. Okay.

6 A. And there was a layman who was really kind of
7 the guy in charge. Don't remember his name.

8 Q. Okay. Any other regional groups or boards or
9 committees --

10 A. No.

11 Q. -- while you were at Our Lady?

12 A. No.

13 MS. YOUNG: Let him finish his question.

14 THE WITNESS: Okay, thank you.

15 Q. BY MR. HALE: In your experience as a priest,
16 who usually presides over a priest's funeral in the
17 Archdiocese of Los Angeles?

18 A. Bishop.

19 Q. It's usually the bishop?

20 A. Yeah.

21 Q. Is it the bishop or an auxiliary bishop?

22 A. Either.

23 Q. Have you ever been to a priest's funeral where
24 either an auxiliary bishop or the actual bishop did not
25 proceed over the funeral in the Archdiocese in Los

1 Angeles?

2 A. When you say "preside" that's a technical term
3 now. One in which the bishop was not the main
4 celebrant --

5 Q. Okay.

6 A. -- but the bishop was there.

7 Q. Okay.

8 A. But he didn't, he didn't preside, which is a
9 liturgical term for being the main celebrant.

10 Q. When you say he's not the main celebrant, the
11 bishop would say something but wouldn't be the one
12 responsible for conducting the --

13 A. Yeah. Usually if he's there he would do the
14 ending ceremony, the final blessing.

15 Q. So, in your experience as a priest in the
16 Archdiocese of Los Angeles, when a priest dies either an
17 auxiliary bishop or the bishop is going to be performing
18 some sort of function at the funeral?

19 A. Yes.

20 MS. YOUNG: Objection; misstates his testimony
21 but you can answer.

22 Q. BY MR. HALE: Does a priest's title when the
23 priest dies make any difference? And what I mean is,
24 for instance, if the priest was an auxiliary bishop does
25 that guarantee that the bishop himself is going to be

1 involved in the funeral?

2 MS. YOUNG: Objection; speculation.

3 THE WITNESS: And I don't even understand the
4 question.

5 Q. BY MR. HALE: Well, in your experience, and
6 maybe it doesn't make any difference at all, but does
7 the status of the priest who has passed away, some
8 priests just remain priests, they never go beyond that;
9 right?

10 A. Sure, sure.

11 Q. Some priests become Monsignors?

12 A. That's right.

13 Q. Some priests become auxiliary bishops?

14 A. That's right.

15 Q. I'm sure I'm missing some steps up the ladder.

16 A. That's fine.

17 Q. But do you understand what I'm getting at?

18 A. I think so.

19 Q. There's different rankings for a priest. So,
20 does a priest's ranking when he passes away determine
21 what the level of participation is from either an
22 auxiliary bishop or a bishop or a cardinal?

23 MS. YOUNG: Objection; speculation.

24 Q. BY MR. HALE: In your experience as a priest in
25 the Archdiocese of Los Angeles.

1 A. No.

2 Q. Okay. What if the priest was a Monsignor, does
3 that, would you expect that a Monsignor can count on the
4 bishop at least participating in the funeral?

5 MS. YOUNG: Same objection; speculation.

6 THE WITNESS: No. What I wish to say with
7 that --

8 MR. HALE: Sure.

9 THE WITNESS: It doesn't seem to make any
10 difference in my experience of who dies, you know, it's
11 a question of who can make it, who can be there, and I
12 believe that the current thing is the bishop in whose
13 Diocese or region that person dies is the one who should
14 kind of go there.

15 MR. HALE: Okay, got it.

16 Q. Did you go to Father Kelly's funeral?

17 A. No.

18 Q. Were you notified of the funeral taking place?

19 A. I was in Rome at the time he died.

20 Q. Okay. Did you talk to anyone who went to
21 Father Kelly's funeral?

22 A. No.

23 Q. Okay. When was the first time that you were
24 ever at Our Lady of Guadalupe in Santa Barbara?

25 A. When I was assigned there.

1 Q. Okay. So, prior to your assignment you had
 2 never been on that property before?
 3 A. Correct.
 4 Q. Okay. And with regard to that property, let's
 5 make sure we're on the same page. If we're facing the
 6 church, when you were there was there a house to the
 7 left of that where nuns lived?
 8 A. Yes.
 9 Q. Okay. And then, to the right, was that the
 10 school?
 11 A. Yes.
 12 Q. Was the school still open when you were there?
 13 A. Yes.
 14 Q. Do you know, did the school close while you
 15 were there?
 16 A. No.
 17 Q. But the school -- do you know if the school is
 18 still open?
 19 A. No.
 20 Q. No you don't know or no --
 21 A. No, it's not open.
 22 Q. Okay, thanks. And then, let's say we were
 23 facing the church, let's say we turn around, okay.
 24 Would you then be facing the rectory?
 25 A. Turn around all the way, about face?

1 A. That's correct.
 2 Q. Okay. Did they do work at the parish?
 3 A. Insofar as it had to do with Catholic charities
 4 clients and their office was at another street, another
 5 place.
 6 Q. Okay. Do you know what order those nuns were?
 7 A. Sisters of Bethany.
 8 Q. Okay. Did you, did you know any of them?
 9 A. I would visit them. I mean, not visit them
 10 necessarily in their place, but, yes, speak with them
 11 and, you know, gracious them. But I don't recall their
 12 names.
 13 Q. How would you come into contact with them?
 14 A. They would come to church I suppose.
 15 Q. Okay.
 16 A. That's all I, you know, and just say hello.
 17 Q. Do you ever have any recollection of any of
 18 those nuns of the Sisters of Bethany functioning as kind
 19 of intermediaries between parishioners who were
 20 Spanish-speaking and English speakers?
 21 A. I have no recollection except in the most
 22 general way that they did help poor people and many of
 23 the poor people were Spanish-speaking people and their
 24 office was on, I forget the name of the other street,
 25 but it wasn't there at the convent.

1 Q. All the way.
 2 A. No, no.
 3 Q. What would you be facing?
 4 A. You're on Jennings Street facing Milpas.
 5 Q. Okay. But if we moved a little bit to the left
 6 would the rectory be across the street from the church?
 7 A. Oh, yeah. If I was on the church --
 8 Q. Yes.
 9 A. -- I would face west to the rectory.
 10 Q. And then, to the left of the rectory was there
 11 another building that was used for, I don't know --
 12 A. Parish hall.
 13 Q. Parish hall, okay. Were there any other
 14 buildings when you were at Our Lady that were part of
 15 the, part of the parish?
 16 A. Church, school, rectory, parish hall.
 17 Q. And then, the house with the nuns, right?
 18 A. Yeah. But that was not part of the parish.
 19 Q. You did not consider that part of the parish?
 20 A. No.
 21 Q. What was it?
 22 A. It was a residence for religious women who
 23 worked for Catholic charities.
 24 Q. Okay. So, they were not considered connected
 25 to the parish?

1 Q. Okay. What about did they, did the Sisters of
 2 Bethany teach any CCD classes while you were there?
 3 A. Not while I was there.
 4 Q. But you have a recollection of them attending
 5 mass?
 6 A. Yes. I cannot recall specifically but I'm just
 7 saying yes because they were sisters and nextdoor, you
 8 know, part of the landscape.
 9 Q. Right, right. Do you have any other
 10 recollection of them participating in any other way in
 11 parish functions?
 12 A. No.
 13 Q. Sisters of Bethany.
 14 A. No.
 15 Q. Okay. Do you know the difference between, and
 16 I'm not saying that I do, just asking if you know, the
 17 difference between a religious institute of pontifical
 18 right versus a diocesan institute of consecrated life?
 19 MS. YOUNG: Objection; lacks foundation,
 20 assumes facts not in evidence, speculation.
 21 Q. BY MR. HALE: You can answer.
 22 A. Canonically, the diocesan, the word with the
 23 "diocesan" one belongs under the jurisdiction of the
 24 local bishop, whereas, the other would belong under the
 25 jurisdiction of Rome.

1 Q. Okay. Do you know if the Sisters of Bethany
 2 were pontifical or consecrated?
 3 A. No.
 4 Q. You don't know either?
 5 A. Correct.
 6 MS. YOUNG: Same objection belatedly.
 7 Wait a minute so I have time to object.
 8 Q. BY MR. HALE: Do you have any recollection of
 9 asking any Sister of Bethany to assist you with any of
 10 your work at the parish?
 11 A. No..
 12 Q. Do you have any recollection or awareness of
 13 anyone from the parish asking a Sister of Bethany to
 14 assist with any of the work at the parish?
 15 A. No.
 16 Q. And it's your understanding that they, their
 17 function was to assist with the Catholic charities?
 18 A. Yes.
 19 Q. Okay. Do you know who owned the house next to,
 20 that they lived in?
 21 A. No.
 22 Q. Was the house considered a convent?
 23 A. I considered it a convent.
 24 Q. Okay.
 25 A. Sisters lived there.

1 Q. Okay. When did you first meet Father Kelly?
 2 A. Upon arrival, maybe a couple days before to say
 3 hello, I don't recall. I didn't know him before.
 4 Q. Okay, thank you. You say upon arrival or maybe
 5 a couple days before. Did you visit Our Lady before you
 6 actually --
 7 A. I may have. I don't recall specifically doing
 8 that but my modus operandi, before I go to a new parish,
 9 is to go check it out, say hello to the pastor before I
 10 bring my suitcase over.
 11 Q. Okay. Do you recall sitting down and having a
 12 meeting with Father Kelly before you actually moved in?
 13 A. I don't recall specifically.
 14 Q. Okay. Before, before you -- well, let me --
 15 when you receive a new assignment, I assume it's in
 16 writing from the Bishop; correct?
 17 A. Yes.
 18 Q. Okay. Before receiving that written
 19 assignment, had you had any word that you were going to
 20 be transferred to Our Lady in Santa Barbara?
 21 A. Oh, yes. Transferred to?
 22 Q. To.
 23 A. Sure.
 24 Q. How did you know that was coming?
 25 A. I had a party, a going-away party.

1 Q. Okay. How did you find out before receiving
 2 the actual written assignment that you were going to be
 3 transferred to Our Lady in Santa Barbara?
 4 A. I don't recall anything besides a written
 5 thing.
 6 Q. Okay. And just for future reference, if I
 7 refer -- I know you've been to multiple Our Ladies --
 8 A. Yes.
 9 Q. -- over the course of your career, from here on
 10 if I refer to "Our Lady" will you understand that I'm
 11 referring to Our Lady of Guadalupe in Santa Barbara?
 12 A. Yes.
 13 Q. Great. Thanks. Unless I state otherwise.
 14 A. Yes.
 15 Q. Okay. Do you recall how you first learned that
 16 you were going to be assigned or transferred to Our Lady
 17 of Guadalupe in Santa Barbara?
 18 MS. YOUNG: Objection; asked and answered.
 19 You can answer.
 20 THE WITNESS: Yeah, written statement transfer.
 21 Q. BY MR. HALE: Okay. Maybe I misunderstood. I
 22 thought you said you had a party before that?
 23 A. Well, I got the written notice and then had the
 24 party.
 25 Q. Okay.

1 A. And then I'm gone.
 2 Q. So, the first notice you receive is the written
 3 letter from the Bishop?
 4 A. Yes.
 5 Q. Okay. And when you received the written
 6 notice, or, after you received the written notice, did
 7 you talk to anyone about Our Lady of Guadalupe in Santa
 8 Barbara?
 9 A. No.
 10 Q. Had you known anyone who had ever been assigned
 11 there before?
 12 A. No.
 13 Q. Did you ask anyone about Father Kelly?
 14 A. No.
 15 Q. Did you know any of the then current associate
 16 pastors?
 17 A. Yes.
 18 Q. Who did you know?
 19 A. [REDACTED].
 20 Q. Okay. And when did you first meet [REDACTED]
 21 [REDACTED]?
 22 A. He had been an associate pastor at my home
 23 parish of Sacred Heart.
 24 Q. Okay. And had you spoke to Father [REDACTED] about
 25 how his work was going at Our Lady prior to receiving

1 the assignment of your transfer?
 2 A. No.
 3 Q. Okay. After you received the assignment but
 4 before you actually moved up there, did you talk to
 5 Father ██████ about what life at the parish was like?
 6 A. Before I got there you say?
 7 Q. Yes.
 8 A. No.
 9 Q. Okay. Did you talk to anyone before you got
 10 there about what life was like at the parish?
 11 MS. YOUNG: Asked and answered.
 12 You can answer.
 13 THE WITNESS: No.
 14 Q. BY MR. HALE: When was the last time you were
 15 at Our Lady?
 16 A. Three, four years ago.
 17 Q. Okay. And what was the occasion for you to be
 18 at Our Lady three or four years ago?
 19 A. I go to Santa Barbara occasionally. I have
 20 spoken at the university up there. I also have friends
 21 there, one of my classmates that lives there, a sister
 22 lives there.
 23 Q. Okay. When you were there three or four years
 24 ago, did you stay at the rectory at Our Lady?
 25 A. No.

1 Q. Did you attend mass at Our Lady?
 2 A. No.
 3 Q. But you did visit Our Lady?
 4 A. Yeah, passed by it.
 5 Q. What was the -- did you just do a drive-by?
 6 A. Basically.
 7 Q. So you didn't stop your car and get out and
 8 visit or anything?
 9 A. No.
 10 Q. Did it look about the same as it did when you
 11 were there?
 12 A. Yeah. Yes, it did, it did.
 13 Q. When was the last time you actually got out of
 14 your car and stepped onto any of the property that
 15 constitutes Our Lady of Guadalupe in Santa Barbara?
 16 A. Like, to go inside the rectory and visit;
 17 probably when Father ██████ was there, shortly after I
 18 had left, or the next priest, Father ██████
 19 Q. So, that was in the '70s?
 20 A. Something like that.
 21 Q. Is Father ██████ still alive?
 22 A. No.
 23 Q. What about, do you know Father ██████?
 24 A. ██████, yes.
 25 Q. Is he still alive?

1 A. No. But he was at Holy Cross.
 2 MS. YOUNG: Okay, there's no question pending.
 3 Q. BY MR. HALE: So, the last time you've actually
 4 physically stepped foot, set foot onto any property that
 5 might constitute Our Lady, was in the late '60s/early
 6 '70s; is that an accurate statement?
 7 MS. YOUNG: Objection; asked and answered and
 8 misstates prior testimony.
 9 You can answer.
 10 THE WITNESS: Yes. I don't recall anything
 11 else.
 12 Q. BY MR. HALE: Okay. When you were, when you
 13 were assigned to Our Lady, was there any kind of storage
 14 area or storage facility for documents?
 15 A. I'm saying this in general stuff, but there
 16 must have been a safe or something. We kept the
 17 baptismal records and so forth.
 18 Q. Do you recall there being a safe?
 19 A. I don't recall there being a safe. I don't
 20 remember --
 21 MS. YOUNG: Don't guess. If you don't know,
 22 you don't know.
 23 THE WITNESS: I don't know.
 24 MR. HALE: Don't guess.
 25 Q. Do you recall when you were there if the parish

1 had any kind of policy regarding the destruction of
 2 documents maintained by the parish?
 3 A. No.
 4 Q. Okay. Do you know who was responsible for
 5 maintaining documents related to the parish?
 6 A. Parish secretary.
 7 Q. Was that ██████?
 8 A. No.
 9 Q. Who was that?
 10 A. I don't recall her name.
 11 Q. Do you know ██████?
 12 A. No.
 13 Q. Is that name familiar to you at all?
 14 A. No.
 15 Q. Was there only one parish secretary while you
 16 were at Our Lady?
 17 A. Yes.
 18 Q. Was she an older woman or a younger woman?
 19 MS. YOUNG: Objection.
 20 MR. HALE: Sorry.
 21 MS. YOUNG: Lacks foundation.
 22 THE WITNESS: Middle-aged.
 23 Q. BY MR. HALE: Middle-aged. Do you recall what
 24 color her hair was?
 25 A. Red, I believe.

1 Q. Do you know what her ethnicity was?
 2 A. ██████████.
 3 Q. Okay.
 4 A. I think ██████████ --
 5 Q. Okay.
 6 A. -- was her name.
 7 Q. Do you know if she was married?
 8 A. No.
 9 Q. I'm sorry, that was a bad question. So, she
 10 was married?
 11 A. I don't know.
 12 Q. You just don't know, okay.
 13 A. I don't recall.
 14 Q. Do you recall if she had a family that attended
 15 Our Lady?
 16 A. I don't.
 17 Q. Do you recall if she lived in Santa Barbara?
 18 A. No.
 19 Q. And you don't recall her first name?
 20 A. No.
 21 Q. Okay. If it comes back to you, please feel
 22 free to speak up.
 23 A. Okay.
 24 Q. But she was the secretary for the entire period
 25 while you were at Our Lady?

1 A. Yes.
 2 Q. Okay. Did you live in the rectory while you
 3 were assigned to Our Lady?
 4 A. Yes.
 5 Q. Okay. And where was your room?
 6 A. Upstairs.
 7 Q. So, if you come in the front door --
 8 A. Go up the stairs, to the left. Very small
 9 room. One of the smallest in the Diocese.
 10 Q. If you go up the stairs, how many rooms are
 11 there to the left?
 12 A. I just recall going up the stairs and straight
 13 into a door and that was my room. Then had a little
 14 bedroom to the side.
 15 Q. Okay. Do you recall how many rooms there were
 16 upstairs altogether?
 17 A. I just remember the pastor's room and my room.
 18 Q. And was that your room the entire time?
 19 A. Yes.
 20 Q. Did you have a roommate?
 21 A. No.
 22 Q. You had your own living quarters?
 23 A. Yes.
 24 Q. Okay. And so, was your door across the hallway
 25 from Father Kelly's?

1 A. No.
 2 Q. Kind of --
 3 A. Can I draw you a picture?
 4 MS. YOUNG: No, I don't want you to volunteer
 5 to do anything like that.
 6 Q. BY MR. HALE: Was Father Kelly's down the hall
 7 a little ways?
 8 A. Perpendicular. Perpendicular. We were both
 9 upstairs. His room was here, my room was here, the
 10 stairs went up like that, so.
 11 Q. Okay. And was it only -- during your entire
 12 time at Our Lady, was it only you and Father Kelly who
 13 lived upstairs?
 14 A. I don't -- Father ██████████ was there. I
 15 don't remember where his room was. Downstairs I guess.
 16 Q. Were there living quarters downstairs as well?
 17 A. There was a guest room at least. A small room.
 18 Q. Were there common areas upstairs between the
 19 two living quarters?
 20 A. No, not really. No.
 21 Q. Did you ever spend any time in Father Kelly's
 22 living quarters?
 23 A. Yes.
 24 Q. Okay. What brought you into Father Kelly's
 25 living quarters?

1 A. Saying hello, check up on something, parish
 2 business.
 3 Q. Okay. Did you go -- did he have a bedroom and
 4 then a living room as well?
 5 A. Yes.
 6 Q. Were those separate rooms?
 7 A. Yes.
 8 Q. Were there any other rooms --
 9 A. I don't know.
 10 Q. -- in his area?
 11 A. I don't know.
 12 Q. But you saw those two rooms?
 13 A. Yeah. Well, I saw the living room.
 14 Q. Okay. Do you remember there being a stereo in
 15 the living room?
 16 A. No.
 17 Q. A record player?
 18 A. No.
 19 Q. Do you remember there being a record player
 20 anywhere in the parish?
 21 A. No.
 22 Q. Do you remember ever hearing music coming from
 23 anywhere in the parish?
 24 A. I'd like to go back a little. You asked about
 25 the record player. I don't remember a record player,

1 but I know that he liked music and I bought him a disk
 2 of Matthew's Passion because I know he liked classical
 3 music.
 4 Q. Okay. Did you ever hear him play that?
 5 A. I don't recall.
 6 Q. Did you ever listen to music in his room?
 7 A. No.
 8 Q. Did you ever, was there ever a point where you
 9 were sitting in your room but you could hear music
 10 coming from his room?
 11 A. Don't recall, no.
 12 Q. What about in the downstairs area; were you
 13 aware of any kind of record player or stereo system in
 14 the downstairs area?
 15 A. No.
 16 Q. In the downstairs area there was a space for
 17 the secretary; correct?
 18 A. Yes.
 19 Q. And then there was, you said there was a guest
 20 room that possibly one of the associate pastors lived
 21 in?
 22 A. Yes.
 23 Q. What other rooms were there?
 24 A. There was, like, a parlor.
 25 Q. Okay. Anything else?

1 A. The dining room and the kitchen.
 2 Q. Okay. Did the -- was there a -- did the parish
 3 have a -- did the rectory have a cook while you lived
 4 there?
 5 A. Yes.
 6 Q. More than one?
 7 A. Like, a weekend cook I think as well.
 8 Q. So, there was one during the week and one on
 9 weekends?
 10 A. Yeah, part time, very part time.
 11 Q. Who was the cook during the week?
 12 A. [REDACTED].
 13 Q. Do you remember [REDACTED]'s last name?
 14 A. No.
 15 Q. Do you remember her ethnicity?
 16 A. Anglo.
 17 Q. Okay. Going to ask one of those offensive
 18 questions again. Did she appear to be older or younger
 19 to you?
 20 A. She was older.
 21 Q. Okay. And who was the cook on the weekends?
 22 A. She was also -- I don't recall her name but it
 23 had a very Santa Barbara name. It wasn't Cota but a
 24 name that was kind of well-known in Santa Barbara.
 25 Q. Like a Santa Barbara street name possibly?

1 A. I think so.
 2 Q. Okay. And was she older or younger?
 3 A. Younger than the other one I think.
 4 Q. Okay.
 5 MS. YOUNG: Belated speculation objections to
 6 the older/younger questions.
 7 THE WITNESS: Yes, all right.
 8 Q. BY MR. HALE: Would you and Father Kelly and
 9 whichever associate pastor was present, did you have
 10 dinner together every night?
 11 A. Pretty much.
 12 Q. On weekends too?
 13 A. No, not so much on weekends.
 14 Q. When you say "not so much on weekends," who was
 15 usually missing from dinner; was it you or was it Father
 16 Kelly or was it one of the other associates?
 17 MS. YOUNG: Objection; misstates his testimony.
 18 You can answer.
 19 THE WITNESS: Yeah. I don't recall that dinner
 20 was served. This was a long time ago.
 21 MR. HALE: I know.
 22 THE WITNESS: And weekends are usually catch as
 23 catch can in most rectories, but I do remember [REDACTED] at
 24 least preparing stuff and putting it in the refrigerator
 25 kind of thing, so, I don't recall, like, a formal dinner

1 kind of thing.
 2 Q. BY MR. HALE: Okay. Did you have -- was there
 3 a refrigerator?
 4 A. Oh yeah.
 5 Q. And there was food in the kitchen I assume?
 6 A. Yeah.
 7 Q. Did the priests have access to whatever food
 8 they wanted?
 9 A. Sure.
 10 Q. So if you wanted a midnight snack, you could go
 11 down on your own and get what you wanted?
 12 A. Yeah.
 13 Q. Okay. Were there bottles of wine kept in the
 14 rectory kitchen?
 15 A. No.
 16 Q. Were there bottles of wine kept somewhere else?
 17 A. Yeah.
 18 Q. Where?
 19 A. I think in the sacristy. That's what I -- I
 20 don't recall specifically but that's...
 21 Q. For communion?
 22 A. Yeah.
 23 Q. Were you ever aware of Father Kelly bringing
 24 bottles of wine back to his room in the rectory?
 25 A. No.

1 Q. Did you ever see Father Kelly bring any bottles
 2 of wine back to the rectory?
 3 A. No.
 4 Q. Were you ever aware of him requesting that
 5 bottles of wine be brought back to the rectory?
 6 A. No.
 7 Q. Were you ever aware of anyone bringing bottles
 8 of wine back to the rectory?
 9 A. No.
 10 Q. Okay. Did the secretary have an assistant?
 11 A. No.
 12 Q. She was flying solo?
 13 A. Small parish.
 14 Q. Right. Okay. Was there a janitor for the
 15 rectory?
 16 A. For the rectory; housekeeper.
 17 Q. Okay. Was there the same housekeeper the
 18 entire two years you were at Our Lady?
 19 A. I think it was the cook. I honestly don't
 20 recall anybody separate.
 21 Q. Okay. What about, was there a, during your two
 22 years was there a gardener who maintained the parish
 23 grounds?
 24 A. I don't recall.
 25 Q. Okay. What about, was there any kind of

1 maintenance person?
 2 A. Yes.
 3 Q. Who was that?
 4 A. ██████████
 5 Q. Okay, anyone else?
 6 A. Not that I recall.
 7 Q. And was ██████████ there the entire time you
 8 were there?
 9 A. Yes.
 10 Q. But he worked there but he didn't live on the
 11 property; correct?
 12 A. Well, he helped out. He was volunteer handyman
 13 kind of thing.
 14 Q. Okay. Anyone else help ██████████?
 15 A. Don't recall.
 16 Q. Do you remember if his sons helped him?
 17 A. Very likely but that's speculation.
 18 Q. Okay, don't speculate.
 19 Were his sons alter boys?
 20 A. Not in my time.
 21 Q. Okay.
 22 A. I don't know.
 23 Q. Okay, fair enough.
 24 Was there a Director of Religious Education for
 25 the parish?

1 A. I was it.
 2 Q. You were it, okay. And what were your duties
 3 as the Director of Religious Education?
 4 A. Coordinate religious education, children and
 5 adults.
 6 Q. Okay. Did you train alter boys?
 7 MS. YOUNG: You talking about when he was at
 8 Our Lady?
 9 MR. HALE: Yes. Yeah.
 10 Q. I'm focused, if I've got a question not related
 11 to Our Lady, I'll let you know.
 12 A. I understood that.
 13 I'm sure I did.
 14 Q. Okay. But it wasn't a specific task assigned
 15 to you?
 16 A. Well --
 17 Q. Maybe it was, you tell me.
 18 A. It was kind of just the thing that the
 19 associate priest did, you know. I was the guy.
 20 Q. Do you recall Father Kelly ever training alter
 21 boys?
 22 A. Not in my time, no.
 23 Q. Okay. Was there a Director of Youth Ministry?
 24 A. No. I was it.
 25 Q. You were it, okay. Were there any other

1 employees for the parish, and let's not talk about the
 2 school yet, but for the parish that I haven't already,
 3 we haven't already talked about?
 4 A. Yes.
 5 Q. Who?
 6 A. Well, the music minister.
 7 Q. Who was the music minister?
 8 A. Mr. ██████████. Professor ██████████ he was called.
 9 Deceased. But he was employed as the musician.
 10 Q. Was he on the faculty at Santa Barbara City
 11 College?
 12 A. He may have been, I don't know, but he was a
 13 well-known person in Santa Barbara area.
 14 Q. Okay. Anyone else?
 15 A. Now, the question was?
 16 Q. Any employees for the parish. We're just
 17 focusing on the parish right now.
 18 A. Not the school, the parish.
 19 Q. Right.
 20 A. No.
 21 Q. Okay. Were there any committees at the parish?
 22 A. No.
 23 Q. Were there any regular parish members who were
 24 volunteers who assisted like ██████████ assisted with
 25 issues around the parish?

1 MS. YOUNG: Object to the question; vague and
 2 ambiguous.
 3 You can answer.
 4 THE WITNESS: Yeah. Well, we say volunteers,
 5 you know, people washing linens, people, the readers at
 6 mass, that kind of stuff.
 7 Q. BY MR. HALE: Okay. Were there any, any
 8 volunteers that stand out in your mind?
 9 A. Yes.
 10 Q. Prominent, kind of pillars of the community so
 11 to speak?
 12 A. Yes.
 13 Q. Who?
 14 A. [REDACTED]
 15 Q. Anyone else?
 16 A. No.
 17 Q. Why does Mr. [REDACTED] stand out to you?
 18 A. Because we were in the seminary together number
 19 one, and secondly because we put on a parish festival
 20 together, number two.
 21 Q. Did Mr. [REDACTED] complete the seminary with
 22 you?
 23 A. No, no.
 24 Q. And what was the parish festival?
 25 A. Well, it was a fundraiser for the parish and...

1 Q. Did that happen both years you were at Our
 2 Lady?
 3 A. I just recall one year, might have been both.
 4 Q. Okay: And what happened at the festival?
 5 A. It was a good fundraiser. I don't recall if it
 6 was my initiative but we did it.
 7 Q. Was there a talent show or what went on?
 8 A. No, no, it's food booths and rides and that
 9 kind of -- raffle. Maybe some entertainment.
 10 Q. Okay. Do you remember what time of year that
 11 was?
 12 A. No.
 13 Q. It wasn't Fiesta, was it?
 14 A. No, no, it wasn't in August. If you mean Santa
 15 Barbara Fiesta. I don't recall.
 16 Q. Was there any one person responsible for
 17 supervising the altar boys?
 18 A. I was I guess. I mean, that's my --
 19 Q. Don't guess.
 20 A. Yeah. Thank you for reminding me of that.
 21 I was.
 22 Q. Okay. Any other employees that you can think
 23 of other than the people you've already talked about?
 24 A. Employees?
 25 Q. Yes, employees.

1 A. No.
 2 Q. Any other volunteers you can think about other
 3 than the people we've already talked about?
 4 A. Yes.
 5 Q. Who?
 6 A. Mrs. [REDACTED]?
 7 Q. Mrs. [REDACTED]?
 8 A. Yes.
 9 Q. What did she do?
 10 A. Kind of, it wasn't all that regular but she was
 11 helpful whenever we needed help for receptions or
 12 something like that.
 13 Q. Okay. Anyone else?
 14 A. Yes. Religious education people, teachers.
 15 You want names?
 16 Q. You mean who handled CCD-type stuff?
 17 A. Oh yeah.
 18 Q. Okay. Who?
 19 A. Mrs. [REDACTED]. And [REDACTED] as well.
 20 [REDACTED] was her name.
 21 Q. Okay.
 22 A. She was also in CCD.
 23 Q. Okay. Was Mrs. [REDACTED] related to [REDACTED]
 24 in any way?
 25 A. Yes.

1 Q. How was she related to him?
 2 A. Mother.
 3 Q. Did [REDACTED] attend Our Lady, do you know?
 4 A. No.
 5 Q. Did he, was he born in Santa Barbara?
 6 A. Don't know.
 7 Q. Okay. All right. Anyone else?
 8 A. No.
 9 Q. The rectory entrance, was it something you
 10 could just, did you have to knock on the door in order
 11 to come in or was it something that anyone could just
 12 walk in off the street? Was there a buzzer?
 13 A. Doorbell.
 14 Q. Doorbell, okay. And do you recall what the
 15 practice was? Was anyone allowed simply to walk in?
 16 A. I do not recall that. It was, like, free open
 17 I remember.
 18 Q. Do you recall where Ms. [REDACTED] -- did Ms.
 19 [REDACTED] have a desk at the front door?
 20 A. Very close, yeah.
 21 Q. Was she kind of a gatekeeper?
 22 A. Yes.
 23 Q. Was, do you recall, was the desk positioned in
 24 such a way that if someone were to enter in through the
 25 front door she was going to see if she was at her desk?

- 1 A. She'd have to reach around but within easy
2 sight.
3 Q. Okay.
4 A. And she would, I mean. But she would have to
5 answer the door.
6 Q. Do you recall her answering the door?
7 A. Sure.
8 Q. Okay. So, generally someone would knock and
9 she'd get up and answer it?
10 A. Buzz, ring.
11 Q. Okay. Were there any other entrances to the
12 rectory other than that front entrance when you were
13 there?
14 A. I think there was a backdoor entrance to the
15 kitchen.
16 Q. And was that, did that backdoor face the
17 adjoining building, the parish hall I think you called
18 it?
19 A. Yeah.
20 Q. Was that usually kept locked or unlocked?
21 A. I don't recall specifically but I would --
22 locked would be the thing but I don't recall.
23 Q. Okay. Do you recall people coming and going in
24 through that backdoor?
25 A. No, no, no.

- 1 Q. Was not used regularly?
2 A. I didn't use it. Nobody to my knowledge used
3 it.
4 Q. Okay. Did you have a car while you were at Our
5 Lady?
6 A. Yes, yes, had use of a car.
7 Q. And when you say you had use of a car, did you
8 have your own car?
9 A. No.
10 Q. Was there a parish car?
11 A. Yes.
12 Q. What was the parish car?
13 A. What was it?
14 Q. Yeah.
15 A. I don't recall what mine was but I had a car
16 that I got to use.
17 Q. Okay. And where did you park that, where was
18 that car parked?
19 A. Garage.
20 Q. Next to the rectory?
21 A. Yes.
22 Q. In the covered parking garage?
23 A. I think it had an open door.
24 Q. Okay. Do you remember if Father Kelly had a
25 car?

- 1 A. Yes.
2 Q. What did he have?
3 A. I don't remember.
4 Q. Did he have the same car the entire time you
5 were there?
6 A. I think so.
7 Q. Do you remember what color it was?
8 A. No.
9 Q. Do you recall if it was a Buick Skylark?
10 A. No. I don't remember mine.
11 Q. Okay. Do you ever recall seeing boys under the
12 age of 18 in the rectory?
13 A. No.
14 Q. Never?
15 A. Never.
16 Q. Do you ever recall hearing voices other than
17 Father Kelly's coming from his room in the rectory?
18 A. No.
19 Q. Okay. Do you ever recall being aware of -- did
20 you ever hear that there were boys, other than from your
21 attorneys, did you ever hear there were boys in the
22 rectory under the age of 18 while you were at Our Lady?
23 A. No.
24 Q. Were you ever aware of any children, and again,
25 other than anything you've learned from your attorneys,

- 1 any children being in the rectory during the two years
2 you were at Our Lady?
3 A. No.
4 Q. Okay. Do you remember seeing boys under the
5 age of 18 hanging out or congregating right in front of
6 the rectory in that yard in the front of the rectory?
7 A. No.
8 Q. Do you remember seeing Father Kelly hanging
9 around boys under the age of 18, for instance, cruising
10 on a bike with boys under the age of 18?
11 A. No.
12 Q. Do you ever remember seeing Father Kelly in his
13 car with boys who appeared to be under the age of 18?
14 A. No.
15 Q. Did you ever hear about Father Kelly, other
16 than from your attorneys, being in his car with boys
17 under the age of 18?
18 A. No.
19 Q. Did you ever hear about, other than from your
20 attorneys, Father Kelly cruising around on bikes with
21 boys under the age of 18?
22 A. No.
23 MS. YOUNG: Asked and answered.
24 Q. BY MR. HALE: What responsibilities, if any,
25 did you have with regards to the school? You know what,

1 strike that. Let me back up for a second.
 2 With regards to CCD, what responsibilities did
 3 you have?
 4 A. Provide, look for and train, help train and
 5 mentor CCD teachers, religious education teachers. Be
 6 their priest director.
 7 Q. Okay. Did you actually teach any CCD classes?
 8 A. Yes.
 9 Q. Okay. And where did those classes take place?
 10 Were they held in the school?
 11 A. I think in the school, in the parish hall.
 12 Mostly in the school, I'm not sure.
 13 Q. And were they generally lay people though who
 14 taught the CCD classes?
 15 A. Yes.
 16 Q. Did any of the nuns teach CCD classes?
 17 A. I think so, yes.
 18 Q. Were they nuns from the Sisters of Bethany?
 19 A. No.
 20 Q. Which nuns were?
 21 A. Notre Dame de Namur.
 22 Q. Do you have any recollection of any of the nuns
 23 from the Sisters of Bethany being involved in any of the
 24 CCD classes?
 25 A. No.

1 MR. HALE: We've been an hour since the last
 2 break. Why don't we stop here just for four minutes.
 3 THE VIDEOGRAPHER: Okay, we're going to go off
 4 the record then at approximately 2:53 p.m. This is the
 5 end of Tape No. 1 of the videotaped deposition of Father
 6 [REDACTED].
 7 (A recess was taken.)
 8 THE VIDEOGRAPHER: Okay, this is the beginning
 9 of Tape No. 2 of the videotaped deposition of Father
 10 [REDACTED] and we're back on the record at 3:08 p.m.
 11 Q. BY MR. HALE: Father, I want to ask you some
 12 questions about the school but before I do that I've got
 13 a couple follow-up. The alter boy who may have started
 14 the fire, did he have any distinguishing physical
 15 characteristics that you can recall?
 16 A. No, that I recall.
 17 Q. Red hair? Brown hair? Blonde hair?
 18 MS. YOUNG: Objection; misstates testimony.
 19 Go ahead, you can answer.
 20 THE WITNESS: No recollection.
 21 Q. BY MR. HALE: Okay. With regards to groceries
 22 for the rectory, did the cook buy them? Were you ever,
 23 did the priests ever go out and buy the groceries?
 24 A. The cook bought them.
 25 Q. Did you ever buy groceries for the rectory?

1 A. No.
 2 Q. Did the parish have any kind of recordkeeping
 3 to keep track of how much wine for communion was in
 4 stock?
 5 A. Don't know.
 6 MS. YOUNG: Objection; lacks foundation.
 7 Go ahead, you can answer.
 8 THE WITNESS: Yeah. I mean, this would be
 9 speculation.
 10 MS. YOUNG: Don't speculate.
 11 MR. HALE: Don't speculate.
 12 Q. What about mail; did the parish, did Mrs. --
 13 A. [REDACTED]
 14 Q. [REDACTED], thank you. Did she open mail for you
 15 and for Father Kelly?
 16 A. She did not open mail for me.
 17 Q. Okay. So, if a letter came to you it was
 18 provided to you in a sealed envelope that had not been
 19 opened?
 20 A. Yes.
 21 Q. Okay. Do you have any knowledge as to whether
 22 she opened mail for Father Kelly?
 23 A. No.
 24 Q. What about packages; if a package came for you
 25 would she just give it to you in a sealed form?

1 A. Yes.
 2 Q. And do you have any knowledge as to whether she
 3 would open a package that came for Father Kelly?
 4 A. No.
 5 Q. Would anyone other than Mrs. [REDACTED] been
 6 responsible, to your knowledge, for receiving and
 7 forwarding mail to the priests in the rectory?
 8 A. No.
 9 Q. Okay. Did Mrs. [REDACTED] have any kind of
 10 backup? If she went on vacation would somebody fill in
 11 for her?
 12 A. Don't recall.
 13 Q. Okay. We talked about the garage and the cars.
 14 How many garages were there for the rectory?
 15 A. One.
 16 Q. Okay. And how many spaces for cars were there?
 17 A. Two.
 18 Q. Okay. And what, if we were facing the garage,
 19 what side -- did Father Kelly park on a particular side?
 20 A. Yes.
 21 Q. Which side?
 22 A. Right.
 23 Q. Okay. Do you recall, was there a garage door
 24 so you could seal the garage?
 25 A. Don't recall.

1 Q. Okay.
 2 A. Seemed open.
 3 Q. Okay. You said that you had been in Father
 4 Kelly's room. Did you recall, were there any
 5 distinguishing characteristics about the room; maybe a
 6 particular piece of art, anything that stood out to you?
 7 A. No.
 8 MS. YOUNG: Objection; vague and ambiguous.
 9 You can answer. You did answer.
 10 Q. BY MR. HALE: Do you know what the Blue Jackets
 11 Club was?
 12 A. No.
 13 Q. With regard to Father Kelly's room, do you
 14 remember, did he have a couch in there?
 15 A. No.
 16 Q. Did he have any furniture other than a bed?
 17 A. You're talking about his room?
 18 Q. His room.
 19 A. His -- when you say "his room" --
 20 Q. His living quarters.
 21 A. His living quarters. Bed in there. I don't
 22 recall he had a bed in there.
 23 Q. Did he have a bed somewhere though?
 24 A. In the bedroom.
 25 Q. Okay. Were you ever in his bedroom?

1 A. No.
 2 Q. Okay. So, you never saw the inside of his
 3 bedroom?
 4 A. No.
 5 Q. Did you ever go anywhere in his living quarters
 6 other than his living room area?
 7 A. No.
 8 Q. Okay. And in that living room area was there,
 9 were there chairs?
 10 A. Yes.
 11 Q. Was there a couch?
 12 A. I do not recall a couch.
 13 Q. Do you recall, was there a desk?
 14 A. Do not recall.
 15 Q. Okay. And were the chairs, did they have
 16 cushions or were they hard, firmer-type things?
 17 A. Don't remember.
 18 Q. And you've never heard of the Blue Jackets
 19 Club?
 20 A. No.
 21 Q. What about St. Mary's Boys Club?
 22 A. No.
 23 Q. Were you aware of Father Kelly participating in
 24 any way in boxing or coaching boxing?
 25 A. Yes.

1 Q. And how did you become aware of that?
 2 A. I became aware of it on the occasion of his
 3 25th anniversary. I interviewed a variety of people who
 4 knew Father Kelly in the old days, in his first
 5 assignment, and when I spoke with people they told me
 6 about his very good work that he did.
 7 Q. And did his 25th anniversary take place while
 8 you were still assigned at Our Lady?
 9 A. Yes.
 10 Q. Okay. And what did you do with regards to
 11 that?
 12 A. I organized it.
 13 Q. Okay. And these interviews that you performed,
 14 were they, did you document them? Did you write them
 15 down?
 16 A. No.
 17 Q. You just did them in person?
 18 A. Yes.
 19 Q. Okay. Was there any kind of written record
 20 kept of these interviews?
 21 A. No.
 22 Q. Did you prepare, did you write, did you prepare
 23 anything for presentation at the anniversary
 24 celebration?
 25 A. Yes. Yeah.

1 Q. Okay, what was that?
 2 A. I prepared, lined up invitations to send out to
 3 people who, that he knew, some priest friends or
 4 acquaintances. Got the word out in the parish bulletin
 5 and announcements. Ordered the catering or whatever it
 6 was, the meal thing.
 7 Q. And where did this celebration take place?
 8 A. It was at a, like, a restaurant I believe. I
 9 don't recall.
 10 Q. So, it wasn't on parish property?
 11 A. No, I don't think it was.
 12 Q. And was this in your first year or your second
 13 year?
 14 A. I don't --
 15 MS. YOUNG: Was the celebration in his first
 16 year or second year?
 17 MR. HALE: Yes.
 18 MS. YOUNG: Go ahead.
 19 THE WITNESS: I don't recall. I think it was
 20 my second year, very likely.
 21 Q. BY MR. HALE: Did the parish have a directory?
 22 A. Like, who belongs to the parish directory?
 23 Q. Yeah.
 24 A. Don't recall.
 25 Q. What about a directory that just set forth the

1 contact information for, for instance, Mrs. Kennedy, the
 2 cook, you know, the people who worked at the parish?
 3 A. I don't recall.
 4 Q. Was there a parish bulletin that was published
 5 on a weekly or monthly basis?
 6 A. Don't recall.
 7 Q. Was there any kind of annual publication by the
 8 parish while you were there?
 9 A. No.
 10 Q. Or semiannual or monthly or whatever?
 11 A. No.
 12 Q. So, you're aware of no publications by the
 13 parish while you were there?
 14 A. Correct.
 15 Q. And so you think the celebration took place at
 16 a restaurant?
 17 A. Yes.
 18 Q. Do you remember what restaurant?
 19 A. No.
 20 Q. How many people attended?
 21 A. My guess would be around 30.
 22 Q. Okay. And did you attend?
 23 A. Oh, sure.
 24 Q. Okay. And you said some of his priest friends
 25 attended?

1 A. Yes.
 2 Q. Who?
 3 A. [REDACTED]
 4 Q. Okay.
 5 A. And I don't recall who else.
 6 Q. Okay. Did any of the parishioners attend?
 7 A. Oh, yes.
 8 Q. Who?
 9 A. I don't recall.
 10 Q. Did Mr. [REDACTED] attend?
 11 A. I don't recall.
 12 Q. Did the, did any of the parish staff attend?
 13 A. Don't recall specifically who was there.
 14 Q. Did anyone come up from the chancery office and
 15 attend?
 16 A. No.
 17 Q. Were there any bishops there?
 18 A. No.
 19 Q. All right, let's talk about the school. What
 20 responsibilities, if any, did you have with regards to
 21 the school?
 22 A. Visiting the school and helping in the
 23 religious education that went on in the school.
 24 Q. You say "religious education that went on in
 25 the school"; are you talking about religious education

1 that went on during school hours or are you talking
 2 about, like, CCD classes?
 3 A. No, no, within the Catholic school. Religious
 4 class.
 5 Q. Okay. Who was the principal while you were
 6 there?
 7 A. Sister [REDACTED].
 8 Q. Was she the principal the entire time?
 9 A. Yes.
 10 Q. When was the last time you spoke to her?
 11 A. Maybe 19 -- in the '60s. Don't recall when.
 12 Q. Was there a vice principal?
 13 A. I don't recall.
 14 Q. Do you know Sister [REDACTED]'s last name?
 15 A. I don't recall. Italian name. Starts way a
 16 "B" I think.
 17 Q. Okay. How many faculty were there?
 18 A. Sisters and lay people, I don't recall. Eight,
 19 I imagine. Eight grades I think we had.
 20 Q. Small staff?
 21 A. Yes. Small school.
 22 Q. So, less than ten faculty members?
 23 A. I would say so.
 24 Q. Okay. And do you recall how many -- were there
 25 more religious than lay faculty members?

1 A. At the time there were more religious, I
 2 believe.
 3 Q. Do you recall the names of any of the other
 4 sisters?
 5 A. No.
 6 Q. Do you know where they lived?
 7 A. The convent of the Sisters of Notre Dame de
 8 Namur at Our Lady of Sorrows parish.
 9 Q. And what about, do you remember any of the
 10 names of any of the lay people in the faculty?
 11 A. No.
 12 Q. Okay. Do you know if -- were you or Father
 13 Kelly responsible for decisions regarding hiring or
 14 firing faculty at the school?
 15 A. I was not.
 16 Q. Do you know if Father Kelly was?
 17 A. I'm sure he was. Pastor.
 18 Q. Is it just a given that the pastor is going to
 19 have that responsibility?
 20 A. At that time. My understanding the pastor to
 21 this day makes the decision ultimately.
 22 Q. Okay. Was there a school secretary?
 23 A. I'm supposing, but, you know, I don't recall.
 24 Q. And does the name [REDACTED] ring any bells
 25 as far as her being the school secretary?

1 A. No.
 2 Q. Other than the faculty, were there any other
 3 staff members at the school that you recall?
 4 A. No.
 5 Q. Was there a janitor specifically for the
 6 school?
 7 A. Not that I recall.
 8 Q. Did you assist with any athletic activities at
 9 the school?
 10 A. No.
 11 Q. Did the school have athletic teams?
 12 A. I go to the games sometimes, but.
 13 Q. But you didn't help coach or anything like
 14 that?
 15 A. No, nothing like that.
 16 Q. Do you remember a gentleman named [REDACTED]
 17 [REDACTED] [REDACTED]?
 18 A. No.
 19 Q. Do you know someone named [REDACTED];
 20 [REDACTED]?
 21 A. No.
 22 Q. Were you aware of Father Kelly assisting with
 23 any of the athletic teams at Our Lady?
 24 A. No.
 25 Q. Were you aware of the parish, not the school

1 but the parish, having any athletic teams?
 2 A. No.
 3 Q. Okay. Did any of the priests, to your
 4 knowledge, at Our Lady, while you were there, teach any
 5 classes at the school?
 6 A. Besides me?
 7 Q. Yeah.
 8 A. No.
 9 Q. What classes, what did you teach?
 10 A. Religion. Visiting some classes. And it was
 11 not that regular, just walk in and visit.
 12 Q. Okay. You say, so, did you teach or did you
 13 just visit the class?
 14 A. Both. I visit and teach when I was there.
 15 About a certain fiesta, about a certain theme.
 16 Q. So, you would just go in for a day only or part
 17 of a day?
 18 A. Part of a day. The morning, yeah.
 19 Q. You didn't actually teach for a full semester?
 20 A. No, it was not a formalized thing.
 21 Q. Okay. Do you remember a secretary named Kay
 22 Udivec?
 23 A. No.
 24 Q. Doesn't sound familiar?
 25 A. No.

1 Q. Okay. Any other employees at the school that
 2 we haven't already talked about that you can recall?
 3 A. No.
 4 Q. Any volunteers at the school that you can
 5 recall?
 6 A. No.
 7 Q. Okay. I should know the answer to this
 8 question and I think I do but I just want to confirm.
 9 Mass is performed as a daily event, is it not?
 10 A. Yes.
 11 Q. Okay. And obviously the Sunday mass is the
 12 biggest mass of the week; correct?
 13 A. Yes.
 14 Q. Okay. During the week, what was the -- strike
 15 that.
 16 Was there a written schedule for mass
 17 assignments at Our Lady when you were there?
 18 A. Don't recall.
 19 Q. How did -- how was it determined who was
 20 handling what?
 21 A. This is supposition now, but the normal thing
 22 is usual is that there is something written and it's
 23 assignments are made and usually the pastor made them.
 24 This was my early assignments, you know. So, there may
 25 have been that but I don't recall. It might have been

1 done more informally and say you take the, you know,
 2 day, whatever it was and I'll take it next week, or
 3 maybe a certain rhythm. I don't remember how we did it.
 4 Q. Do you recall there being maybe a calendar of
 5 some sorts in the rectory where it indicated who was
 6 doing what?
 7 A. That's the most usual thing but I do not
 8 recall.
 9 Q. Okay. And was that a decision that was
 10 generally made by the pastor or was it something where
 11 all, the pastor and the associate pastors would meet and
 12 decide who was handling what?
 13 A. In those days pastor.
 14 Q. Okay. Not a democracy, huh?
 15 Do you recall any instances where Father Kelly
 16 was away from the parish and he called in and said "I
 17 can't handle this mass" and asked one of you to fill in
 18 for him?
 19 A. No.
 20 Q. Would that have been unusual if that happened?
 21 MS. YOUNG: Objection; incomplete hypothetical,
 22 lacks foundation.
 23 THE WITNESS: I talk about myself, I have been
 24 stuck in a snowstorm and I called up and said I can't
 25 make this certain mass and so forth and that was

1 unusual.

2 Q. BY MR. HALE: Do you recall anyone from Our

3 Lady, any priest from Our Lady, during your time there,

4 being away from the parish and calling and say, "I can't

5 make this," --

6 A. No.

7 Q. -- "please cover for me"?

8 A. No.

9 Q. Okay. Did you take any vacations while you

10 were at Our Lady?

11 A. Yes.

12 Q. And in order to take a vacation did you have to

13 submit a request to the parish or to the Archdiocese or

14 to both or none at all?

15 A. None at all for request. This is negotiation

16 with the pastor, you know, when you're going to take

17 vacation, so forth. Informal decisions made between the

18 two of us.

19 Q. Okay. And if Father -- did Father Kelly take

20 any vacations while you were there?

21 A. I don't recall.

22 Q. Do you recall Father Kelly ever missing a mass

23 that he was supposed to -- what is the right words; is

24 it conduct a mass or perform a mass?

25 A. Celebrate, preside, but "celebrate" is a good

1 A. About his marriage?

2 Q. About him leaving the priesthood.

3 A. As I mentioned, I have friends there, a

4 seminary schoolmate, and I knew him, and kind of the

5 clerical circuit knows which guys left the active

6 ministry.

7 Q. Okay. When was the last time you spoke to

8 [REDACTED]?

9 A. Probably about eight years ago, ten years ago,

10 something like that.

11 Q. Okay.

12 A. Don't recall more than that. Long time.

13 Q. Did you ever hear -- I'm sure this would be

14 sacrilege, but did you ever hear Father Kelly discuss

15 matters he learned in the confessional?

16 A. Absolutely not.

17 Q. Okay. Do you recall Father Kelly ever leaving

18 Our Lady while you were there for any kind of medical

19 treatment?

20 A. No.

21 Q. I think I already asked you, you do not recall

22 him taking any vacations while you were there?

23 A. You did ask that.

24 Q. Okay. Why did you, why did you leave Our Lady;

25 was it just simply a new assignment was sent to you?

1 word.

2 Q. Do you recall Father Kelly ever missing a mass

3 he was supposed to celebrate?

4 A. No.

5 Q. Okay. Do you recall him ever calling in sick

6 so to speak and saying he couldn't celebrate a mass?

7 A. No.

8 Q. Okay. During your time at Our Lady did any

9 priest leave the priesthood and get married?

10 A. Yes.

11 Q. Who?

12 A. Father [REDACTED].

13 Q. Okay. Anyone else?

14 MS. YOUNG: You're talking about priests that

15 were at Our Lady when he was at Our Lady?

16 MR. HALE: Yes.

17 THE WITNESS: That was my understanding.

18 MR. HALE: Yes.

19 THE WITNESS: While I was at Our Lady?

20 MR. HALE: Yes.

21 THE WITNESS: I don't know when Father [REDACTED] got

22 married but he was at Our Lady, he succeeded me, and he

23 did get married.

24 Q. BY MR. HALE: Okay. How did you hear about

25 that?

1 A. New assignment.

2 Q. Did you make a request for a transfer?

3 A. No.

4 Q. Have you ever heard of anyone requesting a

5 transfer from Our Lady in Santa Barbara at any time?

6 A. No.

7 Q. In your experience as a priest since you've

8 been ordained, you've obviously, you've served at many

9 parishes, in your experience has it been unusual for

10 parishioners to complain about the way a priest conducts

11 mass or performs his ministry?

12 MS. YOUNG: Objection; incomplete hypothetical,

13 lacks foundation, assumes facts not in evidence.

14 THE WITNESS: State it. Have I heard

15 parishioners complain about a priest, the way they

16 celebrate mass or something like that?

17 Q. BY MR. HALE: In your experience, I mean,

18 you've been a parish priest for many years.

19 A. Yeah.

20 Q. Would that be an usual experience or is there

21 usually, you know, has every parish you've been at had

22 at least one or two continuously disgruntled

23 parishioners who are always going to complain about

24 something?

25 A. That exists certainly. And make a statement to

1 your question.
 2 Q. Sure. The question is, in your experience as a
 3 priest, would it be unusual, has it been unusual for
 4 parishioners to complain about the way a priest conducts
 5 mass or performs his ministry?
 6 MS. YOUNG: Same objection.
 7 You can answer.
 8 THE WITNESS: Yes.
 9 Q. BY MR. HALE: Okay. Have you seen that happen?
 10 A. Yes.
 11 Q. How many times?
 12 A. At least once in almost every assignment.
 13 Q. Okay. So, unusual but not that unusual?
 14 A. Unusual in that it doesn't happen every place.
 15 Everybody brings you gifts, you positive and negative.
 16 Some people like you, some people don't. Some people
 17 have a gripe and they'll mention to the new guy.
 18 Q. Okay.
 19 A. And I've been the new guy enough to hear enough
 20 gripes.
 21 Q. Right, right. And is it just --
 22 A. Small stuff.
 23 Q. They don't like the way he sang mass or
 24 something?
 25 A. Yeah, yeah.

1 Q. Okay. And there's always somebody who is
 2 unhappy, but generally most people are satisfied with
 3 the way a priest conducts his business?
 4 A. Definitely. Mostly on the up.
 5 Q. Okay. Did you ever hear any complaints about
 6 Father Kelly in that regard?
 7 A. In what regard?
 8 Q. Just not liking the way he performed his
 9 ministry or conducted mass.
 10 A. No.
 11 Q. Okay. Did you know [REDACTED]?
 12 A. Yes.
 13 Q. Is he deceased now?
 14 A. Yes.
 15 Q. Did you ever discuss Father Kelly with him?
 16 A. No. This is a priest; right?
 17 Q. Yes.
 18 A. You're talking about.
 19 Q. I'm about to ask you a list of names and every
 20 name I'm going to give you is a priest until I tell you
 21 otherwise, okay?
 22 A. Okay.
 23 Q. How about [REDACTED]?
 24 A. And the question is did I know him?
 25 Q. Yes.

1 A. Yes.
 2 Q. And is he deceased?
 3 A. Yes.
 4 Q. What about [REDACTED]?
 5 A. Don't recall him. Yes, I think so, vaguely.
 6 Q. Where do you know him from?
 7 A. I think he became a Franciscan and he was at
 8 St. Clement's Parish or he's a black priest. It's
 9 vague. I don't recall.
 10 Q. Do you know if he's still alive?
 11 A. No.
 12 Q. When was the last time you heard anything about
 13 him?
 14 A. I don't know. Years ago. Might have been
 15 connected with his anniversary, I just don't remember.
 16 Q. Do you think he became a Franciscan Friar of
 17 the Province of Santa Barbara?
 18 A. I don't know. The name sounds familiar.
 19 Q. Okay.
 20 A. But it's vague. The others definitely I can
 21 tell you who, what, when, where.
 22 Q. Okay. And what is -- a black -- what did you
 23 call that?
 24 A. I said a black priest.
 25 Q. What is that?

1 A. A priest who is a negro.
 2 Q. Oh, okay. So, Mr. [REDACTED] is an
 3 African-American?
 4 A. I think so. I don't know.
 5 Q. If it's the same person we're talking about?
 6 A. If it's the same person. There are black
 7 Franciscans and that's because of the habit they wear,
 8 but this one was ethnically.
 9 Q. What makes you think he became a Franciscan?
 10 A. I don't know. Just an association. And I
 11 don't even recall the guy. Just leave it at that.
 12 Q. Okay.
 13 A. Who is he? I'm sorry.
 14 MS. YOUNG: You have to let him ask the
 15 questions.
 16 Q. BY MR. HALE: Actually, he was assigned at Our
 17 Lady at one point, well before you.
 18 A. Okay.
 19 Q. How about [REDACTED] - I'm going to pronounce this
 20 wrong - [REDACTED]?
 21 A. [REDACTED] would be the pronunciation. Is this a
 22 priest?
 23 Q. Yes.
 24 A. Okay, I don't know him.
 25 Q. What about [REDACTED]?

1 A. Yes.
 2 Q. Is he still alive?
 3 A. No.
 4 Q. Did you ever talk about Father Kelly with him?
 5 A. Yeah.
 6 Q. When?
 7 A. Well, he would be one of the friends who came
 8 to visit Monsignor and I invited him to the 25th. He
 9 was also a music teacher as our seminary.
 10 Q. When did he die?
 11 A. I don't recall. I don't recall.
 12 Q. Okay.
 13 A. '60s still, I think.
 14 Q. Okay. How about [redacted] or [redacted];
 15 [redacted] and [redacted] is [redacted]?
 16 A. Don't know him.
 17 Q. How about [redacted]; [redacted]?
 18 A. [redacted]; no, don't know him.
 19 Q. [redacted]?
 20 A. Yes, I know him.
 21 Q. How do you know him?
 22 A. He's diseased but he was also the, worked at
 23 the Catholic Welfare Bureau and was also in residence at
 24 my home parish, Sacred Heart Lincoln Heights.
 25 Q. Did you ever talk with him about Father Kelly?

1 A. No.
 2 Q. How about [redacted]?
 3 A. Yes.
 4 Q. How do you know Father [redacted]?
 5 A. He preceded me both in my seminary and he
 6 preceded me at the parish. Not immediately I don't
 7 think, but he was one of my predecessors there.
 8 Q. When was the last time you spoke to Father
 9 [redacted]?
 10 A. I don't know, four, five years ago, maybe not
 11 that much, since after his retirement.
 12 Q. Have you ever talked with Father [redacted] about
 13 Father Kelly?
 14 A. Not in any specific terms, no.
 15 Q. When you say "not in any specific terms," is
 16 there anything non-specific you remember?
 17 A. Well, we shared in common that we were at the
 18 same parish with Father Matt Kelly.
 19 Q. So, did you share your experiences with Father
 20 Kelly?
 21 A. I don't recall any of his. Mine were positive.
 22 Q. Okay. How about [redacted]; [redacted];
 23 [redacted]; [redacted]?
 24 A. Do not recall.
 25 Q. How about [redacted]; [redacted]?

1 A. All of these - excuse me - are related to
 2 Guadalupe Church?
 3 Q. Yes.
 4 A. And they're all priests?
 5 Q. Yes.
 6 A. Don't know.
 7 Q. Okay. How about [redacted]?
 8 A. Yes.
 9 Q. Is he still alive?
 10 A. Yes.
 11 MS. YOUNG: I hope so. You're scheduled to
 12 depose him.
 13 MR. HALE: I know. Just spitting out the
 14 questions before I think about the fact that I already
 15 know the answer to that question.
 16 Q. How do you know Father [redacted]?
 17 A. From the seminary. And we were camp counselors
 18 together.
 19 Q. Where were you camp counselors together?
 20 A. St. Vincent de Paul Ranch Camp in the San
 21 Fernando area.
 22 Q. When was that?
 23 A. Around 1959, something like that.
 24 Q. Okay. And were you the same class here at the
 25 seminary?

1 A. With him, with [redacted]? No. He's several
 2 years ahead of me.
 3 Q. Have you ever discussed Father Kelly with him?
 4 A. No.
 5 Q. Do you know [redacted]?
 6 A. Yes.
 7 Q. How do you know him?
 8 A. He's alive. He's priest of the Diocese of Los
 9 Angeles and not that far removed from me in the
 10 seminary. You know, we were in the seminary together.
 11 Q. So, you weren't in the same class?
 12 A. No. He's several years ahead of me also.
 13 Q. Okay. Have you ever discussed Father Kelly
 14 with him?
 15 A. No.
 16 Q. How about [redacted]; [redacted]?
 17 A. No, don't recall.
 18 Q. I'm sorry, who was the associate when you got
 19 to Our Lady?
 20 A. [redacted] -- [redacted].
 21 Q. Alves, okay. Did you ever discuss Father Kelly
 22 with him?
 23 A. Well, we were together at the same household
 24 but, like, we didn't say, talk much about Father Kelly.
 25 Q. Did he ever complain to you about anything

1 about Father Kelly?
 2 A. No.
 3 Q. Did you ever complain to him about anything
 4 about Father Kelly?
 5 A. No.
 6 Q. Did you ever go visit Father Kelly when he was
 7 at Pico Rivera?
 8 A. No.
 9 Q. What about San Sebastian?
 10 A. No.
 11 Q. Anywhere after you left Our Lady?
 12 A. No.
 13 Q. Did you communicate with Father Kelly any
 14 further after you left Our Lady?
 15 A. When I would see him at a clerical function,
 16 yes.
 17 Q. Any other time?
 18 A. No.
 19 Q. What about, do you know [REDACTED]?
 20 A. Priest?
 21 Q. Uh-huh.
 22 A. No.
 23 Q. If you saw "CSC" after a name, would that
 24 indicate a religious order to you?
 25 A. Yes.

1 Q. Which order?
 2 A. Congregation of the Holy Cross.
 3 Q. For CSC?
 4 A. Congregatio Socrae Crucis.
 5 Q. Okay.
 6 A. Notre Dame.
 7 Q. Okay. When was the last time you spoke with
 8 Father Leheny, or, and I know --
 9 A. Leheny is usually the way we say it.
 10 Q. Okay.
 11 A. Couple years I guess.
 12 Q. Have you ever discussed Father Kelly with him?
 13 A. Yes.
 14 Q. And when was the last time you spoke with him
 15 about Father Kelly?
 16 A. Maybe a couple years.
 17 Q. What was the nature of the discussion?
 18 A. The nature of the discussion was that when I
 19 was there and we were there together, that Father [REDACTED]
 20 did well. He was the new kid on the block. After I
 21 left things became a little rougher with him and Father
 22 Kelly.
 23 Q. How so?
 24 A. I'm not sure except that he was no longer the
 25 new kid on the block.

1 Q. He never told you how things became rougher?
 2 A. No, not that I recall. That's just my
 3 impression.
 4 Q. Okay.
 5 A. He liked it when I was there.
 6 Q. Any other conversations with him about Father
 7 Kelly?
 8 A. No.
 9 Q. Do you know Michael Wempe; W-e-m-p-e?
 10 A. Yes.
 11 Q. How do you know him?
 12 A. Seminary schoolmates.
 13 Q. Have you ever discussed Father Kelly with him?
 14 A. No. Excuse me, but he was not at Guadalupe
 15 Church.
 16 Q. He was at San Sebastian with Father Kelly.
 17 A. Oh.
 18 Q. Have you ever discussed Father Kelly with
 19 Cardinal Mahoney?
 20 A. No.
 21 Q. What about with -- is it Monsignor [REDACTED] now
 22 or is it auxiliary or is it Bishop [REDACTED]?
 23 A. No, he's not a bishop.
 24 Q. Is he a monsignor?
 25 A. Yes.

1 Q. Have you ever discussed Father Kelly with
 2 Monsignor [REDACTED]?
 3 A. No.
 4 Q. What about with, again, I'm going to get the
 5 title wrong, but Monsignor [REDACTED]?
 6 A. I'm sure -- he's Monsignor [REDACTED] and the answer
 7 is I never discussed Father Matt Kelly with Monsignor
 8 [REDACTED].
 9 Q. Do you know Father [REDACTED] in Oxnard?
 10 A. [REDACTED], no.
 11 Q. So you never discussed Father Kelly with him?
 12 A. No.
 13 Q. Did you know Mr. [REDACTED] before you attended
 14 seminary with him?
 15 A. No.
 16 MS. YOUNG: Asked and answered.
 17 THE WITNESS: I'm sorry.
 18 MS. YOUNG: That's okay.
 19 Q. BY MR. HALE: When was the last time you spoke
 20 with Mr. [REDACTED]?
 21 A. Late '60s.
 22 Q. Were you still at Our Lady when he joined Our
 23 Lady or had you already left?
 24 A. I had already left.
 25 Q. And you say you spoke with him in the late

1 '60s, when did -- how did that conversation come about?
 2 A. Basically the transition time, so, '66. And
 3 then probably after that but I don't recall
 4 specifically.
 5 Q. So, he was moving in and you were moving out?
 6 A. Yes.
 7 Q. And you guys literally crossed paths as your
 8 boxes were coming in and out?
 9 A. That kind of thing. And then probably I may
 10 have gone to visit or see the parish, I don't recall.
 11 But I think I saw him there when he was in active
 12 ministry there.
 13 Q. Okay. Do you recall having any conversations
 14 with him about how life in the parish was going?
 15 A. No, not really.
 16 Q. Do you recall discussing with him his
 17 experiences -- did he ever tell you that he lived at Our
 18 Lady while he was attending, in the summers when he was
 19 attending St. John's?
 20 A. No.
 21 Q. Did you know that he was doing that?
 22 A. No.
 23 Q. Okay. And he never discussed his experiences
 24 while living at Our Lady during those summers at St.
 25 John's?

1 A. No, no.
 2 Q. Okay. Do you -- well, actually, you already
 3 answered that question.
 4 Is it your understanding Father ██████ left
 5 the priesthood to get married?
 6 A. Yes.
 7 Q. Okay. You said there may have been
 8 conversations with him after you'd already left and you
 9 came back to visit?
 10 A. Yeah.
 11 Q. Do you recall coming back to visit?
 12 A. Well, I still had some connections in the
 13 parish. Maybe for a day off or something like that I'd
 14 stop in, but that didn't happen very often.
 15 Q. Do you recall asking Father ██████ how things
 16 were going?
 17 A. No.
 18 Q. Okay. Do you recall him telling you how things
 19 were going?
 20 A. No.
 21 Q. Did you ever have any discussions with him
 22 about living and working with Father Kelly?
 23 A. No.
 24 Q. Do you recall at any time during your time in
 25 Our Lady feeling that Father Kelly had a drinking

1 problem?
 2 A. No.
 3 Q. Did you ever smell alcohol on his breath?
 4 A. No.
 5 Q. Did you ever see him in the company of boys
 6 under the age of 18 anywhere other than Sunday mass?
 7 A. No.
 8 Q. Did anyone ever tell you they were seeing him
 9 in the company of young boys somewhere other than Sunday
 10 mass?
 11 A. No.
 12 Q. Did you ever hear that?
 13 A. No.
 14 Q. Other than from your attorneys.
 15 Did anyone ever tell you they smelled alcohol
 16 on his breath?
 17 A. No.
 18 Q. Did you ever tell Mr. ██████ that you had
 19 problems with Father Kelly?
 20 A. No.
 21 Q. Did you ever tell anyone that you had problems
 22 with Father Kelly?
 23 A. No.
 24 Q. Okay. Did you ever tell Mr. ██████ that you
 25 had problems with Father Kelly's drinking?

1 A. No.
 2 Q. Were you aware of there being liquor kept in
 3 the rectory?
 4 A. No.
 5 Q. Did you ever tell anyone that you had problems
 6 with Father Kelly's drinking?
 7 A. No.
 8 Q. Okay.
 9 MS. YOUNG: Asked and answered about four
 10 times, so.
 11 THE WITNESS: I mean, I'd like to say I didn't
 12 know he had a problem drinking, period.
 13 Q. BY MR. HALE: Did you ever tell Mr. ██████ you
 14 left Our Lady because of your problems with Father
 15 Kelly?
 16 A. Absolutely not.
 17 Q. Okay. Did you ever complain to anyone about
 18 Father Kelly?
 19 A. No.
 20 Q. Did you ever talk to Timothy Manning about
 21 Father Kelly?
 22 A. I don't remember if I invited him to the
 23 anniversary or not.
 24 Q. Okay.
 25 A. But other than that, no.

1 Q. I think, I'm sorry, I think I've asked you this
 2 already, but how many times have you spoken with Mr.
 3 [REDACTED] since you left Our Lady?
 4 A. I haven't spoke with him, I mean, since the
 5 very earliest years since he was there. I lost track of
 6 him.
 7 Q. When you went back and visited you mean?
 8 A. Yeah.
 9 Q. Okay. So, it's been at least since the early
 10 '70s or the late '60s?
 11 A. Late '60s. Haven't seen him since then.
 12 Q. How well did you know him from your time at St.
 13 John's and then --
 14 A. Well, schoolmates and he was three years ahead
 15 of me, so, you know, we were not friends, didn't go in
 16 the same circle, but I knew him and liked him.
 17 Q. Okay. Did you know him to be, did you consider
 18 him to be an honest person?
 19 A. Well, I give the benefit of the doubt to, you
 20 know, everybody to be honest people, yeah, and as a
 21 seminarian.
 22 Q. Was there ever any kind of tension or falling
 23 out between the two of you?
 24 A. No.
 25 Q. Do you have any reason to believe he would want

1 to lie about something you told him?
 2 A. No.
 3 Q. Okay. Priests don't just listen to
 4 confessions, they give their own confessions; correct?
 5 A. Sure, sure.
 6 Q. Over the course of your career as a priest did
 7 you normally have your confession heard by a priest with
 8 whom you were assigned or in residence or was there some
 9 other manner?
 10 A. Almost never.
 11 Q. So, would you go to another parish?
 12 A. Yeah. A confessor. A specific guy would be my
 13 confessor for a time.
 14 Q. So, when you were in Santa Barbara did you have
 15 another priest in Santa Barbara that you would go to
 16 personally?
 17 A. Yes.
 18 Q. Okay. Did you ever have your confession heard
 19 by an auxiliary bishop?
 20 A. No.
 21 Q. By a bishop?
 22 A. No.
 23 Q. By a cardinal?
 24 A. Not by a cardinal. By a bishop, maybe. I
 25 mean, when I was in San Antonio Bishop Flores was my

1 boss and I used to be his accompanyor, but I don't
 2 recall that.
 3 Q. Any other times other than that?
 4 A. No.
 5 Q. Okay. During your time at Our Lady were you
 6 ever aware of a priest who did not have faculties within
 7 the Archdiocese performing mass at Our Lady?
 8 A. No.
 9 Q. During your time as a priest have you ever been
 10 aware of a priest who did not have faculties within the
 11 Archdiocese performing mass within the Archdiocese? Are
 12 there any instances where that would be possible?
 13 A. It's certainly possible. Now you ask if I have
 14 any recollection of that. Trying to think. The late
 15 '60s for a little while but I would say no, all the guys
 16 I knew were from L.A.
 17 Q. You say "for a little while"; was that because
 18 of the Vatican II?
 19 A. Yeah, Yeah. I mean the pertinent going on in
 20 the church and in society.
 21 Q. Right. You said not that you were aware of but
 22 that it might be possible. What circumstances --
 23 A. Possible but -- go ahead.
 24 Q. When you say it's always possible, would it be
 25 a rogue priest to do something like that?

1 A. Something like that, yeah. But your asking the
 2 question was, like, open-ended, anyplace in the Diocese;
 3 not that I knew of directly but I'd heard of that
 4 happening.
 5 Q. During your time at Our Lady was the culture
 6 such that if a priest came in without faculties and
 7 tried to perform mass, would you have expected that to
 8 be shut down by the pastor?
 9 MS. YOUNG: Objection; incomplete hypothetical,
 10 lacks foundation.
 11 THE WITNESS: Yeah. I mean --
 12 MS. YOUNG: He's not an expert witness and he
 13 wasn't called --
 14 MR. HALE: This is not expert, I'm asking for a
 15 specific instance.
 16 THE WITNESS: I'll tell you about what I would
 17 do.
 18 MR. HALE: Sure.
 19 THE WITNESS: I would say no faculties, no
 20 celebration, public mass.
 21 Q. BY MR. HALE: You'd shut it down?
 22 A. Yeah. I mean, if it were like a regular thing.
 23 Sometimes people would have done, like, a home mass with
 24 people they know, that kind of stuff. I wouldn't even
 25 be aware of that.

1 Q. Oh, a home mass?
 2 A. Yeah. Somebody, a relative's home or a good
 3 friend. And technically they would need or should have
 4 the faculties to do that.
 5 Q. But as far as in the church itself goes --
 6 A. Yeah, I mean, that's, that is not -- they would
 7 go -- and it's not -- and Father Kelly was pretty much a
 8 man of the book as it were.
 9 Q. During your time in Our Lady were you ever
 10 aware of a priest from another Diocese coming in just
 11 for the weekend and saying mass without receiving any
 12 faculties?
 13 A. No.
 14 Q. Were you aware of any priests from Mexico
 15 coming to Our Lady while you were there and performing
 16 mass?
 17 A. No.
 18 Q. Did you know a priest name Father [REDACTED], does
 19 that name sound familiar?
 20 A. No.
 21 Q. Never heard that name in Santa Barbara?
 22 A. No. No, doesn't sound familiar, ring a bell.
 23 Q. Are you familiar with the concept of a priest
 24 coming to a parish and giving missions?
 25 A. Sure.

1 Q. What exactly are those?
 2 A. Well, that's usually a religious order man but
 3 not necessarily who has served in a missionary territory
 4 once a year, is assigned to a parish to make an appeal
 5 on behalf of his religious order and the missions that
 6 they serve.
 7 Q. Okay. And would that appeal include performing
 8 mass? Not mass, mass.
 9 A. Celebrating mass, yeah, often that would be a
 10 Sunday. He preaches at all the masses, preaches at all
 11 of them and would celebrate as a supply at one or two of
 12 them.
 13 Q. Okay. And again, would that be a situation
 14 where in order for him to do that he would need to have
 15 faculties from the Archdiocese?
 16 A. Sure. Yes. To answer your question.
 17 Q. Is it possible to get temporary emergency
 18 faculties or temporary faculties?
 19 MS. YOUNG: Objection; anything is possible I
 20 suppose.
 21 Q. BY MR. HALE: To your knowledge.
 22 A. Yeah.
 23 Q. Could those only be granted though by an
 24 auxiliary or a bishop himself?
 25 A. This is a Canon Law question and I would say

1 they're two different things. One of them is "iglesia
 2 suple" which is the church supplies. If somebody were
 3 to see me someplace in Spain and know that I'm a priest
 4 and they would ask me to hear a confession, I don't have
 5 faculties to do that, not supposed to do it, but I could
 6 do it knowing that in the mercy of the church it would
 7 supply in that situation.
 8 Q. Got it.
 9 A. Receive God kind of thing.
 10 Q. Did anyone come and perform and give missions
 11 while you were at Our Lady?
 12 A. I don't recall specifically but I would imagine
 13 so because that's the protocol. Once a year in every
 14 parish somebody comes and gives a mission.
 15 Q. Okay. And the name Father [REDACTED] doesn't
 16 ring any bells for you?
 17 A. Doesn't ring a bell.
 18 Time for a break.
 19 Q. Sure.
 20 THE VIDEOGRAPHER: We're going off the record
 21 at 3:55 p.m.
 22 (A recess was taken.)
 23 THE VIDEOGRAPHER: We are back on the record at
 24 approximately 4:05 p.m.
 25 Q. BY MR. HALE: Father, regarding the -- there

1 were two religious orders of nuns who worked at, well,
 2 one lived and one worked near the parish; correct? The
 3 Sisters of Bethany and was it Sisters of the Sacred
 4 Heart?
 5 A. Notre Dame de Namur.
 6 Q. Do you consider yourself friends with any
 7 current or former Sisters of Bethany?
 8 A. No. Acquaintances.
 9 Q. When was the last time you spoke with anyone
 10 from Sisters of Bethany?
 11 A. Ten years. Could be more.
 12 Q. Same questions with the Sisters of Notre Dame;
 13 do you consider yourself a friend with any of the
 14 Sisters of Notre Dame?
 15 A. When you say "any of the Sisters," these are at
 16 Santa Barbara; right?
 17 Q. Yes.
 18 A. Twenty, I don't know, 30 years, 25 years.
 19 Q. Since you've spoken to any of them?
 20 A. Yeah.
 21 Q. Okay. The Bishop's Committee for the Spanish
 22 Speaking, did you know any priests that were sent to
 23 that?
 24 A. Sure, yes.
 25 Q. How many?

1 A. I was sent to them.
 2 Q. Okay.
 3 A. And Matt Kelly I know had worked with them.
 4 Q. How did you know about that?
 5 A. Well, I guess when I was doing my
 6 investigations about Matt Kelly, --
 7 Q. Okay.
 8 A. -- I knew that he had worked for the Committee
 9 for the Spanish Speaking out of San Antonio, Texas when
 10 it was still there.
 11 Q. Okay. And in this investigation you did, I
 12 understand it was just for the celebration, you didn't
 13 keep any written notes of your investigation?
 14 A. Answered and -- asked and answered.
 15 MS. YOUNG: Asked and answered.
 16 Q. BY MR. HALE: But it was just locked inside
 17 your head, all of this information?
 18 A. Yeah.
 19 Q. You're a much sharper man than I am.
 20 A. Well, it was just cursory. Get a feel and so
 21 forth. All good things to say. Happy memories of a
 22 hard-working young priest.
 23 Q. Have you ever heard of any priests who have
 24 been accused of childhood sexual abuse sent to the
 25 Bishop's Committee for the Spanish Speaking?

1 A. No.
 2 MS. YOUNG: What? I'm sorry.
 3 MR. HALE: Sent to the Bishop's Committee for
 4 the Spanish Speaking.
 5 THE WITNESS: No.
 6 Q. BY MR. HALE: Are you familiar with something
 7 called Seton Hospital related to the Bishop's Committee?
 8 A. What state is it in?
 9 Q. Texas.
 10 A. No.
 11 Q. Okay. Do minors who participate in communion,
 12 are they given wine representing the blood of Christ or
 13 are they given something else?
 14 A. Given the host and today given the wine.
 15 Q. What about back in this --
 16 A. No, in my days we did not have both species,
 17 communion to both species.
 18 Q. Why not?
 19 A. Because it was not approved by the Vatican at
 20 that time.
 21 Q. The idea of giving alcohol to minors?
 22 A. It wasn't alcohol to minors, it was communion
 23 under both species.
 24 Q. Okay.
 25 A. Alcohol to minors is never approved.

1 Q. Okay. Even today?
 2 A. Alcohol to minors is never approved.
 3 Q. Okay, so, okay. So, in your time as a priest
 4 giving alcohol to minors has never been approved?
 5 A. Of course.
 6 Q. Okay. Were you aware of Father Kelly owning a
 7 cabin in the Santa Ynez mountains?
 8 A. Yes.
 9 Q. When did you first learn of that?
 10 A. When he would take his days off.
 11 Q. Okay. How did you become aware that he owned
 12 the cabin?
 13 A. Conversation I suppose.
 14 Q. Okay. Did you ever go up and spend any time at
 15 the cabin?
 16 A. No.
 17 Q. Okay. Would he tell you when he was going to
 18 go up to the cabin?
 19 A. I mean, it was nothing like asking permission
 20 but the answer is no. But, so, no, he wouldn't tell me.
 21 Q. And you've never --
 22 A. I mean, he would not say "I'm going to the
 23 cabin" type of thing.
 24 Q. Would you find out through some other source
 25 that he had gone to the cabin?

1 A. In conversation. He would talk about his
 2 place.
 3 Q. Okay. What would he say about it?
 4 A. Paradise cove, nice place.
 5 Q. Okay. And you never actually went there
 6 physically and saw it?
 7 A. Nope.
 8 Q. Do you know anyone from the parish who went and
 9 physically saw the cabin?
 10 A. The [REDACTED].
 11 Q. Okay. And did you talk to -- was it [REDACTED]
 12 [REDACTED] who saw it?
 13 A. [REDACTED], the father, and I imagine the
 14 sons.
 15 Q. Okay. Anyone else?
 16 A. No.
 17 Q. Is [REDACTED] one of [REDACTED]' sons?
 18 A. Don't know. I don't remember the names.
 19 Q. Okay. Did you ever talk with anyone about what
 20 they had seen at the cabin?
 21 A. No.
 22 Q. Okay. Were you aware of Father Kelly spending
 23 the night at the cabin?
 24 A. Yes.
 25 Q. Were you aware of Father Kelly sometimes just

1 taking day trips up to the cabin?
 2 A. You mean distinct from overnights?
 3 Q. Right.
 4 A. No.
 5 Q. Okay. So, to your knowledge when he went to
 6 the cabin it was for an overnight trip?
 7 A. Yeah.
 8 Q. Okay. And in your two years at Our Lady do you
 9 recall how often he would go up to the cabin for an
 10 overnight trip?
 11 A. Well, not specifically but my general
 12 impression and recollection is once a week.
 13 Q. Okay. Do you recall ever receiving a phone
 14 call from him, from the cabin?
 15 A. Not specifically, no.
 16 Q. Do you think that happened?
 17 A. May have, but, no, I don't recall that it did
 18 happen.
 19 Q. Do you recall ever hearing anyone saying that
 20 they had received a phone call from him at the cabin?
 21 A. No.
 22 Q. When he would go to the cabin for an overnight
 23 trip would he kind of give you guys a heads up and say,
 24 "Someone needs to cover mass the next day because I'm
 25 not going to be here for that"?

1 A. Well, my recollection is that it would be on
 2 his day off overnight. We kind of, you know, knew that
 3 he wasn't assigned for that week. The assignments were
 4 made for a week ahead.
 5 Q. Did you ever have to contact him at the cabin?
 6 A. No.
 7 Q. Were you aware, do you have any knowledge of
 8 anyone contacting him at the cabin ever?
 9 A. No.
 10 Q. Okay. Were you ever aware of him taking anyone
 11 to the cabin?
 12 A. I knew that [REDACTED] went there because he
 13 was a roofer and I think he helped fix things up, that
 14 kind of stuff.
 15 Q. How did you learn about [REDACTED] going
 16 there?
 17 A. Well, he would say that, you know, fix this or
 18 fix that. He knew [REDACTED] better.
 19 Q. Okay. Other than [REDACTED], did you ever
 20 hear about anyone going with Father Kelly to the cabin?
 21 A. No.
 22 Q. Were you ever aware of anyone going with Father
 23 Kelly to the cabin aside from what you heard from your
 24 attorneys?
 25 A. No.

1 Q. Were you ever aware of Father Kelly spending
 2 the night away from the parish for any reason other than
 3 to go to the cabin?
 4 A. No.
 5 Q. Okay. Did you ever see Father Kelly leaving to
 6 go to the cabin, in other words, driving away knowing
 7 that he was heading up to the cabin?
 8 A. No specific recollection of that.
 9 Q. Did you ever hear from anyone that Father Kelly
 10 was taking boys under the age of 18 up to the cabin?
 11 A. No.
 12 Q. If you had heard that would that have bothered
 13 you?
 14 MS. YOUNG: Objection; calls for speculation,
 15 improper hypothetical.
 16 THE WITNESS: Yeah. And I would say within the
 17 context of the culture at the time, no, it wouldn't
 18 have.
 19 Q. BY MR. HALE: What about the culture of the
 20 time would have made it okay?
 21 A. I spent time in the rectories, I never did an
 22 overnight but, you know, good friends with the priest
 23 and so forth, so, in and of itself it wouldn't have,
 24 like, raised hackles at that time. Today it would.
 25 Q. When you say you spent time in rectories, you

1 mean before you became a priest candidate?
 2 A. Yes. As an alter boy and so forth.
 3 Q. Did you ever complain to anyone about anything
 4 related to Father Kelly and the cabin?
 5 A. No.
 6 MS. YOUNG: Asked and answered.
 7 Q. BY MR. HALE: Did you ever complain to anyone
 8 about anything related to Father Kelly spending time
 9 with boys under the age of 18?
 10 A. No.
 11 Q. Father, I just want to show you, we'll mark
 12 this as Exhibit 1, this is just your deposition notice.
 13 (Deposition Exhibit No. 1
 14 was marked for identification.)
 15 Q. BY MR. HALE: You could just take a look at
 16 that for me. Let me know when you're done.
 17 A. This was sent to me by mail; right?
 18 Q. I don't have the answer to that.
 19 MS. YOUNG: I sent it to you.
 20 THE WITNESS: Okay.
 21 So, what are you asking me?
 22 Q. BY MR. HALE: Just, do you recognize the
 23 document?
 24 A. Yes.
 25 Q. Okay. With regards to -- and just for the

1 record, Exhibit 1 is the notice of the taking of the
2 deposition of Father ██████████ and for production of
3 documents related to Father Matthew Kelly.

4 Father, if you could turn to page 7. If you
5 could look at Request For Production No. 1. Did you
6 look for any files you might have relating to Father
7 Kelly?

8 A. No.

9 Q. Do you have any files related to Father Kelly?

10 A. No.

11 Q. Okay. Request No. 2 asks for all documents
12 related to sexual misconduct by the perpetrator. Did
13 you look for any files responsive to that request?

14 A. No.

15 Q. Do you have any documents responsive to that
16 request?

17 A. No.

18 Q. What about Request No. 3 which is all documents
19 related to Our Lady of Guadalupe Parish in Santa Barbara
20 for the years 1942 through 1972; did you look for any
21 documents responsive to that request?

22 A. No.

23 Q. Do you have any documents responsive to that
24 request?

25 A. No.

1 Q. Request No. 4 is all documents related to Our
2 Lady of Guadalupe School in Santa Barbara for the years
3 1942 through '72. Did you look for documents responsive
4 to that request?

5 A. No.

6 Q. Do you have any documents responsive to that
7 request?

8 A. No.

9 Q. And finally, Request For Production No. 5, any
10 of your diaries and or calendars relating to or that
11 mention the perpetrator. Did you look for documents
12 responsive to that request?

13 A. No.

14 Q. Do you have any documents responsive to that
15 request?

16 A. No.

17 Q. Did you maintain any kind of calendars or
18 appointment books while you were at Our Lady?

19 A. While I was at there, yeah, I had appointment
20 books certainly.

21 Q. And have you saved any of those?

22 A. No.

23 Q. Okay.

24 A. Been there done that. I'm sorry.

25 Q. That's it.

1 MS. YOUNG: Are we done?

2 MR. HALE: No. No, no. That's it for that.
3 I've still got more questions, but we're moving along
4 good. I think we've got a pretty good shot.

5 Q. Are you familiar with the Italian Catholic
6 Federation?

7 A. Yes.

8 Q. How are you familiar with that?

9 A. Exists in several parishes and in fact
10 including Our Lady of Guadalupe in Santa Barbara.

11 Q. Did you do any work as a chaplain with --

12 A. Not officially as a chaplain but I assisted at
13 some of their events, spaghetti dinners or whatever.

14 Q. Do they have office space somewhere or where
15 are they located?

16 A. I don't recall their having office space on the
17 parish grounds.

18 Q. Okay. But somewhere in Santa Barbara?

19 A. Possibly.

20 Q. You don't recall though?

21 A. I don't have any knowledge of that.

22 Q. Was the Federation for both Santa Barbara and
23 Ventura, if you recall?

24 A. Don't know the structure.

25 Q. Do you recall Father Kelly assisting with that?

1 A. Not specifically.

2 Q. Can you think of any time in your career as a
3 priest when it would have been appropriate for a priest
4 to provide alcohol to a child under the age of 18?

5 A. None.

6 Q. Okay. Would such an act have been a red flag
7 for you that there was a risk of childhood sexual abuse
8 taking place?

9 MS. YOUNG: Objection. Objection and I'm going
10 to instruct him not to answer. First of all, I think
11 the orders that have been handed down specifically say
12 the question is improper and that the alcohol questions
13 are improper, but, he -- you're asking his opinion and
14 it's not, he's not a hierarchy witness and I'm not going
15 to let him answer the question.

16 MR. HALE: He doesn't have to be a hierarchy
17 witness to have an opinion as to whether there was
18 conduct that should have been reported to his higher-ups
19 and what order are you referring to? I haven't seen an
20 order that says questions regarding alcohol consumption
21 are inappropriate, Bless. I'd like to see the order.
22 Do you have an order date? Give me an order date.

23 MS. YOUNG: You're asking him -- well, why
24 don't you just -- I'm not going to argue with you. Why
25 don't you just move to compel. If you want the answer

1 to that question from this witness --

2 MR. HALE: Well, I think we should probably try
3 and meet and confer first.

4 MS. YOUNG: We can do that.

5 MR. HALE: I'd rather not waste the Court's
6 time with such a motion.

7 MS. YOUNG: We can do that but I think it's an
8 improper question and I'm going to object to it and
9 instruct the witness not to answer.

10 MR. HALE: Bless, I think I've read every order
11 Judge Fromholz has issued with regard to these issues.
12 I have not seen an order that said you can't question
13 him about whether or not giving alcohol to a minor
14 constitutes a red flag. Where has that been written in
15 any order? I have not seen it.

16 MS. YOUNG: You said -- that wasn't your
17 question. You said constitute a red flag that would
18 lead you to believe that there was a red flag for sexual
19 abuse.

20 MR. HALE: No, that there was a risk for
21 childhood sexual abuse, yes.

22 MS. YOUNG: That's right. And this witness to
23 my mind is not the appropriate witness, not qualified to
24 answer that question, and I'm going to instruct him not
25 to answer that question. If you want the answer, as I

1 just the priest and just the single alter boy?

2 A. The answer to the question -- ask the question
3 again.

4 Q. Sure. Can you think of any time in your career
5 as a priest when it would have been appropriate, when it
6 would have been appropriate for a priest to take a
7 single child under the age of 18 on an overnight trip
8 with no other adult supervision?

9 A. Yes.

10 Q. Okay. And you gave me an example of a camping
11 trip?

12 A. I did.

13 Q. That would be appropriate?

14 A. Well, a road trip to San Francisco.

15 Q. But an overnight trip is what I'm asking.

16 A. Yeah, it's an overnight trip.

17 Q. Okay.

18 A. I've done it.

19 Q. Okay. Any other circumstances?

20 A. I mean, that's enough.

21 Q. Can you think of any time in your career as a
22 priest when it would have been appropriate for a priest
23 to let a child under the age of 18 spend the night in
24 the priest's living quarters in the rectory?

25 MS. YOUNG: Again, I'm going to object.

1 say, we can meet and confer, but --

2 MR. HALE: I have asked this question
3 repeatedly at too many depositions to count. You are
4 the first attorney to give an instruction not to answer
5 based on that question.

6 MS. YOUNG: Well, there always has to be a
7 first. So, if I'm the first, so be it.

8 MR. HALE: So, you don't have an order you can
9 cite me to I take it?

10 MS. YOUNG: November 9th, 2006 probably. That
11 might not be the exact date.

12 MR. HALE: Okay.

13 Q. Do you have any awareness of Father Kelly
14 giving alcohol to minors?

15 A. No.

16 Q. Can you think of any time in your career as a
17 priest when it would have been appropriate for a priest
18 to take a child under the age of 18 on an overnight trip
19 with no other adult supervision?

20 A. Yes.

21 Q. Okay. Under what circumstances would that have
22 been appropriate?

23 A. An overnight with a priest and servers, alter
24 boys, that kind of stuff. Camping trip or whatever.

25 Q. And would your answer be the same if it was

1 MR. HALE: Based on what?

2 MS. YOUNG: It's a hypothetical question.

3 MR. HALE: Well, there will be evidence of this
4 happening presented at the time, Bless. So, it's -- you
5 can call it hypothetical if you want but the evidence is
6 going to come in of this happening. It's going to come
7 in.

8 MS. YOUNG: If the evidence comes in, it comes
9 in. That doesn't necessarily mean that this witness is
10 qualified to answer the question.

11 MR. HALE: This is not an expert witness
12 question. This is simply asking for his experience.
13 This man has been a priest for a great number of years.
14 He has been in numerous parishes.

15 MS. YOUNG: I understand that.

16 MR. HALE: He certainly has sufficient
17 experience to say this would be fine or this would not
18 be fine.

19 MS. YOUNG: I understand that. You know,
20 you're asking for his opinion on whether it would be
21 fine or not fine.

22 MR. HALE: Yes. Absolutely. That is not
23 expert testimony.

24 MS. YOUNG: Well, I think it is and I think
25 it's improper for a lay witness to give opinion

1 testimony.

2 MR. HALE: This is not expert testimony. This
3 is based on his experience. This man has been a priest
4 in parishes for many many many years. He's lived in
5 rectories for many many years.

6 MS. YOUNG: You can answer the question then.

7 MR. HALE: He's even -- he's testified.

8 THE WITNESS: I'd like to make -- it's okay?

9 I'll answer did you say?

10 MS. YOUNG: You can answer it.

11 THE WITNESS: Okay. I'll make a distinction.
12 Before all this stuff exploded it would not have been
13 thought of too greatly and I'll give the example of
14 parents who have had bad experiences with their kids who
15 have gone with a priest and so forth. And they didn't
16 think a whole lot about it negatively. Neither would I
17 have necessarily. Today it's a whole different ball
18 game and it's verboten completely. At a prior time in
19 my earlier years it wouldn't have been necessarily
20 thought of as an occasion of sin or a bad situation.

21 Q. BY MR. HALE: Okay. And during your time at
22 Our Lady of Guadalupe would it have been thought of as a
23 red flag that there was a risk for childhood sexual
24 abuse?

25 A. Not to me at that time. I was a young priest,

1 question again was would I have thought; this is a
2 speculative thing.

3 Q. The question was, in your, during your time at
4 Our Lady, would you have considered it appropriate for a
5 priest to let a child under the age of 18 into his
6 living quarters in the rectory with no adult supervision
7 behind a closed door?

8 MS. YOUNG: Objection; calls for speculation,
9 incomplete hypothetical.

10 THE WITNESS: Yeah, I feel that way too.

11 Q. BY MR. HALE: You can answer.

12 A. But, I mean, just --

13 MS. YOUNG: I don't want you to speculate.

14 THE WITNESS: Yeah.

15 MR. HALE: This is not calling for speculation.

16 MS. YOUNG: Well, he thinks it is and I think
17 it is, so.

18 Q. BY MR. HALE: So, that would have been okay?

19 MS. YOUNG: Objection; asked and answered.

20 Q. BY MR. HALE: So, you don't have an opinion as
21 to whether that would have been okay or not during your
22 time at Our Lady, that scenario I just described to you?

23 MS. YOUNG: Same objections.

24 THE WITNESS: Let me answer this. If it were
25 in a bedroom and I was aware of it and a closed door,

1 relatively naive, etc. So, I don't think it would have
2 been, but that's the would haves and all of that. It's
3 more speculation.

4 Q. Fair enough.

5 When you were at Our Lady was there any rule
6 prohibiting children from coming within the rectory?
7 Children under the age of 18 obviously.

8 A. No.

9 Q. And you don't recall seeing any children in the
10 rectory; correct?

11 A. No.

12 Q. Okay. Would you have considered it appropriate
13 at that time for children to be in the rectory? Let me
14 rephrase that. To be in the priest's living quarters in
15 the rectory, behind closed doors?

16 A. Behind closed doors kind of thing?

17 Q. Yes.

18 A. Now you're putting up red flags and saying
19 something else. I'd like to answer by kind of our
20 seminary norms. When we visited another room the door
21 is supposed to be kept open and that is what I was used
22 to. If you had somebody else in your property. So, if
23 the door was closed, the office was, it would have
24 seemed different. But I didn't have that easy access or
25 didn't see what was going on up there. So, your

1 that would have not sat well with me I'm sure.

2 Q. BY MR. HALE: Would you have reported it to
3 anyone?

4 A. I would have talked to the guy, say, "Well,
5 what is this?" That's what I think I would have done.

6 Q. Anyone else?

7 MS. YOUNG: Objection; calls for speculation.

8 THE WITNESS: Yeah.

9 Q. BY MR. HALE: You can answer.

10 MS. YOUNG: I don't want you to guess or
11 speculate what you would have done because it obviously
12 never happened because you've never seen it happen.

13 THE WITNESS: That's right.

14 Q. BY MR. HALE: What about this: Can you think
15 of a time in your career as a priest where it would have
16 been appropriate for a priest to take a child under the
17 age of 18 out to dinner without any adult supervision,
18 just the priest and the child?

19 MS. YOUNG: Same objections.

20 THE WITNESS: My answer is this: The priest is
21 an adult and, and my, you know, I have had a meal with a
22 high school kid or something like that and, so, no, it
23 wouldn't raise hackles or problems or speculations or
24 negative things in me certainly at that time in my early
25 career.

1 MR. HALE: Okay.
 2 THE WITNESS: Today different. You can't even
 3 touch a guy.
 4 MR. HALE: I understand.
 5 Q. Can you think of any time in your career as a
 6 priest where it would have been appropriate for a priest
 7 to take a child under the age of 18 out cruising in his
 8 car without any adult supervision?
 9 MS. YOUNG: Objection. Same objections;
 10 speculation.
 11 THE WITNESS: Same answers. Same answers. I
 12 mean, when you talk about, quote, cruising and so forth.
 13 MR. HALE: Right.
 14 THE WITNESS: I don't know what that means. It
 15 has certain connotations. But I have both been in a car
 16 with a priest when I was a young man and I have driven
 17 people to a ball game or whatever.
 18 Q. BY MR. HALE: Where it was just you and the
 19 child?
 20 A. Yeah.
 21 Q. Okay. So, you're okay with it?
 22 A. Yeah. I mean, at that time it would have been
 23 nothing.
 24 Q. Father, that's all I'm asking of you. If you
 25 think it's okay, you think it's okay. That's all I'm

1 looking for.
 2 Can you think of any time in your career as a
 3 priest where it would have been appropriate for a priest
 4 to take a child under the age of 18 to the beach at
 5 night with no other adult supervision?
 6 MS. YOUNG: Same objections.
 7 THE WITNESS: Yeah, same answers. I mean, it's
 8 a different thing, the beach at night.
 9 MR. HALE: Yeah.
 10 THE WITNESS: I would not be comfortable with
 11 that.
 12 Q. BY MR. HALE: Would you report that to anyone?
 13 A. At that time probably not.
 14 Q. Would you have considered it any kind of red
 15 flag for a risk of childhood sexual abuse?
 16 A. Would be --
 17 MS. YOUNG: Objection; speculation.
 18 Q. BY MR. HALE: You can answer. She will, as she
 19 did earlier, she'll instruct you not to answer if she
 20 doesn't want you to answer, otherwise, attorneys --
 21 A. Yeah, I'd rather go with her signals.
 22 Q. That's not the way this process works. If she
 23 instructs you not to answer then you can follow your
 24 attorney's instruction.
 25 MS. YOUNG: Well, if you're speculating as to

1 what you would have thought since the situation never
 2 came up, I don't want you to speculate. If it would be
 3 speculation then don't answer.
 4 THE WITNESS: Rather not speculate. I mean, I
 5 can give a general thing and say things that would not
 6 have bothered me at that time at all would be red flags
 7 for me today.
 8 Q. BY MR. HALE: But you're not sure how you would
 9 have felt about it back then?
 10 MS. YOUNG: Objection; misstates his testimony.
 11 MR. HALE: I think that's exactly what he just
 12 said. I don't think it misstates anything.
 13 Q. Correct me if I'm wrong, Father, please do.
 14 A. State it again.
 15 Q. It would not have bothered you back then if you
 16 heard this kind of scenario?
 17 A. Which thing, the beach thing?
 18 Q. Right. At night.
 19 MS. YOUNG: Objection; calls for speculation.
 20 Same objection.
 21 THE WITNESS: Taking a ride would not have, the
 22 beach might have, but that's speculation. I never
 23 experienced it.
 24 MR. HALE: I understand. I understand.
 25 Q. Do you think if you had experienced it while

1 you were at Our Lady you would have reported it to
 2 anyone?
 3 MS. YOUNG: Same objection. Definitely calls
 4 for speculation.
 5 THE WITNESS: Yeah.
 6 MS. YOUNG: And I don't want you to speculate.
 7 THE WITNESS: Okay.
 8 Q. BY MR. HALE: Did you ever hear confession at
 9 the beach?
 10 A. No.
 11 Q. Did you ever hear of a priest hearing
 12 confession at the beach?
 13 A. Did I ever hear a confession at the beach did
 14 you say?
 15 Q. Yes.
 16 A. Yeah, I have.
 17 Q. Did you ever hear of another priest hearing
 18 confession at the beach?
 19 A. No.
 20 Q. Okay.
 21 A. No, I lived close to the beach there.
 22 Q. I know we talked previously about when you
 23 received a new assignment it wasn't something you
 24 requested, it was just something that was handed down to
 25 you by the powers up high; correct?

1 A. Correct.
 2 Q. Have you ever been aware of a priest requesting
 3 a new assignment as opposed to just simply receiving a
 4 new assignment from a bishop?
 5 A. Yes.
 6 Q. Is that a common or uncommon occurrence?
 7 A. Relatively uncommon. It's not the usual thing.
 8 Q. But you have heard of it happening
 9 occasionally?
 10 A. Yes.
 11 Q. Were you ever aware of Father Kelly being
 12 arrested?
 13 A. No.
 14 Q. Ever aware of him being criminally
 15 investigated?
 16 A. No.
 17 Q. Ever aware of him being investigated by anyone
 18 other than your attorneys?
 19 A. No.
 20 Q. Ever --
 21 A. Excuse me, you're speaking about the time frame
 22 in which I was there; right?
 23 Q. Ever, ever, ever.
 24 A. I saw his name up and I'm presuming that there
 25 were investigations about that. His name on the clergy

1 list of alleged pedophile kind of stuff.
 2 Q. You mean the report to People of God?
 3 A. Yeah.
 4 Q. But other than that that's the only time you
 5 heard?
 6 A. Right.
 7 Q. When was the first time you heard allegations
 8 of childhood sexual abuse against him?
 9 A. About then. Report.
 10 Q. Aside from what you heard from your attorneys,
 11 have you ever heard anyone -- I'm sorry, strike that.
 12 Aside from what you heard from your attorneys
 13 and prior to the report regarding to the People of God,
 14 have you ever had any awareness of anyone complaining
 15 about sexual misconduct by Father Kelly?
 16 A. None.
 17 Q. Okay. Do you know Sister [REDACTED]?
 18 A. Yes.
 19 Q. How do you know her?
 20 A. She was a teacher at my grade school, Sacred
 21 Heart.
 22 Q. Is she still alive?
 23 A. No, she died not long after Matt died. I'd
 24 like to add, I wrote her a sympathy note and it was
 25 responded to by a nun who said she would like to have

1 read this. And it was my encomium about her brother and
 2 my positive memories of him.
 3 Q. What about Father [REDACTED]?
 4 A. Don't know him. I think he's related.
 5 Q. Okay.
 6 A. But I didn't know him.
 7 Q. [REDACTED]?
 8 A. Sibling. I don't know.
 9 Q. Okay.
 10 A. He's from my home parish.
 11 Q. Father Kelly was?
 12 MS. YOUNG: You don't need to volunteer any
 13 more information.
 14 THE WITNESS: Johnson Street.
 15 MS. YOUNG: Stop it. We'll never get out of
 16 here.
 17 MR. HALE: Actually, we're just about there.
 18 Q. Have you ever been aware of any of the members
 19 of the Archdiocese warning a member or members of a
 20 parish or a community that a priest who had been accused
 21 of sexual abuse of a minor was assigned or in residence
 22 or doing supply work at that location?
 23 A. At Our Lady of Guadalupe in Santa Barbara? At
 24 what location?
 25 Q. Anywhere.

1 A. That was convoluted. Restate it and let's see
 2 if I understand it.
 3 Q. Sure. Have you ever been aware --
 4 A. Yeah.
 5 Q. -- of any member of the Archdiocese, okay?
 6 A. Yeah.
 7 Q. Warning a member or members of a parish or of a
 8 community that a priest who had been accused of
 9 childhood sexual abuse of a minor was assigned or in
 10 residence or doing supply work at that location?
 11 A. No.
 12 Q. Okay. Have you ever initiated or heard any
 13 discussions regarding whether the Archdiocese should
 14 take some actions, i.e., warning?
 15 A. Was I involved in any recommendations about
 16 that?
 17 Q. Or have you ever heard or initiated.
 18 A. No, no, no.
 19 Q. Have you ever drafted or seen any written
 20 communications regarding whether the Archdiocese should
 21 take such actions, again, regarding warnings?
 22 A. That's a broad question.
 23 Q. It is.
 24 A. Let me give you an answer. I was pastor of a
 25 parish in which there was an allegation of someone who

1 was not of the Diocese but was doing some work and I did
 2 say shouldn't be assigned.
 3 Q. Okay. And do you know where that person was --
 4 A. Was not assigned and did not have renewed
 5 faculties.
 6 Q. Do you know if they were assigned somewhere
 7 else?
 8 A. Not in this Diocese.
 9 Q. Do you know if they were assigned to some other
 10 Diocese?
 11 A. Nope.
 12 Q. You don't know?
 13 A. I don't know. External. Another country.
 14 Q. If you had heard that that person was going to
 15 be reassigned within your Diocese, would you have taken
 16 action to warn that --
 17 A. Yes.
 18 Q. -- new assignment location?
 19 MS. YOUNG: Objection; speculation. Belatedly.
 20 THE WITNESS: No, I would definitely have said
 21 something.
 22 MR. HALE: Okay.
 23 THE WITNESS: I was more mature by this time.
 24 MS. YOUNG: That's enough. That's enough.
 25 Just answer the question that's asked and that's it.

1 THE WITNESS: Yes, teacher.
 2 MR. HALE: For what it's worth, Father, you're
 3 doing much better than my clients do when it comes to
 4 stopping at the end of the question. Much better.
 5 Q. And I forget, did you do supply work while you
 6 were in Santa Barbara?
 7 A. No.
 8 Q. No. Just at the parish only?
 9 A. Assigned.
 10 Q. Did you receive a monthly paycheck?
 11 A. Yes.
 12 Q. And was that from the parish or from the
 13 Archdiocese?
 14 A. Well, both. Through the parish from the
 15 Archdiocese.
 16 Q. Was it on parish letterhead or on --
 17 A. Parish checks.
 18 Q. Okay. Have you ever discussed the fact you
 19 were going to be deposed today with anyone other than
 20 your attorneys?
 21 A. Yes.
 22 Q. Who?
 23 A. My "Jesus caritas" group. Priest support
 24 group.
 25 Q. Your priest support group?

1 A. "Jesus caritas."
 2 Q. And what was the nature of the discussions?
 3 A. I'm going to be deposed.
 4 Q. Not looking forward to it, that kind of thing?
 5 A. Messing up my travel schedule except it's a
 6 good thing it was back to back to this meeting. Mine
 7 was yesterday.
 8 Q. Do you now Father Michael Harris or did you
 9 know Father Michael Harris?
 10 A. I knew who he was.
 11 Q. Were you ever assigned anywhere with him?
 12 A. No.
 13 Q. How did you know who he was?
 14 A. He's a priest to the Archdiocese, Catholic
 15 directory, several years behind me.
 16 Q. Are you aware of any allegations of childhood
 17 sexual abuse against him?
 18 A. No.
 19 Q. Okay. Were you both at St. John's at the same
 20 time?
 21 A. I don't think so. I don't recall that. We're
 22 too far apart I think.
 23 Q. Do you know [REDACTED]?
 24 A. Priest of the Diocese?
 25 Q. No, no, no. I'm going to ask you a few

1 questions about boys who attended --
 2 A. No.
 3 Q. -- Our Lady.
 4 A. No.
 5 Q. How about [REDACTED]?
 6 A. No.
 7 Q. [REDACTED]?
 8 A. No.
 9 Q. [REDACTED]?
 10 A. No.
 11 Q. [REDACTED]?
 12 A. No.
 13 Q. I think I already asked you [REDACTED]
 14 That name doesn't sound familiar to you?
 15 A. No.
 16 Q. Do you recall Father Kelly owning a hand
 17 massager? You know when you sit in a barber chair and
 18 the barber sometimes will have this vibrating --
 19 A. No.
 20 Q. No knowledge of that?
 21 A. No knowledge of that.
 22 Q. Do you know Bishop John Ward?
 23 A. Yes.
 24 Q. While you were at Our Lady did he ever come up
 25 and visit?

1 A. He may have done a confirmation there. I don't
 2 recall specifically.
 3 Q. Okay. No other specific recollection of him
 4 coming up?
 5 A. No.
 6 Q. Seems like you've known a fair number of
 7 priests who served at Our Lady; is that a fair
 8 statement?
 9 A. Well, the ones who were in my seminary thing,
 10 time, yeah.
 11 Q. Do you have any awareness of there being -- do
 12 you see it as a high turn-over rate at Our Lady?
 13 A. It has not struck me that way. There may be.
 14 Q. Okay. Ever hear about any parishioners
 15 complaining about Father Kelly's behavior?
 16 A. No.
 17 Q. Ever aware of any petition filed by
 18 parishioners at Our Lady in 1970?
 19 A. '70. After I left.
 20 Q. Never heard anything about that at all?
 21 A. I don't think so, no.
 22 Q. Almost done.
 23 A. Good.
 24 Q. Did Mr. [REDACTED] ever tell you he signed a
 25 petition complaining about Father Kelly?

1 A. No.
 2 Q. Do you know Monsignor [REDACTED]?
 3 A. [REDACTED]. Deceased. I knew him.
 4 Q. Did he ever contact you to interview you about
 5 your time with Father Kelly at Our Lady?
 6 A. No.
 7 Q. What about Father, Monsignor [REDACTED], did he
 8 ever contact you to interview you about your time with
 9 Father Kelly at Our Lady?
 10 A. No. Monsignor [REDACTED] was my boyhood pastor,
 11 but no interviews.
 12 Q. Do you know Monsignor [REDACTED]?
 13 A. Yes.
 14 Q. Did he ever contact you to interview you about
 15 your time with Father Kelly at Our Lady?
 16 A. No.
 17 Q. What about, Monsignor, now Bishop, Curry;
 18 C-u-r-r-y?
 19 A. Yes. No.
 20 Q. Same question regarding Father [REDACTED]; did he
 21 ever contact you to interview you about your time at Our
 22 Lady with Father Kelly?
 23 A. No.
 24 MR. HALE: Okay. I'm done.
 25 THE WITNESS: Very good.

1 MR. HALE: Let's stipulate that the reporter be
 2 relieved of her duties under the Code. Normally I would
 3 say send the original to your office, but you've been
 4 keeping the originals of our clients.
 5 MS. YOUNG: I always like to have control over
 6 the original since we're paying for it.
 7 MR. HALE: All right, well --
 8 MS. YOUNG: But you can do it however you want.
 9 MR. HALE: Well, no, I mean, if that's the way
 10 we're going to operate, that's fine. We'll send the
 11 original to my office and I will maintain custody of the
 12 original. If Ms. Young could then forward the copy she
 13 receives to Father [REDACTED]. And how much time -- you'll
 14 have time to review it. How much time do you want, 15?
 15 30? Got plenty of time, so, however much time you want
 16 is fine.
 17 MS. YOUNG: We've been stipulating to 30 days.
 18 I think that's reasonable. Unless you're going out of
 19 the country.
 20 THE WITNESS: I will be going out of the
 21 country in, but for a couple weeks, in mid March.
 22 MS. YOUNG: We'll probably get it and have you
 23 read it before then. So, if there's a problem I'll let
 24 you know.
 25 THE WITNESS: Be back April 2nd.

1 MR. HALE: So, we'll give Father [REDACTED] 30 days
 2 subject to me hearing anything further from Ms. Young to
 3 make any changes you feel are necessary and then to sign
 4 it under the penalty of perjury. If you can forward
 5 that signed copy back to Ms. Young and she will make any
 6 changes known to counsel as soon as possible. And if a
 7 signed original will not be available before trial,
 8 whenever that is, an unsigned certified copy can be used
 9 for all purposes.
 10 MS. YOUNG: There won't be a signed original
 11 though because you have the original.
 12 MR. HALE: I'm sorry, a signed copy. Is that
 13 okay?
 14 MS. YOUNG: So stipulated.
 15 THE VIDEOGRAPHER: With that then this
 16 concludes the deposition of Father [REDACTED]. We are
 17 off the record at approximately 4:44 p.m. It's the end
 18 of Tape No. 2.
 19 (The deposition was adjourned at 4:44 p.m.)
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DEPONENT'S DECLARATION

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I, FATHER [REDACTED], hereby declare:

I have read the foregoing deposition transcript and identify it as my own and approve same.

I declare under penalty of perjury under the laws of the State of California that the foregoing testimony is true and correct.

Dated this _____ day of

_____, 2007 at _____,

California.

FATHER [REDACTED]

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STATE OF CALIFORNIA)

) ss.

COUNTY OF VENTURA)

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

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

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

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

WITNESS my hand this 12th day of February, 2007, at Ventura, California.

Certified Shorthand Reporter
State of California
C.S.R. No. 6355