

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES - CENTRAL DISTRICT

Coordinated Proceedings)
Special Title (Rule 1550(b)))
THE CLERGY CASES I)
_____)

JUDICIAL COUNCIL
COORDINATION
PROCEEDING NO. 4286

This document relates to)
Santa Barbara Superior)
Court Case No. 01131929)

ANDREW RUIZ, an individual,)
Plaintiff,)

vs.)

ARCHDIOCESE OF LOS ANGELES)
EDUCATION AND WELFARE)
CORPORATION, et al.,)
Defendants.)

Videotaped deposition of [REDACTED],
taken by Plaintiff at 1:08 p.m. on Wednesday,
February 21, 2007 at 865 South Figueroa Street,
Los Angeles, California, before Maureen Dixon,
CSR No. 4258.

1 APPEARANCES:
 2
 3 For the Plaintiff:
 4
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 11 and
 12
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1 APPEARANCES: (Continued)
 2
 3 Also Present:
 4 Craig Bates, Videographer
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I N D E X		
1	WITNESS	EXAMINATION
2		PAGE
3	██████████	By Mr. Hale
4		260
5		
6	PLAINTIFF'S EXHIBITS:	
7	Number	Description For ID.
8	1	Letter to Most Reverend (sic)
9		Timothy Manning from
10		██████████. (██████████) ██████████
11		Obl. O.S.B., 6/3/70,
12		Bates Nos. CIVKELLY 000077
13		and 000076
14	2	Handwritten note,
15		Bates No. CIVKELLY 000079
16	3	Letter addressed to The Most
17		Reverend Timothy Manning from
18		numerous parishioners, 11/6/70,
19		Bates Nos. CIVKELLY 000081
20		through 000083
21	4	Letter to Reverend ██████████
22		from Reverend Monsignor
23		John A. Rawden, Chancellor,
24		11/18/70, Bates No.
25		CIVKELLY 000084

1 THE VIDEOGRAPHER: Good afternoon.
 2 We are on the record at approximately 1308
 3 on this 21st day of February, the year 2007, for the
 4 videotaped deposition of ██████████ in the matter
 5 of Andrew Ruiz versus the Archdiocese of Los Angeles
 6 Education and Welfare Corp., et al., JCCP number 4286.
 7 My name is Craig Bates here today on
 8 behalf of Telegenics located in Ventura.
 9 This is the start of tape number one.
 10 And, Counsel, you may now proceed by
 11 introducing yourselves for the record, please.
 12 MS. YOUNG: Bless Young from Hennigan, Bennett
 13 & Dorman for the Archdiocese of Los Angeles -- I'm
 14 sorry -- for the Roman Catholic Archbishop of Los
 15 Angeles and the witness.
 16 MR. HALE: Tim Hale for plaintiffs.
 17 MR. GRIFFITH: R. Thomas Griffith for
 18 plaintiffs.
 19 THE VIDEOGRAPHER: Would the court reporter
 20 please swear the witness.
 21 /
 22 /
 23 /
 24 /
 25 /

1 [REDACTED]
2 having been sworn, testified as follows:

3
4 EXAMINATION

5 BY MR. HALE:

6 Q. Father, could you state your name for the
7 record, please.

8 A. [REDACTED].

9 Q. And how do you spell your last name?

10 A. [REDACTED].

11 Q. Okay.

12 And it's [REDACTED] [REDACTED]?

13 A. Correct.

14 Q. Okay. Great.

15 Have you ever had your deposition taken
16 before?

17 A. No.

18 Q. Okay.

19 I assume your attorney has had a chance to
20 explain the process to you. But just to make sure you
21 and I are on the same page, I am going to go over a
22 few of the ground rules.

23 Do you understand that you -- even though
24 we are in the relatively informal setting of this law
25 firm that your testimony today has the same force and

1 finish your answer before I ask you another question.

2 Do you understand that?

3 A. I do.

4 Q. I don't want you to guess to the answer to
5 any question that I ask you today. I am entitled to
6 your best estimate. We are going to be talking about
7 events that took place a number of years ago.

8 Do you understand the difference between a
9 guess and an estimate?

10 A. Yes, I do.

11 Q. Okay.

12 Also, when I ask you a question today, if
13 you respond, I am going to assume you understood what
14 I meant by the question. So it's very important if
15 you don't understand what I said or if there is
16 something in my question that is confusing to you, let
17 me know and I will try and rephrase it in a way that
18 makes better sense. Okay?

19 A. Okay.

20 Q. At the end of this deposition your
21 testimony is going to be placed into a typed booklet
22 form. You are going to have a chance to review that
23 testimony, but you need to keep in mind that either
24 myself -- if you make any changes, you are going to
25 have an opportunity to make changes to that testimony

1 effect as if we were in a court of law before a judge
2 and in front of a jury?

3 A. Yes, I guess so.

4 Q. Do you understand that you have been
5 placed under oath by the court reporter?

6 A. I do.

7 Q. Have you consumed any alcohol or drugs in
8 the last 24 hours that might impair your ability to
9 give your best testimony today?

10 A. No, I haven't.

11 Q. Is there any reason that you can't give
12 your best testimony today?

13 A. No.

14 Q. Okay.

15 You are doing a great job so far of
16 allowing one person to speak at a time. As you can
17 see, the court reporter is taking down everything I
18 say, everything you say. To make her job easier, to
19 make sure we have a clear record when this is all
20 over, just keep doing what you are doing. If you
21 could, wait until I finish a question before you try
22 to answer even though there is going to be times where
23 you correctly anticipate what I am asking. And by the
24 same token, when you are answering my question, I'll
25 do my best to not interrupt you and wait until you

1 if need be, but you need to keep in mind that if you
2 do make any changes, either myself or any other
3 attorney in this matter will be free to comment on
4 those changes at the time of trial and that could
5 negatively impact your credibility. So it's very
6 important to get your best testimony today.

7 Do you understand that?

8 A. I do.

9 Q. Great.

10 You are also doing a real good job as far
11 as how you are answering the questions. What we want
12 to avoid, again so we have a clear record, is
13 answering questions with uh-huhs and huh-uhs and
14 nodding the head and that sort of thing. Keep doing
15 what you are doing and we will have a nice clear
16 record. Okay?

17 A. Okay.

18 Q. Do you have any questions?

19 A. No, I don't.

20 Q. If you need a break at any time today,
21 just let me know. I am happy to stop.

22 And, Bless, whatever time you need to stop
23 if you give a specific time --

24 MS. YOUNG: I am fine now. I have already
25 gotten it out of the way.

1 MR. HALE: Okay.
 2 So we will probably break just about maybe
 3 once an hour.
 4 If you need more, that's okay. Just let
 5 me know.
 6 Q. Did you review any documents in
 7 preparation for your deposition today?
 8 A. No, I didn't.
 9 Q. You didn't review any in preparation for
 10 the deposition today?
 11 A. Well, I thought you asked me if I have any
 12 documents with me. No.
 13 Q. Right.
 14 A. Just the -- whatever was mailed to me.
 15 Q. Okay.
 16 You mean the deposition notice --
 17 A. Yes.
 18 Q. -- and the request for documents?
 19 And with regards to the request for
 20 documents, did you have a chance to look at those
 21 requests and the categories of documents that were
 22 requested?
 23 A. Yes, I did.
 24 Q. And did you have any documents responsive
 25 to those --

1 A. No, I didn't.
 2 MS. YOUNG: Let's him finish asking the
 3 question.
 4 MR. HALE: I want to get some background
 5 information from you first.
 6 Q. Where were you born?
 7 A. In Ireland.
 8 Q. What's your birth date?
 9 A. 5/26/41.
 10 Q. And when did you come to the United
 11 States?
 12 A. 1966.
 13 Q. So I assume you attended high school of
 14 some sort or the equivalent of high school in Ireland?
 15 A. Yes, I did.
 16 Q. And where did you attend high school?
 17 A. Saint Nathys.
 18 Q. How do you spell that?
 19 A. N-a-t-h-y-s.
 20 Q. Okay.
 21 Has that got a Catholic seminary of some
 22 sort?
 23 A. It was -- it was basically a high school.
 24 We called them secondary schools in Ireland.
 25 Q. Okay.

1 And what year did you finish your
 2 secondary school?
 3 A. 1960.
 4 Q. And did you continue your education after
 5 you finished your secondary schooling?
 6 A. Yes, I did.
 7 Q. And where did you do that at?
 8 A. All Hallows Seminary in Dublin, Ireland.
 9 Q. And how many years did you attend
 10 All Hallows?
 11 A. Six years.
 12 Q. So did you finish in 1966?
 13 A. Correct.
 14 Q. And did you graduate with a degree?
 15 A. No, I didn't.
 16 Q. Were you ordained in Ireland?
 17 A. Yes, I was.
 18 Q. What year were you ordained?
 19 A. 1966.
 20 Q. And what brought you over to the United
 21 States?
 22 A. I volunteered to come to the Archdiocese
 23 of Los Angeles because I had an uncle priest who had
 24 been here.
 25 Q. What was his name?

1 A. [REDACTED].
 2 Q. Okay. Going back to your education.
 3 Any -- did you -- I'm sorry. You did not
 4 receive a degree from All Hallows?
 5 A. We didn't have degrees at that time.
 6 Q. Did you continue your education over here?
 7 A. No, I didn't.
 8 Q. Any kind of certificate work or any kind
 9 of -- any other studies in the United States?
 10 A. Yes, I did studies in the United States
 11 regarding my work.
 12 Q. Where was that at?
 13 A. Menlo Park in California.
 14 Q. And what was the name of the institution
 15 you studied at?
 16 A. It was at Saint Patrick's Seminary -- part
 17 of the seminary.
 18 Q. Okay.
 19 And what did you study at Saint Patrick's?
 20 A. It was just different courses.
 21 And with regard to the priesthood and
 22 ministry, it was a sabbatical program for priests.
 23 Q. And how long did that last for?
 24 A. Three months.
 25 Q. And when was that?

1 A. I think it was 1986.
 2 Q. Okay.
 3 Were there any priests from the
 4 Archdiocese of Los Angeles in the program with you?
 5 A. Yes. There were two or three others.
 6 Two. There was a Father [REDACTED] and a
 7 Father [REDACTED].
 8 Q. How do you spell the first name?
 9 A. [REDACTED].
 10 Q. And Father [REDACTED]?
 11 A. And Father [REDACTED].
 12 Q. Anyone else?
 13 A. Yes. There was a Father Wempe.
 14 Q. Okay. Michael Wempe?
 15 A. Mm-hmm.
 16 Q. Anyone else?
 17 A. That's all from the Archdiocese that I
 18 remember.
 19 Q. Did you know Father Wempe prior to
 20 attending the sabbatical with him?
 21 A. Yes, I did.
 22 Q. Had you ever been assigned anywhere with
 23 him?
 24 A. No, I didn't. No.
 25 Q. How did you know him before?

1 A. We were ordained the same year.
 2 Q. Were you ordained again when you came to
 3 the United States?
 4 A. No, I wasn't.
 5 Q. So, in other words, correct me if I am
 6 wrong, you were ordained in Ireland in 1966 and he was
 7 ordained in Los Angeles in --
 8 A. 1966.
 9 Q. Okay.
 10 What was the subject matter of the
 11 sabbatical program?
 12 A. It was just to take time out from parish
 13 work and to kind of renew our spiritual and physical
 14 and educational selves.
 15 Q. Okay.
 16 And did this take place in the summer
 17 months?
 18 A. No. In the fall, from September to
 19 December.
 20 Q. Did you have an opportunity to -- did
 21 Father Wempe tell you that he had been assigned with
 22 Father -- first of all, I assume you know who Father
 23 Matthew Kelly was?
 24 A. Mm-hmm, yes.
 25 Q. Did Father Wempe tell you he had been

1 assigned with Father Kelly?
 2 A. I knew it.
 3 Q. How did you know it?
 4 A. Because he followed sometime after I did
 5 and I know the assignments of priests.
 6 Q. Okay.
 7 Did you and he have an opportunity to
 8 discuss what life was like working with Father Kelly?
 9 A. No, we didn't.
 10 Q. The topic never came up?
 11 A. It might have been mentioned, but
 12 Father Wempe and I were not real close friends.
 13 Q. Did he say anything to you about
 14 Father Kelly?
 15 MS. YOUNG: Objection. Vague and ambiguous.
 16 THE WITNESS: Not that I remember.
 17 Q. BY MR. HALE: Did you say anything to him
 18 about Father Kelly?
 19 A. Except that I was there.
 20 Q. Had you ever gone to see Father Wempe
 21 while he was assigned to San Sebastian?
 22 A. No, I didn't.
 23 Q. Had you ever gone to see Father Kelly
 24 while he was assigned to Saint Sebastian?
 25 A. No, I didn't.

1 Q. Was -- do you know was Father Wempe still
 2 assigned to Saint Sebastian at the time this
 3 sabbatical took place or had he already been --
 4 received a new assignment, do you know?
 5 A. I'm not too sure what years he was there.
 6 Q. Okay.
 7 Any other education beyond what we have
 8 already talked about?
 9 A. Just workshops and one other sabbatical in
 10 2000.
 11 Q. What was the subject matter of that
 12 sabbatical?
 13 A. The same, renewal of ministries, spiritual
 14 and development.
 15 Q. And where was that at?
 16 A. At All Hallows in Dublin.
 17 Q. Anyone from the Archdiocese of Los Angeles
 18 attend that with you?
 19 A. No.
 20 Q. Do you know Oliver O'Grady?
 21 A. No, I don't.
 22 Q. Let's talk about your assignments.
 23 What was your first assignment in the
 24 Archdiocese of Los Angeles?
 25 A. Our Lady of Guadalupe in Santa Barbara.

1 Q. And Father Kelly was the pastor there
2 while you were --
3 A. He was the pastor.
4 Q. And who was the associate or assistant
5 pastor when you arrived?
6 A. Father [REDACTED].
7 Q. Anyone else?
8 A. No. He was the only one.
9 Q. Was there anyone in residence while you
10 were there?
11 A. Just for the first two weeks that I was
12 there approximately.
13 Q. Who was that?
14 A. Father [REDACTED], who was the one I
15 replaced.
16 Q. So there was some crossover between the
17 two of you?
18 A. Yes.
19 Q. [REDACTED], [REDACTED]?
20 A. Correct.
21 Q. How long did your assignment at Our Lady
22 last?
23 A. Almost four years.
24 Q. And do you remember what time of year it
25 was when you received your assignment to Our Lady or

1 when you arrived at Our Lady?
2 A. At the beginning of August 1966.
3 Q. And was that until -- did you stay until
4 July or June of 1970?
5 A. No. I think it was May or -- March or
6 May. I'm not too sure.
7 Q. So sometime in the spring or early summer?
8 A. It was, yes.
9 Q. And that was of 1970?
10 A. 1970, correct.
11 Q. Had you ever met Father [REDACTED] before you
12 were assigned to Our Lady?
13 A. No, I didn't.
14 Q. Okay.
15 And how long was Father [REDACTED] there? He
16 was not there the entire time you were an assistant at
17 Our Lady, correct?
18 A. No, he wasn't. He was there for two
19 years.
20 Q. Okay.
21 Do you recall who replaced him?
22 A. Father [REDACTED].
23 Q. Okay.
24 And do you recall how long Father [REDACTED]
25 was there?

1 A. He was there until shortly after I left.
2 He was there until 1970.
3 Q. Just so I understand. So he was there to
4 your knowledge even after you left?
5 A. Yes, he was.
6 Q. Okay.
7 So when you arrived, it was yourself and
8 Father [REDACTED] and then [REDACTED] replaced [REDACTED]?
9 A. Correct.
10 Q. And so during your entire time at Our Lady
11 of Guadalupe the only other assistants were Father
12 [REDACTED] and Father [REDACTED]?
13 A. Correct.
14 Q. Okay.
15 And then you said Father [REDACTED] was in
16 residence for the first two weeks you were there.
17 Was there anyone else in residence during
18 your time at Our Lady?
19 A. No, there wasn't.
20 Q. Were there any priests doing supply work
21 at Our Lady while you were there?
22 A. One priest from the high school would say
23 Mass at the church up on what we used to call the mesa
24 and occasionally a priest would come in to say Mass on
25 Sunday when needed.

1 Q. When you say the high school, are you
2 referring to --
3 A. Bishop Diego.
4 Q. Okay.
5 And do you recall the name of that priest?
6 A. Senior moment.
7 Q. No problem.
8 Let's see if I can refresh your
9 recollection.
10 Was he a Franciscan or was he a diocesan
11 priest?
12 A. A diocesan priest.
13 Q. An older gentleman? Younger gentleman?
14 A. He was older than me. He just passed away
15 a few years ago. He was pastor up in Santa Clarita.
16 Q. And then you said there was another priest
17 who sometimes come in --
18 A. Occasionally one of the Franciscans would
19 say Mass for us.
20 Q. Do you remember which Franciscan?
21 A. The two that I remember were Father Berger
22 Cordonio and I think the other priest was
23 Father [REDACTED] or Father [REDACTED] -- I'm not too sure of
24 his last name. I don't remember.
25 Q. [REDACTED]?

1 A. No, I don't think --
 2 Q. No? Okay.
 3 How often would Father Cordono and this
 4 other priest come and say Mass at Our Lady? Was it a
 5 weekly occurrence? A monthly occurrence?
 6 A. No, it wouldn't be a weekly occurrence.
 7 Maybe a couple times a month.
 8 Q. And do you know who would notify them if
 9 they were needed?
 10 A. Father Kelly.
 11 Q. Was this other Franciscan -- was he from
 12 the Mission or was he from Saint Anthony's Seminary?
 13 Do you know?
 14 MS. YOUNG: Objection. Lacks foundation,
 15 calls for speculation.
 16 You can answer.
 17 THE WITNESS: I think he was from the Mission.
 18 Q. BY MR. HALE: See if I can run a few names
 19 by you and see if it jogs your memory here.
 20 So you think his first name was [REDACTED]?
 21 A. No. I though it was -- [REDACTED] was the
 22 last name.
 23 Q. Oh, oh. Okay. I'm sorry.
 24 A. But I don't know whether I'm -- the first
 25 name Alex seems to --

1 Q. Okay.
 2 It wasn't [REDACTED], was it?
 3 A. No. Name doesn't ring a bell.
 4 Q. [REDACTED] is [REDACTED].
 5 A. No, I'm not.
 6 Q. [REDACTED] is [REDACTED]?
 7 A. No, that doesn't ring a bell.
 8 Q. [REDACTED] is [REDACTED].
 9 A. Doesn't ring a bell.
 10 Q. All right. I am going to throw in the
 11 towel on this one I think.
 12 A. He only said Mass once in a while.
 13 Q. Okay.
 14 What was your next assignment after
 15 Our Lady of Guadalupe?
 16 A. Saint Barnabas in Long Beach.
 17 Q. Barnabas with an a or with an e?
 18 A. B-a-r-n-a-b-a-s.
 19 Q. And how long did that last for?
 20 A. About five years.
 21 Q. So until around 1975?
 22 A. Correct.
 23 Q. Who was -- were you the pastor or the
 24 assistant --
 25 A. The assistant.

1 Q. Who was the pastor?
 2 A. Father [REDACTED]
 3 Q. Was he the pastor the entire five years
 4 you were there?
 5 A. Up until the last year. There was a night
 6 administrator priest came in.
 7 Q. And who was that?
 8 A. He is the pastor at Saint Victor's. I
 9 can't think of his name now.
 10 Q. You don't remember?
 11 A. I don't remember.
 12 Q. Were there any other assistants or
 13 associates?
 14 A. There were.
 15 Q. Who were they?
 16 A. The first year I was there Father [REDACTED]
 17 [REDACTED].
 18 Q. Okay.
 19 A. And then there was a newly ordained priest
 20 came, Father John -- sorry.
 21 Q. It's okay.
 22 A. Cannot think of the last name.
 23 Q. Anyone else?
 24 A. That's all I remember.
 25 Q. Was there anyone in residence there while

1 you were there?
 2 A. Nobody in residence while I was there.
 3 Q. And were your responsibilities limited to
 4 just parish work?
 5 A. Parish work.
 6 Q. What was your next assignment?
 7 A. My next assignment was Saint Bernadette's
 8 in Los Angeles.
 9 Q. Who was the pastor there?
 10 A. Father [REDACTED].
 11 Q. How do you spell the last name?
 12 A. [REDACTED].
 13 Q. [REDACTED].
 14 And how long did that last for?
 15 A. Almost four years.
 16 Q. So until around 1979?
 17 A. '78.
 18 Q. And any other assistants or associates?
 19 A. No, there was no associate there.
 20 Q. And that was -- were you an assistant
 21 or --
 22 A. I was the assistant there.
 23 Q. Anyone else in residence?
 24 A. We had a Father [REDACTED] was in
 25 residence.

1 Q. Okay.
 2 Anyone else?
 3 A. That's all I remember.
 4 Q. Was your work just parish work there?
 5 A. Parish work.
 6 Q. What was your next assignment?
 7 A. Saint Christopher's in West Covina.
 8 Q. And how long did that last for?
 9 A. Over five years.
 10 Q. So until around 1983?
 11 A. '84.
 12 Q. '84.
 13 And who was the pastor there?
 14 A. Father [REDACTED].
 15 Q. Okay.
 16 [REDACTED] just like it sounds?
 17 A. Correct.
 18 Q. Okay.
 19 Any assistants or associates?
 20 A. Yes. There was a Father [REDACTED] was
 21 there, [REDACTED].
 22 The priest before him -- Korean.
 23 The priest before him, I don't remember
 24 his name. He was there for a year or two.
 25 Q. Okay.

1 Anyone else in residence while you were
 2 assigned to Saint Christopher's?
 3 A. Yes. There were priests that taught at
 4 Bishop Aumont (phonetic) High School. I cannot think
 5 of his name. The second one that taught there was the
 6 present Bishop Edward Clark, was there for one year.
 7 (Record read.)
 8 THE WITNESS: Edward Clark.
 9 MR. HALE: Okay.
 10 Q. Anyone else in residence?
 11 A. No.
 12 Q. And was your assignment again just parish
 13 work?
 14 A. Parish work.
 15 Q. And what was your next assignment?
 16 A. Saint John of God in Norwalk.
 17 Q. How long did that last for?
 18 A. Almost 22 years. As pastor.
 19 Q. And did you leave there in 2006?
 20 A. Correct.
 21 Q. And did you say -- I'm sorry. As pastor?
 22 A. As pastor.
 23 Q. The entire time?
 24 A. The entire time.
 25 Q. A long period.

1 Do you recall who your assistants or your
 2 associates were during that time period, 22 years?
 3 A. Carl --
 4 Q. Do your best. Whatever you can remember.
 5 A. There were two assistants with me all the
 6 time. Father [REDACTED] and Father -- Spanish
 7 priest. I cannot think of his name now.
 8 After that was -- oh. I need the list in
 9 front of me.
 10 Q. Okay. That's fine.
 11 A. But I had -- usually they were assigned
 12 for four years at a time.
 13 Q. Do you recall the names of anyone who was
 14 in residence with you during the time in Norwalk at
 15 Saint John of God?
 16 A. The one that was in residence with me was
 17 Father [REDACTED].
 18 Q. Okay.
 19 A. He was principal at Saint Paul's --
 20 MS. YOUNG: Just answer the question. He will
 21 ask you if he wants more information.
 22 MR. HALE: Okay.
 23 Q. Anyone else?
 24 A. That's what I can remember.
 25 Q. And I assume as pastor your work was

1 devoted to parish work?
 2 A. Correct.
 3 Q. And then after -- when you left Saint John
 4 in 2006, what was your next step in the process? Are
 5 you in residence somewhere right now?
 6 A. No. I am pastor at Saint Bartholomew's in
 7 Long Beach.
 8 Q. And you have been there ever since you
 9 left St. John?
 10 A. Correct.
 11 Q. Do you have any assistants or associates?
 12 A. Just the pastor emeritus who is in
 13 retirement.
 14 Q. Who is that?
 15 A. Father [REDACTED].
 16 Q. Anyone in residence there?
 17 A. No.
 18 Q. When you came to the United States, how
 19 long was it before you took up residence at Our Lady
 20 of Guadalupe in August of '66?
 21 A. The day after I came to Los Angeles.
 22 Q. Okay.
 23 Had you already received the assignment to
 24 Our Lady before you arrived in the United States?
 25 A. No, I didn't.

1 Q. Okay.
 2 Had you communicated with someone from the
 3 Archdiocese the fact you were coming and would need an
 4 assignment?
 5 A. Oh, yes.
 6 Q. Okay.
 7 And who was it you were communicating
 8 with?
 9 A. Monsignor [redacted] was the one that
 10 communicated and I met Cardinal McIntyre when he came
 11 to visit us in the seminary.
 12 Q. Okay.
 13 How did you learn you were going to be
 14 assigned to Our Lady of Guadalupe?
 15 A. When I went into the Archdiocese for my
 16 assignment with Cardinal McIntyre.
 17 Q. And did Cardinal McIntyre give you an
 18 assignment?
 19 A. Yes, he did.
 20 Q. Did he give you a written letter or --
 21 A. Yes, a written official letter
 22 Q. Okay.
 23 Was there any discussion of where you
 24 wanted to go or where would be a good place for you?
 25 A. No.

1 Q. It was simply here you go. This is where
 2 you are going?
 3 A. Correct.
 4 Q. Had you ever -- had you ever met
 5 Father Kelly before you ventured up to Santa Barbara?
 6 A. No, I didn't.
 7 Q. When Cardinal McIntyre gave you the
 8 assignment to go to Our Lady, was there any discussion
 9 of Santa Barbara or Father Kelly or what life was like
 10 at Our Lady?
 11 A. Just told me that it was a beautiful
 12 assignment.
 13 Q. Did you ask him about what the pastor was
 14 like?
 15 A. No, I didn't.
 16 Q. Did you ask anyone about what the pastor
 17 was like?
 18 A. No, I didn't.
 19 Q. Did you know -- had you -- did you know
 20 Father [redacted] before you went to Our Lady?
 21 A. No, I didn't.
 22 Q. What about Father [redacted]?
 23 A. No, I didn't.
 24 Q. So you met them when you got there?
 25 A. Correct.

1 Q. Okay.
 2 Was there a -- when you arrived in
 3 Santa Barbara in '66, was there a deanery yet?
 4 A. No, there wasn't.
 5 Q. While you were in Santa Barbara, did
 6 deaneries come into existence?
 7 A. No, it didn't.
 8 Q. Do you recall what year it was when
 9 deaneries were first created in the Archdiocese or
 10 identified in the --
 11 A. Approximately I would say 1986.
 12 Q. Okay.
 13 During your time at Our Lady, were you
 14 ever aware of there being a fire on parish property?
 15 A. Yes, I was.
 16 Q. And how did you become aware of that
 17 happening?
 18 A. I was up for saying the Mass that morning
 19 and I was having breakfast.
 20 Q. Okay.
 21 And did you hear a smoke alarm or a fire
 22 alarm?
 23 A. There were no smoke alarms.
 24 Somebody came running over and said the
 25 church was on fire.

1 Q. Okay.
 2 Do you recall who that was?
 3 A. No, I don't.
 4 Q. And what did you do when they came over
 5 and said the church was on fire?
 6 A. I ran over to the church, went in the
 7 front door, but came out fast. It was enveloped in
 8 flames.
 9 Q. You said you were having breakfast?
 10 A. Yes.
 11 Q. Who were you having breakfast with?
 12 A. Myself.
 13 Q. And so did you -- you ran over to the
 14 church and saw the flames?
 15 A. Yes, I did.
 16 Q. Did you see what part of the church was on
 17 fire?
 18 A. The whole church was on fire, the inside
 19 of the church.
 20 Q. What did you do?
 21 A. The fire department had already been
 22 called because I heard them --
 23 (Record read.)
 24 (Discussion off the record.)
 25 Q. BY MR. HALE: Okay. Do you know who

1 called the fire department?
 2 A. I don't know.
 3 Q. Was there a big gathering of people in the
 4 street or was it just --
 5 A. No. Just a few.
 6 Q. And were you there when the fire trucks
 7 arrived?
 8 A. Yes, I was.
 9 Q. Okay.
 10 And did you watch them put out the fire?
 11 A. Yes, I did.
 12 Q. Okay.
 13 Was there any kind of investigation of the
 14 cause of the fire to your knowledge?
 15 A. Yes, there was.
 16 Q. And who conducted the investigation? Was
 17 it the fire department or the police department or the
 18 sheriff's department?
 19 A. I'm not too sure which -- was it the fire
 20 chief or the police were brought into it? I don't
 21 remember.
 22 Q. Okay.
 23 Were you interviewed by anyone?
 24 A. Yes, I was interviewed by the fire
 25 department.

1 Q. And where did that interview take place?
 2 A. On the street.
 3 Q. So it happened right there?
 4 A. Correct.
 5 Q. Right after the fire was put out?
 6 A. Correct.
 7 Q. And do you remember the name of the person
 8 who interviewed you?
 9 A. No, I don't.
 10 Q. Do you remember it being the fire chief
 11 though?
 12 A. No, I don't.
 13 Q. Just a fire fighter?
 14 A. Correct.
 15 Q. Did you see the person taking down any
 16 notes?
 17 A. No, I didn't.
 18 Q. It was just a one-on-one oral interview?
 19 A. I don't remember.
 20 Q. Okay.
 21 What kind of questions did he ask you?
 22 A. I don't remember now to be honest.
 23 Q. Did he tell you that they had any
 24 indication of what the cause of the fire was?
 25 A. No, he didn't.

1 Q. As you sit here today, did you ever find
 2 out that someone had set the fire?
 3 A. There was --
 4 MS. YOUNG: Objection. Calls for speculation.
 5 Go ahead.
 6 THE WITNESS: There was a young boy accused.
 7 Q. BY MR. HALE: Do you know what his name
 8 was?
 9 A. I don't remember his name to be honest.
 10 Q. Okay.
 11 Do you remember if he was an altar boy?
 12 A. He was.
 13 Q. Okay.
 14 How did you find out that a young boy had
 15 been accused?
 16 A. Because his family told me.
 17 Q. Okay.
 18 Do you remember the name --
 19 A. And --
 20 Q. Go ahead. I'm sorry. I didn't mean to
 21 interrupt you.
 22 A. And it came out in the papers, I think.
 23 Well, some of it came out in some ways, but he had
 24 confessed to it.
 25 Q. Was the Santa Barbara News Press still in

1 existence at that time?
 2 A. Yes, it was.
 3 Q. Do you remember it being in the
 4 News Press?
 5 A. I don't remember.
 6 Q. Were there any other newspapers in town at
 7 that time other than the News Press?
 8 A. Los Angeles Times.
 9 Q. Okay.
 10 Did his parents come and talk to you about
 11 him starting the fire?
 12 A. I don't remember.
 13 Q. Did you hear how he started the fire?
 14 MS. YOUNG: Objection. Assumes facts not in
 15 evidence.
 16 Q. BY MR. HALE: Did you hear that he had
 17 started the fire?
 18 A. I heard he was accused of starting it.
 19 Q. Do you know who accused him of starting
 20 the fire?
 21 A. As far as I know, he confessed to it.
 22 Q. And you believe you read that in one of
 23 these newspapers or did you hear that from another
 24 source?
 25 A. I was told it from another source.

1 Q. Did you ever talk to him about why he
2 started the fire?
3 A. I don't remember.
4 Q. Okay.
5 Were you ever aware of anyone talking to
6 him about why he started the fire?
7 A. No, I don't remember any --
8 MS. YOUNG: Belatedly calls for speculation.
9 You can answer.
10 THE WITNESS: I don't remember. All I know is
11 that I didn't believe he set it on fire.
12 MR. HALE: Okay.
13 Q. Why didn't you believe he set it on fire?
14 A. Because he was the altar boy at my Mass
15 and he had left the church before me; I assumed for
16 the school.
17 Q. Okay.
18 Did you ever hear that he had denied
19 starting the fire?
20 A. In the beginning he denied it.
21 Q. Okay.
22 And it was your understanding that
23 eventually he confessed to it?
24 A. Correct.
25 Q. Did you ever form an opinion as to someone

1 else starting the fire?
2 A. No, I didn't.
3 Q. Did you tell the fire department what you
4 just told me, that he had left before you after the
5 Mass?
6 A. I did, yes.
7 Q. Okay.
8 And so this -- so there had been a Mass
9 that morning?
10 A. Correct.
11 Q. And how long after the Mass took place was
12 it that the fire started?
13 MS. YOUNG: Objection. Calls for speculation.
14 You can answer.
15 THE WITNESS: I would say I wouldn't have been
16 in the rectory more than 15 minutes, less than a half
17 hour. I hadn't finished my breakfast.
18 MR. HALE: Okay.
19 Q. So do you have any way of knowing whether
20 he left and then came back after you left?
21 A. No, I don't.
22 Q. Did you suspect that anyone else had
23 started the fire?
24 A. No, I didn't.
25 Q. As you sit here today, why -- do you have

1 an opinion as to how the fire was started?
2 A. I have an opinion.
3 When we remodeled the church, after it was
4 finished remodeling and repaired, I discovered there
5 was no light in my confessional and so we called back
6 the contractor and he told me there was no wire going
7 to that confessional. So I made the speculation that
8 couldn't it have been an electrical fire.
9 Q. Okay.
10 Did you know -- did you ever hear that
11 there were any findings made as to the case of the
12 fire?
13 A. No, I didn't.
14 Q. Did you ever contact the police department
15 or the fire department to find out if there were any
16 conclusions reached as to what caused the fire to
17 start?
18 A. No, I didn't.
19 Q. Was it your understanding that after this
20 boy apparently confessed that people simply took him
21 at his word and believed he had started the fire?
22 A. It was my opinion that he was pressured
23 into saying yes.
24 Q. But my question is do you think that the
25 investigation was concluded because he was pressured

1 into saying --
2 A. Yes, I do.
3 Q. Okay.
4 MS. YOUNG: Objection. Calls for speculation
5 belatedly.
6 Q. BY MR. HALE: What makes you think he was
7 pressured into saying he started the fire?
8 MS. YOUNG: Objection. Calls for speculation.
9 You can answer.
10 THE WITNESS: Because he came from an
11 excellent family and he was a very good young boy,
12 always very polite, a very good altar server. Family
13 were a very strong family in the parish.
14 MR. HALE: Okay.
15 Q. Aside from your attorney, have you ever
16 heard or become aware of anyone saying or an
17 allegation that he had started the fire because he was
18 angry at Father Kelly?
19 A. No.
20 MS. YOUNG: And for the record, his attorney
21 never said that.
22 MR. HALE: I'm not saying you did.
23 MS. YOUNG: You said aside from your attorney,
24 have you ever...
25 MR. HALE: Well. It was a poorly phrased --

1 MS. YOUNG: I don't want --
 2 MR. HALE: I understand.
 3 MS. YOUNG: -- anybody to think that I told
 4 him that.
 5 MR. HALE: I understand. No. It was a poorly
 6 phrased question.
 7 MS. YOUNG: You use that phrasing a lot but...
 8 MR. HALE: I'm trying to avoid the
 9 attorney/client privilege objection.
 10 MS. YOUNG: I understand.
 11 MR. HALE: I guess I should say aside from
 12 anything you may have heard from your attorney.
 13 MS. YOUNG: Exactly.
 14 Q. BY MR. HALE: Did you ever talk to
 15 Father Kelly about the fire?
 16 A. Yes, I did.
 17 Q. Did he ever express any opinion to you as
 18 to what had started the fire?
 19 A. Except that he believes me when I said
 20 that this boy did not set it.
 21 Q. Do you know was the boy ever criminally
 22 prosecuted for supposedly starting this fire?
 23 MS. YOUNG: Objection. Calls for speculation.
 24 THE WITNESS: I don't know.
 25 Q. BY MR. HALE: You didn't hear anything

1 about that?
 2 A. I didn't hear that he ever was.
 3 Q. Okay.
 4 Other than on the day of the fire, were
 5 there ever any other instances where someone from the
 6 fire department or the police department came out and
 7 interviewed people at the parish about the cause of
 8 the fire to your knowledge?
 9 A. I don't remember.
 10 Q. And you never spoke with anyone -- you
 11 were never interviewed by anyone aside from on that
 12 day of?
 13 A. Correct.
 14 Q. Was there a claim made to an insurance
 15 company based on -- as a result of the fire?
 16 MS. YOUNG: Objection. Calls for speculation.
 17 THE WITNESS: That would be the Archdiocese.
 18 I think so. I think insurance covered it.
 19 Q. BY MR. HALE: Do you know who covered the
 20 parish -- who provided insurance coverage for the
 21 parish at that time?
 22 A. I don't know.
 23 Q. Were you ever aware of any insurance
 24 adjusters coming and interviewing witnesses at the
 25 parish about the cause of the fire?

1 A. No.
 2 Q. Were you ever aware of there being any
 3 kind of payment made from an insurance company to
 4 compensate the parish or the Archdiocese for the
 5 damage from the fire?
 6 A. I don't know. I wasn't in on the
 7 contracts.
 8 Q. Okay.
 9 A. I wasn't the pastor.
 10 Q. And did you ever hear anything about that
 11 happening from Father Kelly?
 12 A. No, I didn't.
 13 Q. Were you ever aware of any of the nuns
 14 talking about the fact that an altar boy had been
 15 angry at Father Kelly and started the fire?
 16 MS. YOUNG: Objection. Assumes facts not in
 17 evidence.
 18 THE WITNESS: No, I didn't.
 19 Q. BY MR. HALE: Did you ever talk to any
 20 parishioners about the cause of the fire?
 21 A. Oh, I'm sure I did.
 22 Q. And did any parishioners ever express to
 23 you their belief that this boy had started the fire?
 24 A. No, they didn't.
 25 Q. Do you remember -- what was the ethnicity

1 of this boy? Was he Caucasian? Hispanic? Do you
 2 remember?
 3 A. He was Caucasian as far as I remember.
 4 His family was Caucasian
 5 Q. Do you remember was he -- was he sent to
 6 Juvenile Hall or was there any kind --
 7 A. I don't think he was.
 8 Q. -- of consequence, in other words, for his
 9 alleged actions?
 10 A. I don't think so.
 11 Q. How long did it take to -- I assume they
 12 had to rebuild the church, the portions that were
 13 burned.
 14 MS. YOUNG: Objection. Vague and ambiguous.
 15 THE WITNESS: I don't remember how long. I
 16 know it was a number of months.
 17 MR. HALE: Okay.
 18 Q. Did that boy ever serve as an altar boy
 19 again after the fire?
 20 A. Not to my knowledge.
 21 Q. Okay.
 22 And do you know did the boy prior to the
 23 fire had he served to your knowledge exclusively as
 24 your altar boy or had he served for Father Kelly in
 25 the past or Father ██████████

1 A. Whatever Masses he would have been
 2 assigned to. I don't remember what his assignment
 3 would have been.
 4 Q. Do you remember what year it was that the
 5 fire took place? Was it when you first arrived at LA?
 6 A. My first year.
 7 Q. Okay.
 8 Do you remember whether it was still --
 9 was it in the summer months? You arrived actually in
 10 August of '66.
 11 A. In August.
 12 Q. So do you remember was it during the
 13 school year that that happened?
 14 A. I'm not too sure to be honest.
 15 Q. Do you remember -- not a whole lot of
 16 change in the seasons in Santa Barbara, but do you
 17 remember was it fall or was it winter or you think it
 18 was spring?
 19 A. To be honest I don't remember...
 20 Q. But you think it was in 1966 though?
 21 A. It was either 1966 or early 1967.
 22 Q. Okay.
 23 A. It was in my early time there.
 24 Q. Okay.
 25 Do you think it was before Christmas?

1 A. I don't remember.
 2 Q. Do you remember there being any kind of
 3 Christmas decorations or anything like that?
 4 A. No, there weren't. As far as I remember.
 5 Q. Okay.
 6 Do you remember -- was Mass able to be
 7 held in the church while the construction work was
 8 being done?
 9 A. No, it wasn't.
 10 Q. Where was Mass held?
 11 A. In the parish hall.
 12 Q. Do you remember there being any kind of
 13 Christmas Mass in the parish hall?
 14 A. Now that you mention it I think we did.
 15 Q. Okay.
 16 So does that refresh your recollection
 17 that the fire probably took place before Christmas of
 18 1966?
 19 MS. YOUNG: Objection. Assumes facts not in
 20 evidence.
 21 THE WITNESS: I cannot say for certain.
 22 MR. HALE: Okay.
 23 Q. But is that your suspicion?
 24 MS. YOUNG: Same objection.
 25 THE WITNESS: I'm not --

1 MR. HALE: Okay.
 2 Q. What about -- do you remember there being
 3 any kind of Easter Mass in the parish hall?
 4 A. I don't remember.
 5 Q. Did you have any discussions with
 6 Father ████████ about the cause of the start of the fire
 7 ever?
 8 A. I probably did because we lived together.
 9 Q. Do you remember if he expressed any
 10 opinions of what started the fire?
 11 A. No, I don't remember.
 12 Q. Did you ever see that boy again after the
 13 fire had taken place?
 14 A. To be honest I don't remember.
 15 Q. Do you remember his family still attending
 16 Mass at the parish?
 17 A. From what I remember, I think they were
 18 embarrassed and they started going to another church.
 19 Q. When you say another church, you mean
 20 another Cath --
 21 A. Another Catholic church, yes.
 22 Q. Did you hear that or do you just have a
 23 recollection of that being the case?
 24 A. I don't remember seeing them at church.
 25 Q. Were you aware of anyone from the parish

1 saying that they had spoken with the boy about whether
 2 or not he started the fire?
 3 A. No, I don't.
 4 Q. Were there any discussions that you heard
 5 about trying to find out why the boy would have been
 6 accused of starting the fire?
 7 A. No, I don't.
 8 Q. And I just want to make sure I am clear.
 9 You don't recall ever hearing anyone
 10 saying anything to the effect he had been angry at
 11 Father Kelly and started the fire because of that?
 12 A. I had never heard anybody say he was
 13 angry.
 14 Q. And you never heard anyone say that he
 15 started the fire because of Father Kelly?
 16 A. No, I didn't.
 17 Q. Had you ever seen the boy express any
 18 anger towards Father Kelly?
 19 A. Absolutely not.
 20 Q. Had you ever heard or become aware of the
 21 boy ever expressing any anger towards Father Kelly?
 22 A. Not to my knowledge.
 23 Q. Had you ever heard of any altar boy
 24 expressing any kind of anger or fear towards
 25 Father Kelly?

1 A. Never heard, no.
 2 Q. Throughout this deposition, I am going to
 3 be referring at times to childhood sexual abuse and I
 4 want to make sure you and I are on the same page
 5 regarding what I mean when I say childhood sexual
 6 abuse.
 7 Do you understand childhood sexual abuse
 8 to mean the abuse of a child under the age of 18?
 9 A. Yes, I do.
 10 Q. Okay.
 11 And do you draw any distinction between
 12 the sexual abuse of an adolescent under the age of 18
 13 versus the sexual abuse of a preadolescent or younger
 14 child?
 15 A. No, I don't.
 16 Q. Okay.
 17 Aside from anything you may have heard
 18 from your attorneys, have you ever heard that
 19 Father Kelly has been accused of engaging in any kind
 20 of inappropriate conduct with a minor?
 21 A. Never.
 22 Q. When you first arrived there, did you meet
 23 Father Kelly on that first day?
 24 A. Yes, I did.
 25 Q. Kind of go in and check in with the pastor

1 basically?
 2 A. Correct.
 3 Q. And did you sit down with Father Kelly?
 4 Did he describe what your duties would be?
 5 A. No, he didn't.
 6 Q. He simply just said your room is such and
 7 such and sent you to your room and that was it?
 8 MS. YOUNG: Objection. Assumes facts not in
 9 evidence.
 10 THE WITNESS: He just showed me to my room.
 11 MR. HALE: Okay.
 12 Q. And was that upstairs or was that
 13 downstairs?
 14 A. Downstairs.
 15 Q. At first or --
 16 A. At first.
 17 Q. And that was because Father [REDACTED] was
 18 still upstairs?
 19 A. Correct.
 20 Q. Okay.
 21 And so were you in that guest room towards
 22 the back of the rectory?
 23 A. Yes, I was.
 24 Q. Did anyone give you a tour of the parish
 25 property when you first arrived at Our Lady?

1 A. No, they didn't.
 2 Q. Did you go and walk around the parish
 3 property just to see what was there?
 4 A. I am sure I did. I don't remember.
 5 Q. Were you aware of there being a convent of
 6 nuns to the -- if you were facing the church to the
 7 left of the church?
 8 A. Yes, I was.
 9 Q. And who were those nuns?
 10 A. They were Spanish nuns that worked in the
 11 Catholic Charities office.
 12 Q. Okay.
 13 Were you aware of the -- did the convent
 14 have a name to your knowledge?
 15 A. I don't remember seeing a name of a
 16 convent. They were the Sisters of Bethany.
 17 Q. Okay.
 18 While you were -- during your nearly four
 19 years at Our Lady, were you involved in any kind of
 20 storage facility for Our Lady of Guadalupe documents,
 21 for parish documents in other words?
 22 A. No, I wasn't.
 23 Q. Was anyone responsible for maintaining or
 24 storing parish documents to your knowledge?
 25 MS. YOUNG: Calls for speculation.

1 THE WITNESS: With regard to bills --
 2 MR. HALE: Bills --
 3 THE WITNESS. -- and the sacraments being
 4 kept?
 5 Yeah, the secretary would keep the files.
 6 MR. HALE: Okay. All right.
 7 Q. After Father [REDACTED] moved out, did you move
 8 upstairs into his room?
 9 A. Yes, I did.
 10 Q. And where was his room?
 11 A. The room that I moved into was the room at
 12 the top of the stairs.
 13 Q. So you walk up the stairs and is it
 14 immediate --
 15 A. The first room at the top of the stairs.
 16 Q. And did you stay in that same room your
 17 entire time at Our Lady of Guadalupe?
 18 A. Yes, I did.
 19 Q. And Father Kelly was in the bigger -- the
 20 larger living quarters?
 21 A. Yes.
 22 Q. And then Father [REDACTED] and Father [REDACTED]
 23 later had the other living quarters?
 24 A. Correct.
 25 Q. Did anyone ever come and stay in that

1 guest room while you were at Our Lady?
 2 A. I don't remember.
 3 Q. All right. We have been going about an
 4 hour.
 5 Why don't we take a five-minute break.
 6 MS. YOUNG: Okay.
 7 THE VIDEOGRAPHER: The time is 1359.
 8 We are off record.
 9 (Short recess taken.)
 10 THE VIDEOGRAPHER: The time is 1410.
 11 We are back on the record.
 12 Q. BY MR. HALE: Father, we talked about
 13 after the fire there were Masses performed in the
 14 parish hall.
 15 Was Mass ever performed in the rectory
 16 after the fire?
 17 A. No, it wasn't.
 18 Q. And what gave you the impression the boy
 19 was pressured to confess?
 20 A. Because he came from such a good family
 21 and was such a good boy and well respected family, I
 22 didn't believe it.
 23 Q. Okay.
 24 Did you ever hear or become aware of
 25 anything other than your knowledge of his background

1 that led you to believe he was pressured to confess?
 2 A. No.
 3 Q. So your impression of background was based
 4 on just your knowledge of who he was and where he came
 5 from?
 6 A. Correct.
 7 Q. Did anyone ever come to you and tell you
 8 that they were suspicious or there had been a finding
 9 that the fire had in fact been caused by some sort of
 10 electrical wiring problem?
 11 A. No, they didn't. Except the contractor
 12 said it might have.
 13 Q. Okay.
 14 And did you ever share your opinion about
 15 the electrical wiring -- your electrical wiring theory
 16 with anyone?
 17 A. With Father Kelly.
 18 Q. Okay.
 19 And did he agree with your theory?
 20 A. He didn't say one way or another.
 21 Q. Did you share it with anyone else?
 22 A. I don't remember.
 23 Q. Did you tell the fire department or the
 24 police department?
 25 A. No, I didn't.

1 Q. Do you remember there being a reporter
 2 that came out and interviewed people about the fire?
 3 A. I don't remember.
 4 Q. Who was the -- was there a parish
 5 secretary while you were there?
 6 A. Yes, there was.
 7 Q. Who was that?
 8 A. A Mrs. [REDACTED].
 9 Q. And was she there all -- your almost
 10 nearly four years you were there?
 11 A. Yes, she was.
 12 Q. Okay.
 13 Did she ever have an assistant while you
 14 were there?
 15 A. No, she didn't.
 16 Q. Anyone that just helped her out
 17 occasionally?
 18 A. I don't remember.
 19 Q. Do you remember -- did you know any of her
 20 family?
 21 A. Her husband.
 22 Q. Okay.
 23 Did you know any of her children?
 24 A. I met them on vacation.
 25 Q. On vacation?

1 A. Yeah. They were --
 2 Q. Go ahead.
 3 A. As far as I know, there was only just
 4 herself and her husband at home. I don't remember any
 5 other children at home.
 6 Q. Do you remember her having a son named
 7 [REDACTED]?
 8 A. She had a son that was away in college, I
 9 think, at the time.
 10 Q. Okay.
 11 Do you ever remember seeing her son in the
 12 rectory?
 13 A. No, I don't.
 14 Q. Was there a janitor for the rectory or for
 15 the parish?
 16 A. Yes, there was.
 17 Q. Do you remember who that was?
 18 A. I don't remember his name.
 19 Q. More than one person?
 20 A. No. There was one, I think.
 21 Q. Was he Hispanic or Caucasian?
 22 A. He was Hispanic as far as I remember.
 23 Q. Older man? Younger man?
 24 A. Middle-aged.
 25 Q. Same person the entire time you were at

1 Our Lady?
 2 A. I don't remember.
 3 Q. Did you know anyone named [REDACTED]?
 4 A. Yes, there was a [REDACTED].
 5 Q. How did you know [REDACTED]?
 6 A. He used to do odd jobs around the rectory.
 7 Q. And how did you meet him?
 8 A. From working around the rectory.
 9 Q. Okay.
 10 What kind of odd jobs would he do around
 11 the rectory?
 12 A. Some gardening. Maybe some cleaning.
 13 Q. And was he there -- do you recall meeting
 14 him as soon as you arrived at Our Lady or did it
 15 happen later?
 16 A. I don't remember when I first got to know
 17 him.
 18 Q. Okay.
 19 Do you remember how old he was when you
 20 first got to know him?
 21 A. I would say he would be in his twenties.
 22 Q. Did you ever see him upstairs in the
 23 rectory?
 24 A. No, I didn't.
 25 Q. Would you ever see him spending time in

1 the rectory other than when he was doing these odd
 2 jobs?
 3 A. No, I didn't.
 4 Q. When you say odd jobs, what do you mean?
 5 What kind of stuff did he do?
 6 MS. YOUNG: Asked and answered.
 7 THE WITNESS: Pardon?
 8 Q. BY MR. HALE: Can you give me any specific
 9 examples of other things that he would do?
 10 A. No. I think Father Kelly just used to
 11 help him out financially and give him some work to do.
 12 Q. Did Father Kelly tell you he was helping
 13 him out financially?
 14 A. No, he didn't.
 15 Q. What made you form the opinion that
 16 Father Kelly was helping him out financially?
 17 A. Because that's the kind of person he was.
 18 He would help people out who needed help.
 19 Q. But did you see, for instance,
 20 Father Kelly go to Mr. [REDACTED] and say can you do this
 21 job or that job?
 22 A. No, I didn't.
 23 Q. Did you ever become aware of Father Kelly
 24 giving Mr. [REDACTED] money?
 25 A. I don't remember ever seeing it.

1 Q. Or paying him for these odd jobs that he
 2 did?
 3 A. I don't remember.
 4 Q. Anyone ever tell you that Mr. [REDACTED] was
 5 paid money by Father Kelly?
 6 A. No.
 7 Q. Did you ever have any conversations with
 8 Mr. [REDACTED]?
 9 A. Many times.
 10 Q. And did he ever tell you that Father Kelly
 11 had given him money?
 12 A. No, he didn't.
 13 Q. How often would you see him -- would you
 14 see him in the rectory?
 15 A. No, I didn't.
 16 Q. Where would you see him normally?
 17 A. Outside on the grounds.
 18 Q. So these odd jobs would take place outside
 19 of the rectory?
 20 A. Yes.
 21 Q. Okay.
 22 Do you know where he lived?
 23 A. No, I didn't.
 24 Q. Were you ever aware of him spending the
 25 night anywhere on parish grounds?

1 A. No, he didn't.
 2 Q. Were you ever aware of him eating any food
 3 in the rectory?
 4 A. I don't ever remember seeing him.
 5 Q. Do you remember there being a structure of
 6 some sort, a building behind the rectory but between
 7 the parish hall and the rectory?
 8 A. Yes. The garage.
 9 Q. Okay.
 10 But what behind -- farther behind the
 11 garage? Was there a smaller -- smaller building?
 12 A. I don't have a recollection of what it
 13 was.
 14 Q. Okay.
 15 Do you have any recollection of living in
 16 a small building between the rectory and the parish
 17 hall?
 18 A. I don't ever remember any small building
 19 being livable.
 20 Q. Okay.
 21 And when you say the garage, you are
 22 referring to where the cars were parked?
 23 A. Where the cars were parked.
 24 Q. Did the garage face the street?
 25 A. Faced the street, yes.

1 Q. Was there a cook or housekeeper in the
2 rectory while you were there?
3 A. Yes, there was.
4 Q. Who was that?
5 A. There was a Mrs. [REDACTED] was the main cook
6 and there was a lady that used to help out once in a
7 while and I think she used to do Sunday evening
8 dinner. [REDACTED] -- Italian name. I can't think of it
9 now.
10 Q. Was [REDACTED] the one who did the --
11 A. [REDACTED] -- no. [REDACTED] -- [REDACTED], the
12 other -- [REDACTED] was the regular cook. [REDACTED], an
13 Italian name. I cannot remember.
14 Q. But you think she was Italian?
15 A. She was.
16 Q. And she helped out with Sunday meals?
17 A. And occasionally at other times.
18 Q. Were you aware of her helping around the
19 parish with anything other than Sunday meals and the
20 occasional --
21 A. No, she didn't.
22 Q. Were Sunday meals kind of a bigger event
23 or bigger --
24 A. No. They weren't.
25 Q. She just happened to help out on Sundays?

1 A. Yes.
2 Q. Was she paid by the parish to your
3 knowledge?
4 A. I am assuming she was on a salary.
5 Q. Okay.
6 Was she an older woman? Younger woman?
7 Middle --
8 A. Older woman.
9 Q. Okay.
10 Older than [REDACTED]?
11 A. Yes, she was.
12 Q. Did you ever hear [REDACTED] complain about
13 Father Kelly?
14 A. Never.
15 Q. Ever aware of [REDACTED] complaining about
16 Father Kelly?
17 A. Never.
18 Q. Every aware of [REDACTED] saying anything
19 disparaging about Father Kelly?
20 A. No. If -- this is [REDACTED]?
21 Q. Yes.
22 A. No, I never heard her complain.
23 Q. What about Mrs. [REDACTED]? Did you ever
24 hear her complain about Father Kelly?
25 A. Never, never.

1 Q. Ever hear of or become aware of her saying
2 anything disparaging about Father Kelly?
3 A. No, never did.
4 Q. Did the -- did the parish have a
5 maintenance person while you were there?
6 A. Just the maintenance --
7 MS. YOUNG: Asked and answered.
8 Q. BY MR. HALE: Just the what?
9 A. Just the maintenance -- not maintenance,
10 but the janitor we used to call him.
11 Q. Do the same thing?
12 A. Yes.
13 Q. Okay.
14 Did you consider [REDACTED] to be a
15 janitor?
16 A. No, not really.
17 Q. And I'm sorry. Who was the janitor while
18 you were there?
19 A. I don't remember his name.
20 Q. Did the parish have a director of
21 religious education while you there were?
22 A. Just me.
23 Q. Just you.
24 And you were it for the entire time you
25 were there?

1 A. Yes.
2 Q. What about a director of youth ministry?
3 A. No.
4 Q. What were your duties as director of
5 religious education?
6 A. Just to get teachers to teach the children
7 the classes and organize them.
8 Q. Okay.
9 And when you say get the teachers to teach
10 children the classes, are you talking about --
11 A. Parishioners, volunteers.
12 Q. Okay.
13 And when you say classes, you are talking
14 about catechism?
15 A. Catechism classes.
16 Q. Did you select parishioners to teach
17 catechism?
18 MS. YOUNG: Objection. Vague and ambiguous.
19 THE WITNESS: Just whomever I could get to
20 volunteer.
21 MR. HALE: Okay.
22 THE WITNESS: Who would know religion.
23 MR. HALE: Right.
24 MS. YOUNG: So you didn't go out on the
25 street.

1 THE WITNESS: No.

2 Q. BY MR. HALE: Was there anyone at the
3 parish who was responsible for supervising the altar
4 boys while you were there?

5 A. I would train them and give them their
6 assignments, but I don't remember having a schedule as
7 such.

8 Q. Okay.

9 Who was involved or what was involved in
10 training the altar boys?

11 A. Just teaching them how to serve Mass.

12 Q. Did Father Kelly ever assist in the
13 training of the altar boys?

14 A. Not while I was there.

15 Q. And did you train the altar boys in the
16 church, I assume?

17 A. Pardon?

18 Q. Did you train the altar boys in the
19 church?

20 A. Yes. Sorry.

21 Q. Did the rectory have more than one
22 entrance?

23 A. It had a back entrance.

24 Q. Okay.

25 And during your time at Our Lady, was that

1 Q. And what about -- what about -- I assume

2 Mrs. ██████ worked somewhere from around eight to
3 five? Is that the kind of hours she worked?

4 A. Yeah, something like that. I don't
5 remember the exact hours.

6 Q. And what about after hours? If someone
7 rang the door, would one of you --

8 A. One of us would answer the door.

9 Q. Were you ever aware of anyone just walking
10 in the door without ringing first?

11 A. Not that I remember.

12 Q. Okay.

13 Do you know who bought groceries for the
14 parish or for the rectory? I'm sorry.

15 A. As far as I remember, Mrs. ██████ did.

16 Q. Do you know who bought wine for communion?

17 A. That would be ordered and usually
18 delivered by some company.

19 Q. Do you know who placed the order?

20 A. I'm assuming Mrs. ██████.

21 Q. Did you ever communicate to Mrs. -- to
22 anyone that you would need a certain amount of wine
23 each week or each month for communion?

24 A. I don't remember how it was kept track of.

25 Q. Where was communion wine stored?

1 usually locked or unlocked?

2 A. No. It would be unlocked.
3 housekeeper -- unlocked.

4 Q. Unlocked. Okay.

5 Do you remember anyone coming in the back
6 en -- was it used regularly while you there, the back
7 entrance?

8 A. Yeah. The housekeeper would use it a lot.

9 Q. Ever see anyone else come through the back
10 entrance other than the housekeeper?

11 A. Custodian, the janitor.

12 Q. Anyone else come in?

13 A. I don't -- people usually use the front
14 door. I don't remember them coming in unless they
15 were working in the hall?

16 Q. With regards to the front door, was there
17 any kind of policy in place or rule requiring someone
18 to knock before they came in or ring a bell before the
19 came in?

20 A. Ring the doorbell.

21 Q. Okay.

22 And then would -- did Mrs. ██████
23 generally answer the door or anyone available answer
24 the door?

25 A. Whoever was available answered the door.

1 A. As far as I know, it was in the priests'
2 sacristy.

3 Q. Okay.

4 Was there any method of attempt to keep
5 track of how much wine was stored in the sacristy?

6 A. Not -- I don't remember --

7 MS. YOUNG: Don't guess. If you know, you
8 tell him.

9 THE WITNESS: I don't know.

10 Q. BY MR. HALE: Was there any kind of
11 inventory maintained that you know of?

12 A. I don't know.

13 Q. When you would go in to take wine for
14 communion, would you have to indicate what you were
15 taking?

16 A. No.

17 Q. Were you ever aware that Father Kelly
18 owned a cabin in the Santa Ynez mountains?

19 A. I heard he did.

20 Q. And when did you first hear about that?

21 A. Sometime after I came there. I'm not too
22 sure when.

23 Q. Do you think it was within the first year?

24 A. It could have been. Probably was.

25 Q. How did you hear about the cabin?

1 A. I heard somebody mention it.
 2 Q. Did you hear it from another priest?
 3 A. Probably. I'm not too sure.
 4 Q. Were you aware of Father Kelly taking
 5 trips to the cabin?
 6 A. Yes, mm-hmm.
 7 Q. How were you aware of that?
 8 A. When he would go for his overnight or
 9 whenever.
 10 Q. Okay.
 11 How often would he go on overnight trips?
 12 A. I don't remember. I don't know.
 13 Q. Do you recall it being once a month? Once
 14 a week?
 15 A. I don't know what he did on his day off,
 16 whether he went up there or not.
 17 I played golf on my day off. I don't know
 18 what he did.
 19 Q. Okay.
 20 Were you ever aware of him playing golf?
 21 A. Not that I know of.
 22 Q. Okay.
 23 Would he notify you if he was going on an
 24 overnight trip or would you hear from some other
 25 source if he was going on an overnight trip?

1 A. No, he wouldn't notify me.
 2 Q. Okay.
 3 How would you hear about him going to the
 4 cabin?
 5 A. Just if he was going off on his day off
 6 and came back the next morning. That's all.
 7 Q. But would someone -- did he tell you all I
 8 just got back from the cabin?
 9 A. No, he didn't.
 10 Q. So how did you know he was going?
 11 A. I didn't know every time he went. I just
 12 didn't know.
 13 Q. Okay.
 14 But at some point you did become aware
 15 that he was getting in his car and driving to the
 16 cabin for overnight trips?
 17 A. I just knew he had a cabin. I didn't know
 18 when he went.
 19 Q. Okay.
 20 A. He never told me.
 21 Q. But you knew he was taking overnight trips
 22 to the cabin?
 23 MS. YOUNG: Objection. Asked and answered.
 24 THE WITNESS: I assume that when he went away
 25 that he went to the cabin.

1 MR. HALE: Okay.
 2 THE WITNESS: I didn't know for certain. I
 3 was never at it. I didn't know where it was.
 4 MR. HALE: Okay.
 5 Q. So you never went to the cabin?
 6 A. Never.
 7 Q. Did you know anyone who had gone to the
 8 cabin?
 9 A. No, I didn't.
 10 Q. Do you know Father [REDACTED] ?
 11 A. Yes, I do.
 12 Q. Has he ever told you that he had been to
 13 the cabin?
 14 A. I was never talking to him about it.
 15 Q. Okay.
 16 So -- but he never told you that he had
 17 been to the cabin?
 18 A. No, he never told me.
 19 Q. Okay.
 20 Were you aware of Father Kelly sometimes
 21 taking just day trips to the cabin?
 22 A. I was never aware where he went.
 23 Q. But at some point did you become aware he
 24 was taking trips to the cabin though --
 25 A. I didn't --

1 Q. -- whether it was --
 2 A. I didn't know.
 3 Q. Was there a written schedule for Mass
 4 assignments in the rectory?
 5 A. As far as I know, we did have a written
 6 assignment. For the Sunday Masses we did because
 7 there were the two churches.
 8 Q. Okay.
 9 And I assume Father Kelly would prepare
 10 that.
 11 A. He would give us our assignments for the
 12 Masses, yeah, on Sunday.
 13 Q. Did you have a specific time when you
 14 usually performed Mass?
 15 A. No. Whenever he told us.
 16 Q. Do you remember what day of the week the
 17 fire was?
 18 A. I don't.
 19 Q. You said you'd just performed a morning
 20 Mass, right?
 21 A. Correct.
 22 Q. And did you normally perform a morning
 23 Mass only on weekends or sometimes during the week?
 24 A. We had a morning Mass every day.
 25 Q. And did you have a regular assignment in

1 that regard?

2 A. It just would vary.

3 Q. Okay.

4 And on this schedule, was it on a
5 chalkboard? Was it on a piece of paper?

6 A. I don't remember it being -- I don't
7 remember ever having a notice board in the rectory or
8 whether it was just on the stairs or on the wall. I'm
9 not too -- I don't remember.

10 Q. Do you recall if Mrs. ██████ would type
11 out the schedule?

12 A. I don't think she did.

13 Q. Do you recall if it was like on a calendar
14 or was it just a written out assignment of who would
15 handle what?

16 A. I think it was a written out assignment.

17 Q. Okay.

18 Do you recall every seeing Father Kelly's
19 name appear on the schedule and then being crossed
20 out?

21 A. No.

22 Q. Do you recall Father Kelly ever calling
23 from the cabin and saying he wouldn't be able to
24 perform Mass and asking you or Father ██████ or
25 Father ██████ to take his place?

1 THE WITNESS: It would be unusual for a young
2 priest to ask to be changed off Mass.

3 MR. HALE: Okay.

4 Q. Were you ever aware of Father Kelly --
5 well, strike that.

6 Were you ever aware of there being a
7 record player or a stereo anywhere in the rectory?

8 A. I had a record player for a little while.

9 Q. Okay.

10 A. I had a record player. I don't ever
11 remember seeing one in Father Kelly's living room.

12 Q. Okay.

13 Did you ever hear music coming from
14 Father Kelly's living room?

15 A. No, I didn't.

16 Q. What about from Father Kelly's living
17 quarters, his bedroom in other words?

18 A. No, I didn't.

19 Q. I'm sorry.

20 Did you say the communion wine was stored
21 in the sacristy to your knowledge?

22 A. To my knowledge, I think so.

23 Q. Were you aware of any communion wine being
24 stored anywhere within -- in the rectory?

25 A. I don't remember.

1 MS. YOUNG: Objection. Calls for speculation.

2 THE WITNESS: Never asked me.

3 Q. BY MR. HALE: Did you ever hear about him
4 anyone else to do it?

5 A. No, I didn't.

6 Q. Do you every recall him missing a Mass he
7 had been scheduled to perform?

8 A. Not to my knowledge.

9 Q. Did you ever hear about that happening?

10 A. No, I didn't.

11 Q. Do you ever recall him calling from the
12 cabin for any reason?

13 A. No.

14 Q. Did you ever hear about him calling from
15 the cabin for any reason?

16 A. Never, no.

17 Q. Did you ever ask for a change in your Mass
18 assignment?

19 A. Not that I remember.

20 Q. Do you recall any other priest asking for
21 a change or modification to their Mass assignment?

22 A. Not to my knowledge.

23 Q. Would that have been unusual in your
24 experience at Our Lady of Guadalupe?

25 MS. YOUNG: Objection. Calls for speculation.

1 Q. Were you ever aware of there being any
2 alcohol in the rectory?

3 A. Oh, yes. Mm-hmm.

4 Q. Where was that stored?

5 A. I don't know.

6 Q. What kind of alcohol? Are we talking
7 about beer and wine?

8 A. I don't --

9 Q. Hard liquor?

10 A. Liquor. Sometimes Father Kelly would have
11 his priest friends come and they would have a drink
12 before going out to dinner.

13 Q. Okay.

14 When was the first time you recall that
15 happening?

16 A. First time I saw visiting priests there.
17 I don't remember exactly when.

18 Q. Do you know where the liquor was stored?

19 A. I don't.

20 Q. Do you know what kind of liquor was kept
21 in the rectory?

22 A. I don't.

23 MS. YOUNG: Let him finish his question before
24 you answer.

25 Q. BY MR. HALE: Did Father Kelly ever offer

1 you a drink?
 2 A. No, he didn't.
 3 Q. Did anyone in the rectory ever offer you a
 4 drink?
 5 A. No, they didn't.
 6 Q. Did you ever see anyone in the rectory
 7 preparing an alcoholic drink?
 8 A. Yes, I am sure I did.
 9 Q. Where was that at?
 10 A. As far as I know, the only time I ever saw
 11 it would be in Father Kelly's living room when
 12 somebody would be giving a drink to someone.
 13 Q. Do you recall did he have a bar in his
 14 living area?
 15 A. I never saw one.
 16 Q. Did you see bottles of alcohol?
 17 A. I don't remember.
 18 Q. Did you see glasses with what appeared to
 19 you to be alcohol in them?
 20 A. Yes.
 21 Q. What made you think it was alcohol in the
 22 glasses?
 23 A. Because if people are having a drink
 24 before they go out to dinner, I assumed it was.
 25 Q. Did you ever see the drinks poured?

1 A. No, I didn't.
 2 Q. And you never saw -- did you ever see a
 3 bottle of liquor in the rectory?
 4 A. Yes, I did.
 5 Q. And where did you see the bottle --
 6 A. In the living room.
 7 Q. In Father Kelly's living room upstairs?
 8 A. Yes. Where the other visiting priests
 9 would be.
 10 Q. Where in the living room would you see
 11 these bottles of liquor?
 12 A. I don't remember the -- how long ago it
 13 was. I think there was coffee table there or side
 14 table or something. I don't remember.
 15 Q. Do you know if there was a cabinet where
 16 liquor bottles were stored?
 17 A. I never saw it.
 18 Q. Did you ever see liquor bottles in the
 19 garbage cans of the rectory?
 20 A. Never.
 21 Q. Did you ever see Father Kelly have
 22 anything to drink at any time other than when he had
 23 priest friends over?
 24 A. If we were out to dinner.
 25 Q. Okay.

1 Any other times?
 2 A. No.
 3 Q. Were you ever -- I asked you if you just
 4 saw it.
 5 Were you ever aware of Father Kelly having
 6 a drink at any other time other than if you were out
 7 to dinner or when he had priest friends over?
 8 A. I never saw him. I wasn't in his room.
 9 Never saw him having a drink.
 10 Q. But did you ever become aware of him
 11 having a drink? In other words, did someone say --
 12 MS. YOUNG: Objection.
 13 Q. BY MR. HALE: -- that he had a drink?
 14 A. No, I didn't.
 15 MS. YOUNG: Try to wait until he finishes his
 16 question and he will try to wait until you finish your
 17 answer.
 18 THE WITNESS: Right.
 19 Q. BY MR. HALE: Do you recall did you
 20 usually have breakfast in the rectory?
 21 A. Yes, I did.
 22 Q. And when you had breakfast, was it with
 23 the other priests or by yourself usually?
 24 A. Usually by myself.
 25 Q. Okay.

1 Is that because there was a different
 2 schedule for the Masses?
 3 A. Correct.
 4 Q. And what about lunch? Would you usually
 5 have lunch in the rectory?
 6 A. I don't think we had a scheduled time for
 7 lunch.
 8 Q. Did you usually have lunch by yourself?
 9 A. Usually whoever was there would have
 10 lunch.
 11 Q. And what about -- did you usually have
 12 dinner in the rectory?
 13 A. We usually had dinner in the rectory.
 14 Q. Would you have that with the other
 15 priests?
 16 A. Yes, we did.
 17 Q. How often would you go out to dinner with
 18 Father Kelly for dinner?
 19 A. It would depend on whether the housekeeper
 20 would be there or not or whether she was out sick or
 21 she was off on a trip, and on those times we might go
 22 out once or twice in that week. Apart from that, just
 23 occasionally we'd go out for dinner.
 24 Q. Did you ever observe Father Kelly drink to
 25 the point that he appeared to be intoxicated to you?

1 A. Never.
 2 Q. When you would have dinner at the rectory,
 3 did anyone other than your fellow priests eat with you
 4 during your entire time at Our Lady of Guadalupe?
 5 A. I really don't remember any other one
 6 being there for dinner. I don't remember.
 7 Q. During the entire time at Our Lady, do you
 8 remember anyone other than your fellow priests having
 9 any meals with you at the rectory?
 10 A. I don't remember any.
 11 Q. And how often would you eat dinner at the
 12 rectory with Father Kelly or Father [REDACTED] or
 13 Father [REDACTED]?
 14 A. We would have dinner there usually every
 15 day except our day off or if we were going out to
 16 dinner for some reason.
 17 Q. Okay.
 18 And it would just be the priests only?
 19 A. Priests only.
 20 Q. And what would you discuss during dinner?
 21 MS. YOUNG: Objection. Vague and ambiguous.
 22 THE WITNESS: General topics.
 23 MR. HALE: Okay.
 24 Q. For instance, would you discuss the Mass
 25 schedule?

1 A. I don't remember ever discussing Mass
 2 schedules.
 3 Q. Would you discuss scheduling other parish
 4 activities?
 5 A. Not to my knowledge.
 6 Q. Okay.
 7 If there were any problems or
 8 controversies in the parish, would those come up?
 9 A. I am sure they did. I don't remember.
 10 Q. What about do you recall there being any
 11 discussions about complaints from parishioners?
 12 A. No.
 13 Q. Was there any kind of -- do you recall
 14 there being any kind of predinner cocktail before
 15 dinner at the parish with your fellow priests?
 16 A. No, there wasn't.
 17 Q. Were you aware of Father Kelly or Father
 18 [REDACTED] or Father [REDACTED] having a predinner cocktail
 19 before you would have dinner with your fellow priests?
 20 A. No, we didn't.
 21 Q. Were you aware of any of those gentlemen
 22 having a drink with dinner when you had dinner with
 23 them at the rectory?
 24 A. I never saw them having a drink at
 25 dinner.

1 Q. You say you never saw Father Kelly have a
 2 drink at dinner?
 3 A. In the rectory.
 4 Q. Okay. And I'm sorry. That's what I
 5 meant, yes.
 6 A. Yes.
 7 Q. So the only time you saw Father Kelly have
 8 a drink was when he had priest guests in his living
 9 quarters?
 10 A. Correct.
 11 Q. And if you went out to dinner with him?
 12 A. Correct.
 13 Q. Those are the only times?
 14 A. Only times.
 15 Q. Are there any other times when you were
 16 aware of or heard of him drinking?
 17 MS. YOUNG: Objection. Vague and ambiguous.
 18 THE WITNESS: No.
 19 Q. BY MR. HALE: Did you have a car while you
 20 were at Our Lady?
 21 A. Yes, I did.
 22 Q. What kind of car?
 23 A. I think the first car was an old Ford
 24 Fairlane.
 25 Q. Okay.

1 A. It lasted one trip.
 2 Q. What happened?
 3 A. It broke down on the freeway.
 4 Q. What was the next car you had?
 5 A. A Chevy -- not the Impala. The one below
 6 it.
 7 Q. Okay.
 8 A. Cannot remember it now.
 9 Q. Were there three garages or two car spaces
 10 in the -- strike that.
 11 Were there three car spaces or two car
 12 spaces outside the rectory?
 13 A. I don't remember. I know there were -- I
 14 think there were three. I'm not too sure to be
 15 honest.
 16 Q. When you were there did Father [REDACTED] or
 17 Father [REDACTED] have their own vehicles?
 18 A. Yes.
 19 Q. And Father Kelly had his own vehicle?
 20 A. Yes.
 21 Q. Do you remember what Father Kelly drove?
 22 A. No, I don't.
 23 Q. Did you have a specific spot in the garage
 24 that was yours for your vehicle?
 25 A. Usually we kept the same spot.

- 1 Q. Were you aware of a club called the Blue
2 Jackets for boys from the neighborhood?
3 A. Never heard of it.
4 Q. What about the Saint Mary's Boys Club?
5 A. In my time I never heard of it.
6 Q. Okay.
7 A. When I was there, there was no club.
8 Q. Okay.
9 And did the school stay open the entire
10 time you were at Our Lady?
11 A. Yes, it did.
12 Q. Did you have any responsibilities at the
13 school?
14 A. To visit the classrooms, and if I was
15 asked to teach a religion class, to go into a
16 classroom.
17 Q. Anything else?
18 A. That would be basically it.
19 Q. Were you ever aware of anyone being fired
20 from the school while you were there?
21 A. I don't remember anyone being fired.
22 Q. Do you remember who the principal was
23 while you were there?
24 A. I cannot remember her name. I don't
25 remember it now. It's been so long ago.

- 1 Q. Do you remember Sister [REDACTED]?
2 A. [REDACTED], correct. That was the
3 principal.
4 Q. Okay.
5 Did you ever talk with her about
6 Father Kelly?
7 A. I'm sure we did.
8 Q. Did she ever tell you that Father Kelly
9 had called her and sounded drunk to her?
10 A. No, she didn't.
11 Q. Anyone ever call you and tell you that?
12 A. No, they didn't.
13 Q. Was there a vice principal?
14 A. I don't believe so.
15 Q. Did Sister [REDACTED] ever complain to you
16 about Father Kelly?
17 A. No, she didn't.
18 Q. Do you recall how many faculty were
19 assigned to the school while you were at Our Lady?
20 A. I am assuming just the eight classrooms,
21 eight teachers.
22 Q. Do you know how many were lay versus how
23 many were religious?
24 A. I don't.
25 Q. Do you remember there were some lay people

- 1 though who were on the faculty?
2 A. Yes, there were.
3 Q. Do you remember any of their names?
4 A. No, I don't.
5 Q. Do you remember any of the names of any of
6 the sisters?
7 A. No, I don't.
8 Q. Did you teach any classes at the school?
9 A. Not on a regular basis.
10 Q. Were you aware of any of the priests
11 teaching classes at the school?
12 A. Well, Father [REDACTED] would go over and take
13 a class once in a while. Same as I did with religion.
14 Q. Anyone else?
15 A. No.
16 Q. And those were not regular occurrences?
17 A. No.
18 Q. And what would you teach when you went
19 over there?
20 A. Religion.
21 Q. Were you aware of the school having any
22 athletic teams?
23 A. Yes, they did.
24 Q. Were you involved in any of those?
25 A. No. Except sometimes to help taking the

- 1 kids to the games or going to the games.
2 Q. For what sports did you help take kids to
3 the games?
4 A. I'm not too sure what sports there were.
5 The one I do remember is basketball.
6 Q. Were you ever involved in -- why do you
7 remember basketball?
8 A. Because I had a row with the referee, an
9 argument with the referee.
10 Q. Were you coaching?
11 A. No, I wasn't.
12 Q. Just an interested fan?
13 A. Well, I had the priest's collar on.
14 Q. Okay.
15 Do you recall who was coaching the team at
16 the time that happened?
17 A. I don't remember.
18 Q. Were you aware of any other priests
19 helping out with any athletic teams?
20 A. No, there weren't.
21 Q. Do you remember the school having a
22 football time?
23 A. I don't remember.
24 Q. Or a flag football team?
25 A. They probably did, but I don't remember

1 their names or where they played to be honest.
 2 Q. Do you remember where Cabrillo Field was?
 3 A. I have a vague recollection of where it
 4 was.
 5 Q. Do you recall any of the school sports
 6 teams practicing at Cabrillo Field?
 7 A. They -- I don't know to be honest. I
 8 cannot say for certain.
 9 Q. When you say you would help drive certain
 10 teams to games, was it just the basketball team that
 11 you helped with or was it other teams?
 12 A. That's the only game I remember going to.
 13 Q. And where was that game at?
 14 A. It was in Goleta.
 15 Q. Okay.
 16 So did you ever go on any overnight trips
 17 with any of the teams?
 18 A. No.
 19 Q. Were you aware of any other priests going
 20 on any overnight trips with the teams?
 21 A. No.
 22 Q. Did the parish -- not the school, but the
 23 parish have any athletic teams?
 24 A. No, they didn't.
 25 Q. I want to talk to you a little bit about

1 the Sisters of Bethany.
 2 Do you know anything about the history of
 3 that order?
 4 MS. YOUNG: Objection. Calls for speculation.
 5 THE WITNESS: No, I don't.
 6 Q. BY MR. HALE: Did you know any of the nuns
 7 at the Sisters -- that were sisters of Bethany while
 8 you were there?
 9 A. I knew the sisters that were there at the
 10 time.
 11 Q. Who were they? Who was there while you
 12 were there?
 13 A. The only one I remember is one that I
 14 think is still there because I met her two years ago
 15 is Sister [REDACTED].
 16 Q. Okay.
 17 Anyone else that you remember?
 18 A. No, I don't.
 19 Q. When was the last time you spoke to
 20 Sister [REDACTED]?
 21 A. I think it was maybe three or four years
 22 ago.
 23 Q. Okay.
 24 And where did that meeting take place?
 25 A. At the Cathedral.

1 Q. Okay.
 2 And --
 3 A. I think it was. I'm not certain.
 4 Q. Okay.
 5 What cathedral?
 6 A. Our Lady of the Angels here in
 7 Los Angeles.
 8 Q. Okay.
 9 Did you both discuss the fact that you had
 10 been assigned to Our Lady?
 11 A. We just talked about we were happy to see
 12 each other and renew acquaintance again.
 13 Q. Okay.
 14 Did you know her while you were assigned
 15 to Our Lady of Guadalupe?
 16 A. Yes, I did.
 17 Q. And was she there the entire time you were
 18 at Our Lady of Guadalupe?
 19 A. As far as I know she was.
 20 Q. And what was your understanding of what
 21 her duties and responsibilities were at that time?
 22 A. She worked for Catholic Charities.
 23 Q. Okay.
 24 Anything else?
 25 A. Not that I remember.

1 Q. Okay.
 2 Did you know any of the other sisters?
 3 A. Not their names, no.
 4 Q. Do you know who the Mother Superior was
 5 while you were at Our Lady?
 6 A. No, I don't.
 7 Q. Do you know if there was a Mother Superior
 8 in that house while you were there?
 9 A. No, I don't.
 10 Q. Your counsel is probably going to instruct
 11 you not to answer this question.
 12 I am going to make my record. I will ask
 13 my question. You can make your record and then we
 14 will go about our business?
 15 Do you understand the difference between
 16 a -- well, do you know what a Religious Institute of
 17 Pontifical Right is?
 18 MS. YOUNG: Objection. Calls for expert
 19 testimony and he's here as a fact witness.
 20 I am going to instruct him not to answer.
 21 MR. HALE: Okay.
 22 And just for the record, I recognize that
 23 he's a fact witness and he may very well have no
 24 knowledge of what either of these two institutes are,
 25 but given that, I am just making my record. We are

1 not trying to argue.

2 Given that your clients are going to take
3 the position, I am sure, that they are not in any way
4 connected to the Sisters of Bethany, I think we have
5 got a right to explore what, if anything, these
6 gentlemen know about the sisters' relationship with
7 the Archdiocese, with the Archbishop, and these two
8 institutes have direct correlation to whether or not
9 there is some kind of relationship between the
10 Archdiocese and the Archbishop. So the point of the
11 question is to try and flush out whether there is an
12 agency relationship or not, so I think this is --

13 MS. YOUNG: You may or may not --

14 MR. HALE: Let me finish.

15 MS. YOUNG: Okay. Sorry.

16 MR. HALE: So I think this is a question
17 directed towards discoverable evidence.

18 Anyways, go ahead.

19 MS. YOUNG: That may or may not be the case,
20 but you are asking the wrong witness. So this witness
21 isn't here to testify about that. And if you want
22 somebody to testify about that, you can notice the
23 person most knowledgeable and then we can decide
24 whether or not it's proper for you to get that
25 testimony.

1 MR. HALE: I disagree that I have to notice a
2 person most knowledgeable first before I can ask this
3 question of this witness. If he knows, he knows. If
4 he doesn't, he doesn't. And if somehow inappropriate
5 testimony is elicited, certainly you would be well
6 within your right to file a motion in limine before
7 trial to stop this testimony from coming in.

8 Anything else?

9 MS. YOUNG: I don't have any other record to
10 make with you.

11 MR. HALE: Okay.

12 MS. YOUNG: I am instructing the witness not
13 to answer.

14 MR. HALE: Okay.

15 I am going to ask the same question or a
16 similar question.

17 Q. Do you know what a Diocesan Institute of
18 Consecrated Life is?

19 MS. YOUNG: Objection. Calls for expert
20 testimony.

21 This is not the proper witness to ask and
22 I am going to instruct him not to answer.

23 MR. HALE: And I would just incorporate by
24 reference my comments that preceded or followed the
25 preceding question as well.

1 MS. YOUNG: And I will incorporate my response
2 to your comments.

3 MR. HALE: Okay.

4 MS. YOUNG: Thank you for not screaming like
5 you did the last time.

6 MR. HALE: I did not scream. I have never
7 screamed at you, Bless.

8 Q. Did any of the sisters ever help with Mass
9 at Our Lady? The Sisters of Bethany that is.

10 A. Not to my knowledge.

11 Q. Did you ever see or were you ever aware or
12 ever hear about any of the Sisters of Bethany doing
13 any work in the rectory?

14 A. No, I didn't.

15 Q. Did you ever hear or become aware of any
16 of the Sisters of Bethany teaching catechism?

17 A. I don't remember them teaching catechism
18 at our facility.

19 Q. Do you remember them teaching catechism at
20 another facility?

21 A. I don't remember. I don't know.

22 Q. Okay.

23 Did you ever hear about or become aware of
24 them attending or being involved in PTA meetings?

25 A. Sisters of Bethany?

1 Q. Yes, Sisters of Bethany.

2 A. No, I never heard of it.

3 Q. Did you ever attend any PTA meetings?

4 A. I don't believe we had them.

5 Q. Okay. Fair enough.

6 Were you ever aware of -- did you ever
7 hear of or become aware of any of the sisters doing
8 any other work around the parish? I should say any
9 work around the parish.

10 MS. YOUNG: Objection. Vague and ambiguous.

11 THE WITNESS: Just apart from their Catholic
12 Charities work.

13 MR. HALE: Okay.

14 Q. Anything other than that?

15 A. No.

16 Q. Did you have an understanding of where the
17 Catholic Charities work they did took place?

18 A. Well, they worked at the office down on
19 Haley Street and I think that they used to visit homes
20 to help people.

21 Q. What was your understanding of their work
22 for Catholic Charities if you have one?

23 MS. YOUNG: Objection. Calls for speculation.

24 MR. HALE: You can answer.

25 A. I don't know what their work was exactly.

1 I was often in the building, but I would just say
2 hello.

3 Q. When you say in the building, you mean the
4 Catholic Charities --

5 A. Catholic Charities building.

6 Q. Why would you often be in the building?
7 A. To visit the priest who was there.

8 Q. Okay.
9 And who was the priest that was there
10 while you were there?

11 A. Father [REDACTED].

12 Q. And was he the director of Catholic
13 Charities for that area the entire time you there?

14 A. Yes, he was.

15 Q. Okay.
16 And he had an office in that building?

17 A. Yes, he did.

18 Q. And how often would you visit him there?
19 Once a week? Once a day? Once a month?

20 A. Oh, maybe once a month, once every two
21 months.

22 Q. Did you have any understandings as to how
23 often he would be in the office in Santa Barbara?

24 MS. YOUNG: Objection. Calls for speculation.
25 THE WITNESS: I don't remember his schedule.

1 I think he worked at the office in Oxnard
2 too. I am pretty sure he did.

3 Q. BY MR. HALE: Was it your understanding
4 that he split time between the Oxnard location and the
5 Santa Barbara location?

6 MS. YOUNG: Calls for speculation.
7 THE WITNESS: I think he did.
8 MR. HALE: Okay.

9 Q. Did he ever tell you that he was only
10 working part-time in the Santa Barbara office?

11 A. No.

12 Q. Do you know where he was in residence
13 during that time?

14 A. I don't remember to be honest.

15 Q. When was the last time you spoke to
16 Father -- he's a monsignor now, isn't he?

17 A. He's deceased.

18 Q. [REDACTED]?

19 A. Correct.

20 Q. I'm thinking of [REDACTED].
21 Do you know Father [REDACTED] from Oxnard,
22 [REDACTED]?

23 A. Yes, I do.

24 Q. How do you know him?
25 A. We went to the same seminary and I have

1 met him because I know most of the priests in the
2 diocese.

3 Q. You attended the seminary in Ireland
4 together?

5 A. Not together, no.

6 Q. So you weren't in the same class year?
7 A. No.

8 Q. But were you ever at the seminary at the
9 same time he was?

10 A. No.

11 Q. Okay.
12 Was he before or after you?

13 A. He was before me.

14 Q. Okay.
15 Do you know where he was assigned while
16 you were at Our Lady of Guadalupe in Santa Barbara?

17 A. He was a chaplain, I think, in the navy.

18 Q. Okay.
19 Has he ever spoken to you about
20 Father Kelly?

21 A. No, he didn't.

22 Q. Did he ever tell you that he was assigned
23 to a committee to investigate Father Kelly?

24 A. No, he didn't.
25 MS. YOUNG: Objection. Lacks foundation,

1 assumes facts not in evidence.

2 Q. BY MR. HALE: Have you ever heard or
3 become aware that he was part of any kind of
4 investigation of Father Kelly?

5 MS. YOUNG: Same objection.
6 THE WITNESS: No.

7 Q. BY MR. HALE: And you never discussed
8 Father Kelly with him?

9 A. No.

10 Q. You know what the Legion of Mary is?
11 A. Yes, I do.

12 Q. What's your understanding of the Legion of
13 Mary?

14 A. It's an organization that was founded in
15 Ireland I do believe.

16 Q. Okay.
17 And was there -- do they have -- a branch
18 the right word or --

19 A. A group.
20 Q. A group?
21 A. Mm-hmm.

22 Q. Was there a group at our Lady of Guadalupe
23 while you were there?

24 A. We had a number of groups.
25 Q. Okay.

1 And was the Legion of Mary one of them?
 2 A. We had a number of Legion of Mary groups.
 3 Q. Could you explain that to me. How could
 4 there be a number of Legion of Mary groups?
 5 A. Because we had -- if you had a large
 6 number of people that wanted to be involved, you would
 7 have two different groups.
 8 Q. Okay.
 9 A. And I think there were two groups in the
 10 parish.
 11 Q. And were the groups generally made -- were
 12 they made up of parishioners?
 13 A. Parishioners.
 14 Q. And where were -- were there two groups
 15 you said while you were at Our Lady?
 16 A. I think there were two.
 17 Q. And do you know where they would meet
 18 generally? In the parish hall perhaps?
 19 A. I'm not sure where we met, whether it was
 20 a schoolroom like the library or a parish hall.
 21 Q. Okay.
 22 And you say where we met. Would the
 23 priests be involved in meetings?
 24 A. I was involved.
 25 Q. What was the nature of your involvement?

1 A. I was their spiritual director.
 2 Q. Were you spiritual director for both of
 3 the two groups?
 4 A. Yes, I was.
 5 Q. And were Sisters of Bethany involved in
 6 either group of the Legion of Mary in any way?
 7 A. To my knowledge I don't think so.
 8 Q. How were the two groups split up? For
 9 instance, was one an English speaking group and one a
 10 Spanish speaking group?
 11 A. No. As far as I know, they were both
 12 English speaking. One might have -- we might have had
 13 a junior legion which would be younger or children
 14 from the school or religious education who wanted to
 15 do service work.
 16 Q. Okay.
 17 And as the spiritual director for these
 18 groups, what kind -- how did you give them -- what was
 19 your role? What worked? How did you help them?
 20 A. The meeting had a specific agenda flow to
 21 it. You followed the normal meeting agenda. And I
 22 think where the other group came in was the other
 23 church up on the Mesa. I think I had a group up
 24 there.
 25 Q. Holy Cross?

1 A. Holy Cross. And I attended all the
 2 meetings.
 3 Q. And who -- was there a leader of the
 4 groups generally?
 5 A. Yeah. There would be a president.
 6 Q. And that person, I assume, would lead the
 7 meetings?
 8 A. Correct.
 9 Q. And what would your role be in the
 10 meetings?
 11 A. To lead some of the prayers and usually to
 12 give a little spiritual talk to them.
 13 Q. Okay.
 14 And what was the -- what was the purpose?
 15 What was the goal of these groups? What were they
 16 trying to accomplish?
 17 A. The goal was for spiritual growth for the
 18 members and to follow a certain prayer schedule and
 19 also to do service work --
 20 Q. What was the nature -- sorry. Go ahead.
 21 What was the nature of the service work?
 22 A. To visit homes, talking to the people
 23 about going to church, about their children needing
 24 catechism.
 25 Q. Okay.

1 A. About encouraging them to send their
 2 children to Mass, to go to Mass themself.
 3 Q. Okay.
 4 So it was kind of reaching out --
 5 A. It was a spiritual organization.
 6 Q. Reaching out to sheep who had left the
 7 flock so to speak?
 8 MS. YOUNG: Objection. Misstates testimony.
 9 Q. BY MR. HALE: Is that inaccurate?
 10 A. They would usually visit every home on the
 11 block, on a given block.
 12 Q. Okay.
 13 Trying to get people to go to church
 14 basically?
 15 A. Just to visit, get to know them and then
 16 find out their situation.
 17 Q. Okay.
 18 Were there discussions during these
 19 meetings of specific families who needed guidance in
 20 being brought back into the church?
 21 A. I don't remember us having discussion at
 22 the meetings. They would give me names of people that
 23 they would want me to visit after they visited.
 24 Q. And did you make those visits?
 25 A. Yes.

1 Q. Do you remember the names of any of the
2 people you visited?
3 A. No.
4 Q. Did you ever -- now aside from going to
5 visit Father ██████, did you ever do any work with
6 Catholic Charities?
7 A. No, I didn't.
8 Q. And was it known as Catholic Charities
9 then or Catholic Welfare?
10 A. I think they were both the same at the
11 time.
12 Q. Same thing?
13 A. I think so.
14 Q. Were there any other priests to your
15 knowledge who were doing work at Catholic Welfare
16 while you were at Our Lady of Guadalupe?
17 A. No, there weren't.
18 Q. There was just Father ██████?
19 A. Correct.
20 Q. And some of the Sisters of Bethany?
21 A. Correct.
22 Q. Did you know anyone else who worked at
23 Catholic Welfare?
24 A. I knew one of the people there that
25 worked. She was a parishioner. I think her name was

1 ██████ or something -- excuse me. No. ██████
2 ██████ works with Catholic Charities now. ██████ -- I
3 can't remember to be honest.
4 Q. Okay.
5 A. She was a parishioner. She was a social
6 worker.
7 Q. And what was your understanding of the
8 kind of work that Catholic Charities was performing
9 while you were at Our Lady of Guadalupe?
10 A. About attending to some of the material
11 needs of people, helping them as far as I know and
12 social work, guidance.
13 Q. And did you have an understanding as to
14 whether that work was often directed towards
15 Our Lady parishioners or just to anyone who needed it?
16 MS. YOUNG: Objection. Calls for speculation.
17 THE WITNESS: Anyone in Santa Barbara.
18 Q. BY MR. HALE: Did you know
19 Sister ██████?
20 A. I don't remember.
21 Q. Okay.
22 Did Sister ██████ ever tell you that she
23 received any complaints about Father Kelly?
24 A. No, she didn't.
25 Q. Did she ever tell you that anyone

1 expressed concern about Father Kelly taking boys to
2 the cabin?
3 MS. YOUNG: Objection. Assumes facts not in
4 evidence.
5 THE WITNESS: No, she didn't.
6 MR. HALE: Okay.
7 Q. Did anyone ever tell you that they had
8 received any kind of complaints about Father Kelly?
9 A. Regarding...
10 Q. Anything.
11 A. Sure there would be complaints, complaints
12 about all of us.
13 You know sometimes we wouldn't always
14 satisfy somebody or mightn't give somebody -- let them
15 do what they wanted to do, those kind -- the normal
16 complaints.
17 Q. Okay.
18 So it was not uncommon for a priest in
19 your experience to be complained about by some grumpy
20 parishioner?
21 A. Even good parishioners complain when we do
22 things or say things wrong
23 Q. Did people ever complain about you to your
24 knowledge?
25 A. Surely.

1 Q. What kind of things did they complain
2 about?
3 A. Well, if I wouldn't allow them to have a
4 baptism or a wedding on a day they couldn't have it
5 or like that or --
6 Q. Okay.
7 What else?
8 A. Sometimes I might have shouted too loudly
9 at somebody.
10 Q. Okay.
11 Anything else?
12 A. I don't remember.
13 Oftentimes they don't tell you, the person
14 themselves.
15 Q. Okay.
16 Do you recall any specific complaints
17 about Father Kelly?
18 A. I don't remember any specific ones to be
19 honest.
20 Q. Any general complaints?
21 A. No. He was very well respected with
22 regard to Masses and funerals. He was always good at
23 them.
24 Q. Okay.
25 Did --

1 A. Might be that his homily was too long
2 sometimes.
3 Q. His what?
4 A. Might be that his sermon was too long. I
5 don't remember.
6 Q. Did Sister [REDACTED] ever tell you that any
7 parents had expressed concerns about Father Kelly to
8 her?
9 MS. YOUNG: Objection. Lacks foundation,
10 assumes facts not in evidence.
11 THE WITNESS: No, she didn't.
12 MR. HALE: Okay.
13 Q. Did anyone ever tell you that a parent had
14 expressed to them concerns about Father Kelly?
15 A. No, they didn't.
16 Q. Did you hear or become aware of a parent
17 expressing concerns about Father Kelly?
18 A. No.
19 Q. Other than Sister [REDACTED], are you aware
20 of or do you know of any other Sisters of Bethany who
21 are alive today but who were assigned to Our Lady or
22 next to Our Lady before 1973?
23 A. No, I didn't.
24 Q. And the same question regarding the
25 Sisters of Notre Dame.

1 First of all, do you understand that the
2 Sisters of Notre Dame were the nuns who worked at the
3 school?
4 A. Yes.
5 Q. And are you aware of any Sisters of Notre
6 Dame who were assigned to Our Lady before 1973 who are
7 still alive today?
8 A. I don't.
9 Q. You are not in contact with any of them?
10 A. No, I am not.
11 THE VIDEOGRAPHER: Counsel, I need to take a
12 quick time out.
13 MR. HALE: Sure.
14 THE VIDEOGRAPHER: Time is 1502.
15 We are off the record ending tape number
16 one.
17 (Short recess taken.)
18 THE WITNESS: Time is 1507.
19 We are back on the record beginning tape
20 number two.
21 Q. BY MR. HALE: Father, were you ever aware
22 of or did you ever become aware of or hear of
23 Father Kelly giving any instructions to any Sister of
24 Bethany?
25 A. No.

1 Q. Were you ever aware of any priests in your
2 diocese giving instructions or orders to a Sister of
3 Bethany?
4 MS. YOUNG: Calls for speculation.
5 THE WITNESS: I don't know.
6 MR. HALE: Okay.
7 Q. Did you consider the Sisters of Bethany to
8 be employees of the Archdiocese?
9 MS. YOUNG: Objection. Calls for speculation,
10 not calculated to lead to the discovery of admissible
11 evidence.
12 I am going to instruct the witness not to
13 answer.
14 MR. HALE: All right. Well, I mean I think
15 it's definitely calculated to lead to the discovery of
16 admissible evidence.
17 MS. YOUNG: What difference does it make what
18 he considered? He doesn't, you know.
19 MR. HALE: He's a priest in the Archdiocese.
20 He might know. He might not. He might not have an
21 opinion. Who knows. But I think we are entitled to
22 ask that is the point.
23 If you are going to instruct not to
24 answer, I will simply incorporate all the points I
25 made regarding why that other question about

1 Pontifical Institute versus Diocesan Institute is
2 relevant. Again, you guys are going to take the
3 position that notice to the nuns is not notice to your
4 clients. I think it's not only relevant but critical
5 to my clients' ability to discover their cases but...
6 MS. YOUNG: I will incorporate my response.
7 MR. HALE: We will let Judge Fromholz figure
8 this one out.
9 Are there any other objections you want to
10 put on other than what you already said?
11 MS. YOUNG: You asked him whether he considers
12 them employees and my objection is calls for expert
13 testimony and calls for speculation.
14 MR. HALE: Okay.
15 MS. YOUNG: And the other objections that I
16 had listed, not calculated --
17 MR. HALE: Right.
18 MS. YOUNG: -- to lead to the discovery of
19 admissible evidence.
20 Q. BY MR. HALE: Had anyone -- have you ever
21 heard or has anyone ever told you that the Sisters of
22 Bethany were employees of the Archdiocese of
23 Los Angeles?
24 A. No.
25 Q. Do you have an opinion in that regard?

1 MS. YOUNG: Same objection. Asked and
 2 answered and I am going to instruct him not to answer.
 3 MR. HALE: I will incorporate my prior
 4 discussion in that regard.
 5 Q. Do you have any understanding as to
 6 whether the Sisters of Bethany were subject to
 7 Father Kelly's control while he was pastor while you
 8 were at Our Lady of Guadalupe?
 9 MS. YOUNG: Objection. Vague and ambiguous.
 10 THE WITNESS: I don't think they were.
 11 MR. HALE: Okay.
 12 Q. Do you have any understanding as to
 13 whether they were subject to the Archbishop's control
 14 while you were at Our Lady of Guadalupe?
 15 MS. YOUNG: Calls for speculation.
 16 THE WITNESS: I don't know.
 17 MR. HALE: Okay.
 18 MS. YOUNG: I want to add one more objection
 19 to my prior objection where I instructed him not to
 20 answer as to whether they were employees. It calls
 21 for a legal conclusion.
 22 Q. BY MR. HALE: I'll represent to you that
 23 if you look in the Catholic directories for the time
 24 period when you were in -- at Our Lady of Guadalupe
 25 there is no reference to there being a convent in

1 Santa Barbara next to Our Lady of Guadalupe.
 2 Do you have any idea why that would be?
 3 A. No, I don't.
 4 Q. Did Father -- do you know Father [REDACTED],
 5 [REDACTED]?
 6 A. I knew of him.
 7 Q. Did he ever spend any time at Catholic
 8 Charities while you were in Santa Barbara to your
 9 knowledge?
 10 A. Not Father [REDACTED].
 11 Q. How about Father [REDACTED], [REDACTED]?
 12 A. No.
 13 Q. Father [REDACTED], [REDACTED]?
 14 A. No.
 15 Q. Father [REDACTED], [REDACTED]?
 16 A. No.
 17 Q. Father [REDACTED], [REDACTED]?
 18 A. No.
 19 Q. Father -- I am going to mispronounce this
 20 one -- [REDACTED], [REDACTED]?
 21 A. No.
 22 Q. Did I pronounce that right?
 23 A. Yeah.
 24 Q. Do you know who [REDACTED] is?
 25 A. Yes, I do.

1 Q. Who is that? Is he a priest?
 2 A. Yes. There are two -- no, there aren't.
 3 [REDACTED] is with Catholic Charities now.
 4 Q. But is he a priest?
 5 A. He is.
 6 Q. Is he related to [REDACTED]?
 7 A. No, he's not.
 8 Q. He's not [REDACTED] though, is he?
 9 A. No.
 10 Q. Different person, correct?
 11 A. Different.
 12 Q. Okay.
 13 A. That's why I...
 14 Q. And he's a priest in the Archdiocese of
 15 Los Angeles?
 16 A. Yes, he is.
 17 Q. Were you ever aware that Father Kelly
 18 being in residence with the Sisters of Nazareth here
 19 in Los Angeles at Nazareth House?
 20 A. I didn't know he was.
 21 Q. Okay.
 22 And with regard to the Sisters of
 23 Notre Dame, you were not in touch with any of them,
 24 correct? You don't any of them --
 25 A. No, I don't.

1 Q. I know I asked you about the cabin. But
 2 what about just -- how often were you aware of
 3 Father Kelly being away from the parish overnight?
 4 Was it a regular occurrence while you were at Our Lady
 5 of Guadalupe?
 6 MS. YOUNG: Objection. Vague and ambiguous.
 7 Q. BY MR. HALE: And I am not talking about
 8 just trips to the cabin. I know you don't know where
 9 he was going. But how often were you aware of him
 10 being away for more than one -- for a night?
 11 A. I --
 12 MS. YOUNG: Same objection. Calls for
 13 speculation.
 14 THE WITNESS: I don't remember.
 15 Q. BY MR. HALE: Do you remember if it was
 16 once a month? Once a week?
 17 MS. YOUNG: Same objection.
 18 You can answer.
 19 THE WITNESS: I don't remember.
 20 MR. HALE: Okay.
 21 Q. Aside -- excluding your time at Our Lady
 22 of Guadalupe, have you ever been aware at any of your
 23 other assignments of priests taking overnight trips on
 24 weekly or at least monthly basis? Or weekly or
 25 monthly frequency I should say.

1 A. Oh, yes.
 2 Q. That's not an uncommon occurrence in your
 3 experience?
 4 A. No, not, hmm-mm
 5 Q. Okay.
 6 At any of your assignments other than
 7 Our Lady of Guadalupe, were you ever aware of any
 8 priests owning property away from the parish?
 9 A. Yes.
 10 Q. Is that a common or an uncommon
 11 occurrence?
 12 A. And --
 13 MS. YOUNG: Vague and ambiguous.
 14 You can answer.
 15 THE WITNESS: Fairly common.
 16 Q. BY MR. HALE: Were you aware of priests
 17 owning vacation homes away from a parish?
 18 A. Yes.
 19 Q. How many other priests have you been aware
 20 of who owned vacation homes away from the parish?
 21 A. I don't know. Quite a few.
 22 Q. More than 10?
 23 A. Yes. Mm-hmm.
 24 Q. Did you ever see Father Kelly with a
 25 camera while you were at Our Lady of Guadalupe?

1 A. No, I didn't.
 2 Q. Did you care about or become aware of him
 3 owning a camera while you were at Our Lady of
 4 Guadalupe or afterwards?
 5 A. Not to my knowledge.
 6 Q. Did you ever spend any time in his living
 7 quarters in that living room area?
 8 A. Occasional visits. Maybe a couple times
 9 for something special on television.
 10 Q. Okay.
 11 Did he have a TV in that --
 12 A. He did.
 13 Q. Did you ever spend any time in his
 14 bedroom?
 15 A. Never was inside.
 16 Q. Never stepped foot in it?
 17 A. Never.
 18 Q. Know anyone who ever stepped foot in his
 19 bedroom?
 20 A. Maybe the housekeeper to clean it.
 21 Q. Okay.
 22 Were you ever aware of Father Kelly owning
 23 any photo albums?
 24 A. No.
 25 Q. Did you ever hear about him owning any

1 photo albums?
 2 A. No.
 3 Q. Did you ever hear about or become aware of
 4 him developing film at the parish somewhere?
 5 A. No.
 6 Q. During your time at Our Lady was it common
 7 or uncommon to see boys under the age of 18 inside the
 8 rectory?
 9 MS. YOUNG: Objection. Vague and ambiguous,
 10 calls for speculation.
 11 Q. BY MR. HALE: Let me ask you this. Did
 12 you ever see boys under the age of 18 inside the
 13 rectory?
 14 A. I am sure that, you know, boys came in --
 15 several might come in for something or kids come in
 16 with parents, but I'm not too sure what your
 17 question -- I don't fully understand it.
 18 Q. Did you see boys under the age of 18
 19 inside the rectory while you were at Our Lady of
 20 Guadalupe anywhere?
 21 A. Yes, I would if kids came in with their
 22 parents or something.
 23 Q. What about just kids without any parents?
 24 A. I don't ever remember seeing them come in.
 25 Q. Did you ever counsel any children under

1 the age of 18 inside the rectory?
 2 A. To my knowledge I don't remember ever
 3 counseling anyone under that age.
 4 Q. What about Father [REDACTED]? Were you ever
 5 aware of him doing that?
 6 MS. YOUNG: Objection. Calls for speculation.
 7 You can answer.
 8 THE WITNESS: Don't remember.
 9 The only one I can think of is somebody
 10 under 18 coming in to get married.
 11 Q. BY MR. HALE: What about Father [REDACTED]?
 12 Were you ever aware of him counseling anyone under the
 13 age of 18 that has been in the --
 14 MS. YOUNG: Same objection.
 15 THE WITNESS: Don't know.
 16 Q. BY MR. HALE: What about Father Kelly?
 17 Same question.
 18 THE WITNESS: Don't remember.
 19 MS. YOUNG: Same objection.
 20 Q. BY MR. HALE: Did you ever see any boys
 21 under the age of 18 upstairs in the rectory?
 22 A. No, I didn't
 23 MS. YOUNG: Same objection.
 24 Q. BY MR. HALE: Did you ever hear of or
 25 become aware of boys under the age of 18 upstairs in

1 the rectory?
 2 A. No.
 3 Q. Did you ever hear of or become aware of
 4 any children under the age of 18 upstairs in the
 5 rectory?
 6 A. To my knowledge, no.
 7 Q. Were there any rules while you were at
 8 Our Lady of Guadalupe prohibiting children under the
 9 age of 18 to be upstairs in the rectory?
 10 A. No.
 11 Q. Were there any rules while you were at
 12 Our Lady of Guadalupe prohibiting children under the
 13 age of 18 from being inside a priest's living
 14 quarters?
 15 A. Not to my knowledge.
 16 Q. Did you ever see boys under the age of 18
 17 in the company -- spend any time or in the company of
 18 Father Kelly?
 19 MS. YOUNG: Objection. Calls for speculation.
 20 THE WITNESS: I didn't know all their ages.
 21 The boys that I used to see around there I always
 22 believed that they were out of school and over 20.
 23 Q. BY MR. HALE: Did you ever see any boys
 24 with Father Kelly who appeared to you to be under the
 25 age of 18 or at least possibly under the age of 18?

1 MS. YOUNG: Calls for speculation.
 2 THE WITNESS: I couldn't say exactly their
 3 age, but they never seemed to be that, under 18.
 4 Q. BY MR. HALE: But you did see some males
 5 spending time with Father Kelly.
 6 A. Yes.
 7 Q. And you never confirmed their age?
 8 A. No.
 9 Q. Is it possible some of them were under the
 10 age of 18?
 11 MS. YOUNG: Objection. Calls for speculation.
 12 Anything is possible.
 13 THE WITNESS: In my judgment I didn't believe
 14 they were.
 15 MR. HALE: Okay.
 16 Q. Where would you see these boys spending
 17 time with Father Kelly?
 18 A. Sometimes they would come around the
 19 rectory.
 20 Q. And would they come into the rectory or
 21 would he go outside?
 22 A. Sometimes they would.
 23 Q. Okay.
 24 And was the understanding they were coming
 25 to see Father Kelly?

1 A. Yes.
 2 Q. And were they Hispanic boys or Caucasian
 3 boys?
 4 A. As far as I know, they were all Hispanic.
 5 Q. Okay.
 6 And were you ever aware of any of those
 7 boys going upstairs?
 8 A. Yes. I caught one of them.
 9 Q. You caught one of them?
 10 A. Coming out of my room with -- from my
 11 property.
 12 Q. He had stolen something from your room?
 13 A. Yes.
 14 Q. Do you know who that boy was?
 15 A. I don't remember his name.
 16 Q. What did you do when you caught him?
 17 A. Asked him -- no. I'm only teasing. I
 18 know what I wanted to do with him. I asked him who
 19 gave him permission to take my camera.
 20 Q. So he had your camera?
 21 A. He had my camera.
 22 Q. And what did he tell you?
 23 A. He told me that he was given permission by
 24 Father Kelly to come in.
 25 And I said to my camera (sic)?

1 And that's when he threw it at me and
 2 started running out.
 3 Q. And how old did this boy appear to you to
 4 be?
 5 A. I would say he was probably in his early
 6 twenties. He was big, if not bigger than I was.
 7 Q. Okay.
 8 And was this when you first got to
 9 Our Lady or later?
 10 A. No. It was -- I'm not too sure exactly
 11 the time period, but I think it was probably at least
 12 my second or third year there.
 13 Q. And did you talk to Father Kelly about
 14 what had happened?
 15 A. Yes, I did.
 16 Q. And what did Father Kelly say in response?
 17 A. He told him he didn't give him permission
 18 to enter the rectory.
 19 Q. Do you know if he ever talked to that boy?
 20 MS. YOUNG: Calls for speculation.
 21 THE WITNESS: Don't know.
 22 About the incident?
 23 MR. HALE: Yeah.
 24 THE WITNESS: I don't know.
 25 MR. HALE: Okay.

1 Q. How was it -- did you know that he was in
2 your room or did you just happen to go upstairs at the
3 time?

4 A. No. I was waiting for a wedding rehearsal
5 and they hadn't showed up and I came out to the front
6 door of the church and I saw a shadow in my room
7 window which faced the church and I rushed over.

8 Q. Okay

9 Was that the only time that you saw one of
10 these males that appeared to be over the age of 20 or
11 around that age upstairs in the rectory?

12 A. I don't remember seeing any of the others
13 come upstairs.

14 Q. Okay.

15 Did you ever see anyone in Father Kelly's
16 living quarters other than Father Kelly?

17 A. No, I didn't.

18 MS. YOUNG: By living quarters, you are
19 referring to the bedroom or the living room and the
20 bedroom?

21 MR. HALE: The living room and the bedroom.

22 THE WITNESS: Can you rephrase --

23 MR. HALE: Sure, sure.

24 Q. Did you ever see anyone? Visiting
25 priests?

1 one instance where there was this male upstairs coming
2 out of your room, did you ever see a lay -- a male
3 layperson on the second floor of the rectory?

4 MS. YOUNG: Asked and answered.

5 THE WITNESS: Yes, I did, mm-hmm.

6 Q. BY MR. HALE: A male layperson?

7 A. And female.

8 Q. Okay.

9 And where did you see them?

10 A. In the living room upstairs, in Father
11 Kelly's living room.

12 Q. I'm sorry.

13 So excluding Father Kelly's family members
14 and excluding any visiting priests and excluding this
15 person you saw coming out of your room, did you ever
16 see any lay people on the second floor of the rectory?

17 A. I don't remember exactly any others as
18 such as to who came to visit.

19 Q. Okay.

20 A. Like I had visitors, but I wouldn't have
21 them in Father Kelly's living room. I would meet with
22 them downstairs.

23 Q. On the first floor of the rectory?

24 A. But that was because I didn't have a
25 living room.

1 A. Visiting priests in the living room, yes.

2 Q. Okay.

3 Anyone other than living priests in Father
4 Kelly's --

5 MS. YOUNG: Than visiting priests.

6 MR. HALE: Right.

7 MS. YOUNG: You said living priests.

8 MR. HALE: I'm sorry.

9 Q. Did you ever see anyone other than
10 visiting priest in Father Kelly's living quarters in
11 the rectory?

12 A. I think I remember his family came up to
13 visit once in a while and I am not sure if lay friends
14 came or not, lay people to visit.

15 Q. Do you recall seeing any of --

16 A. I don't remember.

17 Q. And just for the record, the question was
18 going to be do you recall seeing any lay people in
19 Father Kelly's living quarters?

20 You are doing a pretty good job, but just
21 try and let me -- you are correctly anticipating the
22 question that I am asking, but try and let me finish
23 so we have a clear record.

24 MS. YOUNG: Right. I second that.

25 Q. BY MR. HALE: Okay. So other than this

1 Q. And Father [REDACTED] didn't have a living
2 room either?

3 A. No, he didn't.

4 Q. Did you ever see him having guests up in
5 his living quarters?

6 A. Priest friends and family.

7 Q. Anyone else?

8 A. No.

9 Q. These males you would see Father Kelly
10 with sometimes, would they spend time with him on the
11 first floor of the rectory?

12 A. Usually they came to the door and
13 came down and then he would come downstairs to them.

14 Q. And do you know what they did when
15 they --

16 A. Don't know.

17 Q. Did you ever see them spending time
18 outside of the rectory?

19 A. I would see them around the parish quite a
20 bit. It was small group, so I kind of got to know
21 them by their faces.

22 Q. Do you remember any of their names?

23 A. I would be only guessing now at
24 remembering their names.

25 Q. Does the name [REDACTED] sound familiar to

1 you?

2 A. No, that name does not.

3 Q. Do you remember one of the boys living
4 next door to the rectory?

5 A. I don't remember anyone living next door
6 to it but --

7 Q. Okay.

8 A. A few blocks away, but not next door.

9 Q. Was it your understanding that these males
10 were parishioners or were not members of the parish?

11 A. They were members of the parish.

12 Q. And did you have any belief as to whether
13 or not these were delinquents or malcontents of some
14 sort?

15 MS. YOUNG: Objection. Vague and ambiguous.

16 THE WITNESS: I filed a police report on my
17 camera.

18 MR. HALE: Okay.

19 THE WITNESS: And a detective came to
20 interview me. And after that I told Father Kelly that
21 I never wanted to see them inside the rectory when I
22 wasn't there after that.

23 MR. HALE: Okay.

24 Q. And did you ever see them inside the
25 rectory after that?

1 A. No.

2 Q. And what did he say when you said that?

3 A. I don't remember his response, but I think
4 he might have said okay.

5 Q. Was he angry with you or did he agree with
6 you?

7 A. I don't think he was angry with me. I
8 think he understood my position.

9 Q. Prior to that, that person coming out of
10 your room, had you ever seen any of those males inside
11 the rectory before?

12 A. Downstairs I had seen them.

13 Q. Where would they congregate downstairs?

14 A. In the front area in the front office.

15 Q. Did you ever see any of those males
16 driving anywhere with Father Kelly?

17 A. I kind of recollect that I saw them in the
18 car with him. I wouldn't go following them out. I
19 didn't know to be honest.

20 Q. Did you ever hear about or become aware of
21 any males being given a ride somewhere by
22 Father Kelly?

23 A. Well, that would be fairly common with all
24 of us. You know if someone needed help or a ride, we
25 would do it. I am sure he did it.

1 Q. But was it common with Father Kelly, for
2 you to be aware or hear about him giving a ride to
3 these males whose ages you thought were somewhere
4 around the age of 20?

5 MS. YOUNG: Objection. Vague and ambiguous.
6 You can answer.

7 THE WITNESS: I know that one of his big
8 strengths in Santa Barbara was he tried to help out a
9 lot of delinquent young people who were at the time
10 mostly young men.

11 MR. HALE: Okay.

12 THE WITNESS: And he was trying to be helpful
13 to them. I know that he was helpful to their families
14 and so forth.

15 MR. HALE: Okay.

16 THE WITNESS: But this particular group had a
17 bad record around Santa Barbara.

18 Q. BY MR. HALE: How did you know that?

19 A. Because when I was shown the mug shots to
20 pick out someone from a lineup of mug shots, the six
21 or seven or eight mug shots were all that group.

22 Q. Okay.

23 But you don't know any of those persons'
24 names?

25 A. If I was to guess any of them, I would be

1 guessing. They were all Spanish names.

2 Q. Okay.

3 And when you were shown those mug shots,
4 did the detective tell you whether they were adults or
5 whether they were juvenile delinquents?

6 A. No. I think he made the comment you
7 probably know each -- all of these. Or he -- or I
8 made the comment and he said I am sure you do.

9 Q. Okay.

10 But did he say anything about whether they
11 were adults or juvenile delinquents?

12 A. No, he didn't.

13 Q. Do you remember the name of the detective?

14 A. No, I don't.

15 Q. And going back to my question, you gave
16 some information that didn't quite respond to the
17 question.

18 Do you remember seeing these males or did
19 you ever hear about or become aware of these males
20 being given a ride by Father Kelly anywhere?

21 MS. YOUNG: Objection. Vague and ambiguous,
22 calls for speculation.

23 THE WITNESS: I cannot say that I remember
24 exactly. I just would assume that he helped them.

25 Q. BY MR. HALE: So you don't have a

1 recollection of seeing any of them in his car?
 2 A. I don't.
 3 Q. And you don't have a recollection of
 4 hearing about anyone seeing them in Father Kelly's
 5 car?
 6 A. No.
 7 Q. Do you recall hearing about or becoming
 8 aware of these young men congregating in front of the
 9 garage for the rectory?
 10 A. They would congregate around anyplace
 11 sometimes.
 12 Q. Did you ever talk to him about why he was
 13 spending time in the company of these people, these
 14 males?
 15 A. No, I didn't.
 16 Q. Did you ever ask anyone how old these
 17 males were?
 18 A. No, I didn't.
 19 Q. Did anyone ever tell you how old they
 20 were?
 21 A. No, they didn't.
 22 Q. Did you recognize any of them from Our
 23 Lady of Guadalupe School?
 24 A. No, they weren't.
 25 Q. I don't mean attending at that time but

1 having previously attended.
 2 A. I don't know.
 3 Q. Okay.
 4 Does the name ██████████ sound
 5 familiar to you?
 6 A. A lot of Spanish names are the same. As
 7 far as I know, ██████████ was one of them. If -- there
 8 were two brothers that ---and it was one of the two
 9 brothers that took my camera. I am not exactly
 10 certain that it was ██████████.
 11 Q. Do you remember a ██████████?
 12 A. I don't know which one was which. That's
 13 why I couldn't pick him out of the lineup. I didn't
 14 know which of the two brothers it was.
 15 Q. Do you remember an ██████████?
 16 A. Name doesn't ring a bell with me. I don't
 17 remember their names now.
 18 Q. The ██████████ name sounds a little bit
 19 familiar to you though?
 20 A. It sort of.
 21 Q. Did you ever hear about or become aware of
 22 Father Kelly riding bikes with any of these males?
 23 A. No.
 24 Q. With any boys?
 25 A. No, I didn't.

1 Q. Did you consider the convent to be part
 2 of -- the Sisters of Bethany convent to be part of the
 3 parish?
 4 MS. YOUNG: Objection. Calls for speculation,
 5 calls for a legal conclusion.
 6 THE WITNESS: No, I didn't think it was.
 7 Q. BY MR. HALE: Do you know who owned the
 8 convent while were at Our Lady of Guadalupe?
 9 A. No, I didn't.
 10 Q. Were you ever aware of a young peoples
 11 club formed by the Sisters of Bethany called -- and
 12 I'm going to screw up this pronunciation -- Club de,
 13 d-e, Jovenes?
 14 MS. YOUNG: Jovenes.
 15 MR. HALE: Jovenes, J-o-v-e-n-e-s.
 16 THE WITNESS: I never heard of it
 17 MS. YOUNG: Means youths.
 18 (Discussion off the record.)
 19 Q. BY MR. HALE: Okay. Over -- in your
 20 career as a priest, was there a specific time of year
 21 when you would receive a new assignment? In other
 22 words, was it always in the summertime when you would
 23 receive a new assignment or was it anytime of the
 24 year?
 25 MS. YOUNG: Objection. Calls for speculation.

1 Are you referring to him --
 2 MR. HALE: Just to him.
 3 MS. YOUNG: -- or priests in general?
 4 MR. HALE: Just to him.
 5 THE WITNESS: In my early years in the
 6 diocese, it was whenever they wanted to move you, they
 7 moved you.
 8 MR. HALE: Okay.
 9 Q. And at some point did it become -- a
 10 specific time of year though when there would be a new
 11 assignment, that's when it was going to happen?
 12 A. No.
 13 MS. YOUNG: Objection. Calls for speculation.
 14 Q. BY MR. HALE: Would there be anything
 15 unusual about a priest receiving a transfer or new
 16 assignment in January?
 17 A. No.
 18 Q. Okay.
 19 When you left Our Lady, how did that come
 20 about? Did you simply receive a new assignment or had
 21 you requested a transfer?
 22 A. No, I didn't request a transfer.
 23 Our Chancellor called me and asked me
 24 to -- would I move to a new parish.
 25 Q. And did he tell you what prompted him to

1 call you and ask you that?
 2 A. He did, but I didn't believe him and I
 3 told him so.
 4 Q. What did he say?
 5 A. He said the new Archbishop wanted me down
 6 in Los Angeles to be near him.
 7 Q. Why didn't you believe that?
 8 A. Because I knew his method of changing
 9 people when he needed somebody.
 10 Q. Okay.
 11 Was that -- who was that?
 12 A. Monsignor Rawden.
 13 Q. Rawden. R-a-w-d-e-n.
 14 A. Correct.
 15 Q. All right. Okay.
 16 When Chancellor Rawden asked you if you
 17 would be willing to come to LA, did you tell him you
 18 wanted to stay in Santa Barbara?
 19 A. No, I didn't.
 20 Q. Were you ever aware of -- or hear of or
 21 become aware of anyone requesting that you be
 22 transferred from Santa Barbara?
 23 A. No, I didn't.
 24 MS. YOUNG: Objection. Vague and ambiguous.
 25 Q. BY MR. HALE: Real quick going back. I

1 think you already answered this.
 2 But back to the camera theft, when do you
 3 think that took place? Do you recall? Was that your
 4 first year at Our Lady or was that father down the
 5 road?
 6 A. It could have been at the end of my first
 7 year, but probably more than likely was the second
 8 year or early in the third year.
 9 Q. So probably '67 or '68?
 10 A. Probably. I can't be certain.
 11 Q. To your knowledge was anyone prosecuted?
 12 A. No, they weren't.
 13 Q. You couldn't identify the person?
 14 A. No.
 15 Q. Have you ever heard or become aware that
 16 Father Kelly had been asked to be transferred to
 17 Holy Redeemer parish in Montrose in 1969?
 18 A. No, I...
 19 Q. Did you ever hear or become aware of him
 20 asking or wanting to be transferred anywhere?
 21 A. No, I didn't.
 22 Q. Did you ever talk to him about him wanting
 23 to leave Santa Barbara?
 24 A. No, I didn't.
 25 Q. As you sit here today, would it surprise

1 you to learn that he asked to be transferred in 1969
 2 out of Santa Barbara?
 3 A. Pardon?
 4 MS. YOUNG: Objection. Assumes facts not in
 5 evidence.
 6 Q. BY MR. HALE: As you sit here today, would
 7 it surprise you to learn that he had requested in 1969
 8 to be transferred out of Santa Barbara?
 9 MS. YOUNG: Same objection.
 10 THE WITNESS: I don't think it would surprise
 11 me. Priests did that after a number of years if they
 12 wanted to move to another parish.
 13 Q. BY MR. HALE: Have you ever heard of or
 14 become aware of any priest requesting a transfer of --
 15 a transfer from Our Lady of Guadalupe in
 16 Santa Barbara?
 17 A. Not to my knowledge.
 18 Q. Okay.
 19 Do you know who replaced you when you left
 20 Our Lady?
 21 A. I don't remember to be honest.
 22 Q. Let's see if I can jog your memory.
 23 A. If you give me the name, then I --
 24 Q. I will try.
 25 A. I think it might be Father [REDACTED] -- [REDACTED]

1 [REDACTED]. He's [REDACTED].
 2 Q. I don't have a name for him. Let's see if
 3 I can get you one. Hang on.
 4 [REDACTED]?
 5 A. It might have been him.
 6 Q. What about [REDACTED]?
 7 A. He came after that. I don't know which of
 8 the two of them came first.
 9 Q. And then what about [REDACTED]?
 10 A. I don't know. He became pastor up on the
 11 Mesa -- up on Holy Cross.
 12 Q. Did any of them ever come to you and ask
 13 you what life had been like at Our Lady with
 14 Father Kelly?
 15 A. No.
 16 Q. Did Father [REDACTED] tell you why he was
 17 leaving Our Lady?
 18 A. No, he didn't.
 19 Q. Did he ever express to you any happiness
 20 or sadness over leaving Our Lady?
 21 A. No. He just took it as usual being
 22 changed assignment.
 23 Q. Okay.
 24 A. I'm assuming he got a call the
 25 same around -- later a letter.

1 Q. When Father █████ arrived, did he ask --
2 had you ever met him before he arrived at Our Lady of
3 Guadalupe?

4 A. I might have met him because I think he
5 came to visit once or twice while I was there those
6 two years.

7 Q. Okay.

8 And did he stay at Our -- at the rectory
9 when he came to visit?

10 A. I don't think so.

11 Q. Okay.

12 Did he ask you about what life was like
13 with Father Kelly at Our Lady?

14 A. No, he didn't.

15 Q. Did you ever have any conversations with
16 him about what life was like with Father Kelly at
17 Our Lady?

18 A. Not as such. I think he knew Father Kelly
19 before he came there and he seemed to like the
20 assignment.

21 Q. Okay.

22 What makes you say you think he knew
23 Father Kelly before he came there?

24 A. Because I think I remember him visiting
25 there once or twice. Just vague.

1 Q. Okay.

2 Have you ever heard or become aware of
3 Father Kelly vomiting?

4 A. No.

5 Q. Did you ever hear about or become aware of
6 Father Kelly smelling of alcohol?

7 A. No, I didn't.

8 Q. Do you know if he had an affinity for
9 scotch?

10 A. I didn't know what he drank to be honest.

11 Q. You knew he would have drinks occasionally
12 with fellow priests?

13 A. Ah, yes, but I don't remember --

14 MS. YOUNG: He said he didn't know what he
15 drank.

16 MR. HALE: Oh. What he drank. Okay.

17 Q. Did you ever become aware of or ever hear
18 of anything about Father Kelly drinking alcohol to
19 excess?

20 A. Not to my knowledge.

21 Q. Did you ever --

22 A. I never saw him.

23 Q. Did you ever have any conflicts with
24 Father Kelly about him drinking excessively?

25 A. No.

1 Q. Did you ever become aware of or hear of
2 anything about anyone, including yourself, hearing
3 Kelly slurring his speech because he was intoxicated?

4 A. I don't ever remember him slurring his
5 speech.

6 Q. Did you ever hear about that happening or
7 become aware of that somehow though from someone else?

8 A. No, I didn't.

9 Q. Ever become aware of or hear of anything
10 about anyone, including yourself, observing
11 Father Kelly being so intoxicated he was stumbling?

12 A. Never saw him stumbling.

13 Q. Did you ever hear --

14 A. No, I didn't.

15 Q. Did you ever become aware of or hear of
16 anything about anyone, again including yourself,
17 observing Father Kelly become so intoxicated that he
18 passed out?

19 A. No, I didn't.

20 Q. Ever become aware of or hear of anything
21 about anyone, again including yourself, observing
22 Kelly so intoxicated he was unable to make it up the
23 stairs?

24 A. No, I didn't.

25 Q. Ever become aware of or hear of anything

1 about anyone, including yourself, observing
2 Father Kelly so intoxicated he had to sit down during
3 Mass?

4 A. I never heard of that. Nobody ever said
5 it.

6 Q. And you never personally observed it?

7 A. No, I didn't. Never.

8 Q. Did you ever become aware of or ever hear
9 anything about Father Kelly giving wine to a boy or
10 boys in the sacristy?

11 A. No.

12 Q. Now if you had heard about or become aware
13 of that happening while you were assigned to Our Lady,
14 would you have told anyone?

15 A. I probably would have, yes.

16 Q. Who would you have told?

17 MS. YOUNG: Belatedly objection. Calls for
18 speculation.

19 THE WITNESS: Don't know who I would have
20 told. We didn't have deaneries at the time or
21 regional bishops.

22 I probably would have said something to
23 him. It was something I wouldn't want to happen to
24 altar boys, to be given wine.

25 MR. HALE: Okay.

1 Q. So you would have talked to Father Kelly
2 directly?
3 A. I probably would have said something to
4 him, but I never saw him do it and I never heard it.
5 Q. Other than Father Kelly, would there have
6 been anyone else you would have talked to?
7 MS. YOUNG: Objection. Calls for speculation.
8 THE WITNESS: I probably would have called the
9 Chancellory Office.
10 MR. HALE: Okay.
11 Q. Ever become aware of or hear anything
12 about Father Kelly giving wine to a boy or to boys
13 anywhere, not just the sacristy?
14 A. No, I didn't.
15 Q. And if you heard about or became aware of
16 that happening while you were assigned to Our Lady,
17 would you have told the same people you identified in
18 your last answer; in other words, you would have
19 confronted Father Kelly and told the
20 Chancellory Office?
21 MS. YOUNG: Objection. Calls for speculation.
22 THE WITNESS: Probably would have.
23 MS. YOUNG: Assumes facts not in evidence.
24 Q. BY MR. HALE: Did you ever become aware of
25 or hear of anything about Father Kelly giving alcohol

1 to boys or to a boy anywhere?
2 A. Never did.
3 Q. And if you had heard about that, would
4 your response to the question have been the same as to
5 who you would have told, Father Kelly and the
6 Chancellory Office?
7 A. Yes.
8 MS. YOUNG: Same objection.
9 Q. BY MR. HALE: Did you ever become aware of
10 or hear anything about Father Kelly playing bible
11 study games with a boy or with boys from the parish --
12 A. No.
13 Q. -- or from anywhere?
14 A. No.
15 Q. Did you ever become aware of or hear
16 anything about Father Kelly spending a day or days in
17 his room drinking?
18 A. No, I didn't.
19 Q. Were there ever points where Father Kelly
20 would spend a day or a day in his room with the door
21 closed and he wouldn't come out?
22 A. He practically had the doors closed all
23 the time.
24 Q. Okay.
25 But would this ever go on for extended

1 periods of a day or more?
2 A. Not to my knowledge. I never heard it. I
3 would hear him at some time. I would hear him coming
4 down -- coming out -- maybe coming out at night or
5 something.
6 Q. Were there ever points where you went and
7 knocked on his door and you knew he was behind the
8 door but he didn't respond?
9 A. No.
10 Q. Did you ever hear about that happening?
11 A. No.
12 Q. Did you ever become aware of or hear
13 anything about Father Kelly locking himself in his
14 room to drink?
15 A. Never.
16 Q. We talked about complaints by
17 parishioners.
18 In your experience as a priest, did you
19 hear more complaints about Father Kelly than you heard
20 about other priests or was he kind of just --
21 A. Oh, no. I heard more about others than I
22 did about him.
23 Q. Okay.
24 Father Kelly's -- were you present for his
25 Silver Jubilee?

1 A. Yes, I was.
2 Q. Okay.
3 And did you attend the celebration?
4 A. Yes, I did.
5 Q. And was that in the parish hall?
6 A. I'm not too sure if we had a reception
7 after the Mass in the hall or not, but I know that
8 there was dinner for his family and friends at a hotel
9 afterwards.
10 Q. Do you remember what hotel that was at?
11 A. Don't know the name of it. It was down at
12 the end of what used to be Milpas that goes all the
13 way to the beach, right on the corner of Cabrillo
14 Boulevard and -- I think it was called the Santa
15 Barbara Inn or something. I'm not too sure.
16 Q. Still is.
17 MS. YOUNG: No senior moment there.
18 MR. HALE: No.
19 Q. BY MR. HALE: Do you remember did you
20 attend that --
21 A. Yes, I did.
22 Q. Okay.
23 And did any other priests --
24 MS. YOUNG: Let him finish his question before
25 you answer.

1 Q. BY MR. HALE: Did any other priests attend
2 that celebration at the Santa Barbara Inn?
3 A. Yes, they did.
4 Q. What other priests?
5 A. I don't remember all the priests that were
6 invited. Father ██████ was in charge of that. I know
7 that some of the priests there beforehand were
8 invited, but I don't remember who came and who didn't.
9 Q. Do you remember Father ██████
10 attending?
11 A. I think he did, yeah, because he was from
12 out of town. I think he did.
13 Q. Was he a religious order priest?
14 A. I'm not too sure.
15 Q. Do you know how he knew Father Kelly?
16 A. I think they were friends from
17 Boyle Heights. I'm not too sure to be honest. I met
18 him a number of times.
19 Q. What about a Franciscan priest named
20 ██████?
21 A. He lived in the parish.
22 Q. He lived in the parish?
23 A. Mm-hmm.
24 Q. When did he live in the parish?
25 A. He lived in the parish boundaries now I am

1 talking about all the time I was there and afterwards.
2 He was a retired priest living with his sister.
3 Q. Okay. I am confused.
4 What are the parish boundaries?
5 A. Every parish has boundaries because the
6 diocese is divided up. So he lived within the
7 boundaries of Our Lady of Guadalupe parish.
8 Q. Okay.
9 MS. YOUNG: The neighborhood?
10 THE WITNESS: Right, he lived in the
11 neighborhood.
12 MS. YOUNG: Not in --
13 Q. BY MR. HALE: He lived in a residence
14 owned by his sister?
15 A. I don't know who owned it. I am assuming
16 his sister did.
17 Q. And was he living there while you were
18 assigned to Our Lady of Guadalupe?
19 A. Yes, he was.
20 Q. Did he ever assist at Our Lady of
21 Guadalupe?
22 A. Occasionally.
23 Q. And he wasn't living at the Mission?
24 A. No, he wasn't.
25 Q. Did he ever do any other work at the

1 parish?
2 A. Not to my --
3 MS. YOUNG: Objection. Calls for speculation.
4 THE WITNESS: Not to my knowledge.
5 Q. BY MR. HALE: And did he speak at the
6 Silver Jubilee for Father Kelly?
7 A. He may have. I don't remember.
8 Excuse me. I don't think he was
9 Franciscan.
10 Q. No?
11 A. I don't think so.
12 Q. Okay. I could be wrong.
13 So you think he was a diocesan priest?
14 A. No. He was redemptorist priest.
15 Q. Okay.
16 Do you know if he was -- had he served on
17 the faculty at Saint Anthony's Seminary?
18 A. No, he didn't.
19 Q. Had he been assigned in Santa Barbara
20 previously?
21 A. No, he hadn't as far as I know.
22 Q. Was he already in Santa Barbara when you
23 arrived at Our Lady of Guadalupe?
24 A. Yes, he was.
25 Q. Do you know if he is still alive?

1 A. No, he isn't.
2 Q. Do you recall it was Father ██████ -- did
3 he prepare some kind of history of Father Kelly's
4 career for that Silver Jubilee?
5 A. As I recall, I think he did, yes.
6 Q. Did he put that in written form or --
7 A. I --
8 MS. YOUNG: Objection. Calls for speculation.
9 THE WITNESS: I don't remember.
10 Q. BY MR. HALE: How did you become aware of
11 that?
12 A. Father ██████ was a very thorough person
13 and he organized the Silver Jubilee celebrations and I
14 know that he got a list of people and there was some
15 kind of a booklet or whatever. I'm not too sure now
16 to be honest, but I just remember something. I don't
17 know exactly what it was.
18 Q. You think he put together some kind of
19 booklet?
20 A. I'm not too sure. I cannot say it was a
21 booklet.
22 Q. Okay.
23 Did you help him prepare that in any way?
24 A. Not really.
25 Q. Were you aware of anyone helping him

1 prepare that?
 2 A. I don't know.
 3 Q. I think you already answered that.
 4 How did you know [REDACTED]?
 5 A. A priest in the diocese.
 6 Q. Where did you meet him?
 7 A. At different meetings.
 8 Q. Functions?
 9 A. Mm-hmm.
 10 Q. Okay.
 11 And did the two of you ever discuss
 12 serving at Our Lady of Guadalupe with Father Kelly?
 13 A. No, we didn't.
 14 Q. When was the last time you spoke to him?
 15 A. Gee, I don't remember. It's been a number
 16 of years since I saw him even.
 17 Q. Okay.
 18 Do you know a priest name [REDACTED],
 19 [REDACTED]?
 20 A. No, I don't.
 21 Q. [REDACTED], [REDACTED], [REDACTED],
 22 [REDACTED]?
 23 A. No, I don't.
 24 Q. [REDACTED], [REDACTED]?
 25 A. No, I don't.

1 Q. [REDACTED], [REDACTED], [REDACTED],
 2 [REDACTED]?
 3 A. Yes, I do.
 4 Q. Do you know if he is still alive?
 5 A. No, he's not. He's deceased.
 6 Q. Did you ever discuss Father Kelly with
 7 him?
 8 A. No.
 9 Q. How about Father [REDACTED]?
 10 MS. YOUNG: What's the question?
 11 Q. BY MR. HALE: Do you know him?
 12 A. I do. I know him
 13 Q. Have you ever discussed serving at
 14 Our Lady with Father [REDACTED]?
 15 A. Oh, we talked about our assignments there.
 16 Q. Are you friends with Father [REDACTED]?
 17 A. I know him. I have often helped him out
 18 when he was chaplain at the high school in Lakewood.
 19 Q. Okay.
 20 Did he ever voice any complaints to you
 21 about Father Kelly?
 22 A. No. He always had great praise for him.
 23 Q. Did you ever voice any complaints to him
 24 about Father Kelly?
 25 A. No, not specifically. Maybe to say there

1 were times we couldn't get along. But no, never -- I
 2 don't think I did.
 3 Q. Do you think you ever talked to him about
 4 times you did not get along with Father Kelly?
 5 A. No.
 6 Q. How about [REDACTED], do you know him?
 7 A. Yes, I do.
 8 Q. How do you know him?
 9 A. We have been friends for many years and we
 10 play golf together.
 11 Q. When was the last time you spoke with him?
 12 A. Yesterday.
 13 Q. Did you guys talk about the fact that he
 14 had been deposed?
 15 A. He told me that he was called.
 16 Q. Okay.
 17 And what did he say to you?
 18 A. He just told me that he was called to be
 19 deposed. That's all.
 20 Q. Did he talk to you about the deposition?
 21 A. No, he didn't.
 22 Q. Did he talk to you about what the process
 23 was like?
 24 A. No, he didn't.
 25 Q. Did you guys talk about your experiences

1 at Our Lady with Father Kelly?
 2 A. No.
 3 Q. Have you ever?
 4 A. Not really, except just to again as
 5 priests who have been in common assignments will talk.
 6 That's all.
 7 Q. Did he ever complain to you about
 8 Father Kelly?
 9 A. No, he didn't.
 10 Q. That he didn't like Father Kelly?
 11 A. No, he didn't.
 12 Q. Say he saw Father Kelly do anything
 13 inappropriate?
 14 A. No, he didn't.
 15 Q. Did you ever complain to him about
 16 Father Kelly?
 17 A. No.
 18 Q. Ever tell him you had conflicts with
 19 Father Kelly?
 20 A. Well, the normal pastor/assistant
 21 conflicts. That would be the only thing that I might
 22 have talked to him about.
 23 Q. What are the normal pastor/assistant
 24 conflicts?
 25 A. Well, sometimes when you don't like being

1 told what to do.

2 Q. Like about what?

3 A. Well, that you cannot do things that a
4 normal adult would do, like leave without permission
5 or take vacation without telling them the exact
6 assignment, something like that.

7 Q. Was Father Kelly strict about not letting
8 you leave the parish without permission?

9 A. He tried to be a little bit, but all the
10 pastors were at that time.

11 Q. Okay.

12 Did you complain to him about that?

13 A. The only complaint I had was when he tried
14 to stop me going out to dinner one evening. That was
15 all.

16 Q. Okay.

17 And was there a conflict between you and
18 him over that?

19 A. A minor one.

20 Q. What did you say to him?

21 A. I just told him I was old enough to make
22 my own decisions and that I was an adult and I would
23 do what I wanted on my free time.

24 Q. Okay.

25 And what did he say in response?

1 A. Ah, he kind of grumbled; but he got over
2 it, I think.

3 Q. Did anyone else hear this disagreement
4 between the two of you?

5 A. Father [REDACTED] heard it, I think.

6 Q. Okay.

7 And --

8 A. I think he was in his room at the time.

9 Q. Were voices raised?

10 A. Yes.

11 Q. By both of you?

12 A. Well, I think mine was probably louder
13 than his.

14 Q. What did he say to you to tell you that he
15 wasn't pleased with you going out to dinner?

16 A. I think -- I don't want to be speculating.

17 Sometimes the pastors would want you to
18 ask them for everything you wanted -- they wanted you
19 to do. And it was my free time.

20 Q. Did you say anything in response to him
21 about the amount of time he spent away from the
22 parish?

23 A. No, I didn't.

24 Q. Did he say anything about that?

25 A. No.

1 Q. Did you think it was hypocritical of him
2 for you (sic) to be critical of you going out to
3 dinner in the light of the time he spent away from the
4 parish?

5 MS. YOUNG: Objection. Assumes facts not in
6 evidence.

7 THE WITNESS: I didn't associate it with that.

8 MR. HALE: Okay.

9 Q. Did you know a Father [REDACTED],

10 [REDACTED]?

11 A. I don't recollect.

12 Q. Okay.

13 How about did you ever discuss

14 Father Kelly with Father [REDACTED]?

15 A. No.

16 Q. Did he ever complain to you about
17 Father Kelly?

18 A. No.

19 Q. What about did you know a Father [REDACTED]

20 [REDACTED]?

21 A. No, I don't.

22 MS. YOUNG: Counsel, when you get a good time,
23 I would like to use the facilities.

24 MR. HALE: Yeap. This will work right here.

25 MS. YOUNG: Okay.

1 THE VIDEOGRAPHER: The time is 1600.

2 We are off record.

3 (Short recess taken.)

4 THE VIDEOGRAPHER: The time is 1613.

5 We are back on record.

6 Q. BY MR. HALE: Father, we had talked
7 about -- I think I heard you testify -- maybe I
8 misunderstood you -- that Father Kelly had a
9 reputation for doing things for families of
10 disadvantaged boys.

11 Did I hear you correctly?

12 A. No, you didn't. Disadvantaged -- any
13 family.

14 Q. Any family disadvantaged.

15 A. Any family.

16 Q. What kind of things were you aware of
17 Father Kelly doing?

18 A. I am not exactly certain, but I know that
19 people would say to me that Father Kelly was very good
20 to them and helped them out financially or whatever.

21 Q. Were you aware of any specific examples of
22 that?

23 A. Not -- I cannot recall exactly.

24 Q. I want to show you a document. Let's mark
25 this as Exhibit 1. A copy to your counsel.

1 (Plaintiff's Exhibit 1 was
2 marked for identification.)
3 MR. HALE: This is from the Father Kelly
4 personnel file. It is a June 3rd, 1970 dated
5 document. Bates stamps are 76 and 77. It's a
6 two-page document.
7 If you could take a second and just -- you
8 didn't write it. You probably have never seen it, but
9 if you take a second and look at it and I will just
10 have a couple questions for you about some statements
11 in that letter.
12 I will read you whatever I have questions
13 about.
14 Have you ever seen this before?
15 A. No.
16 Q. Do you know who [REDACTED] is, [REDACTED]?
17 A. Not -- I don't remember the name [REDACTED],
18 but I think that's just a name that I am familiar
19 with. But [REDACTED] -- I don't remember [REDACTED].
20 Q. And you see where it says Obl. O.S.B?
21 A. Mm-hmm.
22 Q. Is that indicative of a religious order of
23 priests?
24 A. As far as I remember I think it is.
25 Q. Okay.

1 A. O.S.B. Or Benedictines, I think.
2 Q. The date of this letter, June 3rd, 1970,
3 that's within a month or two of you actually leaving
4 Our Lady of Guadalupe, is it not?
5 A. Yeah.
6 Q. Okay. Couple questions.
7 On Page -- second page of the letter which
8 is Bates stamped 76, the first sentence reads,
9 "Father Kelly had been drawn into the absolutely
10 unresolvable maelstrom of today's economical and
11 ethnic and theological problems."
12 Before you left Our Lady, were you aware
13 of Father Kelly being drawn into problems within the
14 parish like described here?
15 A. No, no.
16 Q. So it's a complete mystery to you what
17 Mr. [REDACTED] is referring to in that sentence?
18 A. Yes, mm-hmm.
19 Q. And then in the second paragraph, he says,
20 "So, Your Excellency, don't let the malcontents attack
21 our beloved Father Kelly."
22 Before you left Our Lady, were you aware
23 of anyone attacking -- I don't mean physically
24 attacking, but emotionally or verbally attacking
25 Father Kelly in any way?

1 A. No, not to my knowledge.
2 Q. Okay.
3 And then a little father down he says,
4 "For all of his minor faults - and you and I have a
5 million more."
6 Do you have any idea what kind of minor
7 faults he would be referring to in that sentence on
8 the part of Father Kelly?
9 MS. YOUNG: Calls for speculation.
10 THE WITNESS: I don't know to be honest.
11 Q. BY MR. HALE: Were you aware of any
12 dissatisfaction among parishioners of Father Kelly
13 shortly before you left Our Lady of Guadalupe?
14 A. Apart from just the normal ones where
15 people will make minor complaints, but nothing major.
16 Q. Okay. Nothing out of the ordinary?
17 A. No, no.
18 Q. And then a little bit father down, the
19 line that starts with motivation. Actually, I will
20 read the whole sentence. The line that starts with
21 "most pressing." The sentence reads, "He, who has
22 never really had a carefree day in his life - always
23 worried, just about to death, about such problems as
24 the poor, the motivation of youth, where the next
25 payment on a school or convent is coming from"...

1 Were you ever aware of Father Kelly or the
2 parish making payments on the convent?
3 MS. YOUNG: Objection. Calls for speculation.
4 THE WITNESS: As far as, no, that would just
5 be a statement of the financial problems that we had
6 in Our Lady of Guadalupe at the time.
7 Q. BY MR. HALE: What do you mean? I don't
8 understand.
9 A. Well, there were months that I didn't get
10 a paycheck, as small as it was, because we didn't have
11 the money.
12 Q. Were you aware of the parish making
13 payments on -- for instance, was there a mortgage on
14 the convent?
15 MS. YOUNG: Objection. Calls for speculation.
16 THE WITNESS: No, I don't know what convent
17 they are referring to.
18 MR. HALE: Okay.
19 Q. But while you were at Our Lady of
20 Guadalupe, were you aware of there being a mortgage on
21 the convent?
22 A. No, I don't. I'm don't ever remember
23 that.
24 Q. Were you ever aware of any payments being
25 made by the parish or by the Archdiocese or by the

1 Archbishop towards the property on which the convent
2 was located?

3 MS. YOUNG: Calls for speculation.

4 THE WITNESS: Not to my knowledge.

5 MR. HALE: Okay. If you could just pass that
6 over to the court reporter.

7 Q. All right. The next document is undated,
8 although there is reference to the date being -- it
9 looks like December 30th, 1970.

10 MS. YOUNG: Which was after he left.

11 MR. HALE: Yeah.

12 It's Bates stamped 79.

13 If you could just take a look at that and
14 let me know when you are finished.

15 And again this is not something I am
16 expecting you to have written or seen. I just want to
17 ask you a couple questions about it.

18 MS. YOUNG: Are you marking this number two --

19 MR. HALE: Yes, number two.

20 (Plaintiff's Exhibit 2 was
21 marked for identification.)

22 Q. BY MR. HALE: Okay. Have you had a chance
23 to review that now?

24 A. Yeah.

25 Q. Real quick question. Before we get into

1 MR. HALE: Okay.

2 Q. Do you know who [REDACTED] is,
3 [REDACTED]?

4 A. Yes, that name rings a bell as being one
5 of the parishioners.

6 Q. Did you know him personally?

7 A. No, I don't remember him now. I don't
8 remember anything about him. The name rings a bell.

9 Q. Do you remember him having any conflicts
10 with Father Kelly?

11 A. I don't.

12 Q. Who were the parish officers while you
13 were at Our Lady of Guadalupe?

14 A. There were no parish officers.

15 Q. No parish officers.

16 Okay. If you could just pass that over to
17 the court reporter.

18 Let's mark as Exhibit 3 a three-page
19 document. It's a letter dated November 6th, 1970,
20 also from Father Kelly's personnel file.

21 Father, if you could just take a second
22 and review that and let me know when you are finished.
23 And it's Bates stamped 81 through 83. And it's
24 addressed to Timothy Manning and signed by numerous
25 parishioners from Our Lady of Guadalupe.

1 this letter, with regards to Exhibit 1 and the
2 statements about Father Kelly being drawn into a
3 maelstrom and coming under attack, did those
4 statements in that letter surprise you?

5 A. Where? In the other letter?

6 Q. In the other letter, yeah.

7 A. To be honest, I couldn't understand the
8 letter. I couldn't understand what it was about.

9 Q. Okay.

10 A. So I suppose the answer would be yes.

11 Q. Okay.

12 With regard to Exhibit 2, have you ever
13 seen this document before?

14 A. No, I never have.

15 Q. Okay.

16 Do you recognize the hand -- the print in
17 the letter or whatever it is?

18 A. Well, I am not too sure.

19 MS. YOUNG: Calls for speculation.

20 THE WITNESS: I'm not too sure whose it is.

21 Q. BY MR. HALE: Do you recognize the
22 signature at the bottom of the page?

23 MS. YOUNG: Calls for speculation.

24 You can answer.

25 THE WITNESS: It looks like Bishop Manning.

1 (Plaintiff's Exhibit 3 was
2 marked for identification.)

3 Q. BY MR. HALE: Have you had a chance to
4 review that now?

5 A. Mm-hmm.

6 Q. Okay.

7 Have you ever seen this petition before?

8 A. No, I haven't.

9 Q. At least it's identified as a petition in
10 the body of the document.

11 Have you ever heard about it?

12 A. I have never heard about the petition, no.

13 Q. Did you ever hear about a group of
14 parishioners at Our Lady complaining to the
15 Archdiocese or the Chancery Office about
16 Father Kelly?

17 A. I have heard that a couple of -- that a
18 number of people were not satisfied and were
19 complaining, yes.

20 Q. How did you hear that?

21 A. From one of the people on the document.

22 Q. Which one of those people?

23 A. A Mrs. [REDACTED].

24 Q. [REDACTED]?

25 A. Yes.

1 Q. When did you hear that from her?
 2 A. Oh, a number of years ago. I don't
 3 remember exactly.
 4 Q. Was this after you left Our Lady of --
 5 A. After I left.
 6 Q. And where did you encounter [REDACTED]
 7 after you --
 8 A. Well, we have remained friends, her
 9 husband and I.
 10 Q. [REDACTED]?
 11 A. Yes.
 12 Q. When was the last time you spoke to [REDACTED]
 13 or [REDACTED]?
 14 A. I don't remember if I talked to them in
 15 the past -- well, they were at my farewell party at my
 16 parish when I was leaving in June.
 17 Q. I'm sorry. 2006?
 18 A. Yes.
 19 Q. And when was the last time you had seen
 20 them before your 2006 party?
 21 A. I am not exactly sure. I know there was
 22 some function, a funeral or something that I might
 23 have met them in the year or two before that. I don't
 24 know exactly when to be honest.
 25 Q. Did you personally invite them to your

1 retirement party? Was it a retirement party? I'm
 2 sorry.
 3 A. No, it wasn't. It was a farewell party.
 4 Q. Farewell party. I'm sorry.
 5 A. No. The parish staff.
 6 Q. And how did the parish staff know to
 7 invite them?
 8 A. They got a list from my files of people I
 9 used to be in correspondence with.
 10 Q. Was there anyone else from Santa Barbara
 11 who was invited to your farewell party?
 12 A. Yes, there was.
 13 Q. Who?
 14 A. There was a [REDACTED]
 15 Q. [REDACTED]?
 16 A. Yes.
 17 Q. And does she still live in Santa Barbara?
 18 A. Yes, she does.
 19 Q. Is she married?
 20 A. No.
 21 Q. When was the last time you spoke to her?
 22 A. Probably the night of the function.
 23 Q. And was she a parishioner at Our Lady
 24 while you were assigned to Our Lady?
 25 A. No. She used to visit there with her

1 family -- to her family. She worked in San Francisco.
 2 Q. Did her family live in Santa Barbara?
 3 A. Yes, they did.
 4 Q. So she would come back on holidays and
 5 that kind of thing?
 6 A. Yes.
 7 Q. Anyone else from Santa Barbara who was
 8 invited to the farewell party?
 9 A. I don't know exactly. I just know -- I
 10 think they were the only two that came.
 11 Q. And you think [REDACTED] lives in Santa
 12 Barbara now?
 13 A. Oh, she does. I know she does.
 14 Q. Do you know where in Santa Barbara she
 15 lives?
 16 A. Last I -- I cannot remember the address.
 17 She lives up on the hill there behind Santa Barbara.
 18 Q. On the Mesa or on the Riviera?
 19 A. Well, if you call it the Riviera, I guess,
 20 yeah. It's off APS.
 21 Q. Got it.
 22 A. Off Los Alteros, I think.
 23 Q. Okay.
 24 A. Is that right?
 25 Q. Have you ever discussed the fact there are

1 lawsuits involving childhood sexual abuse by
 2 Father Kelly with [REDACTED]?
 3 A. No, I haven't.
 4 Q. And what about with [REDACTED] and [REDACTED]? Did
 5 you discuss with them that there were allegations of
 6 childhood sexual abuse involving Father Kelly?
 7 A. No, I haven't.
 8 Q. Have you ever discussed that with them?
 9 A. Not to my knowledge. I don't remember.
 10 Q. Do you see [REDACTED] and [REDACTED] on a regular
 11 basis?
 12 A. Do I see -- pardon?
 13 Q. [REDACTED] and [REDACTED] on a regular basis?
 14 A. Not really, no.
 15 Q. Once a year?
 16 A. Maybe once a year.
 17 Q. Do you usually go up and visit them or do
 18 they come down and visit you?
 19 A. I have been up there very infrequently.
 20 Occasionally, if they are down because she has family
 21 that live near the Norwalk area. Compton, I think.
 22 Q. They will swing in and visit you?
 23 A. Yes.
 24 Q. Have you ever discussed with them what
 25 your experience was like at Our Lady of Guadalupe?

1 MS. YOUNG: Vague and ambiguous.
 2 THE WITNESS: Except that I had a good
 3 experience there with them.
 4 Q. BY MR. HALE: Have you ever discussed
 5 whether you got along with Father Kelly with either of
 6 them?
 7 A. I don't remember to be honest.
 8 Q. Have you ever discussed with [REDACTED]
 9 whether you got along with Father Kelly?
 10 A. No, I didn't. I wouldn't.
 11 Q. I'm sorry?
 12 A. I wouldn't have discussed that with her.
 13 Q. Did [REDACTED] ever express to you any
 14 dislike or disapproval of Father Kelly?
 15 A. No, she didn't.
 16 Q. Has [REDACTED] or [REDACTED] ever
 17 expressed to you any disapproval or dislike of
 18 Father Kelly?
 19 A. They mentioned that they were very good
 20 friends of his and worked -- she worked in the rectory
 21 and [REDACTED] was very close to him.
 22 Q. Okay.
 23 A. But I think just towards the end I think
 24 there were disagreements. I don't know what they
 25 were. They never discussed it.

1 Q. When did [REDACTED] work in the rectory?
 2 A. I don't know to be honest. Not in my
 3 time.
 4 Q. Do you know what kind of work she did in
 5 the rectory?
 6 A. I think she was a cook. I'm not too sure.
 7 Q. Okay.
 8 Did she ever tell you about this petition?
 9 A. No.
 10 Q. Did [REDACTED] ever tell you about this --
 11 A. Maybe they did. I cannot remember. I'm
 12 don't remember.
 13 Q. Does this surprise you?
 14 A. No, it doesn't surprise me.
 15 Q. Why not?
 16 A. Because it's things that happen in
 17 parishes.
 18 Q. Okay.
 19 Did anyone from the Archdiocese ever
 20 contact you about any of the, for lack of a better
 21 word, allegations set forth in this petition?
 22 A. No, they didn't.
 23 Q. Have you ever been interviewed by anyone
 24 about any of the allegations set forth in this
 25 petition?

1 A. No, I haven't.
 2 Q. Have you ever contacted anyone to discuss
 3 any of the allegations set forth in this petition?
 4 A. No, I haven't.
 5 Q. All right. I want to just go through a
 6 couple specific items in the document.
 7 You see at paragraph number one it says,
 8 "Attendance of parishioners at either Holy Cross
 9 Chapel or at Guadalupe -- well, first of all, let me
 10 ask you this. The November 6, 1970 date, that's
 11 around six, seven months after you left, correct?
 12 A. Mm-hmm.
 13 Q. Is that a yes?
 14 A. I think that was correct.
 15 Q. Okay.
 16 And then paragraph one says, "Attendance
 17 of parishioners at either Holy Cross Chapel or at
 18 Guadalupe Church Masses has diminished considerably
 19 during the past ten years."
 20 Were you aware of that happening while you
 21 were at Our Lady of Guadalupe?
 22 A. That's not true.
 23 Q. Okay.
 24 How do you know that's not true?
 25 A. Because I never saw the attendance go down

1 while I was there.
 2 Q. Were there ever any discussions between --
 3 were you ever -- did you ever hear of or become aware
 4 of any discussions amongst anyone from the parish
 5 about attendance diminishing considerably?
 6 A. No, I wasn't.
 7 Q. All right. Paragraph number two, "There
 8 is no communication between the pastor, Father Matthew
 9 H. Kelly, and his parishioners."
 10 Were you aware of that being the case?
 11 Was that your perception as well?
 12 A. Are you saying when I was there?
 13 Q. Yes, when you were there.
 14 A. There would be communication. He wasn't
 15 out with the people as much as I was, but then we had
 16 different personalities.
 17 Q. Okay.
 18 Did you ever discuss with anyone this idea
 19 there was no communication between Father Kelly and
 20 his parishioners?
 21 A. No.
 22 Q. No one ever talked to you from the parish
 23 about that?
 24 A. I don't remember.
 25 Q. Okay.

1 What about paragraph three which says,
 2 "There is lack of interest on behalf of the pastor in
 3 the activities of the parish school."
 4 Were you aware of anything like that?
 5 A. Just he didn't go over to the school, but
 6 he would be aware of the running of the school and the
 7 finances.
 8 Q. Did you ever hear about or become aware of
 9 anyone expressing that there was a lack of interest on
 10 Father Kelly's part in the activities of the school?
 11 A. Not to my knowledge.
 12 Q. Does this statement surprise you?
 13 A. Surprise me on one thing. On another
 14 point it doesn't. He just wasn't around the school.
 15 Q. Did he ever tell you why he didn't spend
 16 much time at the school?
 17 A. No.
 18 Q. Did he ever express dislike for the
 19 school?
 20 A. No.
 21 Q. Did anyone ever tell you that anyone ever
 22 told him to stay away from the school?
 23 A. No.
 24 Q. Were you ever aware of or hear about
 25 anyone telling him to stay away from the school?

1 A. No.
 2 Q. What about paragraph number four? It
 3 says, "The pastor and the school administration have
 4 not been able to communicate through the years."
 5 Were you aware of that being the case
 6 while you were at Our Lady of Guadalupe?
 7 A. No, I wasn't.
 8 Q. You weren't aware of any kind of lack of
 9 communication between the pastor and school
 10 administration?
 11 A. Well, the school administration would be
 12 the principal at the time. There would be no school
 13 board or -- as such.
 14 And as far as what I can observe, there
 15 was no miscommunication. If she needed to meet with
 16 him, he would meet with her as far as I know.
 17 Q. The principal at the time, that was Sister
 18 [redacted] ?
 19 A. [redacted], yes.
 20 Q. Was there anyone else who served as
 21 principal during that time?
 22 A. Not to my knowledge. I don't know to be
 23 exact.
 24 Q. Did she ever express to you any
 25 frustration with the lack of communication with

1 Father Kelly?
 2 A. I don't know.
 3 Q. And the next sentence says, "This accounts
 4 for some of the problems which exist with the parish
 5 school."
 6 Were you aware of there being problems
 7 with the parish school?
 8 A. Except that enrollment was down and it was
 9 hard to run the school. That's the only thing I was
 10 aware of.
 11 Q. How was it hard to run the school? What
 12 do you mean by that?
 13 A. Without finances.
 14 Q. Were you aware of any other problems with
 15 the parish school?
 16 A. No.
 17 Q. Were you aware of any problems with the
 18 parish school related to a lack of communication
 19 between Father Kelly and the school administration?
 20 A. Not to my knowledge.
 21 Q. And then paragraph five says, "Our parish
 22 does not have a parish council and the pastor refused
 23 to organize one."
 24 Were you aware of Father Kelly refusing to
 25 organize a parish council?

1 A. Very few parishes had parish councils at
 2 that time.
 3 Q. What about in your career as a priest?
 4 How many of the parishes you have been assigned to
 5 have had parish councils?
 6 A. One.
 7 Q. Okay.
 8 A. My own one.
 9 Q. Okay.
 10 A. Now are you talking about the parishes I
 11 was in?
 12 Q. Yes.
 13 A. We never had parish councils in any parish
 14 I was in until my last parish.
 15 Q. Okay.
 16 Was there ever a parish council while you
 17 were at Our Lady of Guadalupe?
 18 A. Not to my knowledge.
 19 Q. Okay.
 20 Number six says, "Altar boys are afraid to
 21 serve Mass when Father Kelly is the celebrant."
 22 Were you ever aware of altar boys being
 23 afraid of serving Mass when Father Kelly was the
 24 celebrant?
 25 A. That would be kind of normal for altar

1 servers to be afraid of an older priest. I have the
2 same thing and, you know, it's happened to me over the
3 years, you know, parents and kid, they are afraid --
4 they are always afraid of the older priests, but I
5 have never heard any of them complain that he -- I
6 never heard that he was rude to them or anything.

7 Q. Would it be normal for them -- for a
8 parishioner to put in a petition that altar boys were
9 afraid of serving with a celebrant?

10 MS. YOUNG: Objection. Vague and ambiguous.

11 THE WITNESS: I don't know why they put it in.

12 Q. BY MR. HALE: Would that be a little bit
13 out of the ordinary?

14 A. No, it wouldn't. It would be something,
15 you know, that -- they'd say that when they want to
16 make a petition going.

17 Q. Did you ever hear about or become aware of
18 any altar boys at Our Lady of Guadalupe being afraid
19 of serving Mass with Father Kelly?

20 A. No.

21 Q. Then number seven says, "No written
22 financial statements on the parish income and/or
23 expenses are given to the parishioners."

24 Were you aware of that being the case?

25 A. That was normal at the time.

1 organizations other than the school PTA?

2 A. The only other parish organization would
3 be the Legion of Mary.

4 Q. Okay.

5 A. I am trying to think whether a Holy Name
6 Society or not. I'm not too sure because I didn't
7 have it. And I think there might have been. But if I
8 did it, he was in charge of it if it was in existence.
9 I don't remember.

10 And the Fiesta committee, which would be
11 an active committee -- very active committee, and he
12 ran that committee up until my last year and he let me
13 do it my last year.

14 Q. Okay.

15 So those would be the only parish
16 organizations you recall from your assignment?

17 A. That I recall, yes.

18 Q. Paragraph 10 says that it is a known fact
19 that he will not answer the door nor the telephone
20 when he is in the rectory except when he is in the
21 mood to do so.

22 Were you aware of Father Kelly conducting
23 himself in a manner like that described in paragraph
24 10?

25 A. It doesn't seem out of the ordinary to me.

1 Q. Okay.

2 And in your career as a priest, has that
3 normally been the case in your assignments, that
4 parishioners are not given financial statements on
5 parish income?

6 A. Back at that time, yes. In more recent
7 years, it's common practice.

8 Q. To give parishioners that information?

9 A. Mm-hmm.

10 Q. Is that a yes?

11 A. Yes.

12 Q. And then paragraph eight says,
13 "Father Kelly does not attend the meetings of parish
14 organizations especially the school PTA meetings."

15 Were you aware of that being the case?

16 A. No, I wasn't. I wasn't aware of it.

17 Q. Did anyone ever talk to you about this
18 fact?

19 A. No.

20 Q. Did anyone ever talk to you about altar
21 boys being afraid of serving with Father Kelly?

22 A. No.

23 Q. It references "does not attend the
24 meetings of the parish organizations."

25 Were you aware of other parish

1 Q. Okay.

2 A. You know I don't -- I wouldn't answer it
3 sometimes if I am not in the mood unless I knew it was
4 an emergency or something, depending on -- I don't see
5 that as out of the ordinary.

6 Q. Although it doesn't say sometimes in this
7 paragraph. It sounds like a pretty definitive
8 statement. So would you --

9 A. I never heard that. That was not true in
10 my time.

11 Q. But do you think it would be -- well,
12 strike that.

13 Did you ever have any discussions with
14 anyone about the allegations in paragraph 10 related
15 to --

16 A. No.

17 Q. Okay. Second page, first sentence says,
18 "We are under the opinion that Father Kelly is a very
19 sick man and needs your assistance."

20 Have you ever shared that opinion set
21 forth in that first sentence?

22 A. Not to my knowledge.

23 Q. Do you disagree with that sentence?

24 A. I --

25 MS. YOUNG: Objection. Vague and ambiguous.

1 THE WITNESS: I don't know what they mean by
 2 sickness.
 3 Q. BY MR. HALE: Have you ever felt that
 4 Father Kelly was a very sick man?
 5 A. No.
 6 Q. Have you ever felt that he needed
 7 assistance?
 8 A. Well, we all do, yeah.
 9 Q. When did you feel that Father Kelly needed
 10 assistance?
 11 A. I think that, you know, as a priest gets
 12 older, he loses the interest to get involved in some
 13 of the things he used to do, but I don't see that as
 14 particularly true.
 15 Q. What did you think he needed assistance
 16 with?
 17 A. He was a very --
 18 MS. YOUNG: Objection. Misstates testimony.
 19 Go ahead.
 20 THE WITNESS: He was a very serious man.
 21 Q. BY MR. HALE: Who do you think he needed
 22 assistance from?
 23 A. I don't know.
 24 Q. Okay.
 25 A. We worked well when I was there with him.

1 But he didn't work well with some priests. That's
 2 normal.
 3 Q. Which priests were you aware of him not
 4 working well with?
 5 A. All I know is that he told me one time
 6 that I met him on retreat that I was one of the best
 7 associates he had.
 8 Q. Were you aware of him not working well
 9 with Father [REDACTED]?
 10 A. I think he got along well with
 11 Father [REDACTED]. I think so.
 12 Q. Were you aware of him working well with
 13 Father [REDACTED]?
 14 A. Yes, definitely so. They were good
 15 friends.
 16 Q. Can you think of any priests that in your
 17 opinion he did not work well with?
 18 A. I'm not too sure after I left, you know,
 19 what arguments they had or if he had arguments or
 20 fights with any priests. To be honest, I don't know.
 21 Q. What about before you left? Were you ever
 22 aware of or did you every hear about him not working
 23 well with a priest who was assigned with him before
 24 you left?
 25 A. No; I didn't.

1 Q. Or before you were assigned to Our Lady of
 2 Guadalupe --
 3 A. No. I didn't.
 4 Q. Do you have any idea why these
 5 parishioners would write that they considered
 6 Father Kelly a very sick man and needing assistance?
 7 MS. YOUNG: Objection. Calls for speculation.
 8 THE WITNESS: No.
 9 Q. BY MR. HALE: Are you surprised that [REDACTED]
 10 and [REDACTED] have never shared this statement with you?
 11 A. They might have said that they were
 12 petitioning to get him out. They might have told me
 13 that. I don't remember to be honest.
 14 Q. Do you recognize the names of any of the
 15 other parishioners set forth in this --
 16 A. I recognize most of them.
 17 Q. Okay. We will go through these in a
 18 second.
 19 With regards to -- in the next paragraph,
 20 it says, "If desired, we can supply signatures of many
 21 more parishioners; but we are hopeful that this step
 22 will not be necessary since this would only agitate
 23 the parishioners to a degree which will affect the
 24 health of Father Kelly to a greater degree."
 25 With regard to that statement about

1 affecting his health to a greater degree, were you
 2 aware of agitation of parishioners affecting
 3 Father Kelly's health before you left Our Lady of
 4 Guadalupe?
 5 A. No, I wasn't.
 6 Q. Were you aware of him having any health
 7 problems before you left Our Lady of Guadalupe?
 8 A. No, I wasn't.
 9 Q. Do you have any idea what they are talking
 10 about in this paragraph?
 11 MS. YOUNG: Calls for speculation.
 12 THE WITNESS: No.
 13 Q. BY MR. HALE: Does it surprise you?
 14 MS. YOUNG: Irrelevant.
 15 THE WITNESS: Speculation only. That's what
 16 people do in petitions. They make things up.
 17 Q. BY MR. HALE: Have you seen a petition
 18 like this before in your career as a priest, a
 19 petition signed by a group of parishioners about a
 20 particular priest?
 21 A. Yes, mm-hmm.
 22 Q. How many times?
 23 A. Quite a number.
 24 Q. So this would not be an uncommon
 25 occurrence?

1 A. It's not uncommon, but it's not a common
 2 occurrence.
 3 Q. Certainly not a scandalous occurrence?
 4 A. No.
 5 Q. And just so I am clear, no one from the
 6 Archdiocese or the Archbishop or Chancellery Office
 7 has ever contacted you to discuss any of the
 8 allegations set forth in this document?
 9 A. No, they have not.
 10 Q. Okay.
 11 All right. So let's -- we talked about
 12 [REDACTED].
 13 Do you know Mr. [REDACTED], [REDACTED]?
 14 A. Yes.
 15 Q. How do you know him?
 16 A. Well, I remember him.
 17 Q. How did you know him?
 18 A. A parishioner -- he was a parishioner.
 19 I remember the name.
 20 Q. Did you ever hear him complain about
 21 Father Kelly about anything?
 22 A. No.
 23 Q. What about [REDACTED]? Did you know her?
 24 A. Yes. The name rings a bell.
 25 Q. Did you ever hear her complain about

1 Q. BY MR. HALE: Do you know if the choir
 2 director was a paid position?
 3 A. I don't know.
 4 Q. Do you remember there being another choir
 5 director other than [REDACTED]?
 6 A. I don't know.
 7 Q. What about [REDACTED]? Did you
 8 know her?
 9 A. As parishioner, yeah.
 10 Q. And had you ever heard her complain about
 11 Father Kelly?
 12 A. No.
 13 Q. What about [REDACTED]? Did you know him?
 14 A. Yeah. I remember the name. He was the
 15 choir direct when I was there.
 16 Q. Ever hear him complain about Father Kelly?
 17 A. Not really.
 18 Q. Not really?
 19 A. No, not really.
 20 If I remember, [REDACTED] -- we used to argue a
 21 lot about choir, so [REDACTED] complained a lot. That's all
 22 I remember.
 23 Q. Argue a lot about what?
 24 A. Oh, about the choir.
 25 Q. What would you argue about regarding the

1 Father Kelly?
 2 A. No.
 3 Q. How did you know her?
 4 A. Parishioner. She was one of the
 5 parishioners.
 6 Q. And what about this gentleman I assume was
 7 her husband, [REDACTED]?
 8 A. Yes. I just knew them as a couple.
 9 Q. Ever hear him complain about Father Kelly?
 10 A. No, I didn't.
 11 Q. What about [REDACTED]? Is that name
 12 familiar to you?
 13 A. Kind of rings a bell. I'm not too sure
 14 who it is.
 15 Q. Did the parish have a choir?
 16 A. Yes, mm-hmm.
 17 Q. All four years you were there?
 18 A. It had a choir up on the mesa.
 19 Q. Holy Cross?
 20 A. Holy Cross.
 21 Q. But not at Our Lady?
 22 A. I don't remember one at Our Lady.
 23 Q. Do you know who hired the choir director?
 24 MS. YOUNG: Objection. Lacks foundation,
 25 assumes facts not in evidence.

1 choir?
 2 A. Hymns are too long.
 3 Q. Okay.
 4 Anything else?
 5 A. No.
 6 Q. What about [REDACTED], [REDACTED],
 7 [REDACTED]? Do you know her?
 8 A. I'm not exactly sure I do. I might
 9 have -- sometimes they went by nicknames or the first
 10 name.
 11 Q. What about [REDACTED], [REDACTED], [REDACTED],
 12 [REDACTED]--?
 13 A. No, I don't remember that name.
 14 Q. [REDACTED].
 15 A. [REDACTED].
 16 Q. How about -- I am not even going to try
 17 the first name. How about Ms. [REDACTED]?
 18 A. [REDACTED]. Yes, I knew her.
 19 Q. Since you said it, I will spell it.
 20 [REDACTED].
 21 How did you know her?
 22 A. She was head of the Guadalupama Society.
 23 Q. That's Guadalupama spelled
 24 G-u-a-d-a-l-u-p-a-m-a.
 25 What is that society?

1 A. It's a society of Spanish speaking
2 parishioners.
3 Q. Do you know when that society was created
4 at Our Lady? Was that in existence already when you
5 got there?
6 A. It was, yes.
7 Q. Do you know if it is still in existence?
8 A. I don't know.
9 MS. YOUNG: Objection. Calls for speculation.
10 Q. BY MR. HALE: With regard to these people
11 we talked about on Page 82, other than [REDACTED] or [REDACTED],
12 have you spoken with any of them in the last 10 years?
13 A. The only name -- there is two other names
14 that I recognize there that I have -- three names that
15 I recognize that -- maybe four that I met at a funeral
16 that I had in Santa Barbara about two years ago.
17 Q. Whose funeral.
18 A. It was a Mrs. [REDACTED], [REDACTED]'s
19 mother.
20 Q. Okay.
21 Did any of these people ever work at the
22 rectory? I think you said [REDACTED] did some work at the
23 rectory.
24 A. That was after I left.
25 Q. Anyone else?

1 A. I don't ever remember any of these working
2 there.
3 Q. Do you remember any -- other than with
4 regards to the titles set forth in this document, any
5 of them do any other work for the parish that you
6 recall?
7 A. Not that I remember.
8 Q. On the next page, what about
9 Ms. [REDACTED]? Or Mr. [REDACTED]?
10 A. Mr. [REDACTED]. I don't remember him. I
11 might if I saw him. You know I don't know to be
12 honest.
13 Q. What about [REDACTED], [REDACTED]?
14 A. I don't remember him.
15 Q. [REDACTED]?
16 A. I don't remember him.
17 Q. [REDACTED].
18 What about [REDACTED]?
19 A. The name rings a bell, but I don't
20 remember him, who he was.
21 Q. What was the fall festival?
22 A. That was the parish fiesta fall festival.
23 Q. When would that --
24 A. Fund raising. Usually held towards the
25 end of the year, I think after school opened. I think

1 we used to have it in September. I'm not too sure
2 exactly what month we held it in.
3 Q. And that would be on parish grounds
4 obviously?
5 A. Yes, on the grounds.
6 Q. And what would happen during fall
7 festival?
8 A. There would be rides and food served
9 and -- to the fund raising. Carnival rides, booths,
10 people.
11 Q. Would the sisters of Notre Dame assist
12 with that?
13 A. I never saw them involved in it.
14 Q. What about the Sisters of Bethany?
15 A. No. They might come out and walk around
16 in it, but they never were involved.
17 Q. And did that take place every year you
18 were at Our Lady of Guadalupe?
19 A. It did, yes.
20 Q. When was the last time you went to that?
21 A. The last one I was there for.
22 Q. Do you know [REDACTED], [REDACTED]?
23 A. Yeah, the name rings a bell, yes.
24 Q. Do you know where the -- what were the PT
25 offices -- PT -- were there offices for the PTA?

1 A. There probably were. I'm not familiar
2 with them.
3 Q. How do you know Minnie?
4 A. Because she was a parishioner.
5 Q. What about [REDACTED], [REDACTED], [REDACTED],
6 [REDACTED]?
7 A. Yes. The name rings a bell.
8 (Discussion off the record.)
9 MR. HALE: Let's take a break so you can
10 change tape.
11 THE VIDEOGRAPHER: The time is 1654.
12 We are off the record ending tape number
13 two.
14 (Short recess taken.)
15 THE VIDEOGRAPHER: Time is 1657.
16 We are back on record beginning tape
17 three.
18 Q. BY MR. HALE: So [REDACTED], did you
19 know [REDACTED]?
20 A. The name rings a bell, right.
21 Q. As far as the Italian Catholic Federation,
22 were you familiar with that?
23 A. Yes.
24 Q. And how were you familiar with that?
25 A. Because they were a federation in

1 Santa Barbara. Lots of Italians in the parishes
2 there.
3 Q. Did Father Kelly work with the Italian
4 Catholic Federation to your knowledge?
5 A. As much as any of us did. We would go to
6 functions, but they ran their own organization.
7 Q. Where were the functions held at?
8 A. They would have them in different parish
9 halls.
10 Q. So did they rotate from parish to parish
11 in the Santa Barbara community?
12 A. I think they did. I think they just had
13 the one federation in Santa Barbara.
14 Q. What about [REDACTED]? Do you know that
15 person?
16 A. Yeah, that name rings a bell, yes.
17 Q. Do you know how you know him?
18 A. From -- I think he was involved in the
19 fiesta when I was there.
20 Q. What about [REDACTED]?
21 A. Yes, I recognize her.
22 Q. Who was that?
23 A. She was a parishioner.
24 Q. What is the Altar Society?
25 A. The ladies who use to take care of

1 cleaning the church.
2 Q. Was there someone in charge of that?
3 A. I don't know. They weren't in an
4 organized group as far as I know.
5 Q. Did they have meetings on parish grounds?
6 MS. YOUNG: Calls for speculation.
7 THE WITNESS: No. They'd come to work there.
8 That was all.
9 Q. BY MR. HALE: Were they --
10 A. I don't think there was any meetings as
11 such. Trust and organized organization.
12 Q. Were they --
13 A. As far as I know. Don't remember.
14 Q. Were they considered employees of the
15 parish?
16 A. No.
17 Q. They weren't paid --
18 A. Volunteers. All volunteers.
19 (Discussion off the record.)
20 Q. BY MR. HALE: Do you know [REDACTED]?
21 A. The name rings a bell, yes.
22 Q. What about [REDACTED]?
23 A. I think they were husband and wife.
24 Q. Do you know what [REDACTED] coached?
25 A. I don't remember her coaching.

1 Q. How about [REDACTED] or something like
2 that?
3 A. [REDACTED]. I don't know. I don't remember.
4 Q. [REDACTED]. I assume that was
5 Mr. [REDACTED]'s wife.
6 A. Yeah, I think so.
7 Q. What was the Tuesday Bingo Social?
8 A. Don't know.
9 Q. You are familiar with that?
10 A. I don't know. Yeah, to be honest, I don't
11 remember.
12 Q. Did you know Mr. [REDACTED]?
13 A. Yes.
14 Q. How did you know him?
15 A. He was very active in the parish.
16 Q. Did he ever do any work for the rectory?
17 A. Volunteer.
18 Q. What kind of volunteer work did he do?
19 A. Whatever he was called on to work with the
20 fiesta.
21 Q. Okay.
22 Anything else?
23 MS. YOUNG: No. The question was did he ever
24 do any work in the rectory?
25 Did you mean the parish or the rectory?

1 MR. HALE: We'll start with the rectory.
2 THE WITNESS: Oh, no. He wasn't -- he
3 wouldn't be in the rectory. He would come into the
4 office.
5 MR. HALE: Okay.
6 Q. And what would he come into the office
7 for?
8 A. For whatever was needed to -- if he was
9 doing something to put in the bulletin for the fiesta
10 or other things.
11 Q. What about did he do any work for the
12 parish?
13 A. Just volunteer work. Same as the other
14 parishioners.
15 Q. How often was the bulletin published?
16 A. We had a bulletin every week.
17 Q. And you don't have any of those bulletins
18 in your possession?
19 A. No, I don't.
20 Q. Do you know anyone who has maintained
21 copies of those bulletins?
22 A. No, I don't.
23 Q. Do you know if [REDACTED] has
24 maintained copies of the bulletins for the parish?
25 A. I don't think she would have.

1 Q. What about [REDACTED] or [REDACTED]?
 2 A. I don't know.
 3 Q. Okay.
 4 Now this list of names on Pages 82 and 83,
 5 did any of those people ever discuss with you
 6 complaints they had about Father Kelly?
 7 A. Not -- just normal complaints like, you
 8 know, if some of them would have -- you know, like
 9 [REDACTED] was typical. I argued with him a
 10 lot. He was an argumentative type person but a good
 11 person to be around and very friendly and --
 12 Q. What did you argue --
 13 A. He was always very -- oh, everything and
 14 anything under the sun.
 15 Q. You got to let me finish my question.
 16 A. Sorry.
 17 Q. So what did you argue with [REDACTED]
 18 [REDACTED] about?
 19 A. I don't remember exactly now. We were
 20 fairly good friends when I was there and we did get
 21 into arguments about different things.
 22 Q. When was the last time you spoke with him?
 23 A. At the funeral for Mrs. Flynn.
 24 Q. And did you -- have you ever discussed
 25 with any of these people allegations of sexual abuse

1 by Father Kelly?
 2 A. No, I haven't.
 3 Q. Okay. If you could pass that over to the
 4 court reporter.
 5 The last document is dated November 18th,
 6 1970. It's Bates stamped number 84. It's to Reverend
 7 [REDACTED], from Monsignor Rawden,
 8 R-a-w -- I'm spelling. Here we go again.
 9 MS. YOUNG: Are you marking this as Exhibit 4
 10 for identification?
 11 MR. HALE: Exhibit 4, yes.
 12 (Plaintiff's Exhibit 4 was
 13 marked for identification.)
 14 Q. BY MR. HALE: Have you had a chance to
 15 review that document now?
 16 A. Mm-hmm.
 17 Q. The first sentence says, "This will advise
 18 you" -- actually, yeah, the only sentence -- "advise
 19 you that at the meeting of November 12th of his
 20 Excellency, the Most Reverend Archbishop, in the
 21 Archdiocese Board of Consultors" --
 22 MS. YOUNG: With the Archdiocese.
 23 MR. HALE: Sorry. "With the Archdiocese Board
 24 of Consultors."
 25 Q. Were you ever aware of a meeting taking

1 place regarding Father Kelly on November 12th, 1970?
 2 A. No, I wasn't.
 3 Q. Do you know Father [REDACTED]?
 4 A. I knew of him. I didn't know him
 5 personally.
 6 Q. Do you know if he is still alive?
 7 A. No. He died recently.
 8 Q. Okay.
 9 What about Monsignor [REDACTED]?
 10 A. He's deceased.
 11 Q. Deceased. Okay.
 12 Were you ever aware of Father -- or hear
 13 about Father [REDACTED] or [REDACTED] or [REDACTED] ever visiting
 14 Father Kelly to interview him about the petition?
 15 A. No, I didn't.
 16 Q. Did any of them ever come and talk to you
 17 about Father Kelly?
 18 A. No, they didn't.
 19 Q. Okay. If you could just pass that over to
 20 the court reporter.
 21 Has Father [REDACTED] ever told you that
 22 anyone had ever --
 23 And [REDACTED] is [REDACTED]?
 24 Has Father [REDACTED] ever told you that
 25 anyone had ever told him that Father Kelly was

1 sexually abusing boys or a boy?
 2 A. No.
 3 Q. That Father Kelly was giving a boy or boys
 4 alcohol?
 5 A. No.
 6 Q. That Father Kelly was taking a boy or boys
 7 to the cabin?
 8 A. No.
 9 Q. Do you know [REDACTED]?
 10 A. Yeah, the name rings a bell. He was a
 11 priest with the Archdiocese at one time, I think. I
 12 didn't know him.
 13 Q. Okay.
 14 How about a boy named [REDACTED]?
 15 A. I don't remember really.
 16 Q. I assume you know who Bishop Curry is,
 17 correct?
 18 A. Yes.
 19 Q. Curry is C-u-r-r-y.
 20 Has he ever spoken to you or written to
 21 you about Father Kelly?
 22 A. No, he hasn't.
 23 Q. And did Monsignor [REDACTED] ever write to
 24 you or talk to you about Father Kelly?
 25 A. What Father [REDACTED] is that?

1 Q. [REDACTED]
 2 A. No.
 3 Q. And what about Father [REDACTED]? Did he
 4 ever write to you or talk to you about Father Kelly?
 5 A. No.
 6 Q. Did you ever hear Father [REDACTED] complain
 7 about Father Kelly?
 8 A. No, I didn't.
 9 Q. Did you ever hear about or become aware of
 10 him complaining about Father Kelly?
 11 A. No, I don't.
 12 Q. Did you ever hear about or become aware of
 13 Father [REDACTED] saying he was leaving Our Lady of
 14 Guadalupe because of Father Kelly?
 15 A. I never heard him say that.
 16 Q. But did you ever hear about him having
 17 said that?
 18 A. No, I didn't.
 19 Q. Did you ever hear about or become aware of
 20 Father [REDACTED] saying Our Lady was a difficult place to
 21 work because of Father Kelly?
 22 A. No, I never heard.
 23 Q. Did you ever --
 24 A. I never heard that.
 25 Q. And you never learned of it any other way?

1 A. No.
 2 Q. Did you ever hear about or become aware of
 3 Father [REDACTED] complaining to Timothy Manning about
 4 Father Kelly?
 5 A. I never heard that.
 6 Q. And you never became aware of that
 7 happening?
 8 A. No.
 9 Q. Did you ever hear about or become aware of
 10 Father [REDACTED] saying that Father Kelly was not normal?
 11 A. Never heard it.
 12 Q. Never became aware of it in any way?
 13 A. No.
 14 Q. Did you ever think that Father Kelly was
 15 not normal?
 16 A. No, I didn't.
 17 Q. Did you get along with Mike [REDACTED]?
 18 A. Yes, I did.
 19 Q. When did you first meet him?
 20 A. I mentioned earlier that I thought he
 21 visited before he was assigned there but...
 22 Q. That's right. Okay.
 23 And you recall him spending the night at
 24 the parish before he was assigned there?
 25 A. I don't ever remember --

1 MS. YOUNG: Asked and answered.
 2 THE WITNESS: I'm sorry.
 3 Q. BY MR. HALE: When was the last time you
 4 spoke to him?
 5 A. Probably when I left Santa Barbara.
 6 Q. Okay.
 7 Did he ever tell you that he lived at the
 8 rectory when he was a student at Saint John's around
 9 1958 and 1959?
 10 A. I don't remember him telling me that.
 11 Q. Do you remember -- ever become aware, ever
 12 hear about him living at Saint John's while on summer
 13 breaks -- I'm sorry -- living at Our Lady while on
 14 summer breaks from Saint John's or holiday breaks?
 15 A. I don't remember. He could have. I don't
 16 remember.
 17 Q. So how long -- did you work with
 18 Mr. [REDACTED] for about a year, year and a half?
 19 A. Almost two years.
 20 Q. Did you know him to be an honest man?
 21 A. He was as honest as -- you know, we got
 22 along well together.
 23 Q. Did you ever know him to be dishonest?
 24 A. Dishonest? Well, there is different ways
 25 of putting it. I was not happy with something he did

1 towards the end of my term there.
 2 Q. What was that?
 3 A. One morning I got up and when I opened my
 4 blinds he was talking to a friend of mine, a
 5 parishioner, in the parking lot.
 6 And when he came in, he told me that
 7 parishioner came to talk to me about a problem -- a
 8 family problem, but that my door was closed, so he
 9 talked to him.
 10 And then shortly after I left there the
 11 parishioner caught him having an affair with his wife
 12 in his home.
 13 Q. Okay.
 14 A. And he let her --
 15 MS. YOUNG: Him being [REDACTED].
 16 THE WITNESS: [REDACTED], yeah.
 17 And they were good friends of mine. He
 18 was a convert of mine, this man, and he and his wife
 19 were good friends and they had beautiful children and
 20 the man was very hurt to the fact that he stopped
 21 practicing the Catholic faith because of that, which
 22 kind of undid everything that I did with him and --
 23 Q. BY MR. HALE: What was the name of the
 24 parishioner?
 25 A. I cannot think of the last name now

1 because I haven't been in touch with them since I left
2 there. Her name was [REDACTED]. His name was [REDACTED], I think.
3 I'm not exactly sure. But Father [REDACTED] married her
4 later on. That's his wife.

5 Q. Did you ever confront Father [REDACTED] about
6 this?

7 A. No, because I had moved. I was changed at
8 the time.

9 Q. How did you hear about Father [REDACTED]
10 marrying this woman?

11 A. Because I knew he married her just the
12 same as I would hear of other priests leaving the
13 church.

14 And then some of the parishioners told me,
15 some of our good friends. It was their closest friend
16 that told me. They were also converts of mine, one of
17 them.

18 Q. Okay.

19 Did you ever have any kind of argument or
20 falling out with Father [REDACTED]?

21 A. No. We got along.

22 Q. So aside from this one instance, your
23 relationship with him was okay?

24 A. While we were there. But I was changed
25 just after he talked to this man, sometime after that

1 A. I wouldn't be aware of that. I didn't
2 know who his friends were.

3 Q. Okay.

4 Did you ever make any disparaging remarks
5 to him about Father Kelly?

6 A. Not that I can remember.

7 Q. Did you ever complain to him about
8 Father Kelly?

9 A. No, not that I can remember.

10 Q. Ever tell him you did not like
11 Father Kelly?

12 A. I don't ever remember telling him that.

13 Q. Ever tell him you thought Father Kelly had
14 a drinking problem?

15 A. I don't remember that.

16 Q. And I understand you had this ethical
17 issue with him about this affair he had, but did you
18 ever have any reason to believe -- were you ever aware
19 of Father [REDACTED] lying about anything?

20 A. I wouldn't be aware of that.

21 Q. Have you ever heard about or become aware
22 of Father [REDACTED] lying about anything?

23 A. Not to my knowledge. I have been out of
24 contact now for 37 years.

25 Q. Have you ever heard about or become aware

1 as far as my recollection was, and it was shortly
2 after that that he left the priesthood.

3 Q. Okay.

4 Have you ever spoken with him since he has
5 left the priesthood?

6 A. No, I haven't.

7 Q. Did you ever hear about why he left the
8 priesthood?

9 A. Because he had an affair with this lady
10 and married her.

11 Q. But did you ever hear that from anyone?

12 A. Yes, sure.

13 Q. Who did you hear that from?

14 A. I heard the fact that her husband caught
15 them together and then their friends told me that they
16 had gone off and gotten married.

17 Q. But did you hear that from a priest or --

18 A. The priests knew about it. We knew about
19 it. We know about it when a priest leaves. But it
20 was a good -- these people's -- this couple's good
21 friend that told me about the incident and why and
22 what happened.

23 Q. Have you ever heard of any other priest
24 within the Archdiocese having any kind of argument or
25 falling out with Father [REDACTED]

1 of anyone saying Mr. [REDACTED] was a liar?

2 A. Not to my knowledge.

3 Q. Did you ever know a boy named [REDACTED]
4 [REDACTED]?

5 A. Doesn't ring a bell.

6 Q. Okay.

7 Have you ever been aware of any priests
8 from Our Lady testifying on behalf of a juvenile at a
9 juvenile court hearing?

10 A. I don't -- I'm not aware of it.

11 Q. Did you ever know a Father [REDACTED],
12 [REDACTED]?

13 A. Name doesn't ring a bell.

14 Q. Were there any priests who came from
15 outside the Archdiocese while you were at Our Lady of
16 Guadalupe perform missions?

17 A. There was one priest who came from Mexico
18 a couple times when I was there for the Our Lady of
19 Guadalupe novena in December.

20 Q. Do you remember what his name was?

21 A. He was an older man. He was a late
22 vocation to the priesthood. He used to be a bracero
23 that used to come up to Santa Barbara to work and
24 that's how he got to know the area and got to know
25 Father Kelly because he worked -- I can't remember his

1 name to be honest.

2 Q. Do you remember where he came from in
3 Mexico? Was it Chapala?

4 A. I'm not too sure. I didn't know Mexico
5 that well and still don't, but I have a better idea of
6 the states.

7 Q. Did you say he came a couple times to
8 perform missions while you were at Our Lady?

9 A. From my recollection, I know he came twice
10 to give the Our Lady of Guadalupe novena it was
11 called, the nine days before the feast of Our Lady of
12 Guadalupe.

13 Q. And what happens in that -- you said
14 novena?

15 A. It's like a retreat for parishioners that
16 are called in, prayers, special talks.

17 Q. And so was this priest -- he was from
18 another diocese?

19 A. He was from a diocese in Me -- I think it
20 was Tijuana. I think it was the diocese of Tijuana he
21 was from.

22 Q. And during this novena would he say Mass
23 for the parishioners?

24 A. I think they had Mass every -- I'm not too
25 sure because we weren't used to evening Masses then.

1 THE WITNESS: Sorry.

2 Q. BY MR. HALE: And what was the process for
3 obtaining the temporary faculties?

4 MS. YOUNG: Same objection.

5 THE WITNESS: Pastor calls the Archdiocese.

6 Q. BY MR. HALE: And were they called
7 temporary faculties? Or was there another name for it
8 or was it just faculties?

9 A. You just get the reason why the priest is
10 coming in.

11 Q. Okay.

12 And then would the Chancellery Office send
13 some kind of written letter confirming that the priest
14 had faculties to perform Mass?

15 MS. YOUNG: Objection. Calls for speculation.

16 THE WITNESS: Usually I think. Nowadays they
17 do. I don't know then.

18 Q. BY MR. HALE: With regard to this priest
19 who came and performed Mass, did you ever see a
20 letter --

21 MS. YOUNG: Object -- all right. Go ahead.

22 Q. BY MR. HALE: -- a letter from the
23 Archdiocese or from the Chancellery Office giving him
24 faculties?

25 MS. YOUNG: Objection. Misstates the

1 But I think he had Mass -- I know that he had a long
2 talk every -- for the nine evenings before the feast.

3 Q. Do you know if he had faculties to perform
4 Mass within the Archdiocese?

5 A. Yes, there would.

6 Q. Would he be given -- do you know if he was
7 given temporary faculties or how he obtained
8 faculties?

9 MS. YOUNG: Objection. Calls for speculation.

10 THE WITNESS: I don't know.

11 Q. BY MR. HALE: But how do you know he had
12 faculties?

13 A. Well, usually when a priest comes in, they
14 would have to be an active priest. They have to
15 produce a paper.

16 Q. Okay.

17 A. That's the normal procedure.

18 Q. Produce a paper to the pastor?

19 A. Yeah, to the pastor. If the pastor didn't
20 know him personally, that he was an active priest and
21 where he was active.

22 Q. And do you know would the Archdiocese then
23 grant some kind of temporary faculties?

24 A. Oh, yes.

25 MS. YOUNG: Objection. Calls for speculation.

1 testimony.

2 THE WITNESS: I didn't. I wasn't the one that
3 brought him in.

4 MR. HALE: Well, no. I'm not saying you
5 brought him in.

6 Q. But with regards to the priest who came
7 from Mexico, did you ever see such a letter?

8 A. No, I didn't.

9 Q. Did you ever hear about him obtaining such
10 faculties?

11 A. I don't -- didn't hear.

12 Q. Are you basically just assuming that that
13 was kind of procedure for that kind of thing
14 happening, that he would obtain faculties?

15 A. Back then the procedure was if you didn't
16 know the priest, they had to have faculties. You
17 would never bring somebody in without them having
18 faculties.

19 If you knew the priest, it's different.

20 Q. If you knew the priest, would it be okay
21 for that priest to say Mass without having faculties?

22 A. If he was an active priest.

23 Q. Within the Archdiocese?

24 A. Within his own diocese. You asked me if
25 he was coming in from outside.

1 Q. Right.
 2 So, in other words, if this priest came in
 3 from Mexico and was an active priest in Mexico, would
 4 that priest need faculties from the Archdiocese of
 5 Los Angeles to perform Mass at Our Lady of Guadalupe?
 6 MS. YOUNG: Objection. Calls for expert
 7 testimony, speculation, incomplete hypothetical.
 8 THE WITNESS: Usually they will. Not always.
 9 But they used to -- nowadays you have to.
 10 MR. HALE: Okay.
 11 Q. And back then it was usually?
 12 MS. YOUNG: Same objection.
 13 MR. HALE: You can answer.
 14 THE WITNESS: Usually.
 15 Q. BY MR. HALE: In your experience as a
 16 pastor, has there ever been a circumstance where a
 17 priest who was not in the Archdiocese of Los Angeles
 18 or did not have faculties from the Archdiocese of
 19 Los Angeles came into your parish and said Mass under
 20 those circumstances?
 21 MS. YOUNG: Objection. Calls for speculation.
 22 THE WITNESS: Yes.
 23 Q. BY MR. HALE: And when was that?
 24 A. It was that priest that I would know for
 25 definite that he was an active priest.

1 Q. And would you have to inform the
 2 Chancery Office that you were allowing this priest
 3 to come in and perform Mass?
 4 A. And ask for faculty -- and ask for
 5 permission to perform --
 6 Q. And -- sorry.
 7 And would that permission to perform
 8 include a request for faculties?
 9 A. Yes.
 10 Q. So is there any -- strike that.
 11 Can you think of any circumstances where
 12 ultimately -- in your experience as a pastor where a
 13 priest could come in who did not have faculties within
 14 the Archdiocese of Los Angeles, who was not
 15 incardinated in within the Archdiocese in Los Angeles
 16 and performed Mass without the pastor of the parish
 17 requesting and obtaining faculties for that priest?
 18 MS. YOUNG: Objection. Calls for speculation,
 19 calls for expert testimony.
 20 THE WITNESS: No. We have to have faculties
 21 if we know that they are coming in to perform within
 22 the parish, but we have no control on somebody who
 23 comes in without our knowledge.
 24 Q. BY MR. HALE: Were you ever aware of that
 25 happening?

1 A. Aware of ex-priests doing Masses.
 2 Never mind priests coming in from outside.
 3 We have no control when they don't come into the
 4 parish facilities.
 5 Q. But to perform Mass at a parish facility?
 6 A. Oh, no. Not at a parish facility, no.
 7 Q. That could not be done without the priest
 8 having faculties?
 9 A. Not when I was --
 10 MS. YOUNG: Same objection.
 11 MR. HALE: Okay.
 12 Q. And what about when you were at Our Lady
 13 of Guadalupe? Could that have been done with a priest
 14 from outside the Archdiocese, perform Mass at Our Lady
 15 of Guadalupe in the church without that priest having
 16 faculties?
 17 MS. YOUNG: Objection. Incomplete
 18 hypothetical, calls for speculation.
 19 THE WITNESS: I don't know.
 20 Q. BY MR. HALE: Were you ever aware of that
 21 happening while you were at Our Lady of Guadalupe?
 22 A. I wasn't aware of it.
 23 Q. Did you ever hear Father Kelly complaining
 24 about something like that happening?
 25 A. No, I didn't.

1 Q. Did Father Kelly run a pretty tight ship?
 2 A. I think that he was very methodical as a
 3 pastor. He was a good administrator.
 4 Q. Okay.
 5 Do you know a -- did you know a boy named
 6 [REDACTED]?
 7 A. I don't remember the name to be honest.
 8 Q. Okay.
 9 How about the [REDACTED] family? Did you
 10 know the [REDACTED] family?
 11 A. I remember a [REDACTED] family, but there
 12 were a number of [REDACTED] families. I don't remember
 13 which one.
 14 Q. While you were at Our Lady of Guadalupe
 15 was there a roster of altar boys?
 16 A. I don't remember. I'm sure they did have
 17 them.
 18 Q. Do you know who selected altar boys?
 19 A. They were usually volunteers.
 20 Q. Could anyone simply volunteer and become
 21 an altar boy?
 22 A. Normally, we would ask for them from the
 23 school to be volunteers and we would know them. It's
 24 not just that you take everybody. I don't know
 25 what --

1 Q. Was there a schedule for altar boys?
 2 A. Yeah. When I was there, I scheduled the
 3 altar boys.
 4 Q. And where was that schedule to be kept?
 5 A. To be quite honest, I don't remember.
 6 Q. Who -- how was it determined which altar
 7 boy would help each priest?
 8 A. It wasn't determined that way. They were
 9 assigned to the Masses.
 10 Q. Who would assign them to a Mass?
 11 A. When I was there, I was in charge of it,
 12 so I did it.
 13 Q. Did Father Kelly ever help?
 14 A. I don't ever remember him being involved
 15 in it.
 16 Q. During your career as a priest, did you
 17 ever request a new assignment?
 18 A. Yes, I did.
 19 Q. Is that unusual for a priest to request an
 20 assignment?
 21 A. No, I didn't.
 22 Q. Have you ever received any training or
 23 education regarding identifying warning signs of
 24 childhood sexual abuse?
 25 A. Yes, I have.

1 A. Yes. Probably about 20, around the time
 2 maybe that I became pastor.
 3 Q. Who did you receive that training from?
 4 A. It wasn't training. It wasn't official
 5 training. Just signs to look out for.
 6 Q. Someone talked to you about that?
 7 A. Yes.
 8 Q. Who?
 9 A. Well, the pastor that I replaced in
 10 Norwalk told me, but it would come up at -- after we
 11 had the diocese broken up and we had meetings, we
 12 discussed it when child abuse became prevalent.
 13 Q. Okay.
 14 And what were the signs at that time that
 15 you were told about?
 16 A. Well, the warning signs were, you know,
 17 just if they were hanging around a particular priest
 18 and there were children, minors were going into the
 19 rectory and behind closed doors or --
 20 Q. Did you ever hear voices coming from
 21 Father Kelly's living quarters with the door closed?
 22 THE WITNESS: No, I didn't.
 23 MS. YOUNG: Asked and answered.
 24 Q. BY MR. HALE: Any other warning signs you
 25 learned about through this unofficial training?

1 Q. When was the first time you received such
 2 training?
 3 A. Official training?
 4 Q. (Counsel nods head.)
 5 A. When the Virtus program started here in
 6 Los Angeles.
 7 (Record read.)
 8 THE WITNESS: -- program started in the
 9 Archdiocese.
 10 Q. BY MR. HALE: How long ago was that?
 11 A. I don't remember how many years ago.
 12 Probably four or five years ago.
 13 Q. Okay.
 14 That was the first time you received any
 15 training regarding or identifying warning signs of
 16 childhood sexual abuse?
 17 A. Official training.
 18 Q. Did you receive unofficial training at
 19 some point?
 20 A. Yes.
 21 Q. When was that?
 22 A. Oh, I don't remember how far back it was.
 23 Q. Less than 10 years ago?
 24 A. Oh. More than 10 years.
 25 Q. More than 20 years ago?

1 A. I don't remember all of them to be honest.
 2 Q. Was this something other priests
 3 participated in, this unofficial training?
 4 A. It wasn't like --
 5 MS. YOUNG: Calls for speculation.
 6 Go ahead.
 7 THE WITNESS: Yeah.
 8 It wasn't like that we were called to
 9 meetings and told about it. It would come up at
 10 different times at different meetings.
 11 Q. BY MR. HALE: How would it come up?
 12 A. When the child abuse thing became a
 13 widespread norm.
 14 Q. Okay.
 15 And there wasn't any kind of written
 16 communication about that, so it just kind of --
 17 A. I don't remember exactly to be honest.
 18 Q. Let me make sure you let me finish my
 19 question. Just try.
 20 MS. YOUNG: Yeah, please.
 21 Q. BY MR. HALE: Have you ever received any
 22 training or education regarding preventing childhood
 23 sexual abuse from happening?
 24 A. Official training?
 25 Q. Yes.

1 A. Yes, the Virtus training.
 2 Q. Okay. Anything prior to that?
 3 A. Nothing official.
 4 Q. Was preventing childhood sexual abuse
 5 discussed in this unofficial training you testified
 6 to?
 7 A. I wouldn't call it training. It wouldn't
 8 be training as such. Now the Virtus training was the
 9 first official training.
 10 Q. Okay.
 11 Unofficial discussions of...
 12 A. Discussions.
 13 Q. Have you ever received any training or
 14 education regarding reporting childhood sexual abuse?
 15 A. Yes, we have.
 16 Q. And when was the first time you received
 17 that?
 18 A. I don't remember, but I know it was before
 19 the Virtus training.
 20 Q. Do you think it was --
 21 A. I know that it was at least over 20 years
 22 ago.
 23 Q. Okay.
 24 And what was -- who communicated that to
 25 you?

1 A. The Archdiocese communicated.
 2 Q. Was that in writing or in print?
 3 A. In writing, yeah.
 4 Q. What was your understanding of the
 5 reporting requirements regarding childhood sexual
 6 abuse?
 7 A. That if we became aware of it in our
 8 parishes, it was to be reported immediately and who to
 9 report it to.
 10 Q. And you think that was around 20 years ago
 11 or more than that?
 12 A. I think it was more than that. It was
 13 around the time that I came to Norwalk.
 14 Q. Okay.
 15 Why don't we take a break here and then I
 16 have probably got hopefully no more than 30,
 17 45 minutes left.
 18 MS. YOUNG: Okay.
 19 THE VIDEOGRAPHER: Time is 1727. We are off
 20 the record.
 21 (Short recess taken.)
 22 THE COURT: Time is 1736. We are back on the
 23 record.
 24 Q. BY MR. HALE: Do you know Father [REDACTED]
 25 [REDACTED]?

1 A. Yes, I do.
 2 Q. How do you know him?
 3 A. Priest in the Archdiocese and the nephew
 4 of Father Kelly.
 5 Q. Have you ever been assigned anywhere with
 6 him?
 7 A. No, I haven't.
 8 Q. Have you ever discussed with him
 9 allegations against Father Matthew Kelly regarding
 10 childhood sexual abuse?
 11 A. No, I haven't.
 12 Q. When was the last time you spoke with him?
 13 A. I think I saw him at our gathering of
 14 priests in October.
 15 Q. And did you discuss with him what life was
 16 like for you with Father Kelly?
 17 A. No, I didn't.
 18 Q. Have you ever been aware of any member of
 19 the Archdiocese warning a member or members of a
 20 parish or a community that a priest who have been
 21 accused of sexual abuse of a minor was assigned or was
 22 in residence or was doing supply work at that
 23 location?
 24 THE REPORTER: I can't -- with your hand in
 25 the way.

1 MR. HALE: I will repeat it.
 2 Q. Have you ever been aware of any member of
 3 the Archdiocese warning a member or members of a
 4 parish or community that a priest who has been accused
 5 of sexual abuse of a minor was assigned or in
 6 residence or was doing supply work at that location?
 7 MS. YOUNG: Objection. Lacks foundation,
 8 assumes facts not in evidence, incomplete
 9 hypothetical, calls for speculation.
 10 THE WITNESS: You mean at Guadalupe?
 11 MR. HALE: At any location.
 12 THE WITNESS: At any location.
 13 MS. YOUNG: Same objection.
 14 THE WITNESS: I don't -- the question was so
 15 long I don't know exactly what it pertains to.
 16 MR. HALE: I will repeat it for you.
 17 Q. Have you ever been aware of any member of
 18 the Archdiocese warning a member or members of a
 19 parish or of a community that a priest who had been
 20 accused of sexual abuse of a minor was assigned or was
 21 in residence or was doing supply work at that
 22 location?
 23 MS. YOUNG: Objection. Lacks foundation,
 24 assumes facts not in evidence, incomplete
 25 hypothetical, calls for speculation.

1 MR. HALE: You could have just said same
2 objection. It would be quicker.

3 THE WITNESS: The only thing I know is that
4 when notification is given to a parish that a priest
5 has been accused, that has been at a number of
6 parishes. That's all I know.

7 Q. BY MR. HALE: But have you personally been
8 aware of any member of the Archdiocese issuing a
9 warning to any member of a parish or community about a
10 priest that has been accused of childhood sexual
11 abuse?

12 MS. YOUNG: Same objection.

13 THE WITNESS: That he was living there at the
14 time?

15 MR. HALE: Or he was assigned or he was in
16 residence or he was doing supply work.

17 A. Not to my knowledge.

18 Q. Okay.

19 Have you ever been aware of any member of
20 the Archdiocese -- strike that.

21 Have you ever initiated or heard any
22 discussions regarding whether the Archdiocese should
23 take such actions; in other words, warning members of
24 a parish or community that a priest had been accused
25 who was in residence or was doing supply work or was

1 assigned at a location?

2 MS. YOUNG: Objection. Lack of foundation,
3 assumes facts not in evidence.

4 THE WITNESS: I am not fully aware of how that
5 is expressed.

6 I know what our policy is when somebody is
7 accused and a parish is notified.

8 MR. HALE: I understand. I am not asking for
9 the policy though.

10 But have you ever been --

11 A. But I have -- yeah, I have been aware that
12 it's been done. I was part of it myself once.

13 Q. When was the first time you were
14 personally aware of a warning being issued to a parish
15 or to a community about a priest who has been accused
16 of childhood sexual abuse either being assigned there,
17 in residence or doing supply work there?

18 MS. YOUNG: Same objections. Plus vague and
19 ambiguous.

20 THE WITNESS: I'm not too sure when I heard it
21 first.

22 Q. BY MR. HALE: Do you think it was in the
23 last five years?

24 A. Oh, it was before that.

25 Q. More than 10 years ago?

1 A. I don't know exactly.

2 Q. Do you recall the name of the priest?

3 A. I just would hear of the parishes that
4 were notified. That was it. I don't remember exactly
5 now which cases.

6 Q. Do you remember which parishes?

7 A. Again, that I'm unclear of -- of the whole
8 thing you know.

9 I know the different parishes -- some of
10 the parishes that had the notifications made at them.

11 Q. Was there more than one perpetrator who
12 people were warned about?

13 A. No. It would be a particular priest, that
14 he had been accused and was removed. That was the
15 ones I am talking about.

16 Q. Do you remember which priests?

17 A. Ummm. For me not to remember. I am
18 trying.

19 I know there was Father [REDACTED] --

20 Q. Okay.

21 A. -- in Paramount.

22 Q. How long ago was that warning issued to a
23 parish or to a community about Father --

24 A. That he was accused. Not that he was
25 a -- sorry.

1 Q. Let me finish. Okay?

2 How long ago was it that you became aware
3 that Father -- that warnings were issued about Father
4 [REDACTED] to a parish or to a community?

5 A. Again, I'm not aware, so I would have
6 to -- I cannot answer that.

7 All I am saying is that an announcement
8 was made to the parish that he was accused. It wasn't
9 that he was a perpetrator.

10 Q. Okay, okay. Fine. We will talk about
11 just accusations.

12 When did you first personally become aware
13 of a warning being issued about a priest who had been
14 accused of childhood sexual abuse being assigned or in
15 residence or doing supply work at a particular
16 location?

17 A. Mm-hmm.

18 Whenever the policy started in the diocese
19 of them doing it, then we priests would hear it.
20 Announcements were made in some parishes.

21 Q. Do you recall when was the first time you
22 heard about --

23 A. I don't know how long ago.

24 Q. You have got to let me finish.

25 A. Okay. I'm sorry

1 Q. Do you recall when you first heard about
2 an announcement being made at a specific parish about
3 a specific priest?

4 A. How long ago?

5 Q. Yes.

6 A. I would say as far back as 10 years ago or
7 more.

8 Q. Okay.

9 Do you think it might have been longer ago
10 than that?

11 A. I'm not too sure.

12 Q. And you don't recall the names of any
13 other priest other than Father [REDACTED] who warnings were
14 issued about?

15 MS. YOUNG: Objection. Asked and answer.

16 And, Counsel, if this line of questioning
17 is going to keep up, I am going to start instructing
18 him not to answer because if it has nothing to do with
19 Father Kelly and the time frame that we are operating
20 under with Father Kelly, I don't believe it's
21 calculated to lead to the discovery of admissible
22 evidence.

23 MR. HALE: I disagree with that. I think the
24 demur order makes it clear that the 17200 cause of
25 action survives, that the public nuisance cause of

1 should warn a parish or a community that a priest that
2 has been accused of sexual abuse has been assigned or
3 is in residence or is doing supply work at a certain
4 location?

5 MS. YOUNG: Objection. Vague and ambiguous,
6 lacks foundation, calls for speculation, assumes facts
7 not in evidence, incomplete hypothetical.

8 THE WITNESS: I have seen one document.

9 Q. BY MR. HALE: When was that?

10 A. Approximately four years ago with
11 Father [REDACTED].

12 Q. Okay.

13 Was that from the Chancellory Office?

14 A. Yes, it was.

15 Q. What did that document say?

16 A. It was just announcing to the people that
17 Father [REDACTED] had been accused and that it was being
18 investigated.

19 Q. When you say "the people," is that the
20 parish?

21 A. The people at the parish at all the
22 Masses. It was announced at all the Masses.

23 Q. And is that the only time you have seen a
24 written communication?

25 A. That's the only time I have seen a

1 action is still in existence, and if there is --

2 MS. YOUNG: The demur didn't say anything
3 about the public nuisance, Counsel.

4 MR. HALE: Right. It's still in existence.
5 It's still connected to discovery.

6 And if punitive damages are allowed in
7 this case, it will be relevant to that as well.

8 MS. YOUNG: But it has nothing to do with --
9 what he is testifying to has nothing to do with the
10 Father Kelly time period or public nuisance in Santa
11 Barbara.

12 MR. HALE: But that doesn't matter. If it's
13 17200 or if it's public nuisance or if it's punitive
14 damages, it's not going to be limited to Father Kelly.
15 It's going to be the whole story and the story is
16 going to go all the way forward till 2007. That's the
17 whole point of the 17200 and public nuisance causes of
18 action, is that there is a continuing pattern and it
19 has got to be changed. That's the whole point of
20 this, bearing the liability.

21 MS. YOUNG: Well, you said your piece and I
22 will say mine.

23 MR. HALE: Right. Okay.

24 Q. Have you ever drafted or seen any written
25 communications regarding whether the Archdiocese

1 written...

2 Q. While you were at Our Lady at Guadalupe,
3 were you involved in any way in managing parish
4 finances?

5 A. No, I wasn't.

6 Q. Did you ever help prepare the annual
7 report?

8 A. No, I didn't.

9 Q. I understand you play golf regularly with
10 Father [REDACTED].

11 A. Yes, I do.

12 Q. And do you have dinner with Father [REDACTED]
13 regularly?

14 A. No, I don't.

15 Q. How often do you play golf with
16 Father [REDACTED]?

17 A. Almost every Tuesday.

18 Q. Who else plays?

19 A. You want the names?

20 Q. Yes.

21 A. Father [REDACTED], Father [REDACTED],
22 Father [REDACTED], Father [REDACTED], Father [REDACTED]. I think I
23 got them all.

24 Q. When you say Father [REDACTED], is that Father
25 [REDACTED]?

1 A. No, it isn't. It's another Father [REDACTED].
 2 Retired priest.
 3 Q. And have you ever discussed Father Matthew
 4 Kelly with any of those priests during any of those
 5 golf afternoons or whatever they are?
 6 A. No.
 7 Q. Have you ever discussed Father Kelly with
 8 Father [REDACTED] during a dinner?
 9 A. No, I haven't.
 10 Q. Have you had dinner with Father [REDACTED]
 11 recently?
 12 A. No, I haven't.
 13 Q. When was the last time you had dinner with
 14 Father [REDACTED]?
 15 A. Probably maybe a number of years ago, two
 16 or three years ago at least.
 17 Q. Okay.
 18 Are you --
 19 Don't go ballistic, Bless. I know where
 20 you are going to go with this. We will make a record
 21 so we know where it's at.
 22 Are you familiar with the Doctrine of
 23 Mental Reservation?
 24 MS. YOUNG: Objection. Calls for expert
 25 testimony, calls for testimony on church doctrine.

1 Instruct the witness not to answer.
 2 MR. HALE: Just for the record, I will
 3 incorporate -- I think it was the [REDACTED] depo where we
 4 had the extensive discussion, wasn't it?
 5 MS. YOUNG: Mm-hmm.
 6 MR. HALE: Yeah.
 7 The discussion we had in that deposition
 8 regarding appropriateness of questions regarding the
 9 Doctrine of Mental Reservation, and specifically I
 10 would cite the January 10th, 2006 order by
 11 Judge Framholz and the fact that there is a
 12 significant government interest at stake in that this
 13 doctrine implicates truth being told in this
 14 litigation proceeding. That is the significant
 15 government interest that I believe he left the door
 16 open for in that order. And I am not going to go
 17 through the entire discussion. I don't think we need
 18 to do that. But counsel knows my position and...
 19 MS. YOUNG: And in response, I say you can ask
 20 the questions in secular terms. The witness is under
 21 oath and he has been sworn to tell the truth and you
 22 can ask whatever secular questions you would like.
 23 MR. HALE: Okay. Just one more thing for the
 24 record.
 25 The problem with asking the witness about

1 questions under oath is we receive testimony that this
 2 doctrine allows, if not advocates, that a priest
 3 disregard the oath and do whatever is necessary to
 4 protect the church from scandal.
 5 So asking secular questions when there is
 6 a nonsecular doctrine that allows them to be or
 7 instructs them to be dishonest really doesn't get
 8 me --
 9 MS. YOUNG: Well, that's your summary of the
 10 doctrine --
 11 MR. HALE: It is.
 12 MS. YOUNG: -- does.
 13 I will instruct the witness not to answer.
 14 MR. HALE: Okay.
 15 And I am just going to ask a few more
 16 questions and why don't you just say same objections
 17 and I will say same response and we will be done with
 18 it.
 19 Q. Did you study the Doctrine of Mental
 20 Reservation while you were at school?
 21 MS. YOUNG: Same objection.
 22 MR. HALE: Okay. Same response.
 23 Q. And what is your understanding of the
 24 Doctrine of Mental Reservation?
 25 MS. YOUNG: Same objection.

1 MR. HALE: Okay. My response is --
 2 MS. YOUNG: Same instruction.
 3 MR. HALE: Okay. And my response is the same.
 4 Q. And have you invoked the Doctrine of
 5 Mental Reservation today?
 6 MS. YOUNG: Same objection.
 7 MR. HALE: Okay.
 8 MS. YOUNG: Same instruction.
 9 Q. BY MR. HALE: And would you be able to
 10 tell us if you did invoke that doctrine?
 11 MS. YOUNG: Same objection, same instruction.
 12 Q. BY MR. HALE: Did you ever know a priest
 13 named Michael Harris?
 14 A. Pardon?
 15 Q. A priest named Michael Harris.
 16 A. „I know the name.
 17 Q. Do you know him?
 18 A. I don't know him personally.
 19 Q. Were you ever aware of Father Kelly owning
 20 a hand massager kind of like that used by barbers in a
 21 barber shop where they kind of rub your shoulders and
 22 give you a massage, anything like that?
 23 A. No, I wasn't.
 24 Q. Did you ever hear about him owning
 25 anything like that?

1 A. No.
 2 Q. Other than the people we have already
 3 spoken about, are you still in touch with anyone from
 4 Our Lady of Guadalupe?
 5 A. I get a couple of -- one or two Christmas
 6 cards from people, but I have not been in personal
 7 touch with them.
 8 Q. Who do you get Christmas cards from?
 9 A. I cannot remember names now to be honest.
 10 I'm not --
 11 Q. Do you recall Bishop Ward ever coming to
 12 stay at Our Lady of Guadalupe?
 13 A. I don't ever remember him staying there.
 14 Q. What about Juan Arzube?
 15 A. I never remember him staying there.
 16 Q. Okay.
 17 Did you receive notice when Father Kelly
 18 passed away?
 19 A. I think that I did. I am not too sure if
 20 I was on sabbatical. I'm not too sure when he passed
 21 away. I don't remember being at his funeral.
 22 Q. Did you receive notice of his funeral?
 23 A. Yeah, we receive notice of all priests'
 24 funerals.
 25 Q. Do you recall receiving notice of his

1 funeral?
 2 A. I don't.
 3 Q. And you didn't go to his funeral?
 4 A. No, I didn't.
 5 Q. Do you know anyone who went to his
 6 funeral?
 7 A. I don't.
 8 Q. All right. I have a fairly long list of
 9 questions I am going to ask you here. Bear with me.
 10 Once we are through with this we are going to be just
 11 about done.
 12 Did you ever hear about or become aware of
 13 Father Kelly taking or inviting a boy or boys into the
 14 rectory?
 15 A. No.
 16 Q. Okay.
 17 If you had heard about that happening or
 18 become aware of that happening while you were assigned
 19 to Our Lady, would you have told anyone?
 20 MS. YOUNG: Objection. Calls for speculation.
 21 THE WITNESS: I don't know if I would have way
 22 back then in 1966, you know, unless I saw something
 23 inappropriate.
 24 MR. HALE: Okay.
 25 Q. Well, what would you have considered as

1 to -- back then as to crossing the line into something
 2 inappropriate?
 3 MS. YOUNG: Objection. Vague and ambiguous.
 4 Q. BY MR. HALE: What kind of conduct?
 5 A. If I saw improper touching or whatever.
 6 Q. Did you ever hear about or become aware of
 7 Father Kelly taking a boy or boys on an overnight
 8 trip?
 9 A. Not to my knowledge I didn't.
 10 Q. Okay.
 11 Did you ever hear about that though?
 12 A. Of priests doing that?
 13 Q. No. Just Father Kelly.
 14 A. Father Kelly. No, I didn't. I don't
 15 remember ever hearing that.
 16 Q. If you had heard about that or become
 17 aware of that happening while you were assigned to
 18 Our Lady, would you have told anyone?
 19 MS. YOUNG: Calls for speculation.
 20 THE WITNESS: I don't believe I would,
 21 something that was done.
 22 Q. BY MR. HALE: And what if there was no
 23 adult supervision along on that trip other than just
 24 Father Kelly and the boy or boys?
 25 MS. YOUNG: Same objection. Incomplete

1 hypothetical, assumes facts.
 2 THE WITNESS: Usually there was supervision on
 3 all of those occasions that I know of.
 4 Q. BY MR. HALE: But if you heard about that
 5 happening, if it was just Father Kelly, would that
 6 have led you to tell anyone?
 7 MS. YOUNG: Same objection.
 8 THE WITNESS: I'm not too sure. I don't know
 9 that I would.
 10 Q. BY MR. HALE: Did you ever hear about or
 11 become aware of Father Kelly taking a boy or boys to
 12 his living quarters in the rectory?
 13 A. No, I didn't.
 14 Q. If you heard about or became aware of that
 15 happening while you were assigned to Our Lady, would
 16 you have told anyone?
 17 MS. YOUNG: By living quarters, are you
 18 talking about the bedroom?
 19 MR. HALE: Yes.
 20 MS. YOUNG: Same objection. Calls for
 21 speculation, incomplete hypothetical, assumes facts
 22 not in evidence.
 23 THE WITNESS: I didn't hear the end.
 24 Did you instruct me not to or --
 25 MS. YOUNG: No, I didn't instruct you not to.

1 THE WITNESS: If I heard them taking minors
 2 in, I would question it. I probably would have
 3 notified somebody.
 4 Q. BY MR. HALE: And what if it was just to
 5 that living room area? Would you have notified
 6 anybody then?
 7 A. I don't know that I would have because the
 8 door was open.
 9 Q. Okay.
 10 If the door was closed, would you have
 11 notified anyone?
 12 A. I would question it, yes, I probably
 13 would.
 14 Q. When you say you'd question it, would
 15 you -- would you have notified someone or were you
 16 just --
 17 A. I probably would have notified somebody if
 18 I had seen it.
 19 Q. Who would you --
 20 MS. YOUNG: Same objection. Calls for
 21 speculation.
 22 Q. BY MR. HALE: Who would you have notified?
 23 A. Probably somebody in the Chancellory
 24 Office.
 25 Q. Did you ever hear about or become aware of

1 20-year-old males to the cabin to do work?
 2 MS. YOUNG: Objection. Calls for speculation.
 3 THE WITNESS: No.
 4 MR. HALE: Okay.
 5 Q. If you heard about Father Kelly taking a
 6 boy or boys up to the cabin, would you have told
 7 anyone?
 8 MS. YOUNG: Objection. Calls for speculation,
 9 incomplete hypothetical, lacks foundation.
 10 THE WITNESS: I probably would.
 11 Q. BY MR. HALE: Who would you have told?
 12 A. I probably would have notified somebody in
 13 the Chancellory Office.
 14 Q. Did you ever hear about or become aware of
 15 Father Kelly taking a boy or boys -- and again when I
 16 am referring to boys, I am referring to males under
 17 the age of 18 -- taking a boy or boys to the beach?
 18 A. No, I never did.
 19 Q. And if you heard about that would you
 20 have -- while you were assigned to Our Lady, would you
 21 have told anyone?
 22 MS. YOUNG: Same objections.
 23 THE WITNESS: I don't know about that because
 24 public beach, we often took altar servers to the beach
 25 or up to the lake, whatever.

1 Father Kelly taking a boy or boys to the cabin?
 2 A. I never heard of him taking --
 3 I'm assuming you are saying minors.
 4 Q. Yes.
 5 A. I have never heard him taking them to the
 6 cabin.
 7 Q. Have you ever heard about Father Kelly
 8 taking anyone to the cabin?
 9 A. Never heard of him taking anyone to the
 10 cabin except maybe a repairman or something. I don't
 11 know.
 12 Q. What about the group of -- you thought
 13 they were around 20 year olds who sometimes spent
 14 time.
 15 Did you ever hear about or become aware of
 16 Mr. Kelly taking them to the cabin?
 17 A. I have no firm evidence that he ever took
 18 them to the cabin.
 19 Q. Do you have any infirm evidence?
 20 A. Not really. I don't remember that I did.
 21 But they went up there -- unless that he took them up
 22 to do work sometimes. I don't know because I was
 23 never up there, was never privy to that information.
 24 Q. Did you ever hear about or hear rumors
 25 about Father Kelly taking these approximately

1 MR. HALE: Okay.
 2 THE WITNESS: With other adults.
 3 Q. BY MR. HALE: What if it was at night?
 4 A. I never --
 5 MS. YOUNG: Same objection.
 6 THE WITNESS: Never heard of it.
 7 Q. BY MR. HALE: But if you did hear of that
 8 and it was at night, would you have told anyone about
 9 that?
 10 MS. YOUNG: Same objection. Calls for
 11 speculation.
 12 THE WITNESS: I don't know what I would have
 13 done --
 14 (Record read.)
 15 THE WITNESS: I would have done.
 16 Q. BY MR. HALE: And what if it wasn't just a
 17 group? What if it was just Father Kelly and one boy
 18 at night to the beach?
 19 MS. YOUNG: Same objection. Calls for
 20 speculation, incomplete hypothetical, lacks
 21 foundation.
 22 Q. BY MR. HALE: Would you have told anyone?
 23 A. I probably might have I'd think.
 24 Q. Who would you have told?
 25 A. It's probably again the Chancellory

1 Office.
 2 Q. Okay.
 3 Did you hear about or become aware of
 4 Father Kelly taking a boy or boys to Mexico?
 5 A. No, I didn't.
 6 Q. What about to San Simeon?
 7 A. Never did.
 8 Q. What about anywhere else?
 9 A. Never did.
 10 Q. If you had heard about Father Kelly taking
 11 a boy or boys to San Simeon or Mexico while you were
 12 at Our Lady of Guadalupe, would you have told anyone
 13 about that?
 14 MS. YOUNG: Same objections, plus compound.
 15 THE WITNESS: Probably would have if it was
 16 just with himself.
 17 Q. BY MR. HALE: Did you ever hear about or
 18 become aware of Father Kelly taking a boy or boys out
 19 to dinner while you were at Our Lady of Guadalupe?
 20 A. I never did.
 21 Q. What about him taking a boy or boys out to
 22 a movie?
 23 A. I was never aware of that.
 24 Q. And if you heard about it or became aware
 25 of this happening while you were assigned to Our Lady,

1 would you have told anyone about that?
 2 MS. YOUNG: Same objection.
 3 THE WITNESS: I probably would.
 4 Q. BY MR. HALE: Who would you have told?
 5 A. Probably someone in the Chancellory
 6 Office.
 7 Q. Did you ever hear about or become aware of
 8 Father Kelly giving a boy or boys money?
 9 A. A particular incident, no. I know that he
 10 was very generous to people.
 11 Q. Did you hear rumors that he was giving a
 12 boy or boys money?
 13 A. No, I didn't.
 14 Q. If you heard about something like that
 15 while you were assigned to Our Lady, would you have
 16 told anyone?
 17 A. Probably not.
 18 Q. Did you ever hear about or become aware of
 19 Father Kelly touching a boy or boys inappropriately?
 20 A. No, I didn't.
 21 Q. If you heard about that, would you have
 22 told anyone?
 23 A. I would.
 24 MS. YOUNG: Same objection.
 25 Q. BY MR. HALE: Who would you have told?

1 A. Called the Chancellor.
 2 Q. Did you ever hear about or become aware of
 3 Father Kelly making a boy or boys sleep with him?
 4 A. No, I didn't.
 5 Q. And if you heard about that, would you
 6 have reported it to the Chancellory Office?
 7 A. I would have.
 8 MS. YOUNG: Same objection.
 9 Q. BY MR. HALE: Did you ever hear about or
 10 become aware of Father Kelly asking a boy or boys to
 11 wear only their underwear when they were around him?
 12 A. No, I didn't.
 13 Q. Or asking them to be naked when they were
 14 around him?
 15 A. No, I didn't.
 16 Q. Or asking them to be photographed in
 17 either of those conditions?
 18 A. No, I didn't.
 19 Q. And if you heard about that, would you
 20 have reported it to the chancellory?
 21 MS. YOUNG: Same objection.
 22 THE WITNESS: Probably would have.
 23 Q. BY MR. HALE: Did you ever hear about or
 24 become aware of Father Kelly behaving inappropriately
 25 with a boy or boys?

1 A. No, I didn't.
 2 Q. Did you ever suspect that was happening?
 3 A. No, I didn't.
 4 Q. If you had heard about or become aware of
 5 that happening while you were assigned to Our Lady,
 6 would you have told anyone?
 7 MS. YOUNG: Same objection.
 8 THE WITNESS: I probably would.
 9 Q. BY MR. HALE: Who would you have told?
 10 A. Called the Chancellory Office.
 11 Q. Did you ever hear about or become aware of
 12 anyone saying they suspected Father Kelly was behaving
 13 inappropriately with a boy or boys?
 14 A. No, I didn't.
 15 Q. Did you ever hear about or become aware of
 16 Father Kelly sexually abusing a boy or boys?
 17 A. No, I didn't.
 18 Q. And if you heard about it or had become
 19 aware of that, would you have reported that to the
 20 Chancellory?
 21 MS. YOUNG: Same objections.
 22 THE WITNESS: Yes, I would.
 23 Q. BY MR. HALE: Did you ever hear anyone say
 24 they suspected Father Kelly was sexually abusing boys?
 25 A. No, I didn't.

1 Q. Did you ever hear about or become aware of
2 Father Kelly being arrested?
3 A. No, I didn't.
4 Q. Did you ever hear about or become aware of
5 Father Kelly being investigated by anyone?
6 A. No, I didn't.
7 Q. Did you ever hear about or become aware of
8 anyone saying they stopped attending church because of
9 Father Kelly?
10 A. I cannot recall anyone saying that.
11 Q. Did you ever hear about or become aware of
12 anyone saying they stopped being an altar boy because
13 of Father Kelly?
14 A. No, I didn't.
15 Q. Did you ever hear about or become aware of
16 anyone saying they were leaving the parish or the
17 school because of Father Kelly?
18 A. I'm not aware of it.
19 Q. Did you ever hear about anyone saying
20 that?
21 A. No.
22 Q. And did you ever tell anyone you left
23 Our Lady because you had problems with
24 Father Kelly?
25 A. No, I didn't.

1 Q. Did you ever hear anyone say or become
2 aware of anyone saying that Our Lady was a difficult
3 place to work because of Father Kelly?
4 A. No, I didn't.
5 Q. Did you ever hear about or become aware of
6 anyone complaining to Timothy Manning about
7 Father Kelly?
8 A. No, I didn't.
9 Q. Did you ever hear about or become aware of
10 anyone complaining to anyone in the Archdiocese about
11 Father Kelly?
12 A. Apart from these documents, that's the
13 only one.
14 MS. YOUNG: You are referring to the exhibits
15 that you were shown earlier?
16 THE WITNESS: The exhibits.
17 MR. HALE: Okay.
18 Q. And aside from these exhibits, did you
19 ever hear about or become aware of any parishioner or
20 parishioners complaining about Father Kelly?
21 A. No, I didn't.
22 MS. YOUNG: So we are clear on the record, you
23 said the first time you saw those exhibits was today?
24 THE WITNESS: Correct.
25 Q. BY MR. HALE: Did you ever hear about or

1 become aware of anyone saying that Father Kelly was
2 not a normal person?
3 A. No, I didn't.
4 Q. Did you ever hear about or become aware of
5 anyone being transferred from Our Lady because they
6 were not getting along with Father Kelly?
7 A. No, I didn't.
8 Q. Did you ever hear about or become aware of
9 anyone being assigned to Our Lady to replace someone
10 who was not getting along with Father Kelly?
11 A. No, I didn't.
12 Q. Did you ever hear about or become aware of
13 anyone arguing or disagreeing with Father Kelly?
14 MS. YOUNG: Asked and answered.
15 THE WITNESS: I -- yeah, I have been --
16 disagreed with him at times.
17 MR. HALE: Excluding -- I understand you had
18 the dispute with him about whether you could go out to
19 dinner.
20 THE WITNESS: Oh.
21 Q. BY MR. HALE: Other than that.
22 A. Nothing serious. No, I never heard
23 anything.
24 Q. Did you ever personally have any other
25 disputes with him other than the incidence about going

1 out to dinner?
2 A. Oh, minor ones, but nothing -- that would
3 be the most serious one we had.
4 Q. What were the other minor disputes or
5 disagreements you had with him?
6 A. Oh, he might make a comment about the way
7 something was done. That would be -- the normal
8 things between pastor and associate. I don't remember
9 them to be honest.
10 Q. Did you ever hear about or become aware of
11 any priest not getting along with Father Kelly?
12 A. No, I didn't.
13 Q. What about any nuns?
14 A. No, I didn't.
15 Q. What about -- oh. Strike that.
16 Did you ever hear about or becomes aware
17 of Father Kelly ever complaining about any priests?
18 A. No, I didn't.
19 Q. What about him complaining about any nuns?
20 A. No, I didn't.
21 Q. What about him complaining about any
22 parishioners?
23 A. No. Not to my knowledge.
24 Q. What about him complaining about anyone
25 else?

1 A. I never heard him complaining about
2 people.
3 Q. Did you ever hear about or become aware of
4 anyone describing Father Kelly as strange?
5 MS. YOUNG: Asked and answered.
6 THE WITNESS: No, I didn't.
7 Q. BY MR. HALE: What about mentally ill?
8 A. No, I didn't.
9 Q. Did you ever tell anyone that Father Kelly
10 had a drinking problem?
11 A. No, I didn't.
12 Q. Ever aware of anyone saying that
13 Father Kelly had a drinking problem?
14 A. Not to my knowledge.
15 Q. Have you ever asked anyone if they were
16 aware of or suspected any inappropriate behavior by
17 Father Kelly?
18 A. No, I haven't.
19 Q. Did you ever become aware of or hear
20 anyone saying they did?
21 A. No, I didn't.
22 Q. Did you ever tell anyone that Father Kelly
23 had problems?
24 A. No, I didn't.
25 Q. Did you ever hear about or become aware of

1 anyone saying that?
2 MS. YOUNG: Asked and answered.
3 THE WITNESS: Not serious problems such as the
4 one -- taking about, you know, problems, you know,
5 maybe shouting at somebody or something. They'd be a
6 minor problem.
7 (Record read.)
8 THE WITNESS: I just wanted to distinguish --
9 no. Regarding the allegations or anything, no.
10 Q. BY MR. HALE: Any other minor problems
11 other than shouting?
12 A. No. I don't remember.
13 Q. Did you ever hear about or become aware of
14 anyone saying they just did not like Father Kelly?
15 A. People make comments, yes, they don't like
16 certain priests.
17 Q. Who did you hear that?
18 A. I don't remember. But fairly common in
19 the priesthood, in parish life.
20 Q. Did you ever hear about or become aware of
21 anyone saying they did not trust Father Kelly?
22 A. No, I didn't.
23 Q. Did you ever tell anyone you didn't like
24 Father Kelly?
25 A. No, I didn't.

1 Q. Did you ever tell anyone you didn't trust
2 Father Kelly?
3 A. No, I didn't.
4 Q. Have you ever heard about or become aware
5 of anyone complaining about Father Kelly about
6 anything other than what we'd already talked about
7 here today?
8 A. No, I haven't.
9 Q. Have you ever heard about or become aware
10 of anyone saying something to the effect of that if
11 the Archdiocese removed every priest with a drinking
12 problem or with psychological problems, there wouldn't
13 be enough priests left to run all the parishes in the
14 Archdiocese?
15 A. No, I didn't.
16 MR. HALE: I think I am done.
17 MS. YOUNG: I may have a couple questions.
18 MR. HALE: Why don't you go ahead.

EXAMINATION

21 BY MS. YOUNG:
22 Q. You testified earlier, Father ██████, that
23 somebody -- a parishioner told you that Father ██████
24 had had an affair with a married woman.
25 Is that what you said?

1 A. Yes.
2 Q. What did that parishioner say to you?
3 A. They told me that when her husband came
4 home one evening he went around and entered from the
5 back of the house and caught Father ██████ and his
6 wife having sex on the couch.
7 MS. YOUNG: I have no further questions.
8 MR. HALE: I am done.
9 Same stipulation okay?
10 MS. YOUNG: Same stipulation.
11 (Discussion off the record.)
12 THE COURT: All right. Then the time is 1810.
13 This will complete this deposition and end
14 tape three of three.
15 Off record.
16 (Whereupon, it was agreed between counsel
17 that the stipulation re signature from the deposition
18 of Father ██████ will be incorporated into this
19 deposition as follows:
20 "MR. HALE: Let's stipulate
21 that the reporter be relieved of
22 her duties under the Code.
23 Normally I would say send the
24 original to your office, but you've
25 been keeping the originals of our

1 clients.
 2 MS. YOUNG: I always like to
 3 have control over the original
 4 since we're paying for it.
 5 MR. HALE: All right, well --
 6 MS. YOUNG: But you can do it
 7 however you want.
 8 MR. HALE: Well, no, I mean, if
 9 that's the way we're going to
 10 operate, that's fine. We'll send
 11 the original to my office and I
 12 will maintain custody of the
 13 original. If Ms. Young could then
 14 forward the copy she receives to
 15 Father [REDACTED]. And how much
 16 time -- you'll have time to review
 17 it. How much time do you want, 15?
 18 30? Got plenty of time, so,
 19 however much time you want is fine.
 20 MS. YOUNG: We've been
 21 stipulating to 30 days. I think
 22 that's reasonable. Unless you're
 23 going out of the country.
 24 THE WITNESS: I will be going
 25 out of the country in, but for a

1 copy. Is that okay?
 2 MS. YOUNG: So stipulated.")
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1 couple week, in mid March
 2 MS. YOUNG: We'll probably get
 3 it and have you read it before
 4 then. So, if there's a problem
 5 I'll let you know
 6 THE WITNESS: Be back April
 7 2nd.
 8 MR. HALE: So, we'll give
 9 Father [REDACTED] 30 days subject to me
 10 hearing anything further from
 11 Ms. Young to make any changes you
 12 feel are necessary and then to sign
 13 it under the penalty of perjury.
 14 If you can forward that signed copy
 15 back to Ms. Young and she will make
 16 any changes known to counsel as
 17 soon as possible. And if a signed
 18 original will not be available
 19 before trial, whenever that is, an
 20 unsigned certified copy can be used
 21 for all purposes.
 22 MS. YOUNG: There won't be a
 23 signed original though because you
 24 have the original.
 25 MR. HALE: I'm sorry, a signed

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 15 I declare under penalty of perjury my
 16 foregoing testimony is true and correct.
 17 Dated at _____, California,
 18 this _____ day of _____, 2007.
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1 STATE OF CALIFORNIA,)
) SS.
2 COUNTY OF LOS ANGELES)

3
4 I, MAUREEN DIXON, California CSR 4258, do
5 hereby certify:

6 That prior to being examined, the witness in
7 the foregoing deposition, [REDACTED], was by me
8 duly sworn to testify the truth, the whole truth, and
9 nothing but the truth;

10 That said deposition was taken before me at
11 the time and place hereinbefore set forth, and was
12 taken down by me in shorthand and thereafter
13 transcribed into typewriting under my direction and
14 supervision; that the said deposition is a true record
15 of the testimony given by the witness.

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

19 EXECUTED at Los Angeles, California, this ____
20 day of _____, 2007.

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