

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)

8 ANDREW RUIZ, an individual,)
9)

10 Plaintiff,)
11)

12 v.)
13)

14 ARCHDIOCESE OF LOS ANGELES)
EDUCATION AND WELFARE)
15 CORPORATION; ROMAN CATHOLIC)
16 ARCHBISHOP OF LOS ANGELES;)
17 and Does 3 - 100, inclusive.)
_____)

18 Superior Court of Santa Barbara,)
19 Case No. 01131929)
20 _____)
21)

22 Videotaped deposition of [REDACTED], taken
23 at 10:29 a.m., Monday, February 26, 2007, at 312 East
24 Mill Street, Santa Maria, California, before Mark
25 McClure, C.S.R. #12203, Certified Shorthand Reporter in
and for the State of California.

26 OUR FILE NO: 64805
27 REPORTED BY: MARK McCLURE, CSR #12203

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1 APPEARANCES OF COUNSEL:
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 8 AND
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 14 FOR THE ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES:
 15 HENNIGAN, BENNETT & DORMAN
 16 BY: BLESS YOUNG, ATTORNEY AT LAW
 17 601 South Figueroa Street, Suite 3300
 18 Los Angeles, California 90017
 19 (213) 694-1200
 20 ALSO PRESENT:
 21 KEITH HALL, VIDEOGRAPHER
 22
 23
 24
 25

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1 SANTA MARIA, CALIFORNIA
 2 MONDAY, FEBRUARY 26, 2007, 10:29 A.M.
 3 10:28:14
 4 VIDEOGRAPHER: Good morning. This is the 10:28:40
 5 videotape deposition of [REDACTED] in re the 10:28:41
 6 Clergy Cases number 1, the case pending in the 10:28:45
 7 Superior Court of the State of California for the 10:28:48
 8 County of Los Angeles, Central District. Case 10:28:51
 9 numbers are 426 -- excuse me, 4286, consolidated with 10:28:54
 10 01131929. 10:29:01
 11 Today's date is Monday, February 26, 2007. 10:29:04
 12 The location is 312 East Mill Street, Santa Maria, 10:29:08
 13 California. The time is 10:29 a.m. 10:29:13
 14 The certified shorthand reporter is Mark 10:29:19
 15 McClure. My name is Keith Hall and I represent 10:29:23
 16 DepoVision of Santa Barbara, California. 10:29:27
 17 Would counsel please identify yourselves 10:29:27
 18 and state for the record whom you represent. 10:29:29
 19 MR. HALE: Tim Hale for the plaintiffs. 10:29:31
 20 MR. GRIFFITH: R. Thomas Griffith for the 10:29:35
 21 plaintiffs. 10:29:36
 22 MS. YOUNG: Bless Young from Hennigan, 10:29:36
 23 Bennett & Dorman for defendant Roman Catholic 10:29:39
 24 archbishop of Los Angeles. 10:29:41
 25 VIDEOGRAPHER: Would the court reporter

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1 INDEX
 2
 3 WITNESS EXAMINATION PAGE
 4 [REDACTED]
 5
 6 BY MR. HALE 5
 7 BY MS. YOUNG ^
 8
 9
 10
 11
 12
 13
 14
 15 EXHIBITS
 16 (NO EXHIBITS)
 17
 18
 19
 20
 21
 22
 23
 24
 25

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1 please swear in the witness.
 2 [REDACTED]
 3 having been sworn, was examined
 4 and testified as follows:
 5
 6 EXAMINATION 10:29:51
 7 BY MR. HALE: 10:29:51
 8 Q. Good morning, Mr. [REDACTED]. I know we've met 10:29:52
 9 off the record, but for the record my name is Tim 10:29:55
 10 Hale. Could you state and spell your full name for 10:29:58
 11 the record, please. 10:29:59
 12 A. My name is [REDACTED], [REDACTED] 10:30:00
 13 [REDACTED] 10:30:05
 14 Q. Okay. I'm just going to cover a few of the 10:30:05
 15 ground rules of a deposition real quickly. 10:30:09
 16 As you can see, there's a court reporter 10:30:12
 17 sitting here. He's typing down everything that I say 10:30:14
 18 and he's going to type down everything that you say. 10:30:16
 19 In order to make his job as easy as possible and so 10:30:19
 20 that we have a clear record, it's going to be very 10:30:22
 21 important that we speak one at a time, so when I ask 10:30:25
 22 you a question there's going to be times when you 10:30:29
 23 correctly anticipate what my question is, but if you 10:30:32
 24 can just wait until I finish and then answer, we'll 10:30:35
 25 have a nice clear record. And by the same token, 10:30:37

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1 when you're responding to one of my questions I'll do 10:30:40
 2 my best not to interrupt you and ask you another 10:30:43
 3 question. Okay? 10:30:45
 4 A. Okay. 10:30:46
 5 Q. I'm going to be asking you questions about 10:30:46
 6 events that took place a number of years ago. We are 10:30:50
 7 entitled to your best estimate but we don't want you 10:30:52
 8 to guess. 10:30:55
 9 A. Yes. 10:30:56
 10 Q. So if you can give us an estimate, please 10:30:56
 11 do so, but don't guess to the answer to any question 10:30:59
 12 that I ask you. 10:31:01
 13 You're also doing a good job of speaking 10:31:03
 14 audibly and affirmatively. We want to avoid, again 10:31:07
 15 for the record, answering questions with nods of the 10:31:11
 16 head and that kind of thing or shaking the head and 10:31:14
 17 that kind of thing. We want to avoid "uh-huhs" and 10:31:17
 18 "unh-unhs." Ideally, we're going to get "yes," "no," 10:31:21
 19 more detailed questions. Do you understand that? 10:31:24
 20 A. Yes. 10:31:25
 21 Q. At points during the deposition Ms. Young 10:31:25
 22 may raise objections to the question I ask. She 10:31:30
 23 probably will have some questions to you and I may 10:31:34
 24 raise objections to the questions she asks. None of 10:31:38
 25 that is to concern you. Don't worry about it. The 10:31:41

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1 attorneys are simply making their record. Let us 10:31:43
 2 raise our objections and then you can go ahead and 10:31:46
 3 answer the question as best as you can. Okay? 10:31:49
 4 A. Yes. 10:31:51
 5 Q. If you need to take a break at any time, 10:31:51
 6 just say the word; although, judging by how quickly 10:31:54
 7 your wife's deposition went, we should have you out 10:31:58
 8 of here well before noon. 10:32:00
 9 A. Okay. 10:32:02
 10 Q. What is your date of birth? 10:32:04
 11 A. 12/18/1927. 10:32:06
 12 Q. Where were you born? 10:32:13
 13 A. I was born in Kansas. 10:32:26
 14 Q. When did you come to California? 10:32:29
 15 A. Oh, the first time I come here was in 1953. 10:32:31
 16 Q. Have you ever known a man named Matthew 10:32:42
 17 Kelly? 10:32:47
 18 A. Yes. 10:32:47
 19 Q. How did you know Matthew Kelly? 10:32:48
 20 A. He was a next-door neighbor of mine from -- 10:32:50
 21 the dates? 10:32:57
 22 Q. You mean at the cabins? 10:32:58
 23 A. Yes, at the cabins, Paradise. 10:32:59
 24 Q. Did you know he was a priest? 10:33:02
 25 A. Yes. 10:33:05

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1 Q. How did you know he was a priest? 10:33:05
 2 A. The time that I first met him I think we 10:33:10
 3 introduced each other because he was right next-door 10:33:19
 4 neighbor, and I found out at that time that he was a 10:33:22
 5 priest and he wore a priest clothing, type clothing, 10:33:27
 6 so it indicated to me that he had to be a priest. 10:33:32
 7 Q. Do you recall what year you met 10:33:36
 8 Father Kelly? 10:33:39
 9 A. 1958, I do believe. 10:33:40
 10 Q. Did you meet him because he was your 10:33:47
 11 neighbor? 10:33:51
 12 A. Yes. 10:33:52
 13 Q. I'm going to jump ahead a little bit on 10:33:52
 14 you. At some point were you aware that he was 10:34:01
 15 assigned at a parish somewhere in Santa Barbara? 10:34:05
 16 A. Eventually. 10:34:07
 17 Q. Do you know which parish? 10:34:10
 18 A. No. 10:34:12
 19 Q. You're not Catholic? 10:34:12
 20 A. No. 10:34:14
 21 Q. At some point did you become aware that 10:34:14
 22 Father Kelly had been transferred from outside of 10:34:17
 23 Santa Barbara? 10:34:20
 24 A. No. 10:34:21
 25 Q. At some point did you become aware that he 10:34:21

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1 had moved outside of Santa Barbara? 10:34:28
 2 A. That he had moved from Santa Barbara, out? 10:34:30
 3 Q. Yes, that he left Santa Barbara, in other 10:34:34
 4 words? 10:34:37
 5 A. No. 10:34:37
 6 Q. How long did you live at the cabin? 10:34:38
 7 A. From 1958 until 1983. 10:34:50
 8 Q. And Father Kelly was your neighbor? 10:34:55
 9 A. Yes. 10:34:57
 10 Q. Was he your immediate neighbor? 10:34:58
 11 A. Yes, immediate neighbor, just a fence 10:35:01
 12 between my house and his. 10:35:04
 13 Q. And you said until 1983? 10:35:05
 14 A. Yes, I retired in 1983. 10:35:08
 15 Q. Where did you retire from? 10:35:10
 16 A. The [REDACTED] High School. 10:35:11
 17 Q. Were you a teacher there? 10:35:11
 18 A. School bus driver and a custodian. 10:35:15
 19 Q. Was it your understanding that 10:35:20
 20 Father Kelly, during the time that you were neighbors 10:35:25
 21 with him, that he was living at the cabin or that it 10:35:28
 22 was a vacation home of some sort to him? 10:35:31
 23 A. From the things I seen about it, it was a 10:35:33
 24 vacation-type thing. He'd come up periodically, 10:35:38
 25 sometimes two, three times a week. Sometimes it 10:35:42

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1 would be maybe one or two weeks before he would show 10:35:45
 2 up at that place. 10:35:48
 3 Q. During your time of living at the cabin, on 10:35:51
 4 average, how often do you think you would see him at 10:35:58
 5 the cabin per week? 10:36:02
 6 MS. YOUNG: Calls for speculation. 10:36:03
 7 BY MR. HALE: 10:36:07
 8 Q. You can answer. 10:36:08
 9 A. It would vary quite a bit because sometimes 10:36:11
 10 he'd be -- he wouldn't come up there for, maybe, two 10:36:14
 11 weeks at the time and then other times he would be 10:36:18
 12 there maybe two or three times a week, most generally 10:36:21
 13 on weekends. 10:36:24
 14 Q. And was the pattern you just described of 10:36:26
 15 sometimes multiple times in a week and sometimes a 10:36:32
 16 couple weeks without him coming to the cabin, was 10:36:34
 17 that pretty consistent from the first time you met 10:36:37
 18 him up until the time you guys left or did that ever 10:36:38
 19 change at some point? 10:36:41
 20 A. It didn't change that much. I mean I'm 10:36:42
 21 sure it did change some, but not that much. 10:36:45
 22 Q. Okay. Did you say that he came up more 10:36:48
 23 often on weekends? 10:36:52
 24 A. It seemed like the weekends. I shouldn't 10:36:53
 25 say weekends, but maybe it would be on Saturdays he 10:36:56

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1 would come up. 10:37:00
 2 Q. Was it unusual not to see him at the cabin 10:37:01
 3 on a weekend? 10:37:04
 4 MS. YOUNG: Objection. Speculation. 10:37:05
 5 THE WITNESS: There would be weekends we 10:37:10
 6 didn't see him, yes. 10:37:11
 7 BY MR. HALE: 10:37:12
 8 Q. But more often than not did you see him at 10:37:13
 9 the cabin on weekends? 10:37:17
 10 MS. YOUNG: Calls for speculation. Asked 10:37:19
 11 and answered. 10:37:21
 12 THE WITNESS: No. 10:37:21
 13 BY MR. HALE: 10:37:21
 14 Q. With regards to his trips to the cabin, did 10:37:26
 15 you ever notice that he was only coming up for a day 10:37:29
 16 or did you notice he was spending the night? 10:37:32
 17 A. He spent the nights, yes. 10:37:34
 18 Q. How do you know he was spending the night 10:37:38
 19 at the cabin? 10:37:39
 20 A. He would come in in a car and he had to 10:37:40
 21 drive in front of my fence, gate, or my yard to get 10:37:45
 22 through a gate to get into his cabin, and usually 10:37:49
 23 he'd go in and close the gate. And I would know he 10:37:53
 24 was there because the car was there and I would get 10:37:57
 25 up in the morning and go to work and the car would 10:38:00

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1 still be there. 10:38:02
 2 Q. Okay. Were you ever aware of him spending 10:38:03
 3 consecutive nights at the cabin? 10:38:06
 4 MS. YOUNG: Vague and ambiguous. 10:38:10
 5 BY MR. HALE: 10:38:11
 6 Q. In other words, maybe he came up on Friday 10:38:12
 7 and didn't leave until Sunday or something like that? 10:38:14
 8 A. Occasionally. 10:38:17
 9 Q. More often was it a single night that he 10:38:19
 10 would come up and then leave? 10:38:21
 11 A. Most generally, yes. 10:38:22
 12 Q. When he would come up to the cabin, were 10:38:28
 13 you aware of whether he would come alone or would he 10:38:31
 14 bring company with him? 10:38:35
 15 A. He brought boys with him quite frequently. 10:38:36
 16 Q. On average -- well, what would the percent 10:38:43
 17 breakdown be of how often you saw, observed him bring 10:38:49
 18 boys versus how often you observed him come by 10:38:49
 19 himself? 10:38:52
 20 MS. YOUNG: Speculation. 10:38:53
 21 THE WITNESS: I would say 75 percent of the 10:38:56
 22 time he had boys with him. 10:38:59
 23 BY MR. HALE: 10:39:02
 24 Q. When you say boys, what age do you mean? 10:39:02
 25 MS. YOUNG: Calls for speculation. 10:39:05

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1 THE WITNESS: They would be ranging, I 10:39:07
 2 would -- by the size of the boys I would say they 10:39:11
 3 would range anywhere from 13 to 15, maybe even some 10:39:14
 4 older. 10:39:21
 5 BY MR. HALE: 10:39:23
 6 Q. Okay. Did you ever see Father Kelly pull 10:39:24
 7 up in his car and the boys get out of the car? 10:39:27
 8 A. Yes. 10:39:30
 9 Q. Was that a common occurrence to see that? 10:39:31
 10 A. Yes. 10:39:32
 11 MS. YOUNG: Objection. Vague and 10:39:33
 12 ambiguous. 10:39:34
 13 BY MR. HALE: 10:39:34
 14 Q. Let me ask you this. When Father Kelly 10:39:34
 15 would have company in the cabin, would you see him in 10:39:40
 16 his priestly garb? 10:39:42
 17 A. I can't really remember as to whether -- 10:39:46
 18 how often it would be. Yes, I would see him, but it 10:39:50
 19 wouldn't be very often. 10:39:53
 20 Q. When he wasn't wearing his priestly garb, 10:39:55
 21 what would you observe him wearing? 10:39:57
 22 A. Mostly just regular clothes. Not a 10:39:59
 23 suit-type thing, but work clothes or daily clothes, 10:40:06
 24 I'd say. 10:40:10
 25 Q. When he would bring the boys to the cabin, 10:40:11

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1 how many would you see? Would you ever see just one, 10:40:22
 2 would you see many sometimes and, if so, how many? 10:40:25
 3 A. Yes. Well, sometimes he would have boys, 10:40:27
 4 two or three boys in the car and they would spend 10:40:32
 5 time working in the yard. 10:40:38
 6 Q. Did you ever see him come to the cabin with 10:40:39
 7 just one boy? 10:40:42
 8 A. Yes. 10:40:43
 9 Q. Did you ever see him come to the cabin with 10:40:43
 10 only two boys? 10:40:46
 11 A. Yes. 10:40:46
 12 Q. What was the biggest group of boys you ever 10:40:47
 13 saw him bring to the cabin? 10:40:50
 14 A. Three, maybe four. 10:40:51
 15 Q. Was there a common ethnicity to these boys 10:40:56
 16 that he brought to the cabin, at least in your 10:41:00
 17 opinion? 10:41:03
 18 MS. YOUNG: Calls for speculation. 10:41:03
 19 THE WITNESS: No, not that I can recall. 10:41:06
 20 BY MR. HALE: 10:41:09
 21 Q. Do you remember seeing Hispanic boys at the 10:41:10
 22 cabin? 10:41:12
 23 A. Yes. 10:41:12
 24 Q. Do you remember seeing Caucasian boys at 10:41:13
 25 the cabin? 10:41:15

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1 A. Yes. 10:41:15
 2 Q. Do you remember seeing any African American 10:41:16
 3 boys at the cabin? 10:41:18
 4 A. No. 10:41:19
 5 Q. What about any Asian boys? 10:41:21
 6 A. No. 10:41:23
 7 Q. Did you ever see that he came to the cabin 10:41:26
 8 with any adults? 10:41:33
 9 A. No, I don't recall it. 10:41:35
 10 Q. Did you ever see him at the cabin with 10:41:39
 11 another priest? 10:41:45
 12 A. No. 10:41:46
 13 Q. Were there any boys that you saw with him 10:41:47
 14 repeatedly at the cabin, kind of regular, so to 10:41:54
 15 speak? 10:41:58
 16 A. Possibly two or three times, yes. 10:41:59
 17 Q. Where you would be able to recognize their 10:42:03
 18 faces? 10:42:05
 19 A. Yes. 10:42:05
 20 Q. Did you know any of their names? 10:42:06
 21 A. No. 10:42:09
 22 Q. Did you ever talk to any of the boys? 10:42:09
 23 A. No. I've talked to him but I didn't talk 10:42:11
 24 to the boys. 10:42:13
 25 Q. Did you ever talk to him about what the 10:42:14

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1 boys were doing at the cabin? 10:42:15
 2 A. No. 10:42:17
 3 Q. Did he ever say anything to you about the 10:42:17
 4 boys? 10:42:19
 5 A. No. 10:42:19
 6 Q. When he would bring these boys, you talked 10:42:20
 7 about the yardwork. Did you see them engaging in any 10:42:31
 8 other types of activities? 10:42:34
 9 A. No. 10:42:35
 10 Q. I understand there's a river back behind 10:42:36
 11 the cabins? 10:42:40
 12 A. Yes. 10:42:41
 13 Q. Did you ever see the boys swimming down in 10:42:41
 14 the river? 10:42:43
 15 A. I've seen them going down to the river but 10:42:44
 16 that's it. 10:42:47
 17 Q. You never saw them actually in the river. 10:42:48
 18 Did you see what they were wearing? 10:42:51
 19 A. No. 10:42:53
 20 Q. Did you ever see any boys around the cabin 10:42:53
 21 in swim trunks? 10:42:55
 22 A. Not that I recall. 10:42:57
 23 Q. What about just wearing shorts? 10:43:00
 24 A. Yes. 10:43:02
 25 Q. What about with their shirts off? 10:43:03

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1 A. Yes. 10:43:05
 2 Q. What about just wearing underwear? 10:43:06
 3 A. No. 10:43:08
 4 Q. Did you ever see any boys naked in or 10:43:09
 5 around the cabin? 10:43:13
 6 A. No. 10:43:14
 7 Q. Did you ever hear anyone say they had seen 10:43:14
 8 anything like that? 10:43:17
 9 A. No. 10:43:18
 10 Q. Did you ever see Father Kelly with a 10:43:18
 11 camera? 10:43:25
 12 A. No. 10:43:26
 13 Q. Did you ever hear anyone say they had ever 10:43:27
 14 seen him with a camera? 10:43:31
 15 A. No. 10:43:32
 16 Q. When you would see the boys doing the 10:43:33
 17 yardwork, would Father Kelly be out in the yard as 10:43:38
 18 well? 10:43:41
 19 A. Sometimes. 10:43:41
 20 Q. What would he be doing? 10:43:42
 21 A. He'd be helping them, working with them. 10:43:44
 22 Q. Did you ever see any boys in the yard doing 10:43:47
 23 anything other than yardwork? In other words, did 10:43:50
 24 they ever, like, sit on the porch? 10:43:54
 25 A. Occasionally, and then they'd be out there 10:43:55

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1 kind of messing around, horsing around, I guess, 10:43:58
 2 whatever you want to call it. They would play, more 10:44:01
 3 or less. 10:44:05
 4 Q. Like wrestling? 10:44:05
 5 A. Yeah, throwing the ball around, something 10:44:06
 6 like that. 10:44:09
 7 Q. Would Father Kelly participate in that? 10:44:09
 8 A. I don't recall him doing it, no. 10:44:11
 9 Q. Did you ever see Father Kelly drinking 10:44:13
 10 alcohol or at least what appeared to you to be 10:44:19
 11 alcohol? 10:44:22
 12 A. Not seeing him doing it but I knew he did. 10:44:22
 13 Q. How did you know he did? 10:44:25
 14 A. I had the occasion at times to go over 10:44:26
 15 there because I was the president of a water 10:44:32
 16 association we had up there, and he would turn the 10:44:37
 17 water on to water his hedge and he would leave it 10:44:41
 18 running at 10:00, 11:00, 12:00 o'clock at night and 10:44:46
 19 it would still be running, so I would go over and ask 10:44:51
 20 him to turn it off because we were short on water, 10:44:54
 21 and when I'd go over there he would be inebriated. 10:44:58
 22 Q. How did you know he was inebriated? 10:45:02
 23 A. I'd knock on the door and sometimes, in the 10:45:05
 24 summertime, the door, inside door would be open, the 10:45:08
 25 screen door would be closed, and he would come to the 10:45:09

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1 door and he was holding himself against the walls and 10:45:11
 2 such, et cetera, as he come to the door and I could 10:45:16
 3 smell it on him. 10:45:20
 4 Q. So it sounds like you're saying he was 10:45:21
 5 wobbly when he would come to the door? 10:45:23
 6 A. Yes. 10:45:26
 7 Q. Did you ever see him stumble? 10:45:26
 8 A. Well, not really stumble, no, he just 10:45:27
 9 needed the support. 10:45:33
 10 Q. And you smelled alcohol on his breath? 10:45:35
 11 A. Yes. 10:45:37
 12 Q. Was it a very strong smell? 10:45:37
 13 MS. YOUNG: Objection. Vague and 10:45:40
 14 ambiguous. Calls for speculation. 10:45:41
 15 THE WITNESS: Yeah, it was pretty strong. 10:45:43
 16 BY MR. HALE: 10:45:45
 17 Q. Would he slur his speech? 10:45:46
 18 A. Sometimes. 10:45:47
 19 Q. How often did you see him in the condition. 10:45:49
 20 you just described? 10:45:53
 21 A. Oh, the number of years I lived there, 10:45:54
 22 probably once a month. 10:46:02
 23 Q. Were there trash cans at the cabin? 10:46:08
 24 A. The garbage trucks came by and picked it 10:46:18
 25 up. 10:46:26

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1 Q. Was there a communal trash can or did 10:46:26
 2 everyone have their own individual trash cans? 10:46:29
 3 A. Everybody had their own individual. 10:46:32
 4 Q. Did you ever see any of Father Kelly's 10:46:34
 5 trash? 10:46:37
 6 A. No. 10:46:37
 7 Q. So you never saw any bottles of liquor or 10:46:38
 8 anything like that? 10:46:41
 9 A. No. 10:46:41
 10 Q. When Father Kelly and the boys would arrive 10:46:42
 11 in Father Kelly's car did you ever see them bringing 10:46:51
 12 food and supplies into the cabin? 10:46:54
 13 A. I've seen them take bags in, sacks, yes. 10:46:57
 14 Q. Appeared to be groceries to you? 10:47:01
 15 A. Yes. 10:47:03
 16 Q. Never saw him carrying kegs or liquor 10:47:03
 17 bottles or anything like that? 10:47:07
 18 A. No. 10:47:08
 19 Q. Did you ever see any of the boys that you 10:47:09
 20 saw at the cabin drinking alcohol? 10:47:12
 21 A. No. 10:47:14
 22 Q. Did any of them ever appear to be 10:47:14
 23 inebriated to you? 10:47:17
 24 A. No. 10:47:18
 25 Q. Were there ever times when you went over to 10:47:18

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1 tell him to turn the water off where you knocked on 10:47:46
 2 the door and he didn't come to the door? 10:47:50
 3 A. Yes. 10:47:51
 4 Q. What did you do then? 10:47:51
 5 A. I turned the water off and went back home. 10:47:53
 6 Q. Did he ever ask you if you turned the water 10:47:56
 7 off? 10:47:58
 8 A. No. 10:47:58
 9 Q. Did you ever have any disagreements with 10:47:59
 10 Father Kelly? 10:48:03
 11 A. None in that respect, no. 10:48:04
 12 Q. About anything else? 10:48:06
 13 A. Nothing else, no. 10:48:07
 14 Q. Were you ever aware of any of your 10:48:08
 15 neighbors not getting along with Father Kelly? 10:48:11
 16 A. No. 10:48:13
 17 Q. Did you ever complain to Father Kelly about 10:48:13
 18 noise the boys were making? 10:48:18
 19 A. No. 10:48:20
 20 Q. Did you ever hear anyone complain to 10:48:20
 21 Father Kelly about the noise the boys were making? 10:48:23
 22 A. They played the music, their music 10:48:25
 23 sometimes pretty loud and the neighbor on the other 10:48:30
 24 side of them could have, but I didn't talk to him 10:48:36
 25 about it. 10:48:39

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1 Q. Did you ever ask the boys to turn the 10:48:39
2 volume of the music down? 10:48:41
3 A. No. 10:48:43
4 Q. When you would hear the music, would they 10:48:44
5 be playing it in the front yard area or was it from 10:48:46
6 inside the cabin? 10:48:50
7 A. Most generally inside. 10:48:51
8 Q. Do you recall there being an incident with 10:49:12
9 Father Kelly's mail? 10:49:14
10 A. Yes. 10:49:14
11 Q. What do you recall about that? 10:49:15
12 A. When I come home from work the wife had 10:49:17
13 been out to get the mail and she said that my 10:49:23
14 children had found a package and it was a 10:49:30
15 brown-wrap-type package that had been tore open and 10:49:36
16 my children had found it under a bush, and it had 10:49:40
17 slides and pictures in it. 10:49:46
18 Q. Go ahead. 10:49:49
19 A. And so we discussed it. That was it. 10:49:51
20 Q. Did you have an opportunity to see the 10:49:53
21 package? 10:49:55
22 A. Yes. 10:49:55
23 Q. Did you see the slides? 10:49:56
24 A. Yes. 10:49:57
25 Q. Did you see who the package was addressed 10:49:57

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1 to? 10:50:01
2 A. Yes. 10:50:01
3 Q. What was it addressed to? 10:50:01
4 A. Father Kelly. 10:50:03
5 Q. Did it say Matthew Kelly or did it say 10:50:03
6 Father Matthew Kelly, if you recall? 10:50:06
7 A. I can't recall. 10:50:07
8 Q. What did you see in the package? 10:50:11
9 A. There were some slides and there was some 10:50:12
10 pictures. 10:50:18
11 Q. Do you recall how many slides there were? 10:50:18
12 A. No. 10:50:20
13 Q. Was it a large number, though? 10:50:22
14 MS. YOUNG: Objection. Vague and 10:50:25
15 ambiguous. 10:50:26
16 THE WITNESS: Probably six or seven or 10:50:28
17 eight, maybe. I don't remember exactly how many. 10:50:32
18 BY MR. HALE: 10:50:36
19 Q. You said there were some pictures, too. 10:50:36
20 Can you describe the pictures for me? 10:50:38
21 A. There was just a few pictures, I don't know 10:50:40
22 how many there was of that, but there were just 10:50:42
23 pictures of boys. 10:50:45
24 Q. How big were the pictures? 10:50:46
25 A. Oh, probably three by five or something 10:50:47

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1 like that. 10:50:54
2 Q. How big were the slides, like -- 10:50:58
3 A. They were just the little regular viewing 10:51:00
4 slides that you put in a slide for viewing on a 10:51:02
5 screen. 10:51:08
6 Q. Did you look at some of the slides? 10:51:08
7 A. Yes. 10:51:10
8 Q. Did you look at all of the slides? 10:51:10
9 A. I don't recall whether I did look at all of 10:51:12
10 them, but I did look at a few of them, yes. 10:51:16
11 Q. What did you see in the slides? 10:51:18
12 A. They were naked boys. 10:51:20
13 Q. Completely no clothes whatsoever? 10:51:22
14 A. Yes. 10:51:27
15 Q. Were there any kind of sex acts shown in 10:51:27
16 the slides? 10:51:32
17 A. No, I don't remember seeing any sex acts. 10:51:32
18 Q. Do you recall whether or not the boys in 10:51:36
19 the slides had erections? 10:51:38
20 A. There was one or two of them that had what 10:51:41
21 would be considered a semi. 10:51:45
22 Q. What about in the pictures, what did you 10:51:48
23 see in the pictures? 10:51:50
24 A. They were just more or less the same thing, 10:51:53
25 naked boys. 10:51:57

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1 Q. Did you recognize any of the locations in 10:51:57
2 the slides? 10:52:00
3 A. No. 10:52:02
4 Q. Did it appear that they were taken outside 10:52:02
5 or inside a structure of some sort? 10:52:04
6 A. Well, the pictures were taken inside, I'm 10:52:07
7 fairly certain of that because of the background, 10:52:11
8 like being in a house or something of that sort. 10:52:15
9 Q. What about the slides? 10:52:18
10 A. That part I couldn't tell you because the 10:52:22
11 screen sometimes was -- the area around them, you 10:52:26
12 could tell what you were looking at but you couldn't 10:52:29
13 describe what was the background. 10:52:32
14 Q. Okay. Did you and your wife talk about 10:52:35
15 what you should do with these slides and photographs? 10:52:46
16 A. Yes. 10:52:48
17 Q. What did you discuss? 10:52:48
18 A. I can remember we discussed it quite 10:52:49
19 thoroughly as to what we should do, because we knew 10:52:53
20 this was kind of an improper thing to be sending 10:52:57
21 through the mail, or at least I thought it was, and 10:53:00
22 so we talked it over, and I can remember saying 10:53:04
23 something to her about maybe we ought to ask the 10:53:11
24 mailman what to do, and then I said that we would 10:53:14
25 discuss it some more. And we said, "Well, why don't 10:53:18

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1 we phone the postmaster, at our post office that 10:53:21
 2 delivers the mail from the San Roque branch and get a 10:53:25
 3 hold of the postmaster and ask him what we should 10:53:29
 4 do," and that's what the wife done. 10:53:32
 5 Q. Did you participate in that phone call in 10:53:35
 6 any way? 10:53:37
 7 A. No. I worked seven days a week and I was 10:53:37
 8 up at 7:30 and didn't get home until 4:30 in the 10:53:41
 9 afternoon, so she done most of that. 10:53:45
 10 Q. Were you surprised that a priest would 10:53:48
 11 receive such items in the mail? 10:53:50
 12 A. Somewhat, yes. 10:53:51
 13 MS. YOUNG: Belated objection. Relevance. 10:53:56
 14 BY MR. HALE: 10:53:59
 15 Q. Do you recall what year this was? 10:54:06
 16 A. About 1966, 1968. 10:54:09
 17 Q. Somewhere in that time frame? 10:54:27
 18 A. Yeah, 1965, 1968, yeah. 10:54:31
 19 Q. I want to show you some photographs. These 10:54:34
 20 were attached to the deposition of Andrew Ruiz. They 10:54:37
 21 are Exhibit 4. They are Bates stamped AR 19 through 10:54:42
 22 AR 209. If you could just -- that's not right. AR 10:54:50
 23 190 through 10:55:04
 24 AR 209. If you can just take a look at these a 10:55:06
 25 second, then I will have a few questions for you 10:55:10

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1 about these. Take your time. There are a number of 10:55:13
 2 pages for you to look at. 10:55:16
 3 You've had a chance to look at those 10:57:50
 4 photographs now? 10:57:52
 5 A. Yes. 10:57:52
 6 Q. Do you recognize any of the boys in those 10:57:53
 7 photographs as boys that you ever saw at the cabin? 10:57:54
 8 A. That has been so many years ago I don't 10:57:58
 9 recall ever seeing them, no. 10:58:02
 10 Q. Okay. Did you see anything in the 10:58:04
 11 photographs that you just looked at that looked 10:58:07
 12 similar to what you saw in the slides or the 10:58:10
 13 photographs in Father Kelly's mail? 10:58:14
 14 A. Yes. 10:58:16
 15 Q. What did you see that looked similar? 10:58:16
 16 A. The ones that they were totally naked. 10:58:19
 17 Q. Anything else that looked similar to you? 10:58:21
 18 A. The background looked somewhat familiar, 10:58:25
 19 maybe, in some of the slides that we've seen there, 10:58:33
 20 or pictures. 10:58:38
 21 Q. Could you point to me any of the 10:58:38
 22 photographs where the background in those photographs 10:58:40
 23 looked similar to what you saw in the slides? Take 10:58:43
 24 your time, and if any come up -- it's right here. If 10:58:46
 25 you see a background that looks similar -- for 10:58:52

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1 instance, if that looks like an outside area near the 10:58:55
 2 cabin, let me know. If you see anything in the 10:59:01
 3 photographs that you recognize or looks similar to 10:59:01
 4 you, or slides. 10:59:03
 5 A. This one here looks -- 10:59:18
 6 Q. Do you recognize that? 10:59:22
 7 A. It looks somewhat familiar, yes, because 10:59:22
 8 that was at the back side of his house. He had an 10:59:25
 9 area that looked like that. 10:59:28
 10 Q. Did the railing go down to the river? 10:59:31
 11 A. No, it had a kind of walkway there that was 10:59:33
 12 behind his house. 10:59:40
 13 MR. HALE: For the record, the witness is 10:59:42
 14 pointing at the picture on the right of the document 10:59:44
 15 Bates stamped AR 00193 and it's got a boy sitting on 10:59:49
 16 what appears to be a green railing. 10:59:56
 17 THE WITNESS: That's about the only one. 11:01:18
 18 BY MR. HALE: 11:01:18
 19 Q. Let me ask you this real quick. Do you see 11:01:22
 20 there appears to be some shots which were 11:01:25
 21 professionally taken versus some shots which appear 11:01:28
 22 to be amateur photography, so to speak. I would 11:01:32
 23 submit to you that, for instance, the photos on AR 11:01:36
 24 00205 appear to be somewhat professional shots, at 11:01:41
 25 least in my opinion -- 11:01:45

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1 MS. YOUNG: Objection. Lacks foundation, 11:01:46
 2 assumes facts. 11:01:48
 3 BY MR. HALE: 11:01:48
 4 Q. -- versus, for instance, photographs taken 11:01:49
 5 on AR 00200 to be more amateurish in nature. 11:01:58
 6 MS. YOUNG: Objection. Lacks foundation. 11:02:02
 7 Assumes facts. 11:02:04
 8 BY MR. HALE: 11:02:04
 9 Q. Do you recall, in seeing the slides, 11:02:05
 10 whether the slides appeared to be more amateur versus 11:02:07
 11 more professionally taken shots? 11:02:10
 12 MS. YOUNG: Calls for speculation. 11:02:13
 13 THE WITNESS: The slides were -- the 11:02:14
 14 backgrounds -- or not the slides, the pictures was 11:02:22
 15 more like in a room of some sort that had different 11:02:23
 16 designs on the wall, separate-type things. Now, the 11:02:31
 17 slides, I don't remember the slides other than they 11:02:36
 18 were absolutely naked boys. 11:02:39
 19 BY MR. HALE: 11:02:41
 20 Q. Okay. Did you ever see any of these boys 11:02:42
 21 smoking at the cabin, smoking cigarettes? 11:02:46
 22 A. Yeah. 11:02:50
 23 Q. Was that a common occurrence? 11:02:51
 24 A. I can't remember as to how often it would 11:02:53
 25 be. 11:03:01

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1 Q. Did you ever see Father Kelly smoking at 11:03:02
 2 the cabin? 11:03:04
 3 A. No. 11:03:05
 4 Q. With regards to the slides, do you remember 11:03:07
 5 there being any writing of any sort on the slides or 11:03:10
 6 were they just plain white? 11:03:14
 7 A. Plain white slides. 11:03:15
 8 Q. In the packet that your wife showed you, 11:03:16
 9 was there anything in the packet other than the 11:03:19
 10 slides and the photographs? 11:03:22
 11 A. I don't remember seeing anything else, no. 11:03:23
 12 Q. Do you recall ever referring to 11:03:26
 13 "Father Kelly and his boys"? 11:03:32
 14 MS. YOUNG: Objection. Lacks foundation, 11:03:34
 15 assumes facts not in evidence, vague and ambiguous. 11:03:36
 16 BY MR. HALE: 11:03:39
 17 Q. In other words, you see Father Kelly 11:03:39
 18 driving up and you turn to your wife and say, "Oh, 11:03:41
 19 Father Kelly and his boys are here"? 11:03:45
 20 MS. YOUNG: Same objection. 11:03:46
 21 THE WITNESS: Other than just to make a 11:03:48
 22 comment to the wife, that, "Hey, father is up here." 11:03:52
 23 BY MR. HALE: 11:03:57
 24 Q. Okay. Your wife described that after you 11:03:57
 25 guys had moved away from the cabin at some point you 11:04:03

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1 returned to the cabin around 2000 or 2001 to visit? 11:04:05
 2 A. Yes. 11:04:10
 3 Q. Did you go with your wife on that visit? 11:04:11
 4 A. Oh, yes. 11:04:13
 5 Q. Did you speak to someone who was now living 11:04:13
 6 in Father Kelly's cabin? 11:04:16
 7 A. I was there when the wife was talking to 11:04:17
 8 her. It was a woman that she was talking to who had 11:04:20
 9 bought -- I understood that had bought the cabin from 11:04:26
 10 Father Kelly or from the person -- whoever sold the 11:04:30
 11 cabin, she bought it from. 11:04:34
 12 Q. But did you have an understanding of 11:04:35
 13 whether she had purchased the cabin from 11:04:37
 14 Father Kelly? 11:04:39
 15 MS. YOUNG: Calls for speculation. 11:04:40
 16 THE WITNESS: I didn't understand as to who 11:04:42
 17 she bought it from, no. 11:04:43
 18 BY MR. HALE: 11:04:45
 19 Q. Did she seem to know who Father Kelly was? 11:04:45
 20 A. Yes. 11:04:47
 21 Q. Did she tell you how she knew who 11:04:48
 22 Father Kelly was? 11:04:52
 23 A. Not to my knowledge. 11:04:52
 24 Q. Did Father Kelly's name come up during the 11:04:57
 25 conversation? 11:05:00

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1 A. Yes. 11:05:00
 2 Q. How did it come up? 11:05:01
 3 A. We mentioned to her, I think, that we knew 11:05:02
 4 him, who used to live there when we lived there, and 11:05:07
 5 she said yes, she knew him, knew of him. 11:05:11
 6 Q. Did she say anything else about him? 11:05:15
 7 A. She made a comment to the wife that she had 11:05:17
 8 found pictures when they bought the place, posters or 11:05:23
 9 what -- I don't know whether they were pictures but 11:05:28
 10 they were more like posters or something of that kind 11:05:31
 11 in the basement of that place when they moved in. 11:05:36
 12 Q. What kind of pictures or posters? 11:05:41
 13 A. Of boys. 11:05:43
 14 Q. Naked boys? 11:05:45
 15 A. Naked boys. 11:05:45
 16 Q. Did she tell you how many she found? 11:05:46
 17 A. No. 11:05:49
 18 Q. Did she tell you what she did with those 11:05:49
 19 pictures or posters? 11:05:51
 20 A. Not that I can recall. 11:05:52
 21 Q. Did she say anything to you about finding 11:05:53
 22 slides? 11:05:57
 23 A. Not that I recall, no. 11:05:57
 24 Q. Do you know if she was married or if she 11:05:58
 25 had someone else living with her? 11:06:00

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1 A. I think she was married. 11:06:02
 2 Q. Do you remember her name? 11:06:04
 3 A. No, I don't. 11:06:04
 4 Q. Did you meet anybody else that day? 11:06:05
 5 A. No, just her. 11:06:09
 6 Q. When she told your wife about these posters 11:06:16
 7 or photographs that she found, did you or your wife 11:06:19
 8 say anything in response? 11:06:22
 9 MS. YOUNG: Objection. Misstates testimony 11:06:24
 10 with respect to photographs. 11:06:25
 11 THE WITNESS: The wife may have made a 11:06:29
 12 comment. I was kind of off at a distance from them 11:06:31
 13 and I just heard what they were talking about, 11:06:35
 14 because the husband was not there. 11:06:40
 15 BY MR. HALE: 11:06:42
 16 Q. Do you recall hearing anything else 11:06:42
 17 discussed about Father Kelly? 11:06:45
 18 A. No. 11:06:46
 19 Q. Did you ever see Father Kelly exhibit any 11:06:47
 20 other signs of being inebriated? Did you ever see 11:07:07
 21 him throw up or ever stumble in the front yard or 11:07:10
 22 anything like that? 11:07:13
 23 A. Well, I have seen him when he was stumbling 11:07:13
 24 around in the front yard, yes, somewhat. 11:07:17
 25 Q. Would there be boys out there, usually, 11:07:20

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1 when he would stumble around the front yard or was 11:07:24
 2 that when he was there by himself? 11:07:27
 3 A. I don't know that I can recall whether 11:07:29
 4 there were boys there or not. 11:07:31
 5 Q. How often did you see him stumbling around 11:07:36
 6 the front yard? 11:07:39
 7 A. Rarely. 11:07:40
 8 Q. Can you recall any other signs, to you, 11:07:45
 9 that Father Kelly was inebriated? 11:07:47
 10 A. No. 11:07:51
 11 Q. You never saw him pass out or anything like 11:07:54
 12 that? 11:08:04
 13 A. No. 11:08:04
 14 Q. But there were times when he would not come 11:08:04
 15 to the door when you knocked? 11:08:07
 16 A. Yes. 11:08:08
 17 Q. And his car was in the driveway? 11:08:08
 18 A. Yes. 11:08:10
 19 Q. And the door was open? 11:08:10
 20 A. Yes. Well -- 11:08:11
 21 Q. Not the screen door? 11:08:12
 22 A. Not the screen door, but the inside door 11:08:14
 23 could be open. 11:08:17
 24 Q. Okay. 11:08:18
 25 A. Depending on the time of the year. 11:08:19

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1 MR. HALE: I think that's all the questions 11:08:30
 2 I have. 11:08:31
 3 MS. YOUNG: I have some. 11:08:32
 4 11:08:32
 5 EXAMINATION 11:08:32
 6 BY MS. YOUNG: 11:08:32
 7 Q. Good morning, Mr. [REDACTED]. 11:08:49
 8 As I said earlier, my name is Bless Young 11:09:19
 9 and I represent the Roman Catholic archbishop of Los 11:09:21
 10 Angeles and I need to ask you a few questions about 11:09:24
 11 what you've just testified to. Hopefully it will be 11:09:27
 12 brief. 11:09:30
 13 Did you ever see Father Kelly sexually 11:09:30
 14 abusing any of the boys that he was with at the 11:09:41
 15 cabin? 11:09:43
 16 A. No. 11:09:44
 17 Q. Did you ever see him do anything that you 11:09:45
 18 would consider inappropriate with any of the boys at 11:09:48
 19 the cabin? 11:09:52
 20 MR. HALE: Vague and ambiguous. 11:09:52
 21 THE WITNESS: No. 11:09:54
 22 BY MS. YOUNG: 11:09:54
 23 Q. You testified earlier in response to some 11:09:55
 24 questions that Mr. Hale asked you about what you 11:10:04
 25 thought were the ages of some of these boys. What 11:10:08

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1 did you base that on? How did you know how old they 11:10:13
 2 were? 11:10:16
 3 MR. HALE: Asked and answered. 11:10:17
 4 THE WITNESS: I hauled schoolchildren on 11:10:19
 5 the bus, and I had -- the only way I had to base the 11:10:22
 6 ages is by seeing they were approximately the same 11:10:27
 7 size as other children that were this age and that 11:10:32
 8 age. 11:10:35
 9 BY MS. YOUNG: 11:10:36
 10 Q. But you never asked any of them how old 11:10:36
 11 they were? 11:10:38
 12 A. No. 11:10:39
 13 Q. When you saw the boys in the yard with 11:10:39
 14 Father Kelly as you described, did the boys appear to 11:10:45
 15 be having a good time? 11:10:48
 16 MR. HALE: Speculation. 11:10:51
 17 THE WITNESS: When they were outside and 11:10:53
 18 playing around, yes. 11:10:54
 19 BY MS. YOUNG: 11:10:56
 20 Q. Let me ask you questions about some of 11:10:56
 21 these pictures and slides that you have described. 11:11:05
 22 Would you characterize the boys or men in the slides 11:11:08
 23 as body-builder types? 11:11:13
 24 MS. YOUNG: Objection. Misstates 11:11:15
 25 testimony. 11:11:16

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1 THE WITNESS: No. 11:11:17
 2 BY MS. YOUNG: 11:11:17
 3 Q. The ones in the slides, were they actual -- 11:11:17
 4 strike that. 11:11:27
 5 How do you know how old the boys in the 11:11:28
 6 slides were? 11:11:30
 7 A. I am guessing, but they appeared to be 14, 11:11:33
 8 15, approximately that age. Maybe some of them were 11:11:39
 9 17, even. 11:11:44
 10 Q. Could any of them have been over 18, do you 11:11:47
 11 know? 11:11:51
 12 MR. HALE: Speculation. 11:11:51
 13 MS. YOUNG: I think the whole thing is 11:11:52
 14 speculation. 11:11:54
 15 MR. HALE: Just making my record. I know. 11:11:55
 16 THE WITNESS: I couldn't tell you whether 11:11:57
 17 they were -- appeared to be because they were 11:11:59
 18 pictures and it's hard to describe whether they 11:12:04
 19 are -- how old they are in a picture or a slide. I 11:12:07
 20 mean, if you're looking at a slide -- you mean they 11:12:10
 21 are not on a screen and you're viewing just the slide 11:12:13
 22 itself. 11:12:13
 23 BY MS. YOUNG: 11:12:13
 24 Q. You're just holding it up to the light? 11:12:16
 25 A. Yeah, hold it up to the light. 11:12:17

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1 Q. What about the pictures? You described 11:12:17
2 them as three-by-five pictures. Were they 11:12:21
3 professional-type pictures? 11:12:25
4 A. No. 11:12:28
5 Q. Were the boys in the pictures, to your 11:12:28
6 recollection, were they the same boys as in the 11:12:40
7 slides or were they different? 11:12:42
8 A. I do not remember of them being the same or 11:12:45
9 being different. I mean, it's been so many years ago 11:12:49
10 that I can't recall as to being -- comparing the two. 11:12:53
11 Q. Did you ever become aware that Father Kelly 11:13:04
12 had rented his cabin out? 11:13:06
13 A. No. 11:13:10
14 Q. You mentioned the first time you met 11:13:11
15 Father Kelly that the reason, I believe you 11:13:25
16 testified -- correct me if I'm wrong -- the reason 11:13:28
17 you knew he was a priest was that he was wearing some 11:13:31
18 type of priest clothing, is that what you testified? 11:13:34
19 A. He would come with his dark top with a 11:13:37
20 white collar that would indicate that he was either a 11:13:41
21 pastor or a priest of the faith. 11:13:47
22 Q. Now, your wife, earlier this morning, 11:13:52
23 testified that she never saw him in priest clothes. 11:13:55
24 When you first met him were you with your wife, were 11:14:00
25 both of you together? 11:14:03

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1 MR. HALE: Objection. Misstates the 11:14:04
2 testimony. 11:14:05
3 THE WITNESS: The first time, yeah, I can't 11:14:07
4 recall whether it was -- we were together or not, the 11:14:09
5 first time I met him or seen him. I'm sure she 11:14:14
6 probably didn't see him as much and talked to him as 11:14:19
7 much as I did. 11:14:22
8 BY MS. YOUNG: 11:14:24
9 Q. But your wife -- did your wife work -- 11:14:25
10 A. No. 11:14:31
11 Q. -- at that time? 11:14:32
12 A. No. 11:14:32
13 Q. She was home all the time? 11:14:34
14 A. She was home until our kids -- I can't 11:14:36
15 remember the exact age they were, I think they was 11:14:39
16 all pretty well in high school or had graduated in 11:14:42
17 high school, then she went to work in Santa Barbara. 11:14:45
18 Q. And what year would that have been? 11:14:48
19 A. Well, it had to be in the seventies. 11:14:50
20 Q. So in the fifties and sixties, during the 11:15:02
21 time that you owned the cabin and were living there, 11:15:05
22 your wife was not working; is that correct? 11:15:08
23 A. No, she was home, 24-hour mother. 11:15:10
24 Q. She was working at home? 11:15:14
25 A. At home, raising four kids, and two of them 11:15:15

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1 was twins so she had her hands full. 11:15:20
2 Q. I can imagine. 11:15:26
3 Now, after you were -- I should say after 11:15:32
4 your children or one of your children found the 11:15:38
5 slides and the pictures that you referred to in the 11:15:41
6 envelope, did you ever notify anyone at the 11:15:43
7 Archdiocese of Los Angeles? 11:15:48
8 A. No. 11:15:50
9 Q. Did you ever notify the archbishop, Roman 11:15:51
10 Catholic archbishop of Los Angeles? 11:15:57
11 A. No. 11:15:57
12 Q. Did you ever at any time complain to either 11:15:57
13 the archbishop or anyone at the archdiocese about 11:16:02
14 Father Kelly for any reason? 11:16:06
15 A. No. 11:16:07
16 Q. When was the first time you spoke to either 11:16:07
17 Mr. Hale or Tom Griffith, Mr. Griffith here about 11:16:29
18 Father Kelly? 11:16:35
19 A. It had to be probably two, three, four 11:16:36
20 years ago. Our nephew come and lived with us and it 11:16:43
21 was the year my twins were born, which would have 11:16:53
22 been 1960, and he was going to school at the high 11:16:55
23 school, and so somehow he had spoken to Mr. Hale 11:17:00
24 or -- 11:17:09
25 Q. Your nephew or one of your twins? 11:17:09

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1 A. No, my nephew, [REDACTED], Jr. 11:17:12
2 And somehow they made a connection and it 11:17:18
3 was mentioned that he knew -- my nephew knew that we 11:17:22
4 had found the pictures, and that is how it was 11:17:27
5 explained that we got to talking. 11:17:33
6 Q. Okay. Now you mentioned earlier in 11:17:37
7 response to some questions by Mr. Hale that you 11:17:43
8 thought you remembered in some of these -- and I'm 11:17:48
9 not sure whether you said in slides or in pictures -- 11:17:52
10 that some of the boys had a semi-erection? 11:17:55
11 A. Well, yes, it was -- they seemed to be 11:18:00
12 somewhat aroused. Not greatly aroused, you know, but 11:18:06
13 they were -- they seemed to be, just by looking at 11:18:10
14 the pictures. 11:18:14
15 Q. Was that in the pictures or in the slides? 11:18:16
16 A. In the slides. 11:18:18
17 MS. YOUNG: I don't have any further 11:18:56
18 questions? 11:18:58
19 /// 11:18:58
20 /// 11:18:58
21 /// 11:18:58
22 FURTHER EXAMINATION 11:18:59
23 BY MR. HALE: 11:18:59
24 Q. Mr. [REDACTED], I think you said you retired 11:19:00
25 from the [REDACTED] High School in 1983? 11:19:03

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1 A. That's correct. 11:19:07
2 Q. How long had you worked at ██████ High 11:19:07
3 School? 11:19:10
4 A. Twenty-six years. 11:19:10
5 Q. And you worked as bus driver and janitor? 11:19:11
6 A. Well, I started out as a bus driver and a 11:19:13
7 groundsman and I wound up, when I retired, I was 11:19:16
8 supervisor of buildings and grounds and a bus driver. 11:19:20
9 Q. And those entire 26 years you were at ██████ 11:19:22
10 ██████ High School? 11:19:26
11 A. Santa Ynez High School. 11:19:26
12 Q. So you were around teenagers on a daily 11:19:28
13 basis for 26 years? 11:19:30
14 A. Totally. 11:19:30
15 MR. HALE: I have no further questions. 11:19:35
16 MS. YOUNG: I have one question. Well, 11:19:37
17 maybe two questions. 11:19:41
18 11:19:41
19 FURTHER EXAMINATION 11:19:41
20 BY MS. YOUNG: 11:19:41
21 Q. At the ██████ High School, did that go 11:19:43
22 from ninth grade through 12th grade? 11:19:47
23 A. Yes, but I hauled -- I hauled from the 11:19:49
24 third grade -- when I first went to work there it was 11:19:53
25 the third grade through the 12th. Then they raised 11:19:59

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1 the school age from up there in that area up to the 11:20:04
2 fourth grade, they kept them up there at the 11:20:08
3 Paradise, and so I took, then, the fourth grade to 11:20:11
4 the 12th grade, and I dropped some off at the 11:20:15
5 elementary schools, I took the rest over to the high 11:20:18
6 school, and then I picked them up and brought them 11:20:21
7 home, and at one time I was hauling like 91 children 11:20:23
8 out of that canyon. 11:20:28
9 Q. You mentioned you had four children, I 11:20:31
10 believe, or maybe your wife mentioned that you had 11:20:33
11 four children, and you mentioned that two were twins. 11:20:36
12 Were the twins boys or girls? 11:20:38
13 A. A boy and a girl. They were the youngest. 11:20:39
14 ones. 11:20:43
15 Q. One boy and one girl? 11:20:43
16 A. One boy and one girl. 11:20:44
17 Q. In 1960 how old were your twins? 11:20:46
18 A. They were born in 1960, October 1960. 11:20:51
19 Q. And your oldest in 1960 was five? 11:20:55
20 A. She was born in 1955. Barbara, my oldest 11:21:03
21 one, was born in 1955. 11:21:10
22 Q. So she was about five in 1960? 11:21:11
23 A. Yes, and my other boy was born in 1957, 11:21:14
24 July 1957, and the twins were born in October of 11:21:18
25 1960. 11:21:23

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1 MS. YOUNG: I have no further questions. 11:21:24
2 MR. HALE: Same stipulation? 11:21:26
3 MS. YOUNG: Same stipulation. 11:21:27
4 VIDEOGRAPHER: This concludes the 11:21:28
5 deposition of ██████. The number of 11:21:30
6 videotapes used was one. The time is 11:21 a.m. We 11:21:34
7 are off the record. 11:21:39
8 (The deposition concluded at 11:21 a.m.)
9 --oOo--
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DEPONENT'S DECLARATION

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

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I, MARK McCLURE, CSR NO. 12203, a Certified Shorthand Reporter for the County of Santa Barbara, do hereby certify:

That, prior to being examined, the witness named in the foregoing deposition was by me duly sworn to testify the truth, the whole truth, and nothing but the truth;

That said deposition was taken down by me in shorthand at the time and place therein named, and thereafter reduced to typewriting by computer-aided transcription under my direction.

I further certify that I am not interested in the event of the action.

WITNESS my hand this ____ day of _____, 2007.

Certified Shorthand Reporter in and for the County of Santa Barbara, State of California