

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
2 FOR THE COUNTY OF SANTA BARBARA, ANACAPA DIVISION  
3

4 Coordinated Proceedings )  
Title (Rule 1550(b)) ) JCCP NO. 4286

5 )  
6 THE CLERGY CASES I )  
\_\_\_\_\_ )

7 ANDREW RUIZ, an individual, )  
8 Plaintiff, )

9 v. )

10 ARCHDIOCESE OF LOS ANGELES )  
EDUCATION AND WELFARE )  
11 CORPORATION; ROMAN CATHOLIC )  
ARCHBISHOP OF LOS ANGELES; )  
12 and Does 3 - 100, inclusive. )  
\_\_\_\_\_ )

13 )  
Superior Court of Santa Barbara, )  
14 Case No. 01131929 )  
\_\_\_\_\_ )

15  
16  
17 Videotaped deposition of [REDACTED] [REDACTED] [REDACTED]  
18 taken at 9:09 a.m., Monday, February 26, 2007, at 312  
19 East Mill Street, Santa Maria, California, before Mark  
20 McClure, C.S.R. #12203, Certified Shorthand Reporter in  
21 and for the State of California.  
22

23  
24 OUR FILE NO: 64805  
25 REPORTED BY: MARK McCLURE, CSR #12203

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1 APPEARANCES OF COUNSEL:  
2  
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10 AND  
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19 BY: BLESS YOUNG, ATTORNEY AT LAW  
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21 Los Angeles, California 90017  
22 (213) 694-1200  
23  
24 ALSO PRESENT:  
25 KEITH HALL, VIDEOGRAPHER

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1 SANTA MARIA, CALIFORNIA  
2 MONDAY, FEBRUARY 26, 2007, 9:09 A.M.  
3 08:58:41  
4 VIDEOGRAPHER: Good morning. This is the 08:59:03  
5 videotape deposition of [REDACTED] in re the clergy 09:09:26  
6 cases number 1, the case pending in the Superior 09:09:36  
7 Court of the State of California, for the County of 09:09:41  
8 Los Angeles, central district. The case number is 09:09:43  
9 4286. Today's date is Monday, February 26, 2007. 09:09:46  
10 The location is 312 East Mill Street, Santa 09:09:52  
11 Maria, California. The time is 9:09 a.m. The 09:09:57  
12 certified shorthand reporter is Mark McClure. My 09:10:05  
13 name is Keith Hall and I represent Depo-Vision of 09:10:07  
14 Santa Barbara, California. 09:10:10  
15 Would counsel please identify yourselves 09:10:11  
16 and state for the record whom you represent. 09:10:13  
17 MR. HALE: This is Tim Hale for the 09:10:15  
18 plaintiffs. 09:10:17  
19 MR. GRIFFITH: R. Thomas Griffith for 09:10:20  
20 plaintiffs. 09:10:23  
21 MS. YOUNG: Bless Young from Hennigan, 09:10:23  
22 Bennett & Dorman for the Roman Catholic archbishop of 09:10:30  
23 Los Angeles. 09:10:33  
24 VIDEOGRAPHER: Thank you. 09:10:33  
25 Would the court reporter please swear in

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1 INDEX  
2  
3 WITNESS EXAMINATION PAGE  
4 [REDACTED]  
5  
6 BY MR. HALE 5  
7 BY MS. YOUNG 39  
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10  
11  
12  
13  
14  
15  
16 EXHIBITS  
17 (NO EXHIBITS)  
18  
19  
20  
21  
22  
23  
24  
25

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1 the witness.  
2 [REDACTED]  
3 having been sworn, was examined  
4 and testified as follows:  
5 09:10:44  
6 MR. HALE: Before we go any further, for the 09:10:44  
7 record, the coordination proceeding number is 4286. The 09:10:46  
8 individual case number -- there are four and I'm just 09:10:51  
9 going to read one. One of them is 01131929, and that's 09:10:55  
10 in the Superior Court of Santa Barbara. 09:11:00  
11 09:11:00  
12 EXAMINATION 09:11:00  
13 BY MR. HALE: 09:11:00  
14 Q. Good morning, Mrs. [REDACTED]. 09:11:02  
15 A. Good morning. 09:11:04  
16 Q. Could you state and spell your full name 09:11:04  
17 for the record? 09:11:07  
18 A. [REDACTED] 09:11:07  
19 Q. Have you ever had your deposition taken 09:11:10  
20 before? 09:11:18  
21 A. No. 09:11:18  
22 Q. I'll just go over a couple things for you 09:11:18  
23 to give you an idea of what is going on here. 09:11:21  
24 As you can see, the court reporter is 09:11:24  
25 typing down everything I say, he'll type down 09:11:26

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1 everything that you say, so it's going to be very 09:11:28  
 2 important that when I ask you a question or when 09:11:33  
 3 Miss Young asks you a question that you wait until we 09:11:36  
 4 finish our questions before you answer, and by the 09:11:38  
 5 same token when you're responding to one of our 09:11:42  
 6 questions we'll do our best to let you finish with 09:11:44  
 7 your answer before we ask you another question. Do 09:11:47  
 8 you understand that? 09:11:50  
 9 A. Yes. 09:11:50  
 10 Q. All right. We're going to be asking you 09:11:50  
 11 questions about events that took place a number of 09:11:53  
 12 years ago. We're entitled to your best estimate as 09:11:55  
 13 far as dates and that kind of thing go, but we know 09:12:00  
 14 it's been a while so we don't want you to guess, so 09:12:02  
 15 if you can give us an estimate, please give us an 09:12:04  
 16 estimate, but again, please do not guess to the 09:12:07  
 17 answer to any of the questions we ask you. Okay? 09:12:07  
 18 A. Okay. 09:12:11  
 19 Q. You also want to keep doing what you're 09:12:11  
 20 doing. You're doing a great job, which is avoiding 09:12:13  
 21 answers with nods of the heads, "uh-huhs," 09:12:17  
 22 "unh-unhs," that kind of thing. Those kind of 09:12:22  
 23 answers make for a less clear record. Testifying the 09:12:23  
 24 way you're testifying makes for a very clear record, 09:12:27  
 25 so just keep doing what you're doing and we'll be 09:12:29

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1 great. Okay? 09:12:32  
 2 A. Yes. 09:12:33  
 3 Q. We're not here to hold you prisoner. If 09:12:33  
 4 you need to take a break at any time, just let me 09:12:36  
 5 know. I don't expect this to last very long, so we 09:12:38  
 6 should be done fairly soon, but if you do need to 09:12:38  
 7 take a break, please feel free to speak up and I'll 09:12:40  
 8 be happy to give you a break. Okay? 09:12:42  
 9 A. Thank you. 09:12:45  
 10 Q. There are also going to be points or there 09:12:47  
 11 may be points during the deposition where Ms. Young 09:12:49  
 12 raises an objection to something I say or I raise an 09:12:52  
 13 objection to something she -- a question she asks. 09:12:55  
 14 What we're doing is making our record for the Court 09:12:58  
 15 to read at a later date. Don't trouble yourself with 09:13:01  
 16 any of that. If the attorneys are talking back and 09:13:04  
 17 forth, let the attorneys have their say. All you 09:13:07  
 18 need to focus on is listening to the question and 09:13:10  
 19 answering the question to the best of your ability. 09:13:12  
 20 Okay? 09:13:15  
 21 A. I'll try. 09:13:15  
 22 Q. Okay. What is your date of birth? 09:13:16  
 23 A. January 27, 1935. 09:13:21  
 24 Q. Where were you born? 09:13:25  
 25 A. Brown County, Indiana. 09:13:28

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1 Q. When did you move to Santa Barbara County? 09:13:31  
 2 A. 1957. Well, perhaps I should -- we were 09:13:36  
 3 here once before. We were here in 1953 and we came 09:13:43  
 4 back in 1957. 09:13:48  
 5 Q. Okay. And at some point did you know a 09:13:50  
 6 gentleman by the name of Matthew Kelly? 09:13:53  
 7 A. Yes. 09:13:55  
 8 Q. How did you know Matthew Kelly? 09:13:56  
 9 A. He owned a cabin right next to ours in 09:13:57  
 10 Paradise Camp. 09:14:01  
 11 Q. Did you know he was a priest? 09:14:01  
 12 A. Yes. 09:14:05  
 13 Q. How do you know he was a priest? 09:14:07  
 14 A. When I first met him he told me he was a 09:14:08  
 15 priest. 09:14:11  
 16 Q. How was it you came to meet him? 09:14:15  
 17 A. I was in the yard when he drove up to his 09:14:17  
 18 cabin and he got out to open the gate, which is right 09:14:20  
 19 by our fence, and we introduced ourselves. 09:14:24  
 20 Q. Do you recall what year that was? 09:14:26  
 21 A. My best estimate would be early 1959, since 09:14:28  
 22 we bought the cabin in December of 1958. 09:14:34  
 23 Q. All right. Do you have a nephew named 09:14:39  
 24 [REDACTED] 09:15:04  
 25 A. Yes. 09:15:10

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1 Q. Where does he live now? 09:15:10  
 2 A. I can't tell you the name of the town. I 09:15:16  
 3 can't think of it. It's here in California. 09:15:24  
 4 Q. All right. No problem. 09:15:27  
 5 And -- 09:15:29  
 6 A. North Fork. I think it's North Fork. 09:15:32  
 7 Q. And at some point did he come and live with 09:15:35  
 8 you at the cabin? 09:15:39  
 9 A. Yes. 09:15:40  
 10 Q. When was that? 09:15:41  
 11 A. In 1960, and he lived with us through two 09:15:42  
 12 school terms. 09:15:47  
 13 Q. How old was he when he lived with you? 09:15:58  
 14 When you say school terms, do you mean high school? 09:16:02  
 15 A. Yes. He was a junior, so, I assume 17, 16, 09:16:04  
 16 17. 09:16:09  
 17 Q. All right. From the point you -- let me 09:16:10  
 18 ask you this. 09:16:25  
 19 Was it your impression that Father Kelly 09:16:25  
 20 was living at the cabin? 09:16:27  
 21 A. No. I understood it to be a retreat. 09:16:30  
 22 Q. How did you come to understand it to be a 09:16:35  
 23 retreat? 09:16:38  
 24 A. Because he didn't live there all the time. 09:16:38  
 25 Q. Did he ever tell you it was a retreat? 09:16:40

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1 A. No. 09:16:42  
 2 Q. At some point did you become aware that 09:16:42  
 3 Father Kelly was transferred from his assignment in 09:16:51  
 4 Santa Barbara? 09:16:54  
 5 A. Yes. 09:16:56  
 6 Q. How did you become aware of that? 09:16:57  
 7 A. I'm not sure. 09:16:59  
 8 Q. Do you recall when it was you became aware 09:17:01  
 9 that he was transferred, approximately? 09:17:03  
 10 A. No. 09:17:05  
 11 Q. From the point you first met Father Kelly 09:17:06  
 12 until the point you became aware that he was 09:17:20  
 13 transferred, can you estimate how often you would see 09:17:22  
 14 him at the cabin per week, on average? 09:17:26  
 15 A. I would say once every 10 days. 09:17:29  
 16 Q. Did you notice whether his trips to the 09:17:36  
 17 cabin were day trips or were they trips where he 09:17:50  
 18 would stay overnight or were they some of both? 09:17:53  
 19 MS. YOUNG: Calls for speculation. 09:17:56  
 20 THE WITNESS: Some of both. 09:17:58  
 21 BY MR. HALE: 09:17:59  
 22 Q. How did you know whether they were a day 09:17:59  
 23 trip or whether he would stay overnight? 09:18:02  
 24 A. Because I saw him there. It was 09:18:04  
 25 difficult -- it was difficult not to see him when he 09:18:06

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1 drove in and out. It had to be right in our front 09:18:10  
 2 yard. 09:18:13  
 3 Q. Was his cabin next door to yours? 09:18:18  
 4 A. Yes, but the entrance to it, the gate that 09:18:20  
 5 went into his yard had to go right down our front 09:18:23  
 6 fence. 09:18:27  
 7 Q. How do you know he was spending the night? 09:18:43  
 8 A. The car was there, the lights were on. 09:18:45  
 9 Q. Would the car sometimes be there the next 09:18:47  
 10 morning as well? 09:18:49  
 11 A. Yes. 09:18:50  
 12 Q. And did you ever notice him spending the 09:18:50  
 13 night on consecutive nights? 09:18:53  
 14 A. Yes. 09:18:55  
 15 Q. Would there be a certain day of week when 09:18:55  
 16 that happened? In other words, was that more likely 09:18:58  
 17 to happen on a weekend rather than a weekday? 09:19:01  
 18 A. I don't think I can say. 09:19:06  
 19 Q. Do you recall -- again I'm focusing on this 09:19:18  
 20 time frame between when you first met him and when 09:19:21  
 21 you became aware that he was being transferred out of 09:19:25  
 22 Santa Barbara, do you recall what the breakdown was 09:19:27  
 23 between how often -- or can you estimate how often he 09:19:30  
 24 was spending the night versus how often these were -- 09:19:33  
 25 they were day trips? 09:19:37

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1 MS. YOUNG: Calls for speculation. 09:19:38  
 2 BY MR. HALE: 09:19:42  
 3 Q. You might not be able to, and that's okay. 09:19:43  
 4 Just if you can. 09:19:45  
 5 A. From the time we met him until the time I 09:19:47  
 6 became aware that he had been transferred, there were 09:19:50  
 7 several years, and it was only at the very tail end 09:19:53  
 8 of our time in Paradise, which was 1983, that the 09:19:58  
 9 times when he would be there would differ. It was 09:20:05  
 10 still about once every ten days or so. 09:20:10  
 11 Q. Okay. 09:20:13  
 12 A. Maybe once every two weeks. 09:20:14  
 13 Q. Was it more often than not that he was 09:20:16  
 14 there just for the day or was it more often than not 09:20:20  
 15 that he was there for the night? 09:20:23  
 16 MS. YOUNG: Calls for speculation. 09:20:24  
 17 THE WITNESS: I don't think there was -- I 09:20:26  
 18 couldn't say. 09:20:28  
 19 BY MR. HALE: 09:20:29  
 20 Q. Okay. Still focusing on the time frame 09:20:29  
 21 from when you met him until he was transferred, would 09:20:36  
 22 he usually come to the cabin alone or would he come 09:20:41  
 23 with company? 09:20:44  
 24 A. It varied. 09:20:45  
 25 Q. Okay. Did you notice if it made any 09:20:46

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1 difference as to whether or not he had company if he 09:20:52  
 2 was coming up for a day trip or whether he was coming 09:20:56  
 3 up for an overnight trip? 09:20:59  
 4 MS. YOUNG: Calls for speculation. 09:21:01  
 5 BY MR. HALE: 09:21:02  
 6 Q. It's okay. You may not be able to answer 09:21:04  
 7 that, I understand. 09:21:04  
 8 A. Would you repeat the question? 09:21:04  
 9 Q. Sure. In other words, did you notice that 09:21:04  
 10 when he came up just for an afternoon, perhaps, that 09:21:07  
 11 he seemed less likely to have company with him 09:21:10  
 12 whereas if he came up and he spent the night he was 09:21:12  
 13 more likely to have company with him? 09:21:14  
 14 MS. YOUNG: Objection. Assumes facts not 09:21:16  
 15 in evidence. 09:21:18  
 16 THE WITNESS: Rarely did he come just for 09:21:18  
 17 the afternoon. May I speculate here? 09:21:20  
 18 BY MR. HALE: 09:21:20  
 19 Q. Well, don't guess. 09:21:26  
 20 A. I'm not guessing. I mean can I tell you -- 09:21:27  
 21 Q. If you saw something that led you to form 09:21:30  
 22 an opinion, you can share that with us, sure. 09:21:32  
 23 A. Usually he came to spend the night. On 09:21:35  
 24 some occasions he came with several boys and would 09:21:38  
 25 work in the yard. 09:21:42

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1 Q. Okay. And again focusing on that time 09:21:44  
 2 frame from when you met him to when you learned he 09:21:50  
 3 was being transferred, can you give me a percentage 09:21:55  
 4 estimate as to how often did he come with these boys 09:21:58  
 5 versus how often he came by himself? 09:22:01  
 6 MS. YOUNG: Calls for speculation. 09:22:03  
 7 MR. HALE: Was it more common for you to 09:22:05  
 8 see him with boys or was it more common for you to 09:22:08  
 9 see him by himself? 09:22:13  
 10 THE WITNESS: I would say it was 09:22:14  
 11 fifty-fifty. 09:22:15  
 12 BY MR. HALE: 09:22:15  
 13 Q. Did you ever see him wearing his priestly 09:22:15  
 14 garb at the cabin? 09:22:18  
 15 A. No. 09:22:19  
 16 Q. How would he dress? 09:22:20  
 17 A. Just ordinary clothes. 09:22:22  
 18 Q. You mentioned that sometimes he brought 09:22:27  
 19 boys with him to the cabin. Can you describe the 09:22:34  
 20 boys? 09:22:37  
 21 A. They were all young boys. 09:22:37  
 22 Q. How old did they appear to you? 09:22:40  
 23 A. Somewhere between 15 and 20. 09:22:41  
 24 Q. Was there anything about their appearance 09:22:44  
 25 that led you to think they were in that 15-to-20 09:22:49

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1 range? 09:22:53  
 2 A. They were just young boys. I had young 09:22:54  
 3 boys myself, so . . . 09:22:57  
 4 Q. Okay. Do you recall how many? Did he 09:22:59  
 5 bring varying numbers when he brought them to the 09:23:03  
 6 cabin with him? 09:23:05  
 7 A. Yes. 09:23:06  
 8 Q. Sometimes was it one, sometimes was it more 09:23:06  
 9 than one? 09:23:08  
 10 A. Yes. 09:23:09  
 11 Q. What do you think the largest number of 09:23:10  
 12 boys was that you ever saw him bring to the cabin? 09:23:13  
 13 A. Probably four or five, and on those trips 09:23:16  
 14 usually they worked in the yard and trimmed. When 09:23:20  
 15 there were that many boys, they would work in the 09:23:23  
 16 yard and trim the trees and rake the leaves and so 09:23:25  
 17 forth. 09:23:28  
 18 Q. Okay. 09:23:31  
 19 A. Usually they didn't spend the night when 09:23:32  
 20 there were that many boys. 09:23:35  
 21 Q. Okay. How often would you see him -- did 09:23:37  
 22 you ever see him with just one boy? 09:23:40  
 23 A. Yes. 09:23:42  
 24 Q. Was that a common or uncommon occurrence? 09:23:42  
 25 A. Fairly common. 09:23:45

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1 Q. And sometimes would you see him with just 09:23:46  
 2 one or two? 09:23:48  
 3 A. Yes. 09:23:49  
 4 Q. And was there a common ethnicity for the 09:23:49  
 5 boys that would come to the cabin? 09:23:55  
 6 MS. YOUNG: Calls for speculation. 09:23:57  
 7 THE WITNESS: They looked Hispanic. 09:23:59  
 8 BY MR. HALE: 09:24:01  
 9 Q. Did you ever see Caucasian boys at the 09:24:01  
 10 cabin? 09:24:04  
 11 A. I don't recall. 09:24:04  
 12 Q. Did you ever notice Father Kelly bringing 09:24:07  
 13 any adults to the cabin? 09:24:12  
 14 A. Yes. 09:24:14  
 15 Q. How often was that? 09:24:14  
 16 A. The adult would come, usually, with a truck 09:24:15  
 17 when they were working in the yard and remove leaves 09:24:19  
 18 and debris from the trees. 09:24:22  
 19 Q. You say the adult, singular. Was there 09:24:24  
 20 just one adult that you saw at the cabin other than 09:24:28  
 21 Father Kelly? 09:24:32  
 22 A. I would say so, although the young men 09:24:33  
 23 could be considered adults, over 18. 09:24:36  
 24 Q. But other than this other adult, do you 09:24:38  
 25 remember seeing anyone else that appeared to you to 09:24:41

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1 be an adult to you at the cabin other than 09:24:41  
 2 Father Kelly? 09:24:43  
 3 A. I don't remember that. 09:24:43  
 4 Q. Okay. And this adult that would come to 09:24:44  
 5 the cabin, what was his ethnicity, if you could tell? 09:24:49  
 6 A. Hispanic. 09:24:52  
 7 Q. How old did he appear to be to you? 09:24:53  
 8 A. I'm not sure it was always the same man who 09:24:57  
 9 came. As I say, they came to work in the yard and 09:25:00  
 10 I'm not sure that it was always the same man who was 09:25:06  
 11 there at that time. 09:25:10  
 12 Q. Okay. Did you ever talk to that man? 09:25:11  
 13 A. No. 09:25:14  
 14 Q. Did you ever talk to any of the boys? 09:25:14  
 15 A. No. 09:25:16  
 16 Q. Did you ever learn any of their names? 09:25:16  
 17 A. No. 09:25:20  
 18 Q. Did you see what kind of car this other 09:25:20  
 19 adult was driving? 09:25:25  
 20 A. It was a pickup. 09:25:27  
 21 Q. Do you remember what color it was? 09:25:28  
 22 A. No. 09:25:29  
 23 Q. It's been a long time, I know. 09:25:30  
 24 Do you remember what kind of pickup it was? 09:25:32  
 25 A. No. 09:25:36

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1 Q. Were there any boys that you saw 09:25:36  
 2 repeatedly, boys who maybe you didn't learn their 09:25:49  
 3 names but you began to recognize their faces? 09:25:51  
 4 A. I couldn't say that. 09:25:53  
 5 Q. You described seeing them do yardwork. 09:26:02  
 6 When he would come up with only one or two boys would 09:26:05  
 7 you see the one or two boys doing yardwork? 09:26:08  
 8 A. Not usually. 09:26:10  
 9 Q. Would you see them doing any kind of 09:26:11  
 10 activities? 09:26:14  
 11 A. Usually when he came with one boy they went 09:26:15  
 12 into the house and they stayed in there. In other 09:26:18  
 13 words, they weren't out in the yard -- 09:26:20  
 14 Q. Okay. 09:26:23  
 15 A. -- that I saw. 09:26:24  
 16 Q. Other than seeing them going into the house 09:26:24  
 17 and sometimes seeing boys doing yardwork, did you 09:26:32  
 18 ever see any other activities being done by these 09:26:34  
 19 boys around the cabin or the vicinity of the cabin? 09:26:37  
 20 A. I can't think of anything. 09:26:40  
 21 Q. Was there a river of some sort behind the 09:26:44  
 22 cabin? 09:26:47  
 23 A. Yes. 09:26:47  
 24 Q. Did you ever see any of the boys going down 09:26:47  
 25 and swimming behind the cabin? 09:26:50

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1 A. No. 09:26:51  
 2 Q. When you would see these boys outside the 09:26:52  
 3 cabin what would they be wearing, usually? 09:26:57  
 4 A. Regular clothes. 09:26:59  
 5 Q. Did you ever see them wearing shorts? 09:27:00  
 6 A. I don't remember. 09:27:03  
 7 Q. Do you recall when you would see the 09:27:10  
 8 yardwork being done, do you recall seeing 09:27:11  
 9 Father Kelly as well? 09:27:13  
 10 A. Yes. The boys did not come alone. 09:27:14  
 11 Father Kelly was always there when there was four or 09:27:19  
 12 five boys to do the yardwork. He was always there 09:27:22  
 13 with them. 09:27:26  
 14 Q. Do you recall seeing him being involved in 09:27:26  
 15 the yardwork or would you see him outside at that 09:27:28  
 16 time? 09:27:31  
 17 A. Not necessarily. I would see him outside 09:27:31  
 18 but not necessarily involved in doing any of the 09:27:35  
 19 work. 09:27:38  
 20 Q. Kind of directing traffic? 09:27:38  
 21 A. Yes. 09:27:41  
 22 Q. Did you ever see any boys wearing swim 09:27:44  
 23 trunks at the cabin? 09:27:46  
 24 A. Not that I recall. 09:27:47  
 25 Q. What about wearing underwear? 09:27:49

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1 A. No, no. 09:27:51  
 2 Q. Did you ever see any boys skinny-dipping? 09:27:52  
 3 A. No. 09:27:55  
 4 Q. What would Father Kelly wear at the cabin? 09:27:56  
 5 A. Just normal clothes. 09:28:04  
 6 Q. Does that mean jeans or can you describe 09:28:05  
 7 what he would wear? 09:28:09  
 8 A. Tan pants, dark slacks. 09:28:10  
 9 Q. Did you ever see Father Kelly with a 09:28:16  
 10 camera? 09:28:18  
 11 A. No. 09:28:20  
 12 Q. Did you ever observe Father Kelly drinking? 09:28:21  
 13 A. No. 09:28:30  
 14 Q. From your cabin could you see the river or 09:28:39  
 15 could you -- could you see the river from your cabin? 09:28:44  
 16 A. From my cabin, in certain spots we could 09:28:46  
 17 see the river. 09:28:50  
 18 Q. Did you ever see any of the boys in the 09:28:50  
 19 river? 09:28:52  
 20 MS. YOUNG: Asked and answered. 09:28:53  
 21 THE WITNESS: No. 09:28:55  
 22 BY MR. HALE: 09:28:55  
 23 Q. Did Father Kelly ever appear to be 09:28:59  
 24 intoxicated to you? 09:29:05  
 25 A. Yes. 09:29:06

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1 Q. What made you think he appeared 09:29:06  
 2 intoxicated? 09:29:09  
 3 A. I would see him in the yard and his 09:29:10  
 4 movements indicated that he was very unsteady on his 09:29:13  
 5 feet. 09:29:16  
 6 Q. Did you see him stumbling? 09:29:16  
 7 A. I guess you could call it stumbling. 09:29:19  
 8 Q. How often would that happen where you 09:29:22  
 9 observed him stumbling or what appeared to be 09:29:28  
 10 stumbling? 09:29:31  
 11 A. It wasn't every time, but it wasn't 09:29:34  
 12 unusual. 09:29:38  
 13 Q. Did you ever hear him sound intoxicated? 09:29:39  
 14 A. I did not speak to Father Kelly much. 09:29:43  
 15 That's my husband, had much more contact with him. 09:29:45  
 16 Q. Okay. Were there ever any other things you 09:29:48  
 17 observed that led you to think that Father Kelly was 09:30:00  
 18 intoxicated other than this stumbling that you 09:30:04  
 19 observed? 09:30:06  
 20 A. Not me, personally. 09:30:06  
 21 Q. I assume you're referring to your husband? 09:30:08  
 22 A. Yes. 09:30:11  
 23 Q. Anyone other than your husband? 09:30:12  
 24 A. My children, perhaps. 09:30:14  
 25 Q. When [REDACTED] moved in with you, where did he 09:30:37

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1 move from, do you know? 09:30:41  
 2 A. They lived in Paradise Camp and his folks 09:30:42  
 3 moved to Santa Ana and he wanted to finish school at 09:30:45  
 4 Santa Ynez so he moved in with us. 09:30:49  
 5 Q. So he had basically been a neighbor of 09:30:52  
 6 yours? 09:30:55  
 7 A. Yes. 09:30:55  
 8 Q. Were they living in another cabin or were 09:30:56  
 9 they in a house on Paradise? 09:31:04  
 10 A. All of Paradise is called cabins. They 09:31:06  
 11 lived on Manzanita Lane in Paradise. 09:31:10  
 12 Q. Was your cabin on La Mesa? 09:31:14  
 13 A. Yes. 09:31:17  
 14 Q. Were [redacted]'s parents living in the cabins 09:31:18  
 15 before you and [redacted] moved into the cabins? 09:31:29  
 16 A. Yes. 09:31:31  
 17 Q. Was that how you became aware of the 09:31:32  
 18 cabins? 09:31:34  
 19 A. Yes. 09:31:35  
 20 Q. Do you know how long they had lived in 09:31:37  
 21 these cabins before you moved in to your cabin? 09:31:40  
 22 A. Approximately 18 months. 09:31:44  
 23 Q. When did you move out of the cabin? 09:31:46  
 24 A. We moved into the cabin in December of 1958 09:31:57  
 25 and we moved out in June of 1983. 09:32:03

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1 Q. From the point you learned that 09:32:07  
 2 Father Kelly was transferred from Santa Barbara to 09:32:25  
 3 the point that you moved out of the cabin in 1983, 09:32:28  
 4 did the frequency with which you saw him at the 09:32:34  
 5 cabin, did that change or did it decrease, in other 09:32:37  
 6 words? 09:32:41  
 7 A. Yes, I think so. 09:32:41  
 8 Q. Did you hear where he had been transferred 09:32:43  
 9 to? 09:32:45  
 10 A. No. 09:32:45  
 11 Q. Okay. 09:32:45  
 12 A. And I may add that I think, from what I've 09:32:47  
 13 learned since, that he was transferred a long time 09:32:51  
 14 before I knew it. 09:32:54  
 15 Q. Okay. How did the frequency change as far 09:32:55  
 16 as the number of visits he made to the cabin? I know 09:33:03  
 17 you testified that initially it had been once every 09:33:06  
 18 ten days. How did it change from when he had been 09:33:09  
 19 transferred? 09:33:13  
 20 A. Probably once a month to sometimes, even, 09:33:13  
 21 every six weeks for a short period of time at the 09:33:17  
 22 end. 09:33:20  
 23 Q. Going back to that point before he was 09:33:45  
 24 transferred, were there ever instances where he was 09:33:47  
 25 at the cabin more frequently than once every ten 09:33:50

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1 days? 09:33:54  
 2 MS. YOUNG: Asked and answered. 09:33:54  
 3 THE WITNESS: I'm sure that was true at 09:33:57  
 4 different times, but I couldn't speak to regularity. 09:33:59  
 5 BY MR. HALE: 09:34:02  
 6 Q. So the once every ten days is just your 09:34:03  
 7 best estimate on average? 09:34:07  
 8 A. Yes. 09:34:08  
 9 Q. Do you have a recollection of him ever 09:34:08  
 10 coming up, for instance, twice in one week? 09:34:15  
 11 MS. YOUNG: Objection. Calls for 09:34:18  
 12 speculation. 09:34:20  
 13 THE WITNESS: I couldn't say positively. 09:34:20  
 14 BY MR. HALE: 09:34:22  
 15 Q. Okay. Moving back to that point where you 09:34:22  
 16 became aware he had been transferred to -- the time 09:34:31  
 17 period between when you became he was transferred 09:34:36  
 18 until you moved out in 1983, I understand the trips 09:34:39  
 19 became less frequent. When he did come back to the 09:34:42  
 20 cabin, would he usually come alone or would he bring 09:34:45  
 21 boys with him? 09:34:48  
 22 A. I would say fifty-fifty. 09:34:48  
 23 Q. So it stayed about the same as far as 09:34:58  
 24 percentages go? 09:35:01  
 25 A. Yes. 09:35:02

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1 Q. And during that time period, did the day 09:35:03  
 2 trips end and it was only overnight trips when he 09:35:07  
 3 came back? 09:35:11  
 4 A. I couldn't speak to that. 09:35:11  
 5 Q. Same time frame, other than the boys, did 09:35:18  
 6 you see him bringing anyone else to the cabin, again 09:35:22  
 7 from the point when you learned he had been 09:35:28  
 8 transferred up to the point where you moved out of 09:35:30  
 9 the cabins? 09:35:34  
 10 A. I couldn't speak to that. 09:35:34  
 11 Q. What about the number of boys, was it still 09:35:39  
 12 sometimes one or two and sometimes anywhere as many 09:35:46  
 13 as four, five or six or was there a change in the 09:35:49  
 14 number of boys he would bring to the cabin, if you 09:35:53  
 15 recall? Don't knock yourself out over this. 09:36:03  
 16 A. I don't recall. 09:36:06  
 17 Q. Again focusing on this time frame, did you 09:36:23  
 18 notice any change as far as did there appear there 09:36:26  
 19 was more frequent, what appeared to you, inebriation 09:36:29  
 20 on the part of Father Kelly or less frequent? 09:36:33  
 21 MS. YOUNG: Objection. Calls for 09:36:36  
 22 speculation. 09:36:38  
 23 BY MR. HALE: 09:36:38  
 24 Q. If you noticed. 09:36:38  
 25 A. I didn't notice. 09:36:41

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1 Q. Did you ever have any arguments with 09:36:42  
 2 Father Kelly? 09:37:00  
 3 A. No. 09:37:00  
 4 Q. Where was your mailbox when you lived at 09:37:00  
 5 the cabin? 09:37:19  
 6 A. Approximately a short city block from our 09:37:19  
 7 house to the main Paradise Road, and the mailbox is 09:37:22  
 8 set across the road from our driveway. 09:37:27  
 9 Q. Was that where all the mailboxes to the 09:37:29  
 10 cabins were? 09:37:32  
 11 A. Yes, at the beginning of Potrero Lane. 09:37:32  
 12 Q. Did you ever observe Father Kelly's mail? 09:37:38  
 13 A. Yes. 09:37:41  
 14 Q. Did you ever observe anything unusual in 09:37:41  
 15 Father Kelly's mail? 09:37:45  
 16 A. Yes. 09:37:45  
 17 Q. What did you see? 09:37:46  
 18 A. Slides of naked boys. 09:37:47  
 19 Q. What were the slides in? 09:37:53  
 20 A. The slides were under a bush on our side of 09:37:55  
 21 the road, and they were in a plain brown envelope, 09:38:01  
 22 some in the envelope and some out on the ground where 09:38:08  
 23 the package had been opened. 09:38:12  
 24 Q. How was it that you came to see these 09:38:13  
 25 slides? 09:38:16

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1 A. We often went to the mailbox, and if the 09:38:16  
 2 mail wasn't there we would wait for him to come 09:38:21  
 3 because he ran on schedule. And I and the four kids 09:38:23  
 4 were waiting for the mailman to come and they were 09:38:26  
 5 looking, just as kids do, and they saw this package 09:38:30  
 6 underneath a bush and they saw what it was and called 09:38:35  
 7 me and I looked and that's -- it was slides. The 09:38:39  
 8 package was open. Some of the slides were out on the 09:38:45  
 9 ground and some of them were still in the brown 09:38:48  
 10 envelope. 09:38:51  
 11 Q. And do you remember seeing whether or not 09:38:54  
 12 the package was addressed to Father Kelly? 09:38:57  
 13 A. Yes. 09:39:00  
 14 Q. It had his name on it? 09:39:00  
 15 A. Yes. 09:39:03  
 16 Q. Did you see who the sender was? 09:39:03  
 17 A. There was no address that I could see on 09:39:06  
 18 the envelope. 09:39:10  
 19 Q. Was it addressed to Matthew Kelly or Father 09:39:10  
 20 Matthew Kelly? 09:39:13  
 21 A. Matthew Kelly. 09:39:13  
 22 Q. Do you recall how many slides there were? 09:39:15  
 23 A. Approximately 25 to 30. 09:39:18  
 24 Q. Could you describe the slides -- 09:39:20  
 25 A. You mean -- 09:39:20

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1 Q. -- size-wise? 09:39:21  
 2 A. Just regular size slides. 09:39:23  
 3 Q. About, maybe, an inch and a half? 09:39:26  
 4 A. Yeah. 09:39:29  
 5 Q. And were there any photographs in the 09:39:30  
 6 package? 09:39:33  
 7 A. There weren't photographs. There were a 09:39:34  
 8 few pictures that were, like, magazine pictures only 09:39:37  
 9 not cut out but -- I don't know how to describe it. 09:39:43  
 10 Pictures that you would see in magazines but not a 09:39:46  
 11 page of a magazine. That doesn't say it very well, 09:39:50  
 12 but I 09:39:55  
 13 don't . . . 09:39:55  
 14 Q. Did you actually see any of the slides? 09:39:55  
 15 A. Yes. 09:39:59  
 16 Q. How did you see the slides? 09:39:59  
 17 A. We found them, and normally one would look 09:40:01  
 18 to see what the slides were, and that's what we did. 09:40:04  
 19 I lifted them up and looked to see what it was. 09:40:08  
 20 Q. Can you describe what you saw in the 09:40:11  
 21 slides? 09:40:14  
 22 A. Naked boys. 09:40:14  
 23 Q. Could you see that the slides were taken at 09:40:15  
 24 a particular location? 09:40:20  
 25 A. No. 09:40:22

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1 Q. What about these photographs or these 09:40:24  
 2 magazine pictures that you saw? 09:40:27  
 3 A. I don't recall what the pictures were 09:40:30  
 4 except that they were associated with pornography. 09:40:34  
 5 Q. Okay. 09:40:41  
 6 A. And there was like three or four of them or 09:40:42  
 7 maybe five or six of those in the package. 09:40:45  
 8 Q. How old did the boys in the slides appear 09:40:47  
 9 to you to be? 09:40:51  
 10 A. 15 -- 09:40:52  
 11 MS. YOUNG: Calls for speculation. 09:40:54  
 12 THE WITNESS: 15 to 18. 09:40:55  
 13 BY MR. HALE: 09:40:57  
 14 Q. What about in the photographs, how old did 09:40:57  
 15 those boys appear to be? 09:40:59  
 16 A. I don't recall. 09:41:00  
 17 Q. Do you recall what year this was? 09:41:03  
 18 A. Yes. My estimate is that it would be 1955 09:41:05  
 19 to 1957, 1958. That's as close as I can get. 09:41:13  
 20 Q. Do you mean 1965 to 1967? 09:41:18  
 21 A. Yes, I'm sorry. 09:41:20  
 22 Q. No problem. 09:41:21  
 23 Did you do anything with the slides? 09:41:24  
 24 A. Yes, we took them home and I showed them to 09:41:32  
 25 my husband. 09:41:34



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1 Q. Okay. 09:41:35  
2 A. And we discussed what to do with them. 09:41:36  
3 Q. Okay. Did you notify Father Kelly that you 09:41:40  
4 had those? 09:41:44  
5 A. No. 09:41:44  
6 Q. What did you and [REDACTED] decide to do? 09:41:45  
7 A. We decided to call the post office, since 09:41:48  
8 they were mail, and I called the San Roque Post 09:41:52  
9 Office and talked to the postmaster. 09:41:58  
10 Q. Do you recall who you spoke to? 09:42:00  
11 A. No. 09:42:02  
12 Q. What did you tell him? 09:42:02  
13 A. I told him that I had found these slides, 09:42:03  
14 that they had been taken out of the mailboxes and 09:42:06  
15 torn open, and I asked him what to do with them. 09:42:10  
16 Q. How did you describe to him the slides? 09:42:14  
17 A. I told him they were naked boys and I told 09:42:17  
18 him who they were addressed to. 09:42:19  
19 Q. Did he say anything in response to your 09:42:22  
20 description of the naked boys or who they were 09:42:24  
21 addressed to? 09:42:27  
22 A. He didn't address that. He just told me 09:42:27  
23 what to do with them. 09:42:30  
24 Q. Did he respond in any way when he heard 09:42:31  
25 they were naked boys? 09:42:33

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1 A. No. 09:42:34  
2 Q. Did you tell him that Father Kelly was a 09:42:34  
3 priest or did you just say Matthew Kelly? 09:42:36  
4 A. As I recall, I told him that he was 09:42:38  
5 Father Kelly. 09:42:43  
6 Q. Did he respond to that at all? 09:42:44  
7 A. Not that I recall. 09:42:46  
8 Q. Why did you decide to report your discovery 09:42:51  
9 to the postal inspector? 09:42:55  
10 A. There had been many -- much mail had been 09:42:56  
11 taken from the mailboxes on our lane, so this wasn't 09:43:02  
12 something unusual, and we thought that since it was 09:43:07  
13 mail that they would be the ones to contact and do 09:43:12  
14 something about it, rather than a sheriff or the 09:43:16  
15 police. 09:43:19  
16 Q. Can you describe the condition of the 09:43:22  
17 package when you found it? You said some slides were 09:43:23  
18 already out? 09:43:26  
19 A. Yes. 09:43:27  
20 Q. And some slides were still in the package? 09:43:27  
21 A. Yes. 09:43:29  
22 Q. Were they sealed in any way or were they 09:43:30  
23 just kind of randomly put in the package? 09:43:33  
24 MS. YOUNG: Objection. Vague and 09:43:36  
25 ambiguous. 09:43:37

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1 BY MR. HALE: 09:43:39  
2 Q. Was there a holder for them or was there a 09:43:39  
3 rubber band around them or anything like that? 09:43:42  
4 A. I don't recall any. 09:43:44  
5 Q. So what happened after you spoke with the 09:43:48  
6 postal inspector? 09:43:49  
7 A. He told me what to do with them, which was 09:43:50  
8 to take the envelope and all the slides and 09:43:54  
9 everything I found and put it in another envelope and 09:43:57  
10 seal it and give it to the mailman when he came, 09:44:03  
11 which is what I did. 09:44:07  
12 Q. Okay. And Father Kelly never came and 09:44:08  
13 asked you about any package of his that was lost? 09:44:11  
14 A. No. 09:44:14  
15 Q. And you never spoke with him about the 09:44:14  
16 package? 09:44:16  
17 A. No. 09:44:16  
18 Q. I want to show you some photographs right 09:44:17  
19 now. These were attached to the deposition of 09:44:26  
20 Plaintiff Andrew Ruiz as Exhibit 4. If you can just 09:44:31  
21 take a second and just look through these and then 09:44:39  
22 just let me know when you're done looking through 09:44:42  
23 these. It's these pages right here (indicating). 09:44:47  
24 Have you had a chance to look at the 09:48:33  
25 photographs? 09:48:36

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1 A. Yes. 09:48:36  
2 Q. I want to ask you a few questions about 09:48:36  
3 those. Do you recognize any of the boys in those 09:48:38  
4 photographs? 09:48:40  
5 A. I think I recognize this one (indicating), 09:48:40  
6 but I cannot be positive. 09:48:43  
7 Q. And you are pointing at the photograph at 09:48:45  
8 the bottom of the Bates page AR 00195. 09:48:50  
9 When you say you think -- 09:48:59  
10 MS. YOUNG: You mean the photograph to the 09:49:01  
11 left on that page, not the bottom? 09:49:03  
12 MR. HALE: Well, if you're looking at the 09:49:07  
13 deposition transcript, it's the bottom, yes. If 09:49:09  
14 you're looking at the photograph that's face up, it's 09:49:11  
15 the photograph that appears to be a boy in blue jeans 09:49:12  
16 and a long-sleeve striped red and, maybe, purple 09:49:15  
17 shirt. 09:49:19  
18 Q. How do you recognize that boy? 09:49:19  
19 A. The face just seems familiar but I couldn't 09:49:22  
20 swear to it. 09:49:24  
21 Q. Do you think he seems familiar from a face 09:49:25  
22 you recognized from one of the boys Father Kelly 09:49:28  
23 would bring to the cabin with him? 09:49:31  
24 A. Yes. 09:49:32  
25 Q. Were there any other boys that you 09:49:34

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1 recognize from those photographs? 09:49:36  
2 A. No. 09:49:37  
3 Q. In looking through those photographs, do 09:49:38  
4 any of those photographs look similar to the 09:49:43  
5 photographs you observed in the slides? 09:49:46  
6 MS. YOUNG: Objection. Vague and 09:49:48  
7 ambiguous. 09:49:49  
8 THE WITNESS: Yes. Not of the boys, but 09:49:52  
9 the background where the -- I was looking for it here 09:49:59  
10 -- there's a wood paneling up halfway and then paint. 09:50:06  
11 That seemed -- I seem to recall that being in some of 09:50:10  
12 the pictures. 09:50:14  
13 BY MR. HALE: 09:50:14  
14 Q. Can you find that photograph? 09:50:14  
15 A. Again, I can't answer. 09:50:17  
16 Q. I understand. 09:50:22  
17 A. Here it is (indicating). 09:50:22  
18 Q. You're pointing at the bottom photograph 09:50:23  
19 which is Bates stamped AR 00196. 09:50:26  
20 It appears you're pointing at the wood 09:50:32  
21 panel background behind the photograph of this young 09:50:35  
22 man in what appears to be some kind of underwear and 09:50:40  
23 socks? 09:50:45  
24 A. But I'm only speaking to the paneling, not 09:50:45  
25 to the boy. 09:50:49

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1 Q. Right, I understand. 09:50:49  
2 So you think you saw that kind of paneling 09:50:51  
3 in the slides that you -- 09:50:54  
4 A. In some of the slides. 09:50:56  
5 Q. What about the way these boys are 09:50:58  
6 photographed in the exhibits I've just shown you, do 09:51:00  
7 any of these appear similar to what you saw in the 09:51:04  
8 slides? 09:51:06  
9 A. No. 09:51:07  
10 MS. YOUNG: Objection, vague and ambiguous. 09:51:07  
11 BY MR. HALE: 09:51:08  
12 Q. Were the boys in the slides completely 09:51:09  
13 naked? 09:51:11  
14 A. Yes. 09:51:11  
15 Q. Did you see anything other than just naked 09:51:12  
16 boys? In other words, did you see any sexual acts 09:51:16  
17 depicted in any of the slides? 09:51:19  
18 A. No. Some of the boys had erections and 09:51:21  
19 that sort of thing and they were taken at different 09:51:24  
20 views and most of them were inside a house, not 09:51:27  
21 outside. I should say inside a room. 09:51:30  
22 Q. Is there any other detail that you can 09:51:41  
23 recall about the slides or the photographs that you 09:51:43  
24 have not already shared with us? 09:51:46  
25 A. I remember one distinctly that was taken in 09:51:48

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1 front of a green-colored wall. I don't know if that 09:51:52  
2 means anything. 09:51:56  
3 Q. Why does that photograph stand out for you? 09:51:57  
4 A. I don't know why, it just does. 09:51:59  
5 Q. Was there any writing on the frames of the 09:52:03  
6 slides that you recall? 09:52:08  
7 A. Not that I recall. 09:52:08  
8 Q. They were just blank white frames? 09:52:09  
9 A. I don't remember. I do remember looking 09:52:12  
10 for addresses on the envelope and probably a name on 09:52:13  
11 the slide, but we didn't see any. 09:52:18  
12 Q. Were there any other written materials in 09:52:38  
13 the envelope? 09:52:41  
14 A. Not that I recall. 09:52:41  
15 Q. So the only thing you saw in the envelope 09:52:42  
16 were the slides and these photographs or magazine 09:52:44  
17 pictures? 09:52:46  
18 A. Yes. 09:52:47  
19 Q. And you put the entire contents back in the 09:52:51  
20 envelope and then gave it to the postmaster after you 09:52:53  
21 sealed it? 09:52:56  
22 A. Yes. 09:52:56  
23 MS. YOUNG: Objection. Misstates the 09:52:57  
24 testimony. 09:52:59  
25 BY MR. HALE: 09:52:59

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1 Q. I'm sorry, the postal -- the postman? 09:53:00  
2 A. We put the things back in the envelope and 09:53:03  
3 then put it in another envelope. We did not seal 09:53:07  
4 that. 09:53:11  
5 Q. Oh, okay. Were there stamps on the 09:53:12  
6 envelope when you first found it, if you recall? 09:53:17  
7 A. I don't recall stamps. 09:53:20  
8 Q. Did you or [REDACTED] ever refer to, for 09:53:23  
9 instance in this context of seeing Father Kelly pull 09:53:42  
10 up with these boys say something to the effect of, 09:53:44  
11 "Oh, Father Kelly and his boys are here"? 09:53:47  
12 MS. YOUNG: Objection. Vague and 09:53:50  
13 ambiguous. 09:53:51  
14 THE WITNESS: I don't recall saying that. 09:53:52  
15 BY MR. HALE: 09:53:56  
16 Q. Something along those lines? 09:53:57  
17 MS. YOUNG: Same objection. 09:53:58  
18 THE WITNESS: I'm sure we mentioned that he 09:54:02  
19 came alone or he came with someone. 09:54:04  
20 BY MR. HALE: 09:54:07  
21 Q. After you moved away from the cabin, did 09:54:09  
22 you ever return to visit the cabin? 09:54:13  
23 A. We sold the cabin. 09:54:15  
24 Q. Did you ever -- 09:54:17  
25 A. So we have returned, yes. I'm sorry. 09:54:19

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1 Q. When did you last return and visit the 09:54:23  
2 cabin? 09:54:27

3 A. Oh, my, I can't think. It must have been 09:54:27  
4 around 2000, I guess. I'm estimating. 09:54:56

5 Q. Did you notice anyone living -- was 09:55:01  
6 Father Kelly still living in his cabin? 09:55:04

7 A. No. 09:55:07

8 Q. Was someone else living there? 09:55:07

9 A. Yes. 09:55:09

10 Q. Did you talk to anyone who was living in 09:55:09  
11 Father Kelly's old cabin? 09:55:13

12 A. Yes. 09:55:15

13 Q. Who did you talk to? 09:55:15

14 A. A woman. 09:55:16

15 Q. Anyone else. 09:55:17

16 A. No. 09:55:17

17 Q. What did you talk to her about? 09:55:18

18 A. Father Kelly. 09:55:19

19 Q. And how did he come up? 09:55:22

20 A. Father Kelly -- when she bought the place, 09:55:24  
21 Father Kelly came up in discussing when she bought 09:55:27  
22 the place and who owned it before. 09:55:30

23 Q. And what did you discuss regarding 09:55:33  
24 Father Kelly? 09:55:35

25 A. She told us that she had -- that they had 09:55:35

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1 found pictures of naked boys in the house. 09:55:40

2 Q. Did she tell you that she had purchased the 09:55:43  
3 cabin from Father Kelly? 09:55:46

4 A. She had purchased the cabin but I think he 09:55:47  
5 was dead. I'm not sure. 09:55:51

6 Q. Okay. 09:55:54

7 A. She had purchased it, but who she purchased 09:55:54  
8 it from I'm not sure. 09:55:57

9 Q. What did she say about these photographs of 09:56:00  
10 naked boys? 09:56:02

11 A. That she found pictures of naked boys on 09:56:03  
12 the walls in a room in the house. 09:56:07

13 Q. Did she tell you where she found the 09:56:11  
14 pictures? 09:56:14

15 A. She did, but I can't recall right this 09:56:16  
16 moment. 09:56:20

17 Q. Did she tell you how many pictures she 09:56:20  
18 found? 09:56:25

19 A. She didn't mention a number. 09:56:25

20 Q. What did you say when she told you she'd 09:56:31  
21 found some pictures? 09:56:34

22 A. It brought up the discussion of finding the 09:56:35  
23 slides of naked boys. 09:56:38

24 Q. You mean the ones you found in the mail? 09:56:40

25 A. Yes. 09:56:42

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1 Q. What did she say when you told her that? 09:56:43

2 A. I don't recall her words, but it was just a 09:56:45  
3 discussion of Father Kelly and naked boys. 09:56:50

4 Q. And did you tell her that you found these 09:56:53  
5 slides and you believed they were Father Kelly's? 09:56:56

6 A. Yes. 09:56:59

7 Q. Did she tell you that she found these 09:56:59  
8 pictures and she believed they were Father Kelly's? 09:57:01

9 A. Yes. 09:57:03

10 Q. Did she describe any of the pictures for 09:57:04  
11 you other than saying they were naked boys? 09:57:07

12 A. No. 09:57:10

13 Q. When she said pictures, did she mean small 09:57:10  
14 photographs or actual pictures, or did she talk about 09:57:14  
15 the size? 09:57:17

16 A. She didn't talk about the size, but she 09:57:17  
17 said they were fastened to the walls so they would 09:57:19  
18 have had to have been pictures rather than slides. 09:57:23

19 Q. Did she say they were in picture frames? 09:57:25

20 A. No. 09:57:27

21 Q. Did she tell you what she did with the 09:57:28  
22 pictures? 09:57:38

23 A. I don't recall that. 09:57:38

24 Q. Did she have a husband or a boyfriend or 09:57:42  
25 someone else living there with her, if you know? 09:57:44

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1 A. I don't recall for sure. 09:57:47

2 Q. Have you been back -- have you ever spoken 09:57:50  
3 to her since that day? 09:57:52

4 A. No. 09:57:53

5 Q. Do you know anyone who still lives at the 09:57:53  
6 cabins? 09:57:58

7 A. In any of the cabins? 09:57:58

8 Q. In any of the cabins. 09:58:00

9 A. Yes. 09:58:01

10 Q. Who do you know who still lives in the 09:58:01  
11 cabins? 09:58:04

12 A. A person named [REDACTED] 09:58:04

13 Q. How long has she lived in the cabins? 09:58:06

14 A. She was there before we moved there. And 09:58:08  
15 this was on Potrero Lane, not La Mesa Lane. 09:58:11

16 Q. So she wasn't a neighbor of yours? 09:58:15

17 A. No. Everyone that lived on La Mesa when we 09:58:17  
18 were there are all gone. 09:58:20

19 Q. When you say gone, you mean deceased? 09:58:23

20 A. Moved or deceased. 09:58:25

21 Q. We've been going an hour. I'm just about 09:59:06  
22 done. Do you want to take a break real quick or do 09:59:08  
23 you -- 09:59:12

24 MS. YOUNG: If you're done, why don't we 09:59:12  
25 take a five-minute break and I'll put together and 09:59:15

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1 try to shorten up what I've got to ask you. That 09:59:18  
 2 might save a little time. 09:59:22  
 3 VIDEOGRAPHER: The time is 9:59 a.m. We're 09:59:23  
 4 off the record. 09:59:27  
 5 (A brief recess was taken.) 10:04:33  
 6 VIDEOGRAPHER: The time is 10:04 a.m. 10:04:33  
 7 We're back on the record. 10:04:53  
 8 10:04:55  
 9 EXAMINATION 10:04:56  
 10 BY MS. YOUNG: 10:04:56  
 11 Q. Good morning. 10:04:56  
 12 A. Good morning. 10:04:59  
 13 Q. As stated earlier, my name is Bless Young 10:04:59  
 14 and I represent the Roman Catholic archbishop of Los 10:05:03  
 15 Angeles and I need to ask you a few questions about 10:05:06  
 16 what you just testified to. 10:05:09  
 17 First of all, the envelope that you found 10:05:09  
 18 on the ground that contained the slides and the 10:05:14  
 19 pictures that you discussed, did it have a postmark 10:05:17  
 20 on it? 10:05:21  
 21 A. I don't recall. 10:05:21  
 22 Q. You don't recall whether it did or not? 10:05:23  
 23 A. I don't recall whether it did or not, but 10:05:26  
 24 it was mail, so I would assume there was a postmark 10:05:30  
 25 on it. 10:05:35

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1 Q. But you didn't see where it was 10:05:35  
 2 postmarked -- in other words, a city? 10:05:38  
 3 A. I don't remember. 10:05:40  
 4 Q. Do you remember whether it was in state or 10:05:43  
 5 out of state? 10:05:45  
 6 A. It seemed that it was out of state. 10:05:46  
 7 Q. Why did it seem that it was out of state? 10:05:52  
 8 A. That just seems to be in my mind, that it 10:05:54  
 9 was, remembering from that time, that it was out of 10:05:57  
 10 state, because it is something that we looked for. 10:06:00  
 11 Q. And there was no return address on it? 10:06:04  
 12 A. No. 10:06:06  
 13 Q. And I believe you testified -- correct me 10:06:06  
 14 if I'm wrong -- that when you found the envelope with 10:06:13  
 15 the slides, it was sometime between 1965 and 1968, 10:06:16  
 16 that that was your best estimate? 10:06:21  
 17 A. Yes. 10:06:23  
 18 Q. And what is it that leads you to make that 10:06:24  
 19 estimate between 1965 and 1968? 10:06:29  
 20 A. My children's age. All four of my children 10:06:32  
 21 were with me at the time we found -- they are 10:06:36  
 22 actually the ones that found it under the bush and I 10:06:40  
 23 was right there with them, and because of their age I 10:06:43  
 24 estimate the years. 10:06:47  
 25 Q. I see. And because of the age of each of 10:06:49

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1 your four children at the time? 10:06:51  
 2 A. Yes. 10:06:53  
 3 Q. How old was your youngest at the time? 10:06:53  
 4 A. Somewhere between five and seven. 10:06:55  
 5 Q. And how old was the oldest? 10:06:58  
 6 A. Well, there's five years' difference. 10:07:00  
 7 Q. Between the eldest and the youngest? 10:07:03  
 8 A. Yes. 10:07:04  
 9 Q. I see. Who actually found it, which one of 10:07:05  
 10 your children? 10:07:09  
 11 A. I believe it was the boys. 10:07:09  
 12 Q. You have -- 10:07:12  
 13 A. My two boys. I have two sons, and I 10:07:13  
 14 believe it was them. I think they were together and 10:07:15  
 15 did it together. 10:07:18  
 16 Q. I see. 10:07:20  
 17 A. You know, one says, "I see this," and then 10:07:25  
 18 they both get down under the bush. 10:07:27  
 19 Q. You mentioned it was in a plain brown 10:07:31  
 20 envelope with no return address? 10:07:48  
 21 A. Yes. When you say envelope, it was a 10:07:49  
 22 padded envelope that you use to mail things in. 10:07:52  
 23 Q. Okay. Was it a larger than -- how big was 10:07:55  
 24 the envelope? 10:07:59  
 25 A. I would say five by seven. 10:08:00

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1 Q. You mentioned in connection with your 10:08:02  
 2 testimony on finding these slides and then calling 10:08:07  
 3 the postmaster, you mentioned that there had been, I 10:08:10  
 4 believe what you said was people were taking mail out 10:08:15  
 5 of mailboxes there; is that correct? 10:08:18  
 6 A. Yes. 10:08:20  
 7 Q. And can you elaborate on that for me? What 10:08:21  
 8 types of problems were you having with mail at that 10:08:25  
 9 point in time? 10:08:27  
 10 A. Several mailboxes had mail taken out of 10:08:28  
 11 them and you would find them torn open in the field 10:08:32  
 12 behind the mailboxes and this trail that led down to 10:08:37  
 13 the river. Of course they reported it, then, too. 10:08:43  
 14 Q. Did you ever find any other mail? 10:08:47  
 15 A. Yes. 10:08:49  
 16 Q. That did not belong to Father Kelly? 10:08:50  
 17 A. Yes. 10:08:52  
 18 Q. Just torn open? 10:08:52  
 19 A. Yes. 10:08:54  
 20 Q. You mentioned that you had a return visit 10:08:54  
 21 to the cabin after you had sold your cabin and you 10:09:12  
 22 said it was in about 2000, is that correct, to the 10:09:16  
 23 best of your estimate? 10:09:19  
 24 A. The estimate could be off. 10:09:21  
 25 Q. Okay, but it was sometime in that time 10:09:23

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1 frame? 10:09:26  
2 A. We moved back here in 1989, to Guadalupe, 10:09:26  
3 and it was after that, but I can't be sure. 10:09:34  
4 Q. You moved back in 1989, you said? 10:09:40  
5 A. We moved back to Guadalupe in 1989. We had 10:09:42  
6 been out of state and traveling for a while. 10:09:48  
7 Q. Do you remember the woman's name that you 10:09:51  
8 met that was in the cabin that had previously been 10:09:54  
9 occupied by Father Kelly? 10:09:58  
10 A. No. 10:09:59  
11 Q. Did you ever become aware of the fact that 10:09:59  
12 Father Kelly had rented his cabin? 10:10:07  
13 A. No. 10:10:10  
14 Q. Do you recall when the first time was -- 10:10:10  
15 I'm talking about years time frame -- that you 10:10:50  
16 noticed that Father Kelly was -- you described 10:10:53  
17 stumbling and unsteady on his feet in his yard that 10:10:57  
18 made him appear intoxicated to you? 10:11:00  
19 A. We met him in early 1959 and I would say 10:11:03  
20 soon. 10:11:11  
21 Q. Soon after that? 10:11:11  
22 A. Yes. 10:11:12  
23 Q. Do you know approximately how old 10:11:13  
24 Father Kelly was at that time that you met him? 10:11:16  
25 A. I could only guess by his appearance. 10:11:19

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1 Q. What would your guess be, estimate? 10:11:21  
2 A. 60, 55, 60, at the time we met him. 10:11:24  
3 Q. Correct. Did Father Kelly wear glasses 10:11:32  
4 when you met him? 10:11:39  
5 A. I believe he did, although, on second 10:11:39  
6 thought, I've seen him with glasses, I think, but 10:11:48  
7 perhaps he didn't wear them all the time. I can't be 10:11:52  
8 sure. 10:11:55  
9 Q. You said you never spoke to him other than 10:11:58  
10 meeting him that first time? 10:12:00  
11 A. No, I didn't say I never spoke to him. 10:12:01  
12 He's come to our door to do -- to speak to someone 10:12:05  
13 about the water. Our houses were all on a well. My 10:12:12  
14 husband was in charge of that or president of that, 10:12:16  
15 and I recall Father Kelly coming to our door to speak 10:12:20  
16 to me about that. 10:12:23  
17 Q. What did he say to you? 10:12:27  
18 A. I don't recall if it was for a meeting or 10:12:28  
19 if it was payment for the water dues. 10:12:32  
20 Q. And you spoke to him about that? 10:12:36  
21 A. Yes, and that's all. Then we spoke -- you 10:12:38  
22 know, we'd see each other. When he came in or went 10:12:41  
23 out we'd say hello, but no conversations. 10:12:44  
24 Q. When was that? Approximately what year was 10:12:47  
25 it, if you recall, when you spoke to him about the 10:12:50

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1 water? 10:12:52  
2 A. That was an ongoing thing. I'm talking 10:12:53  
3 about me personally speaking to him about the water. 10:12:56  
4 I can't remember. When I say speaking about the 10:12:59  
5 water, I'm talking about it could have been about a 10:13:02  
6 meeting, it could have been about the dues, it could 10:13:04  
7 have been about the water being shut off. I can't 10:13:07  
8 recall. 10:13:10  
9 Q. You mean when he came to your house? 10:13:10  
10 A. Yes. 10:13:12  
11 Q. Was that the only time you recall him 10:13:12  
12 coming to your house? 10:13:14  
13 A. I think there was a couple of times that he 10:13:15  
14 came to my kitchen door, but he was never inside my 10:13:17  
15 house. 10:13:21  
16 Q. Did he appear intoxicated to you when he 10:13:23  
17 came to your kitchen door? 10:13:26  
18 A. No. 10:13:27  
19 Q. Did you ever complain about Father Kelly to 10:13:27  
20 anyone at the Archdiocese of Los Angeles? 10:14:00  
21 A. No. 10:14:03  
22 Q. Did you ever complain to the Roman Catholic 10:14:03  
23 archbishop of Los Angeles about Father Kelly? 10:14:10  
24 A. No. 10:14:11  
25 Q. Did you ever notify either of those two -- 10:14:11

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1 either the archbishop or anyone at the archdiocese -- 10:14:16  
2 about these slides that your son found in the bushes? 10:14:20  
3 A. No. I thought the post office would take 10:14:23  
4 care of this. 10:14:25  
5 Q. Do you know whether or not they did? 10:14:27  
6 A. I don't know. We never heard from them. 10:14:28  
7 Q. And you never followed up with them 10:14:30  
8 afterwards, did you? 10:14:32  
9 A. No. 10:14:34  
10 Q. When you bought the cabin, when you first 10:14:34  
11 bought your cabin, you lived in it full time? 10:14:41  
12 A. Yes. 10:14:43  
13 Q. And you lived in it full time for that 10:14:44  
14 entire time until you moved out in 1983; is that 10:14:46  
15 correct? 10:14:49  
16 A. Yes. 10:14:49  
17 Q. Did you ever take your children swimming in 10:14:49  
18 the river behind the cabin? 10:14:56  
19 A. Yes. 10:14:58  
20 Q. How often did you do that? Was it mostly 10:14:58  
21 on weekends or did you do it after school, too? 10:15:04  
22 A. Rarely after school, but in the summertime 10:15:06  
23 probably every day, if there was water in the river. 10:15:10  
24 MS. YOUNG: I have no further questions. 10:16:03  
25 MR. HALE: I have a few more and then I'll 10:16:06

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1 be done. 10:16:09  
2 Let's go off the record. 10:16:30  
3 VIDEOGRAPHER: The time is 10:16 a.m. 10:16:30  
4 We're off the record. 10:16:33  
5 (A brief recess was taken.) 10:21:06  
6 VIDEOGRAPHER: The time is 10:21 a.m. 10:21:06  
7 We're back on the record. 10:21:28  
8 BY MR. HALE: 10:21:29  
9 Q. Can you tell me anything about Father Kelly 10:21:30  
10 that we haven't already talked about that you can 10:21:32  
11 recall about him, anything else? 10:21:35  
12 A. No. 10:21:36  
13 Q. All right. So let's -- 10:21:36  
14 Bless, do you have anything else? 10:21:39  
15 MS. YOUNG: No. 10:21:40  
16 MR. HALE: Let's relieve the court reporter 10:21:40  
17 of his duties under the code. Send the original to 10:21:42  
18 my office. I will maintain custody of the original. 10:21:45  
19 I will then forward the original to you, Miss [REDACTED]. 10:21:48  
20 Is 30 days enough time for you to read 10:21:52  
21 through the transcript and make sure it's accurate? 10:21:56  
22 THE WITNESS: Uh-huh. 10:21:58  
23 MR. HALE: Okay. You'll have a chance to 10:21:59  
24 make any changes you think are necessary and sign 10:22:01  
25 under the penalty of perjury. You can then forward 10:22:03

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1 that back to me or let me know and we'll come pick it 10:22:06  
2 up once you finish doing that. I'll make any changes 10:22:10  
3 known to Miss Young as soon as possible, and if a 10:22:13  
4 signed original is not available before trial an 10:22:17  
5 unsigned, certified copy can be used for all 10:22:20  
6 purposes. 10:22:23  
7 MS. YOUNG: So stipulated. 10:22:23  
8 MR. HALE: Thank you very much for your 10:22:23  
9 time. 10:22:25  
10 VIDEOGRAPHER: This concludes the 10:22:25  
11 deposition of [REDACTED]. The number of videotapes 10:22:27  
12 used was one. The time is 10:22 a.m. We're off the 10:22:29  
13 record. 10:22:35  
14 (The deposition concluded at 10:22 a.m.)  
15 --oOo--  
16  
17  
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DEPONENT'S DECLARATION

1  
2  
3 I, [REDACTED], hereby declare:  
4 I have read the foregoing deposition transcript  
5 and identify it as my own and approve same.  
6 I declare under penalty of perjury under the  
7 laws of the State of California that the foregoing  
8 testimony is true and correct.  
9  
10 Dated this \_\_\_\_\_ day of \_\_\_\_\_  
11 2007, at \_\_\_\_\_, California.  
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REPORTER'S CERTIFICATE

1  
2  
3 I, MARK McCLURE, CSR NO. 12203, a  
4 Certified Shorthand Reporter for the County of Santa  
5 Barbara, State of California, do hereby certify:  
6 That, prior to being examined, the witness  
7 named in the foregoing deposition was by me duly sworn to  
8 testify the truth, the whole truth, and nothing but the  
9 truth;  
10 That said deposition was taken down by me  
11 in shorthand at the time and place therein named, and  
12 thereafter reduced to typewriting by computer-aided  
13 transcription under my direction.  
14 I further certify that I am not interested  
15 in the event of the action.  
16 WITNESS my hand this \_\_\_\_ day of  
17 \_\_\_\_\_, 2007.  
18  
19  
20 Certified Shorthand Reporter in and for the  
21 County of Santa Barbara, State of California  
22  
23  
24  
25