

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF LOS ANGELES

ANDREW RUIZ,

Plaintiff,

-vs-

CASE NUMBER 01131929/JCCP 4286

ARCHDIOCESE OF L.A. EDUCATION  
& WELFARE CORPORATION, et al.,

Defendants.

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VIDEOTAPED DEPOSITION OF [REDACTED]

DATE: March 7, 2007

TIME: 10:10 a.m.

LOCATION: Offices of Pulone & Stromberg  
1550 The Alameda, Suite 150  
San Jose, California

REPORTED BY: Carol Lehman  
Certified Shorthand Reporter  
License Number 3500

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A P P E A R A N C E S :

For the Plaintiff: NYE, PEABODY & STIRLING, LLP  
BY: TIMOTHY C. HALE,  
Attorney at Law  
33 W. Mission Street  
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Santa Barbara, California 93101  
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For the Defendant: HENNIGAN, BENNET & DORMAN  
BY: BLESS YOUNG,  
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Also present: David Manzo, Legal Video  
Specialist

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I N D E X

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1 THE VIDEOGRAPHER: Good morning. We are  
2 going on the record. The time on the screen is 10:10  
3 a.m. Today's date is March 7th, the 2007. We are  
4 located at Pulone & Stromberg, 1550 The Alameda,  
5 Suite 150, San Jose, California.

6 This is tape number one of the videotaped  
7 deposition of [REDACTED]. Case name Ruiz versus  
8 Archdiocese of L.A. Education & Welfare Corporation,  
9 venued in the Superior Court of California, County of  
10 Los Angeles. Case number 01131929/JCCP 4286.

11 My name is David Manzo, a Legal Video  
12 Specialist representing McMahon & Associates, LLC, 97  
13 East St. James Street, Suite 101, San Jose,  
14 California, 95112.

15 The court reporting firm is Pulone &  
16 Stromberg. The court reporter is Carol Lehman.

17 Counsel, please state your name, your office  
18 and whom you represent in this action.

19 MR. HALE: Tim Hale, Nye, Peabody & Stirling  
20 for the Plaintiffs.

21 MS. YOUNG: Bless Young, Hennigan, Bennett &  
22 Dorman for the Roman Catholic Archbishop of  
23 Los Angeles Corporation.

24 THE VIDEOGRAPHER: Counsel, are there any  
25 stipulations you wish to put on the record at this

1 time?

2 MR. HALE: No.

3 MS. YOUNG: No.

4 THE VIDEOGRAPHER: Please swear in the  
5 witness when you are ready.

6 [REDACTED]  
7 called as a witness, after having been first  
8 duly sworn by the Certified Shorthand Reporter to tell  
9 the truth, the whole truth, and nothing but the truth,  
10 testified as follows:

11 EXAMINATION BY MR. HALE.

12 Q. Good morning. Actually before I go any  
13 further, how do you prefer to be referred to? Is  
14 Sister [REDACTED] --

15 A. Sister is fine. Well, Sister [REDACTED], [REDACTED] is  
16 too formal.

17 Q. Good morning, Sister. My name is Tim Hale,  
18 I know we have been introduced off the record. Could  
19 you state and spell your full name for the record?

20 A. Yes. It's [REDACTED].  
21 [REDACTED], [REDACTED] obviously, [REDACTED], F as in  
22 Frank, [REDACTED]. And at the end there's s-n-d.

23 Q. Have you ever had your deposition taken  
24 before?

25 A. Never. Am I a wreck? Yes.

1 Q. Don't be, it's not --

2 MS. YOUNG: Don't volunteer any information.

3 Q. (BY MR. HALE): It's not going to be a big  
4 deal. Let me go over a few of the ground rules of the  
5 deposition so you have an idea of where we are going  
6 and why we are here.

7 You understand we are in the relatively  
8 informal setting of this court reporter's office, but  
9 do you understand that even though we are in this  
10 setting that your testimony has the same force and  
11 effect as if we were in a courtroom before a judge and  
12 a jury?

13 A. Mh-hmm.

14 Q. Is that a "yes"?

15 A. Yes. I understand that.

16 Q. Which leads to another point. As you can  
17 see the court reporter is typing down everything you  
18 say and everything that I say, so it's important for,  
19 to make her job easier and also so that we have a  
20 clearest record as possible, that when you respond to  
21 a question you avoid "uh-huhs", "huh-uhs" noddings and  
22 shakings of the head --

23 A. No body language.

24 Q. It's going to happen. When it does please  
25 don't take it personally if I say, Sister, could you

1 give me some sort of audible response, okay?

2 A. Okay.

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

5 A. Yes.

6 Q. Have you consumed any alcohol or drugs in  
7 the last twenty-four hours that might somehow impair  
8 your ability to testify?

9 A. No, just my morning medication.

10 Q. That won't impair --

11 A. Glucophage -- no.

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

14 A. No.

15 Q. Great. It's also important for, believe me,  
16 the reporter will remind both of us if we start  
17 talking over each other. But it's important when I  
18 ask you a question, there is going to be times when  
19 you correctly anticipate the question I'm asking, but  
20 resist the urge, if you can --

21 A. Okay.

22 Q. -- to answering the question before I finish  
23 my question. By the same token, when you are  
24 answering my question I will do my best not to  
25 interrupt you, let you finish your answer, that way we

1 keep the court reporter relatively sane, okay?

2 A. Okay.

3 Q. At the end of your deposition your testimony  
4 is going to be placed into a typed booklet form. You  
5 are going to get a chance to review that testimony,  
6 make any changes you think are necessary.

7 But if you do make any changes, either  
8 myself or any other attorney working in this matter  
9 could comment on those changes at the time of trial.  
10 That could impact your credibility. So for that  
11 reason it's important that you give your best  
12 testimony today. Do you understand that?

13 A. I think so.

14 Q. If you have a question, fire away.

15 A. Well, how could I not understand -- I mean,  
16 what I say is what I say. If I look at the typed  
17 thing it should be what I said.

18 Q. Yes. In other words, basically, if we are  
19 going back and trying to think, get certain dates or  
20 certain names, don't feel like you have to rush into  
21 an answer. If you want to take a little time kind of  
22 go through the mental rolladex and figure out what the  
23 answer is, that's fine, take your time and do that.

24 A. Okay.

25 Q. Along those lines, if I ask you a question

1 and if you respond to that question, I'm going to  
2 assume you understood what I meant by the question.  
3 So if there is any uncertainty about what I mean or a  
4 certain word, ask me --

5 A. Okay.

6 Q. -- to clarify and I will, okay?

7 A. Okay.

8 Q. We are going to be asking you questions, at  
9 least I'm going to be asking you questions, possibly  
10 Ms. Young as well, about events that took place a  
11 number of years ago. We are entitled to your best  
12 estimate, but we don't want you to guess to the answer  
13 to any questions. Do you understand the difference  
14 between a guess and an estimate?

15 A. I think so, yes, be as sure as I can be of  
16 what happened.

17 Q. Yes. Do you have any other questions or  
18 anything I can answer for you?

19 A. Well, in here I notice on an unsigned sheet  
20 it said that I would get reimbursed for gas.

21 Q. Yes, we can do that.

22 A. That wasn't filled out at all.

23 Q. We can definitely do that for you. Why  
24 don't you at the end of the deposition tell me what  
25 your mileage was and my office will cut --

1 A. I will have to go out to the car.

2 Q. My office will cut you a check and we can  
3 mail that to you. In fact, what I will do, I will  
4 mail it to you when we send the transcript to you to  
5 review.

6 A. So the transcript will come in the mail?

7 Q. Yes.

8 A. I see, okay, thank you.

9 Q. Did you review any documents in preparation  
10 for your deposition today?

11 A. I don't have any documents.

12 Q. We are not holding you prisoner, so if you  
13 need to take a break, I understand you have a cold, if  
14 you want to take a break at any time, just raise your  
15 hand, say the word.

16 A. Okay.

17 Q. While we are on the subject of documents I  
18 want to show you a copy of your subpoena. I would  
19 imagine you probably have that right there.

20 A. Yes.

21 Q. I want to attach this as Exhibit 1. Bless,  
22 do you want a copy?

23 MS. YOUNG: No.

24 (Plaintiff's Exhibit 1 marked for  
25 identification.)

1 Q. (BY MR. HALE): If you can take a look at  
2 that, tell me if if you recognize this.

3 A. This is much clearer than the one I got.

4 Q. Okay.

5 A. My address is not correct.

6 Q. Did I get the apartment wrong?

7 A. Yes, it's Apartment 18.

8 Q. We weren't sure about that.

9 A. I moved. It was Apartment 11, but I have  
10 moved.

11 Q. But do you recall receiving that document?

12 A. Yes, it's right here.

13 Q. If you could just turn to the third page.  
14 There is a list of three categories of documents. I  
15 want to confirm a couple of things. The first  
16 category asked for any and all documents relating --  
17 relating or referring to father Matthew H. Kelly. Did  
18 you look to see if you have any documents responsive?

19 A. I don't have any of that kind of stuff.

20 Q. What about category number two, any  
21 documents relating to Our Lady of Guadalupe Parish or  
22 Our Lady Guadalupe School?

23 A. No.

24 Q. Nothing like that?

25 A. No.

1 Q. Finally, did you look for any documents  
2 relating or referring to any current or former members  
3 of the Sisters of Notre Dame who were assigned to Our  
4 Lady of Guadalupe Parish or School in Santa Barbara?

5 A. No.

6 Q. You don't have anything like that?

7 A. No.

8 Q. If you could pass that over to the court  
9 reporter.

10 You are still a member of the Sisters of  
11 Notre Dame?

12 A. Yes, I am. That's my ID (indicating.)

13 Q. Does the order publish any kind of Directory  
14 on an annual or semiannual basis of the various  
15 members and where they are assigned?

16 A. Yes -- yes, it does.

17 Q. Do you have a copy of that at home?

18 A. I have it at home.

19 Q. Are there any members listed in that current  
20 Directory that you have who were assigned with you at  
21 Our Lady of Guadalupe in Santa Barbara?

22 A. Yes. Who are still sisters, you mean?

23 Q. Yes.

24 A. Yes.

25 Q. Do you recall what their names are?

1 A. One would be Sister [REDACTED] whose last  
2 name I can't pronounce, but she is very Italian.

3 Q. Can you spell her last name?

4 A. No. I think it's [REDACTED]  
5 something like that.

6 Q. [REDACTED]?

7 A. Something close to that, yes.

8 Q. Do you know where she is currently  
9 assigned?

10 A. Not right now. And Sister [REDACTED]  
11 [REDACTED]. I think the others are dead or left. Let me  
12 run through the -- yeah, I think those are the only  
13 two who are still sisters.

14 Q. And is Sister [REDACTED] still a  
15 member of the order?

16 A. Yes.

17 Q. Do you know where she is currently  
18 assigned?

19 A. Redwood City.

20 Q. Is she living in a convent in  
21 Redwood City?

22 A. No.

23 Q. Is she living independently in an apartment  
24 or something like that?

25 A. Yes, it's a private home.

1 Q. Do you know does she have a current  
2 assignment with the Sisters of Notre Dame?

3 A. She is not working for us, no, not as -- no.

4 Q. Is she employed right now?

5 A. She is -- I think she is a volunteer.

6 Q. Where is she volunteering?

7 A. Project Read, I think that's what it is,  
8 Project Read. It's like for children or adults who  
9 can't read yet and they -- it's a library thing.

10 Q. Is that in Redwood City as well?

11 A. Yeah.

12 Q. Are you aware of any other employment she is  
13 involved in?

14 A. No.

15 Q. You don't know where Sister [REDACTED] is  
16 located?

17 A. Either Watsonville or San Jose, but I'm not  
18 sure which.

19 Q. Do you know is she living in a convent or in  
20 a private residence?

21 A. No, it's an apartment.

22 Q. Do you know if she is currently employed?

23 A. I think she's retired. She is older than I  
24 am. I'm sure she is retired.

25 MS. YOUNG: Just answer his question.

1 THE WITNESS: Okay.

2 MS. YOUNG: Otherwise we will be here all  
3 day.

4 Q. (BY MR. HALE): Do you know if she is doing  
5 any kind of volunteer work?

6 A. I don't know.

7 Q. Does the order have someone who is  
8 responsible for personnel for knowing who is assigned  
9 where?

10 A. Yeah, we have a team -- administrative  
11 team.

12 Q. Do you know who is in charge of that team?

13 A. Well, they are co, you know, it's a team.  
14 It's not a -- but there's sister [REDACTED] --

15 Q. Can you spell her last name?

16 A. I never can do that. I think it's  
17 [REDACTED], but I'm not positive.

18 Q. Okay.

19 A. [REDACTED].

20 Q. With a K?

21 A. And [REDACTED].

22 Q. And do you know how to spell [REDACTED]?

23 A. [REDACTED].

24 Q. And [REDACTED] just like it sounds?

25 A. Yes, but I think there are a couple of ways

1 of spelling [REDACTED].

2 Q. That's the team, though?

3 A. That's the team -- administrative team.

4 Q. Is it your understanding they are  
5 responsible for assigning sisters to various  
6 assignments?

7 A. Well, they -- we get our own jobs and then  
8 they okay it or they approve it or whatever.

9 Q. Has it always been that way in the order?

10 A. Oh, no.

11 Q. When you were assigned to Our Lady I take it  
12 that wasn't that way?

13 A. It wasn't that way at all. That was -- the  
14 Vatican Council had just happened so everything was  
15 different, but we were still operating.

16 Q. Okay.

17 A. Under the old canon of rules.

18 Q. I want to get a little background  
19 information on you to start off. Where were you  
20 born?

21 A. San Francisco.

22 Q. Did you attend high school in  
23 San Francisco?

24 A. No. I moved to Redwood City when I was nine  
25 months old.

1 Q. Okay. Where did you attend high school?

2 A. Notre Dame Belmont.

3 Q. What year did you graduate from there?

4 A. '57.

5 Q. Before you graduated had you already  
6 joined --

7 A. No, I graduated in June and I entered the  
8 convent in July.

9 Q. Did you study anywhere after Notre Dame High  
10 School?

11 A. Well, then I went to our own college,  
12 Notre Dame Belmont, but that was like over summers.

13 Q. Did you obtain a degree from Notre Dame  
14 Belmont?

15 A. Yes.

16 Q. What year did you obtain that degree?

17 A. I'm not sure. Let me think. 1970.

18 Q. What was the degree in?

19 A. It was just undergraduate, a B.A. in  
20 English.

21 Q. Did you ever attend Notre Dame Belmont  
22 full-time or was it just summers?

23 A. Actually, yes, that last year '69/70 I was  
24 pulled out of teaching and I went to finish up my  
25 degree.

1 Q. Any studies beyond Notre Dame Belmont?

2 A. Yes, I got a Master's in religious  
3 education.

4 Q. Where is that from?

5 A. University of San Francisco.

6 Q. What year did you get that?

7 A. 1980. I think -- I think maybe it was '84.

8 Q. I'm not going --

9 A. I'm not sure now.

10 Q. That's fine. Any other education other than  
11 the Master's in religious education?

12 A. No, that's it.

13 Q. What was your first assignment as a member  
14 of the Sisters of Notre Dame?

15 A. Marysville. Notre Dame Marysville first  
16 grade.

17 Q. First grade teacher?

18 A. Mh-hmm.

19 Q. What year was that?

20 A. 1960.

21 Q. How long did that assignment last for?

22 A. Six months. I left in June.

23 Q. Then the next school year was 1960 to '61,  
24 where was that at?

25 A. That was in Watsonville, and I was there for

1 two years.

2 Q. What was the name of the institution?

3 A. I think that was a Notre Dame school also,  
4 yes, it was because it belonged to us.

5 Q. What did you teach there?

6 A. That was second grade.

7 Q. Okay. What was your next assignment?

8 A. Sacred Heart, Salinas.

9 Q. How long did that last for?

10 A. Two years. Oh, dear.

11 Q. So you were there from --

12 A. Yes, for two years.

13 Q. 1960 to to 1964?

14 A. I think so, and then I went to Chico,  
15 California, and that was also a Notre Dame school.

16 Q. How long did that last for?

17 A. That was two years.

18 Q. So '64 to '66?

19 A. Uh-huh. Then I went to Santa Barbara.

20 Q. Two years also?

21 A. That was also two years.

22 Q. That was Our Lady of Guadalupe, correct?

23 A. Correct.

24 Q. And in that summer during your assignment in  
25 Santa Barbara were you studying at U.S.F.?

1 A. No, I didn't start that until later. No, I  
2 probably went back to Belmont for the -- for that  
3 summer school, yeah. Oh, I'm sorry, okay, okay.  
4 That's my way of thinking.

5 Q. You think you were attending summer school  
6 at Belmont --

7 A. Yes.

8 Q. -- while you were in Santa Barbara?

9 A. Right. I would have gone back to Belmont  
10 for summer school.

11 Q. What was your next assignment?

12 A. Okay, Santa Barbara. Then I went back to  
13 Sacred Heart Salinas for one year.

14 Q. Okay.

15 A. Then I went to the college. Now does that  
16 check or did I leave out -- is there a two-year gap  
17 there somewhere?

18 Q. 1968, '69 you are in Salinas -- you're back  
19 at the college in '69, '70. Was that U.S.F. or  
20 Belmont?

21 A. No, that was Belmont, that was the year that  
22 I went to study full-time.

23 Q. Did you have any kind of assignment while  
24 you were studying full-time at Belmont?

25 A. No, full-time, that was it.

1 Q. What was your next assignment?

2 A. Then from there I went back to Chico, I was  
3 there for four years that time.

4 Q. So 1970 to '74?

5 A. Right.

6 Q. After that what was your next assignment?

7 A. Okay, '74, then I went to Carmel for a house  
8 of prayer experience.

9 Q. How long was that for?

10 A. That was for -- I was there for about six  
11 months and then I went to Saratoga. So it was a year  
12 off from school. But it was a house of prayer.

13 Q. What came after that?

14 A. Oh, gosh, then I think I went to up north to  
15 Paradise -- Paradise and Oroville. I taught -- I  
16 worked in both parishes, but it wasn't school. That  
17 was full-time religious education.

18 Q. How long was that for?

19 A. Two years.

20 Q. So the Carmel and the Saratoga experience,  
21 was that basically '74 to '75?

22 A. I think so, yeah.

23 Q. Then Paradise and Oroville was '75 to '77?

24 A. Uh-huh.

25 Q. I'm going to cut to the chase here, rather

1 than continuing through your assignments, were there  
2 ever any instances where you were assigned in  
3 Santa Barbara other than the '66 to '68 --

4 A. No.

5 Q. -- period.

6 A. Well, going way back when I was a novice, I  
7 went to teach vacation school, but I went to the other  
8 parish, Dolores parish.

9 Q. What year was that?

10 A. Oh, '59.

11 Q. So was that with Mrs. [REDACTED]?

12 A. No, that was a totally different set-up. At  
13 that point our convent was --

14 MS. YOUNG: He will ask you the questions  
15 that he wants you to answer.

16 Q. (BY MR. HALE): What do you mean it was a  
17 totally different set-up?

18 A. Well, our convent was in -- was on  
19 Santa Barbara Street, but we taught catechism at Our  
20 Lady of Sorrows for the summer. There was another  
21 summer, the summer of '65 I was in Santa Barbara for  
22 three weeks -- six weeks. And that was the same  
23 set-up, summer school.

24 Q. So the first time you were in Santa Barbara  
25 was when you were assigned to Dolores, and that was

1 in --

2 A. Would have been 1960 -- no, '59 because I  
3 was a novice still, yeah.

4 Q. Then the second time was the summer of  
5 '65?

6 A. Right.

7 Q. When you were in Santa Barbara for three  
8 weeks in the summer.

9 A. I think it was six weeks.

10 Q. Six weeks, sorry. The first assignment in  
11 Santa Barbara, how long did that last for?

12 A. It was the summer. I think it was six  
13 weeks.

14 Q. And you were in residence at the convent?

15 A. Uh-huh.

16 Q. On Santa Barbara Street?

17 A. On Santa Barbara Street.

18 Q. In that 1959 summer did you spend any time  
19 at Our Lady of Guadalupe?

20 A. No.

21 Q. Were there any sisters in residence with you  
22 at the convent who were assigned to Our Lady of  
23 Guadalupe?

24 A. I don't think so because usually they went  
25 to summer school -- away to summer school.

1 Q. Okay.

2 A. So I don't think, you know, I'm not aware  
3 that anybody there was still teaching. They wouldn't  
4 have been teaching at Guadalupe anyway.

5 Q. The same questions for the summer of '65,  
6 did you spend any time at Our Lady of Guadalupe?

7 A. No, no, I had never been there.

8 Q. Was there anyone in residence during that  
9 summer who was assigned to --

10 A. I don't think so.

11 Q. You are correctly anticipating my questions,  
12 but just try, I know it's hard, try and wait so we are  
13 not speaking over each other.

14 Do you recall there being -- let's go jump  
15 to the 1966-'68 period when you were assigned to Our  
16 Lady in Santa Barbara. Do you recall there being a  
17 fire on parish property during that time period?

18 A. Yes.

19 Q. Do you recall what year that was?

20 A. Oh, I don't know if it was -- I think it was  
21 the first year I was there, but I'm not positive of  
22 that.

23 Q. And do you recall what time of the school  
24 year it was? Was it the first semester or the second  
25 semester?

1 A. I have no idea.

2 Q. Were you there when the fire took place?

3 A. No -- no. It didn't happen while school was  
4 in session, that would be the only time I was at the  
5 school, so it wasn't like Monday to Wednesday -- I  
6 mean, Monday through Friday 8:00 to 4:00.

7 Q. So when you say it didn't happen when school  
8 was in session, that doesn't necessarily mean it was a  
9 holiday break or something, it just might have been a  
10 weekend?

11 A. No, it could have been a weekend.

12 Q. How did you --

13 MS. YOUNG: Could have been after school.

14 THE WITNESS: Or could have been after  
15 school, right.

16 Q. (BY MR. HALE): How did you hear about the  
17 fire?

18 A. I don't remember exactly. It just was, oh,  
19 my gosh, you know, there was a fire kind of thing.  
20 But I don't know -- I don't remember if it was we  
21 heard it at school or if we heard it at home.

22 Q. Do you remember someone telling you about  
23 the fire?

24 A. I don't remember specifically, no.

25 Q. What did you hear about the fire?

1 A. It was set -- they thought it was set by one  
2 of the alter boys but --

3 Q. Do you know which alter boy?

4 A. No. I didn't deal with the older children  
5 at all.

6 Q. What grade did you teach --

7 A. First grade.

8 Q. Do you remember there being any discussions  
9 about why an alter boy set the fire?

10 A. No.

11 Q. Did you ever hear anyone say that an alter  
12 boy had set the fire because he was angry at Father  
13 Kelly?

14 A. Oh, that rings a bell, but I don't know for  
15 sure. Like I don't know if that happened then or  
16 later on -- you know what I mean? I don't know  
17 specifically.

18 Q. Do you recall having discussions about the  
19 fire at Our Lady sometime after you were no longer  
20 assigned to Our Lady of Guadalupe?

21 A. Oh, no.

22 Q. Do you recall any of your fellow sisters  
23 talking about the fact that the fire was started by an  
24 alter boy who was angry at Father Kelly?

25 MS. YOUNG: Objection, assumes facts not in

1 evidence, lacks foundation.

2 Q. (BY MR. HALE): There is going to be --  
3 throughout the deposition Ms. Young may raise  
4 objections. If she asks any questions I may raise  
5 objections. We are simply making a record, once we  
6 finish saying our piece you are free to answer the  
7 question.

8 A. Okay.

9 Q. So do you remember any sisters talking about  
10 an alter boy being angry --

11 A. No.

12 Q. -- causing a fire as a result?

13 MS. YOUNG: Same objection.

14 THE WITNESS: Now if she objects then do I  
15 -- should I answer?

16 Q. (BY MR. HALE): Yes, you can still answer.

17 A. I don't remember. I don't think so. It  
18 wasn't -- it wasn't a big deal. It was a catastrophe  
19 at that point and I don't even know -- no, I mean, it  
20 wasn't a big discussion because we didn't live in the  
21 parish.

22 Q. Right.

23 A. So we were removed from that.

24 Q. Did you ever have any conversations with any  
25 parents or parishioners who talked about an alter boy

1 starting a fire because he was angry at Father  
2 Kelly?

3 A. No.

4 MS. YOUNG: Same objection.

5 Q. (BY MR. HALE): What about with any priests?

6 MS. YOUNG: Same objection.

7 THE WITNESS: No.

8 Q. (BY MR. HALE): What about just with anyone?

9 A. (Shaking head from side to side.)

10 MS. YOUNG: Same objection.

11 Q. (BY MR. HALE): Is that a no?

12 A. That's a no, sorry.

13 Q. Do you recall was there any kind of  
14 investigation that you were aware of that took place  
15 because of the fire?

16 A. I have no idea.

17 Q. You were never interviewed by anyone?

18 A. Oh, no.

19 Q. You weren't aware of anyone being  
20 interviewed about the fire?

21 A. No, I wasn't.

22 Q. Were you ever aware of there being any kind  
23 of findings as far as what caused the fire?

24 A. I don't remember. I don't think so. I  
25 mean, I am not even aware it was -- it happened and

1 that was it.

2 Q. Did you ever hear that the fire had been  
3 caused by a faulty electrical wiring?

4 A. No.

5 Q. Did you ever hear the fire had been caused  
6 by anything?

7 A. No.

8 Q. When was the last time -- the most recent  
9 time you have been at Our Lady of Guadalupe in Santa  
10 Barbara?

11 A. Oh, gosh. I did go back once for some  
12 celebration. Dolores -- the school in Dolores had a  
13 celebration, and we went over to look at the school of  
14 Guadalupe which isn't a school anymore.

15 Q. Do you remember what year that was?

16 A. I don't.

17 Q. Is that like more than ten years ago?

18 A. I think so. I think it was quite sometime  
19 ago.

20 Q. When was the first time you met Father  
21 Kelly?

22 A. I don't recall ever meeting him really.

23 Q. You never were introduced to him?

24 A. No.

25 Q. Do you recall when was the first time you

1 became aware that he was the pastor of Our Lady of  
2 Guadalupe?

3 A. Well, I knew he was the pastor, but I never  
4 met him.

5 Q. But did you become aware of him being the  
6 pastor when you were in Santa Barbara in 1959?

7 A. Oh, no, no, because I wasn't at Guadalupe  
8 then.

9 Q. It wasn't until you were assigned --

10 A. When I was teaching in the school there and  
11 I knew that Father Kelly was the pastor.

12 Q. Okay. Do you recall when you received  
13 your -- did you receive a written notification that  
14 you were being assigned to Our Lady of Guadalupe?

15 A. Yes.

16 Q. Who did you receive that from?

17 A. Oh, the provincial.

18 Q. She would give that to you in a letter?

19 A. No -- yeah, it came in the mail. It wasn't  
20 handed personally.

21 Q. Did she describe the assignment for you in  
22 any way?

23 A. No, it just said grade one, Santa Barbara,  
24 Guadalupe School.

25 Q. When you were assigned to Our Lady of

1 Guadalupe in Santa Barbara were you -- did you receive  
2 any kind of correspondence or memorandum from the  
3 Archdiocese of Los Angeles --

4 A. No.

5 MS. YOUNG: Wait until he finishes his  
6 question.

7 THE WITNESS: I'm sorry.

8 Q. (BY MR. HALE): -- about your duties as a  
9 teacher within the Archdiocese?

10 A. Oh, no, no.

11 Q. Were you ever given any kind of guidelines  
12 or guide book about teaching in the Archdiocese of  
13 Los Angeles?

14 A. I don't think so. We ran our own schools.

15 Q. Was the assignment described to you with  
16 regards to your duties in any ways other than you  
17 would be teaching first grade?

18 A. No, just first grade.

19 Q. When you first -- did you first arrive at  
20 Our Lady, was that in the summer of '66? Or strike  
21 that. When did you first arrive at Our Lady?

22 A. It probably was August because we would have  
23 made our retreat and then gone to our assignments. It  
24 was probably August 21st or 22nd, something like  
25 that.

1 Q. Did anyone give you a tour of the property  
2 when you first arrived?

3 A. I don't think so.

4 Q. Before you -- did you know were you  
5 replacing another first grade teacher?

6 A. Yes.

7 Q. Do you know who you were replacing?

8 A. I have no idea. No, I really don't know.

9 Q. Before you made the move to Santa Barbara to  
10 assume your responsibilities as a first grade teacher,  
11 did you talk with anyone about what it was like to  
12 work at Our Lady of Guadalupe?

13 A. No.

14 Q. Did you talk with anyone about what it was  
15 like to work with Father Kelly?

16 A. Oh, no, I didn't know, before I wouldn't  
17 have known he was the pastor.

18 Q. What about when you first got there, did you  
19 talk with anyone about what it was like to work  
20 there?

21 A. No.

22 Q. While you were assigned to Our Lady of  
23 Guadalupe, did you live at the convent on Santa  
24 Barbara Street?

25 A. Oh, no, it was -- it had moved, it was brand

1 new. It was on Micheltorena and it was right next to  
2 Dolores School.

3 Q. Did all of your fellow faculty members who  
4 were nuns, did they also live at the same location?

5 A. Right, right.

6 Q. While you were assigned Our Lady of  
7 Guadalupe did you get to know any of the parish staff?

8 A. No, no, not parish staff.

9 Q. What about any of the priests?

10 A. There was an associate that I talked to  
11 maybe once or twice. [REDACTED] or [REDACTED] or [REDACTED],  
12 something with an L.

13 Q. An Irish priest?

14 A. He was Irish, yes. Most of them were.

15 Q. Where would you encounter him at?

16 A. He came over to the school and he was like  
17 in the school yard, you know, with the children. And  
18 I just went over and said, Hello, Father, good morning  
19 or whatever it was.

20 Q. You think you only spoke with with him once  
21 or twice?

22 A. I think so, probably.

23 Q. Was the discussions anything more than just  
24 good morning, how are you?

25 A. No, just good morning.

1 Q. Did you ever discuss with any priest what it  
2 was like to work at Our Lady of Guadalupe?

3 A. No.

4 Q. Did you know the secretary for the parish?

5 A. No.

6 Q. What about the janitor for the parish?

7 A. No.

8 Q. Were you aware the parish having any  
9 director of religious education?

10 A. No.

11 Q. How about a director of youth ministry?

12 A. Oh, no. Those hadn't come into being yet.

13 Q. How about a nurse for the parish was there a  
14 nurse for the parish?

15 A. Not as far as I know.

16 Q. Do you recall there being a nurse for the  
17 school?

18 A. I don't, but that doesn't mean there wasn't  
19 one. I don't think so.

20 Q. During your two years at Our Lady did you  
21 ever step foot inside the rectory?

22 A. No.

23 Q. What about the parish hall?

24 A. I don't think there was a parish hall. I  
25 don't know. I didn't step foot inside it.

1 Q. Where did you eat your meals? Was that in  
2 the convent?

3 A. Breakfast and dinner, but we did eat lunch  
4 at school -- at the Guadalupe school.

5 Q. Where would you eat lunch?

6 A. We had a little faculty room, and the lay  
7 teachers ate separately from us. There were five of  
8 us in one room.

9 Q. Were you aware of the parish having any  
10 clubs?

11 A. There was a Guadalupana Club, but outside of  
12 that I don't know.

13 Q. Can you spell that?

14 A. Oh, dear. G-u-a-d-a-l-u-p-a-n-a.

15 Q. What is the Guadalupana Club?

16 A. It's an organization of Mexican Americans  
17 who celebrate Our Lady of Guadalupe on  
18 December 12th.

19 Q. Okay. Is the whole purpose of that club  
20 just to organize the celebration of December 12th?

21 A. Right, as far as I know. It's a very high  
22 camaraderie, too. I think the main purpose is to  
23 celebrate the Feast of Our Lady of Guadalupe.

24 Q. How is it you were aware of that club?

25 A. Because we got up at 4:00 o'clock in the

1 morning to go sing to the blessed mother in front of  
2 the school. It's a big, it's a huge -- it's bigger  
3 than Christmas.

4 Q. On December 12th?

5 A. Yes. It's a huge celebration. Excuse me.

6 Q. Were you aware -- who organized that club,  
7 do you know?

8 A. It was the father of one of our children. I  
9 think it was Dr. [REDACTED]. He had a Master's degree in  
10 music.

11 Q. Were you aware of a club called the Blue  
12 Jackets Club?

13 A. No.

14 Q. What about the St. Mary's Boys Club?

15 A. No.

16 Q. Did the school have any clubs?

17 A. Not as far as I know. We had -- well, a  
18 parents organization of some kind but it was, you  
19 know, because they had a festival to raise money for  
20 the school.

21 Q. Something like a PTA organization?

22 A. Yeah, that kind of a thing.

23 Q. Now we have talked about the other sisters  
24 who were assigned with at Our Lady of Guadalupe. Did  
25 any of them leave while you were there?

1 A. I don't think so. No, [REDACTED] -- yes, [REDACTED]  
2 [REDACTED] left because another sister came. So she was  
3 there the first year and then the second year there  
4 was another -- another seventh grade teacher, but she  
5 left the community also later on.

6 Q. Do you remember what her name was?

7 A. [REDACTED]. No.

8 Q. You say she's left the religious order as  
9 well?

10 A. Right.

11 Q. Do you know where she lives now?

12 A. I have no idea.

13 Q. Do you know what her non-religious name  
14 is?

15 A. [REDACTED] something or other.

16 MS. YOUNG: That will help.

17 MR. HALE: We will find her.

18 MS. YOUNG: I know you will, you will notice  
19 her deposition.

20 MR. HALE: I was being facetious.

21 Q. (BY MR. HALE): Do you know why she left,  
22 why [REDACTED] left?

23 A. Oh, she was transferred. She didn't leave  
24 the community, she just was transferred, and I don't  
25 know -- I don't remember where she went.

1 Q. Do you know why [REDACTED] left the  
2 community?

3 A. No, that would be something very personal, I  
4 mean --

5 Q. Do you recall the names of any -- I assume  
6 there were lay teachers.

7 A. Yes.

8 Q. Do you recall the names of any lay  
9 teachers?

10 A. Ms. [REDACTED] -- I think it was Ms. [REDACTED].

11 Q. Anyone else?

12 A. And [REDACTED] was Irish, yeah.

13 Q. How --

14 A. She had the third grade.

15 Q. When was the last time you spoke to [REDACTED]

16 [REDACTED]?

17 A. It was the last day of school that year  
18 because she was going off to be married.

19 Q. Do you know who she was marrying?

20 A. Somebody who worked for the CIA and he was  
21 in Indonesia.

22 Q. I take it you don't know his name?

23 A. Oh, no.

24 MS. YOUNG: They are asking names.

25 THE WITNESS: I don't --

1 Q. (BY MR. HALE): Any other staff you recall  
2 from the school?

3 A. There was a secretary, she was a darling  
4 older woman, and I don't remember her name.

5 Q. Was there a janitor for the school?

6 A. You know, not as far as I remember. I don't  
7 know how the school got cleaned.

8 Q. What responsibilities did you have at the  
9 school other than teaching first grade?

10 A. Just first grade.

11 Q. That's it?

12 A. Yeah, I didn't do -- yeah, just first grade.

13 Q. Did you have an understanding as to -- and  
14 Sister [REDACTED], Mrs. [REDACTED], was the principal?

15 A. She was the principal.

16 Q. What was the extent of her responsibilities  
17 as far as principal?

18 A. She ran the school. She would have done all  
19 the ordering, all -- anything to do with the diocese  
20 would have gone through her that -- it was what  
21 principals did -- not nearly as complicated as it is  
22 now.

23 MS. YOUNG: Just answer the question,  
24 otherwise we are going to be here for seven days.

25 THE WITNESS: Okay.

1 Q. (BY MR. HALE): When you say anything to do  
2 with the diocese would have gone through her, what  
3 kind of things are you referring to?

4 A. Well, like there would be a teacher's  
5 institute once a year, and she would have dealt with  
6 that.

7 Q. How would that be related to the diocese,  
8 something the diocese would put on --

9 A. The diocese would sponser it --

10 MS. YOUNG: Objection, speculation.

11 THE WITNESS: The diocese would sponsor it.  
12 We would go to Los Angeles for a day of lectures and  
13 stuff.

14 Q. (BY MR. HALE): What, you said it was a  
15 teacher's institute?

16 A. Yes, it was updating, you know, curriculum  
17 and teaching methodology and that sort of stuff.

18 Q. That was once a year thing?

19 A. Once a year.

20 Q. During the school year?

21 A. Oh, yes.

22 Q. Would that be at the chancery office?

23 A. No, because -- it was a huge place, but I  
24 don't know where it was. It was in Los Angeles, and  
25 there were seven thousand sisters in the diocese at

1 that point so it was a big -- Anaheim wasn't there. I  
2 don't know where we met, but it was big.

3 Q. Who would present at the institute?

4 A. People from different publishing companies,  
5 experts in adult education, you know, small children  
6 and intermediate grades and that sort of thing,  
7 history teacher, whatever.

8 Q. Would anyone from the Archdiocese speak  
9 during the institute?

10 A. Oh, sure, the superintendent of schools  
11 would have given an introductory something or other.

12 Q. Do you recall who that was while you were  
13 there?

14 A. It was a priest, but I don't know what his  
15 name was.

16 Q. So the things that were discussed there were  
17 curriculum --

18 A. Right.

19 Q. -- textbooks used.

20 A. Uh-huh -- they all had exhibits. We would  
21 go from one to the other and pick up things.

22 Q. Anything else that you can recall that was  
23 discussed?

24 A. No, just whatever would have to do with  
25 school, whether it was religion or different topics,

1 different subjects. The older grades would have had  
2 much more specific things, whereas the primary grades  
3 we dealt with less information, you know.

4 Q. Was this just -- this was just a one-day  
5 event?

6 A. It was one day, yeah.

7 Q. Were there any guidelines or rules given to  
8 you by the Archdiocese?

9 A. No.

10 MS. YOUNG: You're talking back in 1960 --

11 THE WITNESS: I don't think so, not in those  
12 days.

13 Q. (BY MR. HALE): Was there any kind of  
14 teachers handbook or anything like that while you were  
15 at Our Lady --

16 A. Not that I'm aware of. I think those came  
17 in later on.

18 Q. Were you aware there being any kind of  
19 statutes or rules that governed teachers within the  
20 Archdiocese in Los Angeles?

21 A. No, I wasn't aware of them.

22 Q. Were you ever aware of anyone being fired  
23 from Our Lady of Guadalupe while you were there?

24 A. No.

25 Q. Do you recall anyone hiring anyone while you

1 were there?

2 A. No, because the lay teachers were there, and  
3 then I'm sure someone got hired to replace Miss  
4 [REDACTED], but I don't know who that was.

5 Q. Okay. What was your understanding of who  
6 was responsible for hiring teachers at the school?

7 MS. YOUNG: Objection, calls for  
8 speculation.

9 THE WITNESS: I really don't know.

10 Q. (BY MR. HALE): Okay. Did you have -- were  
11 there faculty meetings at the school?

12 A. No.

13 Q. What about parent teacher meetings?

14 A. Not with teachers. I mean, there might have  
15 been parent meetings, but I'm not aware of that.

16 Q. Were there ever any school meetings that you  
17 recall Father Kelly participating in?

18 A. I don't remember any school meetings.

19 Q. Okay. Do you recall there being any  
20 functions at the school that Father Kelly participated  
21 in?

22 A. Well, we had the parish bizarre, the school  
23 bizarre every year, and I presume he was there but I  
24 don't specifically remember. I mean, everybody in the  
25 parish was there so --

1 Q. Do you recall any of the priests teaching  
2 any classes?

3 A. Not that I'm aware of.

4 Q. Do you recall any of the priests from Our  
5 Lady speaking in any of the classes?

6 A. No, I don't remember that at all.

7 Q. Were you aware the school having athletic  
8 teams?

9 A. Yes, we had football.

10 Q. You remember when football season was?

11 A. Oh, gosh, no. You're talking to somebody  
12 who is not too sure the difference between touch down  
13 and a home run.

14 Q. Do you remember who the football coach  
15 was?

16 A. I haven't a clue. I don't know if there was  
17 one or just one of the dads.

18 Q. Do you know anyone who coached any sport  
19 teams at Our Lady of Guadalupe?

20 A. No, I don't know.

21 Q. Were you aware there being an athletic  
22 director of any sort?

23 A. No.

24 Q. Did you ever observe any kind of sports  
25 teams practicing at the school?

1 A. Yes.

2 Q. Did you ever see any of the priests at any  
3 of those practices?

4 A. Oh, I don't remember.

5 Q. Did you ever attend any games?

6 A. Oh, yes.

7 Q. Where were the games at?

8 A. I haven't a clue, but we all went, the whole  
9 faculty went. It was very -- lots of spirit.

10 Q. Do you remember attending a football game?

11 A. Mh-hmm -- yes, I'm sorry.

12 Q. Do you remember attending any football games  
13 at Cabrillo Field?

14 A. I don't remember that specifically.

15 Q. Do you remember attending football games at  
16 a field that was at a location away from the school,  
17 off school grounds?

18 A. Yes, it was away from the school. They were  
19 someplace else, but I don't know where.

20 Q. Do you remember attending any games that  
21 were away from the school but closer to the beach in  
22 Santa Barbara?

23 A. I don't know.

24 Q. What about the parish, do you remember if  
25 the parish had any athletic teams?

1 A. I don't -- I know nothing about the parish.  
2 We didn't live there so we weren't involved in the  
3 parish at all.

4 Q. Did you ever attend mass at the parish?

5 A. I don't think I ever did. I'm not positive,  
6 but I don't think so.

7 Q. Who did you consider your supervisor when  
8 you were at Our Lady of Guadalupe?

9 A. Our supervisor was the Sister of Notre Dame  
10 who came from the Saratoga office.

11 Q. Okay.

12 A. Or the principal would have been, you know,  
13 I had to report to her. But we didn't have  
14 supervisors necessarily.

15 Q. Who was the sister of Notre Dame who came  
16 from the Saratoga office?

17 A. Sister [REDACTED].

18 Q. Is she still alive?

19 A. Oh, no.

20 Q. How often did she come to the school?

21 A. Every year.

22 Q. Once a year?

23 A. Yes.

24 Q. What did she do when she came to the  
25 school?

1           A.    She would spend some time in each  
2    classroom -- she was marvelous.  She would spend time  
3    in each classroom.  She knew all the children's names.  
4    Then she would tell you later what a wonderful job you  
5    did.  If there was something you didn't do she would  
6    slip that in somehow, but most of it was positive, you  
7    know, which meant you went out and did a better job  
8    because she was so good.

9           MS. YOUNG:  Just try to answer the question.  
10   I know it's not really like a conversation, it's  
11   really a deposition.

12           THE WITNESS:  She was such a marvelous  
13   woman.

14           Q.    (BY MR. HALE):  Did you consider Father  
15   Kelly to be your supervisor in any way?

16           A.    Oh, no.  He was the pastor but there was  
17   no. -- very little connection between a pastor and the  
18   school.

19           Q.    What about the Archbishop of Los Angeles,  
20   did you consider him to be a supervisor in any way?

21           A.    No.

22           Q.    What about anyone from the chancery  
23   office?

24           A.    No.

25           Q.    Are you familiar with something called the

1 Archdiocese of Los Angeles Education & Welfare  
2 Corporation?

3 A. No.

4 Q. Never heard of that?

5 A. No.

6 Q. Were you paid for your work while you were  
7 assigned to Our Lady of Guadalupe?

8 A. No.

9 Q. Was it your understanding that -- do you  
10 know if the order received any compensation for you  
11 working?

12 A. Yes, I am sure they did because that's how  
13 it was.

14 MS. YOUNG: Belated objection, calls for  
15 speculation.

16 Q. (BY MR. HALE): How do you know that?

17 A. I don't know it.

18 Q. You never saw a check --

19 A. Oh, no.

20 Q. -- come to the order?

21 A. No. Money was something out there  
22 (indicating).

23 Q. Did you know any of the sisters at  
24 Bethany?

25 A. Not personally. I knew that they worked in

1 the parish, but I don't know what they did.

2 Q. How did you know that they worked in the  
3 parish?

4 MS. YOUNG: Objection, calls for  
5 speculation.

6 THE WITNESS: Yeah, she's right. I presume  
7 they worked in the parish. There were two of them, I  
8 think. But I -- I mean, would be around sometimes but  
9 I don't know what they -- they didn't teach school so  
10 I don't know what they did.

11 Q. (BY MR. HALE): Do you know if they taught  
12 catechism?

13 A. I don't know. I don't know.

14 Q. Were you ever aware of catechism being  
15 taught at Our Lady of Guadalupe?

16 A. I was afraid you were going to ask that. I  
17 am not. I was trying to think. I don't think I  
18 taught catechism there.

19 Q. Were you aware of anyone else teaching  
20 catechism?

21 A. I don't think so.

22 Q. Do you know a sister [REDACTED]?

23 A. No.

24 Q. Did you have any understanding of any kind  
25 of work they may have done outside of the parish?

1 MS. YOUNG: That who may have done?

2 MR. HALE: The Sisters of Bethany. I am  
3 talking about the Sisters of Bethany.

4 THE WITNESS: I don't know what they did. I  
5 just know they were there and they spoke Spanish.

6 Q. (BY MR. HALE): Have you ever heard of the  
7 term Religious Institute of Pontifical Right?

8 MS. YOUNG: Objection. Calls for expert  
9 testimony. You can answer.

10 THE WITNESS: I never heard of it.

11 Q. (BY MR. HALE): What about Diocesan and  
12 Institute of Consecrated Life?

13 MS. YOUNG: Same objection.

14 Q. (BY MR. HALE): Never?

15 A. Diocesan Institute?

16 Q. Yes.

17 A. No.

18 Q. That's all I needed to know.

19 Was there ever a mass held for the students  
20 at the church?

21 A. I don't remember because the first grade  
22 was -- because the first graders wouldn't have gone,  
23 wouldn't have attended so --

24 Q. Do you recall there being PTA meetings?

25 A. I don't recall.

1 Q. Were you aware there being an office of  
2 Catholic charities in Santa Barbara while you were  
3 there?

4 A. Not really, but I presume there was.  
5 Because they all have an office of Catholic charities,  
6 but I never dealt with them or heard anything about  
7 it.

8 Q. You didn't know anyone who worked in the  
9 Santa Barbara office?

10 A. No.

11 Q. Other than the sisters we have already  
12 talked about, are there any other Sisters of  
13 Notre Dame that you are aware of who are still alive  
14 who were assigned to Our Lady of Guadalupe any time  
15 before 1973?

16 MS. YOUNG: Objection, calls for  
17 speculation. But you can answer.

18 THE WITNESS: I don't.

19 Q. (BY MR. HALE): Who do you think would be  
20 the person most knowledgeable within the order as to  
21 nuns from -- Sisters of Notre Dame who had been  
22 assigned to Our Lady of Guadalupe before 1975?

23 A. I don't know.

24 MS. YOUNG: Objection, calls for  
25 speculation.

1 THE WITNESS: You would have to look up in  
2 the records someplace.

3 MS. YOUNG: Move to strike as  
4 nonresponsive.

5 MR. HALE: Bless, you make your record, but  
6 please stop interrupting her. I know you don't want  
7 to hear everything she has to say but -- you did this  
8 yesterday, you are doing it again. You are telling  
9 her you are going to speed up -- speed up the  
10 deposition by her stopping sooner. That is simply not  
11 true. The more we get out the less I'm going to have  
12 to ask about, it will be quicker, make your record.  
13 You have every right to do that but stop interrupting  
14 her.

15 MS. YOUNG: Tim, I am not interrupting her.  
16 I have the right to make an objection before she  
17 answers the question, and that's what I am doing. If  
18 we are speaking at the same time, I'm sorry, but I am  
19 interrupting her, I'm trying to make my objection  
20 before she answers the question. My objections are  
21 perfectly proper whether you like them or not.

22 MR. HALE: You are making speaking  
23 objections and telling her that she doesn't have to  
24 answer or respond to questions or beyond the scope of  
25 the question, you are interrupting her testimony.

1 MS. YOUNG: Tim, you don't have to lecture  
2 me.

3 MR. HALE: All I am saying is make your  
4 record and then stop.

5 MS. YOUNG: I am doing exactly that.

6 MR. HALE: You aren't.

7 Q. (BY MR. HALE): Is there a historian in the  
8 order or an archivist of some sort?

9 A. We have an archivist.

10 Q. Who is that?

11 A. It's a lay woman, we just hired her, I don't  
12 know what her name is.

13 Q. Was there someone who served as an archivist  
14 before she was hired?

15 A. Oh, yeah, sisters, but [REDACTED] is dead.

16 Sister [REDACTED] was the the most recent.

17 Q. How do you spell her last name?

18 A. [REDACTED] capital B.

19 Q. Is she still alive?

20 A. She is still a live.

21 Q. Where is she assigned?

22 A. Belmont, she is at the college.

23 Q. Are you aware of her having any kind of  
24 health problems?

25 A. Pardon?

1 Q. Are you aware of her having any kind of  
2 health problems?

3 A. She has diabetes.

4 Q. But life-threatening health problems?

5 A. Life-threatening, no.

6 Q. Do you know how long she served as the  
7 archivist for the order?

8 A. Maybe two or three years. Maybe two --  
9 maybe it wasn't that long

10 Q. You are not aware of there being any kind of  
11 official historian for the order?

12 A. No.

13 Q. What about --

14 A. I think it would be archivist would be that.

15 Q. Any other archivist you are aware of prior  
16 to Sister [REDACTED]?

17 A. Yes, [REDACTED] --

18 Q. Actually let me strike that. Any archivist  
19 you are aware of prior to Sister [REDACTED] who are still  
20 alive?

21 A. [REDACTED] is still alive.

22 Q. What's her name?

23 A. [REDACTED]. I can't remember her last name.

24 Q. Sister [REDACTED]?

25 A. She is elderly, yeah. I am not too sure how

1 with it she is but -- she is elderly for sure.

2 Q. Do you know how long she served as the  
3 archivist?

4 A. I don't know. [REDACTED] -- [REDACTED].

5 Q. [REDACTED]?

6 A. Yes.

7 Q. Do you remember who was the -- is the mother  
8 superior the head of the order? What's the title of  
9 the head of the order?

10 A. The whole order?

11 Q. Yes.

12 A. Would be our mother general, that's the most  
13 current, I mean, that's not the most current --  
14 general moderator.

15 Q. Are there provinces within the whole  
16 order?

17 A. Yes.

18 Q. What province are you?

19 A. I am a California province.

20 Q. Who is the superior for the California  
21 province?

22 A. That's the administrative team of three.

23 Q. Okay. What about when you were at Our Lady  
24 of Guadalupe, who was the superior for the California  
25 order?

1 A. Would have been the provincial superior, and  
2 it was Sister [REDACTED].

3 Q. Is she still alive?

4 A. No, she died while I was in Santa Barbara.  
5 And then Sister [REDACTED] was the superior, the  
6 provincial, and she has also died.

7 Q. Does the provincial have any kind of a vice  
8 provincial --

9 A. We had -- they called it a council, and  
10 there were usually three counselors who met with  
11 her.

12 Q. Do you remember --

13 A. Or two counselors. I have no idea at that  
14 time. Let me think. I think when [REDACTED] was  
15 provincial we had four and one of them was -- they are  
16 all dead. [REDACTED] died --

17 Q. If you are confident they are all deceased  
18 we don't have to talk any further about it.

19 A. I think they are.

20 Q. Are you aware of anyone who served on the  
21 provincial council from 1973 back to 1958 who is still  
22 alive?

23 A. I don't think so. I don't think there is  
24 anybody alive.

25 Q. Have you ever received any correspondence

1 from the Archdiocese of Los Angeles?

2 A. No.

3 Q. What about from the Archbishop of Los  
4 Angeles?

5 A. No.

6 Q. What about from the chancery office?

7 A. No.

8 Q. You never did while you were assigned in  
9 Santa Barbara?

10 A. No.

11 MS. YOUNG: That includes ever.

12 Q. (BY MR. HALE): Were you ever given any  
13 instructions by anyone from the Archdiocese of  
14 Los Angeles in writing or verbally as far as how you  
15 should dress or how you should conduct yourself as a  
16 nun?

17 A. No.

18 Q. Did you know any of the Sisters of the  
19 Immaculate Heart while you were in Santa Barbara?

20 A. Yes, I knew several of them.

21 Q. Were you aware of the controversies --

22 A. I don't remember names.

23 Q. I don't need to know their names. But were  
24 you aware of the controversy between them and Cardinal  
25 McIntire?

1 A. Mh-hmm, you would be dead if you didn't.

2 Q. What was your understanding of that  
3 controversy?

4 A. He thought he was in total control,  
5 ecclesiastical control over them, and they said they  
6 weren't because they were an international  
7 community.

8 Q. Did you have an understanding how he was  
9 trying to exercise his control he thought he had?

10 MS. YOUNG: Objection, calls for  
11 speculation.

12 THE WITNESS: I don't know specifically.

13 Q. (BY MR. HALE): For instance, were you ever  
14 aware of him telling them how they should dress --

15 A. I don't know what he told them. I wasn't  
16 privy to that.

17 Q. Did you ever talk to any of the sisters that  
18 you knew from the Immaculate Heart about what the  
19 nature of the dispute was with Cardinal McIntire?

20 A. No.

21 Q. When you professed what oaths did you take?

22 A. When I made my vows?

23 Q. Yes.

24 A. Poverty, chastity and obedience.

25 Q. Who was the obedience to?

1 A. The local provincial -- the provincial.

2 Q. Anyone else?

3 A. No.

4 Q. Have you ever taken a vow of obedience to  
5 anyone within the Archdiocese of Los Angeles?

6 A. Oh, no, no, that's different set-up.

7 Q. Were you ever aware of Father Kelly giving  
8 any instructions to any Sisters of Notre Dame assigned  
9 to Our Lady of Guadalupe?

10 A. (Shaking head from side to side.)

11 MS. YOUNG: Objection, calls for  
12 speculation.

13 THE WITNESS: I wouldn't have any -- could I  
14 go to the bathroom?

15 MR. HALE: Why don't we take a break.

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

18 (Recess.)

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

21 Q. (BY MR. HALE): Sister, do you know Sister  
22 [REDACTED]'s phone number?

23 A. No.

24 Q. Do you know her residence address?

25 A. It's on 8th Avenue, but I don't know the

1 number.

2 Q. Have you ever known, this is going to be  
3 phonetic, I don't know what the correct spelling is, a  
4 sister with the last name of [REDACTED]?

5 A. [REDACTED]?

6 Q. [REDACTED].

7 A. Not one of our sisters, no.

8 Q. And as far as Sister [REDACTED] goes, [REDACTED]  
9 is her last name?

10 A. Yes.

11 Q. That's [REDACTED]?

12 A. Yes, but [REDACTED] capital [REDACTED].

13 Q. Right. Were you ever aware of Father Kelly  
14 owning a cabin?

15 A. No.

16 Q. Did you ever see Father Kelly with a  
17 camera?

18 A. No.

19 Q. Ever hear about him owning a camera?

20 A. No.

21 Q. Have you ever heard that Father Kelly has  
22 been accused of childhood sexual abuse?

23 A. Not until that guy called me.

24 MS. YOUNG: By that guy --

25 THE WITNESS: The guy, whoever was working

1 for him.

2 MS. YOUNG: For him being Tim Hale?

3 THE WITNESS: Yeah, because I didn't know  
4 who he was. I said I'm going to call your boss and  
5 find out if you -- what's going on here.

6 Q. (BY MR. HALE): Have you ever heard that  
7 Father Kelly had been accused of engaging in any kind  
8 of inappropriate conduct with a minor?

9 A. No.

10 Q. Did you ever see Father Kelly on school  
11 grounds?

12 A. I don't think so. Not that I remember.

13 Q. Do you recall ever seeing minor boys hanging  
14 out around the rectory?

15 A. No.

16 Q. Do you remember the rectory having a  
17 garage?

18 A. No, I'm sorry.

19 Q. It's okay. Do you remember Father Kelly  
20 owning a car?

21 A. No.

22 Q. Ever seeing him driving a car?

23 A. Uh-huh -- I mean no.

24 Q. Were you aware of Father Kelly having a  
25 reputation for spending time with, quote unquote,

1 troubled youth?

2 A. No.

3 Q. Were there any students at the school that  
4 you considered to be troubled youth or juvenile  
5 delinquents?

6 A. No.

7 Q. Were you ever aware of or hear about anyone  
8 complaining about their being boys in the rectory?

9 A. No.

10 Q. Did you ever see Father Kelly riding a  
11 bike?

12 A. No.

13 Q. During your time at Our Lady did you ever  
14 spend time anywhere on parish grounds other than at  
15 the school?

16 A. No.

17 Q. Were you aware of the Sisters of Bethany  
18 having a convent next to the church?

19 A. I didn't know where it was. I knew they  
20 were in town somewhere.

21 Q. Okay. Before you left Our Lady did you make  
22 any kind of requests for a transfer?

23 A. Oh, no.

24 Q. That was not --

25 A. That was not done.

1 Q. Did you ever voice any complaints about  
2 working at Our Lady before you transferred?

3 A. No.

4 Q. I imagine that wasn't done either.

5 A. That's true. But I didn't even think about  
6 it.

7 Q. Were you ever aware of anyone asking to be  
8 transferred from Our Lady of Guadalupe?

9 A. No, I wasn't.

10 Q. I just wanted to have you take a look at a  
11 document. We are not going to attach this as an  
12 exhibit, this was Exhibit 2 to the deposition  
13 yesterday. It's three-page document, a letter dated  
14 November 6th, 1970, so it's after your time there.

15 But if you could take a look at it, I want  
16 to see if you recognize any of the names, ask you a  
17 few questions about the letter itself.

18 A. I never saw this before, no.

19 Q. Just let me know when you are finished, I  
20 will ask you a few questions.

21 A. (Reviewing documents.) The only name I  
22 might recognize is [REDACTED], but I don't know if  
23 that's the same Dr. [REDACTED] but outside of that I  
24 don't recognize any of these names.

25 Q. No other names?

1 A. Yeah.

2 Q. On that first page do you see there is a  
3 paragraph number one that says attendance of  
4 parishioners at either Holy Cross Chapel or at  
5 Guadalupe Church Masses has diminished considerably.

6 Did you ever hear about or become aware of  
7 that happening.

8 A. No.

9 Q. Paragraph two says there is no communication  
10 between the pastor Father Kelly and his parishioners.

11 Did you ever hear about that or become aware  
12 of that happening?

13 A. No, I didn't know much about the parish.

14 Q. Did you know any of the parents of any of  
15 the students at the school?

16 A. No.

17 Q. Did you ever hear about or become aware of  
18 paragraph three that says there is a lack of interest  
19 on behalf of the pastor in the activities of the  
20 parish school?

21 A. No.

22 Q. Do you agree with that statement, as far as  
23 your time when you were there?

24 A. Well, we didn't -- the only thing we had at  
25 school was teach school and then the football games,

1 but that was it.

2 Q. What about paragraph four, the pastor and  
3 the school administration have not been able to  
4 communicate through the years. This accounts for some  
5 of the problems which exist with the parish school.

6 Did you ever hear or become aware of  
7 anything like that being said?

8 A. No.

9 Q. Let's go to paragraph six. Alter boys are  
10 afraid to serve mass when Father Kelly is the  
11 Celebrant. Did you ever hear or become aware of  
12 anything like that being said?

13 A. No, I didn't deal with the older boys.

14 Q. Does that paragraph surprise you at all?

15 A. No, I think that's --

16 MS. YOUNG: Objection, relevance.

17 Q. (BY MR. HALE): Why not?

18 A. Well, because I think that was the case in  
19 many places.

20 Q. Alter boys are usually afraid?

21 A. Alter boys are usually afraid of the pastor.  
22 They weren't Bing Crosby.

23 Q. Paragraph eight. Father Kelly did not  
24 attend the meetings of the parish organizations,  
25 especially the school PTA meetings. Did you ever hear

1 about or become aware of that being an issue raised by  
2 anyone in the parish?

3 A. No.

4 Q. Paragraph nine, the first Friday mass of the  
5 parish school children has been discontinued. Did you  
6 ever hear about that or that becoming an issue?

7 A. No.

8 Q. Paragraph ten says, It is a known fact he  
9 will not answer the door nor the telephone when he is  
10 in the rectory except when he is in the mood to do so.

11 Did you ever hear about or become aware of  
12 that being an issue?

13 A. No.

14 Q. Next page says, we are under the opinion  
15 that Father Kelly is a very sick man and needs your  
16 assistance. Did you ever hear about or become aware  
17 of anyone expressing anything to that effect?

18 A. No.

19 Q. Does that statement surprise you?

20 MS. YOUNG: Objection, relevance.

21 THE WITNESS: I didn't know anything about  
22 him, we didn't get involved in the parish, you know,  
23 one way or the other.

24 Q. (BY MR. HALE): I will take that back.

25 Thanks.

1 Do you know who replaced you at Our Lady of  
2 Guadalupe?

3 A. No, I don't.

4 Q. Were you aware of any priests leaving Our  
5 Lady of Guadalupe while you were assigned there?

6 A. (Witness shaking head from side to side.)

7 MS. YOUNG: Is that a no?

8 THE WITNESS: I'm sorry, no, I don't know  
9 that.

10 Q. (BY MR. HALE): Have you ever become aware  
11 of or heard anything about Father Kelly drinking  
12 alcohol?

13 A. No.

14 Q. Miss [REDACTED] has never talked to you about  
15 Father Kelly calling her and slurring his speech?

16 A. No -- oh, she might have said that.

17 Q. When did she first say that to you?

18 A. I guess couple of weeks ago, we did -- she  
19 did call me when she got her thing, I hadn't gotten  
20 one yet.

21 Q. How did the subject of Father Kelly slurring  
22 his speech come up?

23 A. I don't remember. We were talking about a  
24 lot of things that happened in Santa Barbara at that  
25 time because the Vatican council had just happened so

1 there were all kinds of things going on, and it was a  
2 very active time in the church.

3 Q. What did she say to you about Father Kelly  
4 slurring his speech?

5 A. I think she said one time when she talked to  
6 him he was slurring.

7 Q. Did she tell you she thought he was drunk?

8 A. I don't remember if she said that  
9 specifically but --

10 Q. Did she tell you she thought Father Kelly  
11 had a drinking problem?

12 A. No, I don't think she said that.

13 Q. Did she say anything else about Father Kelly  
14 to you?

15 A. No, I don't think so, because that wasn't --  
16 we were really talking more about life at the convent.

17 Q. Did you ever become aware of or hear  
18 anything about anyone including yourself smelling  
19 alcohol on Father Kelly's breath?

20 A. No -- I never -- no.

21 Q. Not just you but anyone.

22 A. No, I haven't heard anything like that.

23 Q. Other than the one phone call you had with  
24 Mrs. [REDACTED], did you ever hear about or become aware of  
25 anyone saying Father Kelly was slurring his speech?

1 A. No.

2 Q. Did it surprise you when she said that?

3 MS. YOUNG: Objection, relevance.

4 THE WITNESS: I don't think so. I mean, yes  
5 or no, you know.

6 Q. (BY MR. HALE): Did you ever take a phone  
7 call from Father Kelly while you were at the convent?

8 A. I don't think so -- no -- no, that was,  
9 certain people answered the phone, it was an  
10 assignment.

11 Q. Who answered the phone?

12 A. I don't know. Probably -- the superior  
13 would have been the first choice and probably one of  
14 the older sisters.

15 Q. Who was the superior in the house when you  
16 were in the convent?

17 A. Sister [REDACTED].

18 Q. Is she still alive?

19 A. No.

20 Q. You said one of the older sisters might have  
21 had the responsibility as well. Who were the older  
22 sisters in the house when you were in Santa Barbara in  
23 '66 to '68?

24 A. But they are all dead.

25 Q. Do you ever recall being at the house and

1 someone saying there is a call from Father Kelly for  
2 for Mrs. [REDACTED]?

3 A. No.

4 Q. Did you ever recall being at the house and  
5 hearing there was a call from Father Kelly for anyone?

6 A. No.

7 Q. Have you ever heard about or become aware of  
8 anything related to Father Kelly giving alcohol to  
9 boys?

10 A. No.

11 Q. Were you ever aware of any priest at Our  
12 Lady playing Bible study trivia games with boys at the  
13 parish?

14 A. No.

15 Q. Did you attend Father Kelly's silver  
16 jubilee?

17 A. No, I didn't.

18 Q. Were you aware of there being one?

19 A. No.

20 Q. Did you know father [REDACTED]?

21 A. I don't think so. I don't remember the  
22 name.

23 Q. What about Father [REDACTED]?

24 A. I don't think, unless -- no, the one who was  
25 there was a much more Irish name. It started with an

1 L, but I don't think it was [REDACTED].

2 Q. Did you know a family with the last name  
3 [REDACTED]?

4 A. No, I don't remember.

5 Q. What about with the last name of [REDACTED]?

6 A. No.

7 Q. Has anyone from the archdiocese ever  
8 contacted you to discuss Father Kelly?

9 A. No.

10 Q. Has anyone from the archdiocese ever  
11 contacted you to discuss the fact that you were going  
12 to be deposed today?

13 A. No.

14 Q. Has anyone, other than the gentleman from my  
15 office, ever contacted you about Our Lady of  
16 Guadalupe?

17 A. No.

18 Q. Has anyone ever contacted you to discuss you  
19 were going to be deposed today?

20 A. Just Ms. Young.

21 Q. When did you first speak to her?

22 A. Was it yesterday or day before?

23 Q. Did she call you?

24 A. Yeah. I had just gotten home, must have  
25 been Monday night.

1 Q. Okay, so she called you at home?

2 A. Yes.

3 Q. How long did the conversation last for?

4 A. Oh, I don't know.

5 Q. Fifteen minutes?

6 A. Oh, I don't think it was that long.

7 Q. What did you guys talk about?

8 A. Just the fact that this was going to happen  
9 today. She asked me for the time and I said yes, she  
10 said she would like to talk to me if possible at  
11 9:30.

12 Q. Okay. So what else did you talk about that  
13 night?

14 A. I think that's probably all.

15 Q. She ask you about your time at Our Lady of  
16 Guadalupe?

17 A. No, she didn't. I don't think so.

18 Q. Did she ask you about Father Kelly?

19 A. No, I don't think she even mentioned his  
20 name. I'm not sure but I don't think so.

21 Q. Do you recall anything else you discussed  
22 with her during that phone call?

23 A. It wasn't discussion, it was kind of like a,  
24 you know, information kind of thing.

25 Q. And then did you meet with her this morning

1 at 9:30?

2 A. Yes.

3 Q. Before meeting with her this morning at 9:30  
4 and after that phone call did you talk with her at any  
5 time in between --

6 A. No.

7 Q. -- those times?

8 Where did you meet with her this morning at  
9 9:30?

10 A. Well, we met here and then went to the  
11 coffee shop across the street.

12 Q. How long did you meet with her for?

13 A. I guess it was about twenty-five, thirty  
14 minutes.

15 Q. Was there anyone else present?

16 A. Mh-hmm, my friend who is an associate.

17 Q. The one who is sitting out in the lobby?

18 A. Right.

19 Q. What did you guys discuss?

20 A. Well, she just told me kind of like what was  
21 going to happen and to answer the question that you  
22 ask and not elaborate.

23 Q. Anything else?

24 A. I think that's probably about all.

25 Q. Did she ask you about your time at Our Lady

1 of Guadalupe?

2 A. No, I don't think so.

3 Q. Did she ask you anything about Father Kelly?

4 A. No. She didn't really ask me about him.

5 Q. Did she ask you about the fire at the  
6 parish?

7 A. No, but I told her.

8 Q. What did you tell her?

9 A. That I had talked to whoever this other man  
10 was and told him that I had -- I remembered the second  
11 time he called that that had happened when I was  
12 there, but I didn't know the child's name or who it  
13 was or, you know, I just knew there had been a fire in  
14 the church.

15 Q. What else did you talk with Ms. Young  
16 about?

17 A. I think that was about all. She kept saying  
18 just answer what he asks and so -- I am.

19 MS. YOUNG: I am still saying it.

20 THE WITNESS: I am having hard time doing it  
21 because I tend to engage in conversation, you know.

22 Q. (BY MR. HALE): I understand.

23 A. It's not supposed to be that. It is  
24 supposed to be cut and dried.

25 Q. What is your friend's name in the lobby?

1 A. [REDACTED].

2 Q. She is a sister as well?

3 A. No, she is not. She is an associate which  
4 is a branch kind of thing.

5 Q. Was she ever assigned to Santa Barbara?

6 A. Oh, no, no.

7 MS. YOUNG: She just came for moral support  
8 today.

9 Q. (BY MR. HALE): Anything else that was  
10 discussed during this meeting with Ms. Young?

11 A. I don't think so.

12 Q. So no one ever appeared on your doorstep and  
13 attempted to talk with you about the fact you were  
14 going to be deposed before?

15 A. No.

16 Q. And no one appeared on your doorstep  
17 attempted to talk to you about Our Lady of Guadalupe  
18 or --

19 A. No.

20 Q. Did Miss [REDACTED] tell you someone had come to  
21 her and spoken to her at her house?

22 A. No, she didn't say had come.

23 Q. Did she say somebody had called her house to  
24 talk to her?

25 A. Yes, someone had called her, that's what had

1 happened. But I hadn't gotten any -- I hadn't been  
2 contacted yet so it was -- so we had spent a long time  
3 talking about Santa Barbara.

4 Q. Did she tell you who called her?

5 A. I don't think so. You mean like a name?

6 Q. Yes.

7 A. I don't think so.

8 Q. Did she tell you whether it was a male or  
9 female?

10 A. She said he.

11 Q. Did she tell you who he was working for or  
12 represented?

13 A. No.

14 Q. Did she tell you what she discussed with  
15 him?

16 A. No.

17 Q. Did you ever know anyone named [REDACTED]  
18 [REDACTED]?

19 A. No.

20 Q. How about a Mrs. [REDACTED]?

21 A. In Santa Barbara?

22 Q. In Santa Barbara.

23 A. No, I don't remember that name.

24 Q. How about a priest named [REDACTED] or [REDACTED]

25 [REDACTED]?

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

2 Q. Were you aware of anyone other than priests  
3 assigned to Our Lady living in the rectory while you  
4 were there?

5 A. No.

6 MS. YOUNG: Objection, calls for  
7 speculation.

8 THE WITNESS: Yeah.

9 Q. (BY MR. HALE): Were you ever aware of any  
10 priests at Our Lady testifying on behalf of a minor at  
11 a juvenile court proceeding?

12 A. No.

13 Q. Or talking to a judge about a juvenile court  
14 proceeding?

15 A. No.

16 Q. Were you ever aware of any priest coming to  
17 Our Lady of Guadalupe and performing missions?

18 A. No, but it probably happened, but I don't --

19 Q. Were you ever aware of any priests from  
20 outside the Archdiocese of Los Angeles coming to Our  
21 Lady and saying mass?

22 A. I don't know that.

23 Q. Were you ever aware of any students from the  
24 school serving as alter boys?

25 A. Well, that's who the alter servers would

1 have been, would have been the children from the  
2 school, the boys from the school, but I didn't know  
3 individually who they were.

4 Q. The boys you taught were too young to  
5 serve?

6 A. Oh, yeah, it was first grade so that  
7 wouldn't apply.

8 Q. At any time before you were reassigned from  
9 Santa Barbara in 1968 did you receive any kind of  
10 training or education regarding identifying warning  
11 signs of childhood sexual abuse?

12 A. No, that wasn't -- didn't happen then.

13 Q. When was the first time you received such  
14 education?

15 A. I was in Stockton -- no, I was in Half Moon  
16 Bay so it was about ten years ago maybe. That's when  
17 we signed the papers and stuff. That's it.

18 Q. Were you ever aware of any priests taking  
19 minors to the beach while you were at Our Lady of  
20 Guadalupe?

21 A. No.

22 Q. Were you ever aware of any priest taking  
23 minors on overnight trips while you were at Our Lady  
24 of Guadalupe?

25 A. No.

1 Q. Were you ever aware of any minors spending  
2 the night in the rectory while you were at Our Lady of  
3 Guadalupe?

4 A. Oh, no.

5 Q. Were you ever aware of any minors receiving  
6 counseling from any of the priests at Our Lady of  
7 Guadalupe while you were there?

8 A. No.

9 Q. Were you ever aware of any of the priests  
10 from Our Lady of Guadalupe meeting with minors while  
11 you were assigned to Our Lady of Guadalupe?

12 A. No -- had very little to do with the priests  
13 in those days.

14 Q. Were you ever aware of any priest from Our  
15 Lady of Guadalupe taking a minor out to dinner?

16 A. No.

17 Q. This is a long question so bear with me,  
18 okay?

19 A. Okay.

20 Q. Have you ever been aware of any member of  
21 the Archdiocese of Los Angeles warning a member or  
22 members of a parish or a community that a priest who  
23 had been accused of childhood sexual abuse was either  
24 assigned in that community or parish or doing supply  
25 work in that community or parish or in residence at

1 that community or parish?

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

4 Q. (BY MR. HALE): You can answer.

5 A. I don't remember, I mean -- no, it's out of  
6 my world.

7 Q. I understand. Were you involved in any way  
8 in mandating the books for the school?

9 A. No.

10 Q. In school finances?

11 A. No.

12 Q. Do you know who was responsible for that?

13 A. Pardon?

14 Q. Do you know who was responsible for that?

15 MS. YOUNG: Calls for speculation.

16 THE WITNESS: I don't know.

17 Q. (BY MR. HALE): When you needed supply items  
18 or something for class you simply wrote a request and  
19 did you submit it to Mrs. [REDACTED]?

20 A. No.

21 MS. YOUNG: Objection, lacks foundation,  
22 assumes facts.

23 Q. (BY MR. HALE): How --

24 A. I went to the storage supply room and got  
25 it.

1 Q. If something was missing and needed to be  
2 replaced what would you do?

3 A. I don't know. I mean, it never happened.

4 Q. Were you aware of the parish or the school  
5 having an accountant or bookkeeper?

6 A. No.

7 Q. What were your work hours when you were at  
8 Our Lady of Guadalupe?

9 A. Pardon?

10 Q. Your work hours.

11 A. Oh, probably from 8:00 to 4:00, 8:00 to  
12 3:30. We probably left about 4:00, I think.

13 Q. How did you get to and from the school?

14 A. We had a Volkswagen van.

15 Q. Do you know who owned the Volkswagen --  
16 MS. YOUNG: Calls for speculation.

17 THE WITNESS: No, I don't.

18 Q. (BY MR. HALE): Did you have health  
19 insurance while you were at Our Lady of Guadalupe?

20 A. I presume we did, but I have no idea.

21 Q. So you don't know who provided it?

22 A. No.

23 Q. Have you ever heard of the Doctrine of  
24 Mental Reservation?

25 A. Pardon?

1 Q. The Doctrine of Mental Reservation.

2 A. Yes.

3 MS. YOUNG: Objection, calls for expert  
4 testimony.

5 Q. (BY MR. HALE): How have you heard of  
6 that?

7 A. In theology classes.

8 MS. YOUNG: Same objection.

9 Q. (BY MR. HALE): You studied it while you  
10 were in a theology class?

11 A. I studied.

12 Q. Did you study it while you were in a  
13 theology class?

14 MS. YOUNG: Same objection.

15 THE WITNESS: Yeah, I mean, it was basic.

16 Q. (BY MR. HALE): Was that while you were  
17 studying to get your Master's or while you were  
18 working on your Bachelor's?

19 A. I'm sure it was all along. We had theology  
20 all the time so I'm sure it came up.

21 In fact, I think it might have come up when  
22 I was in the seventh grade.

23 Q. Okay.

24 A. As part of our sixth grade confirmation.

25 Q. It was your understanding anyone who becomes

1 a nun would have studied the Doctrine of Mental  
2 Reservation at some point?

3 MS. YOUNG: Objection, calls for  
4 speculation, assumes facts not in evidence.

5 THE WITNESS: That would vary from order to  
6 order.

7 MS. YOUNG: Try to wait until I finish my  
8 objection so she can take it down.

9 THE WITNESS: I'm sorry.

10 Q. (BY MR. HALE): So it would vary from order  
11 to order?

12 A. Yes.

13 Q. Was that a standard subject that was taught  
14 to anyone who became a sister of Notre Dame?

15 MS. YOUNG: Objection, calls for  
16 speculation.

17 THE WITNESS: It was in California, but that  
18 wouldn't be true across the country necessarily.

19 Q. (BY MR. HALE): But for the California  
20 province it was?

21 A. Yeah, we had theology.

22 Q. What is your understanding of the doctrine?

23 MS. YOUNG: Objection, calls for expert  
24 testimony, relevance.

25 THE WITNESS: I'm not an expert --

1 Q. (BY MR. HALE): But you studied it while you  
2 were in school?

3 A. Yeah, it was part of the -- yeah.

4 Q. What do you recall about it?

5 MS. YOUNG: Same objection.

6 THE WITNESS: Should I not answer?

7 MS. YOUNG: No, you have to answer.

8 THE WITNESS: I have to answer? Okay.

9 Mental reservation is you can say it's not a lie if  
10 you say I don't know that -- mentally say I don't know  
11 that as far as you are concerned because it's none of  
12 your business.

13 Q. (BY MR. HALE): Okay.

14 A. So it doesn't cover -- whatever it is  
15 doesn't cover this situation in school. I am not  
16 lying if I say I don't know that because it's as far  
17 as you are concerned --

18 Q. Okay.

19 A. I haven't been using it if that's what  
20 you're asking.

21 Q. But under what circumstances would you  
22 invoke the doctrine?

23 MS. YOUNG: Objection, calls for expert  
24 testimony, relevance.

25 THE WITNESS: I suppose if it were -- if

1 there were like someone on trial or something. If it  
2 was a big deal and I knew that they were trying to  
3 trick someone into answering -- giving these answers,  
4 then I would -- I would probably use mental  
5 reservation and say, as far as you are concerned  
6 that's really none of your business.

7 Q. (BY MR. HALE): Okay. Is it a doctrine that  
8 would be utilized to protect the church from  
9 scandal?

10 MS. YOUNG: Objection, calls for  
11 speculation, assumes facts not in evidence, calls for  
12 expert testimony.

13 THE WITNESS: Say that again, please.

14 Q. (BY MR. HALE): Is it a doctrine that would  
15 be used to protect the church from scandal?

16 MS. YOUNG: Same objection.

17 THE WITNESS: I would think not because if  
18 the scandal were true, if there was some harm done,  
19 then yes. But if the harm wasn't done and it was  
20 someone who was being conniving, then that would be  
21 different.

22 Q. (BY MR. HALE): Okay.

23 A. So I don't think the church would be  
24 protected from scandal if whatever it's being accused  
25 of was -- did occur.

1 Q. Okay. The basis for your testimony is your  
2 time being taught about the Doctrine of Mental  
3 Reservation while you were a student?

4 A. Yes, I guess so.

5 MS. YOUNG: Objection, vague and  
6 ambiguous.

7 Q. (BY MR. HALE): It's your understanding that  
8 any Sister of Notre Dame in the province of California  
9 would have at some point studied that doctrine during  
10 their education?

11 MS. YOUNG: Objection, calls for  
12 speculation.

13 THE WITNESS: I think any undergraduate  
14 student in the Catholic college would have been  
15 exposed to that, yeah. Would have been undergraduate  
16 work for sure.

17 Q. (BY MR. HALE): Okay. At some point did you  
18 become aware that Father Kelly had passed away?

19 A. No.

20 Q. Is this the first time you heard that?

21 A. Yeah.

22 Q. You weren't sent notice about his funeral or  
23 anything like that?

24 A. Oh, no.

25 Q. We talked a little bit about our

1 investigator coming or talking to you over the phone.  
2 Do you recall being interviewed by -- do you recall  
3 his name being Ed Piceno?

4 A. I don't remember if that was his name.  
5 Should have written it down.

6 Q. Do you recall talking to him over the phone,  
7 though?

8 A. I recall talking to somebody, yes.

9 Q. And do you recall being interviewed by  
10 anyone other than that gentleman?

11 A. No.

12 Q. Do you recall being interviewed by him  
13 twice?

14 A. Twice, yes.

15 Q. Was the first time on December 20th, 2006?

16 A. I have no idea.

17 Q. What about do you remember being interviewed  
18 on December 22nd, 2006?

19 A. Could have been. I don't know what the date  
20 was. I know it wasn't last week.

21 Q. Fair enough. Do you remember telling that  
22 gentleman that you thought -- well, have you ever  
23 told, during that interview, did you ever tell the  
24 person who interviewed you for anyone else for that  
25 matter that you thought that Mrs. [REDACTED] was always

1 protective of Father Kelly?

2 A. I don't remember telling anybody that.

3 Q. Have you ever thought that?

4 A. Yes.

5 Q. Why did you think Mrs. [REDACTED] was protective  
6 of Father Kelly?

7 A. Because she was protective of everybody.  
8 She, you know, always took the better side of oh, he  
9 didn't mean that or she didn't do that or that kind  
10 of -- and she was a very -- she was very charitable  
11 woman.

12 Q. What specific instances were there that led  
13 you to think she was protective of Father Kelly in  
14 particular?

15 A. I don't have any specific -- I don't know.

16 Q. Did you also tell the person who interviewed  
17 you or anyone else for that matter that Mrs. [REDACTED] was  
18 the type of person who would always cover for a person  
19 or something to that effect?

20 A. I probably did because I think she was  
21 very -- I said that she was very charitable and she  
22 wouldn't have let false rumors or something like that,  
23 she was very -- even the sisters in the house kind of  
24 thing.

25 Q. Were you ever aware of her covering for

1 Father Kelly?

2 A. Not specifically, I don't remember, I mean,  
3 no, I don't know.

4 Q. Were you ever aware of any false rumors  
5 about Father Kelly?

6 A. No, because I had never heard anything  
7 about -- I really didn't know very much about him.

8 Q. Which of the Sisters of Notre Dame while you  
9 were assigned to Santa Barbara in your opinion had the  
10 most contact with Father Kelly?

11 A. Oh, Sister [REDACTED] she was the  
12 principal.

13 Q. When you say Sister [REDACTED], we are  
14 referring to [REDACTED]?

15 A. [REDACTED], that's correct.

16 Q. When was the last time you spoke with her?

17 A. A couple weeks ago, I think. If he talked  
18 to me in December it must have been around that  
19 time.

20 Q. But you haven't spoken with her in the last  
21 twenty-four hours?

22 A. Oh, no.

23 Q. Did she ever discuss with you the fact she  
24 had been interviewed and asked questions about Father  
25 Kelly?

1 A. No.

2 Q. Have you told her that you were interviewed  
3 about Father Kelly?

4 A. Yes, I am sure I did.

5 Q. Did you tell --

6 A. Because I'm trying to remember if I talked  
7 to her before or after. Yes, I did at one point, I  
8 remember saying but I told him I didn't know anything  
9 about him. And so I was amazed to get this subpoena.

10 Q. Did she seem surprised to hear you were  
11 interviewed?

12 A. I don't think so.

13 MS. YOUNG: Objection, calls for  
14 speculation.

15 THE WITNESS: I don't know.

16 Q. (BY MR. HALE): She didn't say, oh, I have  
17 been interviewed, too?

18 A. No.

19 Q. Did you tell her the name of the person that  
20 interviewed you?

21 A. I didn't because I don't remember. I'm not  
22 good at names.

23 Q. Has she ever told you that she's been  
24 unhappy about anything she said to anyone about Father  
25 Kelly?

1 A. No.

2 Q. Has she ever told you that she regretted  
3 saying something about Father Kelly?

4 A. I don't think so, no.

5 Q. Has she ever told you she thought Father  
6 Kelly might have been an alcoholic?

7 MS. YOUNG: Objection, asked and answered.

8 THE WITNESS: I don't think she -- I don't  
9 think she said that, but I am not, you know --

10 Q. (BY MR. HALE): Is it possible she said that  
11 to you?

12 A. It's probably possible.

13 MS. YOUNG: Objection.

14 THE WITNESS: I don't remember if she said  
15 anything about him because we spent most of our time  
16 talking about the house situation in Santa Barbara,  
17 Belmont.

18 Q. (BY MR. HALE): In your career as a nun has  
19 it been common or uncommon to hear someone say that a  
20 priest was an alcoholic?

21 MS. YOUNG: Objection, speculation.

22 THE WITNESS: Well, the first man I ever saw  
23 drunk was a priest. So that colors my perception  
24 definitely because I was absolutely undone by it.

25 Q. (BY MR. HALE): But over the course of your

1 career has it been common or uncommon for you to hear  
2 someone say Father so-and-so is drunk or an alcoholic  
3 or something to that effect?

4 MS. YOUNG: Objection, calls for  
5 speculation, assumes facts not in evidence.

6 THE WITNESS: Not -- it's not unusual, but  
7 it wasn't -- after that first, I was a child, so after  
8 that first time it didn't shock me anymore. So it was  
9 part of -- if it was true it was true and if it was  
10 not it didn't.

11 Q. (BY MR. HALE): Has she ever told you or  
12 have you ever heard of Father Kelly calling the  
13 convent in Santa Barbara for her multiple times in the  
14 evening?

15 A. No.

16 Q. Has she ever told you that she recalls  
17 Father Kelly being too drunk to communicate?

18 A. I am almost positive she didn't say that  
19 ever.

20 Q. Has she ever told you that he was  
21 intoxicated and unable to carry on a conversation due  
22 to his intoxication?

23 A. No.

24 Q. Has she ever told you that he was angry when  
25 he called her?

1 A. I don't think so. No, because -- she hasn't  
2 talked to me about his calling her so, you know --

3 Q. Has she ever told you that he yelled at her?

4 A. No.

5 Q. Do you ever remember Father Kelly being  
6 angry?

7 A. I -- no.

8 Q. Has she ever told you that she thought  
9 Father Kelly was a strange man?

10 A. I don't think so.

11 Q. Has she ever --

12 A. I didn't have that much to do with him so  
13 it's like who's he?

14 Q. Has she ever told you she told anyone that  
15 she thought Father Kelly was a strange man?

16 A. No.

17 Q. That he was an angry man?

18 A. No.

19 Q. That he was a lonely man?

20 A. I don't think so, no.

21 Q. Did you ever think any of those things?

22 A. No, he was not -- in my life experience he  
23 was not very important. We didn't, you know, we were  
24 extremely clustered at that point, we didn't have much  
25 to do with other people.

1 Q. Did she ever tell you that she thought  
2 Father Kelly was always drinking and was always drunk  
3 while she was the principal?

4 A. No.

5 Q. Would that shock you?

6 A. That she would say it? If she would say  
7 that it would be shocking because she didn't say  
8 things like that.

9 Q. Okay. Did you ever hear about or become  
10 aware of Father Kelly taking a boy or boys to  
11 Mexico?

12 A. No.

13 Q. What about to San Simeon?

14 A. No.

15 Q. What about to anywhere?

16 A. No.

17 Q. Did you ever hear about or become aware of  
18 Father Kelly giving a boy or boys money?

19 A. No.

20 Q. Have you ever heard about or become aware of  
21 Father Kelly giving something to a boy or boys that  
22 they didn't like?

23 A. No.

24 Q. Have you ever heard about or become aware of  
25 Father Kelly touching a boy or boys inappropriately?

1 A. No.

2 Q. Have you ever heard about or become aware of  
3 Father Kelly asking a boy or boys to wear only their  
4 underwear or to be naked?

5 A. No.

6 Q. Did you ever hear about or become aware of  
7 anyone saying they suspect that Father Kelly was  
8 behaving inappropriately with a boy or with boys?

9 A. No.

10 Q. Did you ever hear about or become aware of,  
11 aside from within the last year, Father Kelly sexually  
12 abusing a boy or boys?

13 A. No.

14 Q. Did you ever hear about or become aware of  
15 Father Kelly being investigated by anyone?

16 A. No.

17 Q. Ever hear about or become aware of anyone  
18 saying they had stopped attending either Our Lady of  
19 Guadalupe School or church because of Father Kelly?

20 A. No.

21 Q. Have you ever heard about or become aware of  
22 anyone saying they were leaving Our Lady of Guadalupe  
23 either the school or the parish because they had  
24 problems with Father Kelly?

25 A. No.

1 Q. Did you ever hear about or become aware of  
2 anyone saying that Our Lady of Guadalupe was a  
3 difficult place to work because of Father Kelly?

4 A. No.

5 Q. Did you ever hear about or become aware of  
6 anyone complaining about Father Kelly to Timothy  
7 Manning?

8 A. No, just that thing you gave me but --

9 Q. Right.

10 A. But I never heard anything about that  
11 before.

12 Q. Okay.

13 MS. YOUNG: The thing that he gave you is  
14 the letter that was written after your time in 1970.

15 THE WITNESS: Right, I never heard anything  
16 like that.

17 Q. (BY MR. HALE): Did you ever hear about or  
18 become aware of a parishioner or parishioners  
19 complaining about Father Kelly about anything?

20 A. No.

21 Q. Did you ever hear about or become aware of  
22 anyone saying Father Kelly wasn't normal?

23 A. No.

24 Q. Did you ever hear about or become aware of  
25 anyone arguing or disagreeing with Father Kelly?

1 A. No.

2 Q. Did you ever hear about or become aware of  
3 Father Kelly complaining about any priests?

4 A. No.

5 Q. Or about any nuns?

6 A. No.

7 Q. What about any parishioners?

8 A. No.

9 Q. What about any students?

10 A. No.

11 Q. Did Mrs. [REDACTED] ever tell you that he had  
12 complained about how students were conducting  
13 themselves at school?

14 A. I don't think so.

15 Q. Okay. Did you ever hear about or become  
16 aware of anyone just saying they didn't like Father  
17 Kelly?

18 A. No.

19 Q. Have you ever heard about or become aware of  
20 anyone complaining about Father Kelly about anything?

21 A. No.

22 Q. Okay. Have you ever heard about or become  
23 aware of anyone saying something to the effect that if  
24 the Archdiocese Los Angeles removed every priest with  
25 a drinking problem or with psychological problems

1 there wouldn't be enough priests to run all the  
2 parishes?

3 A. No.

4 MR. HALE: I am just about done. Are you  
5 going to ask any questions?

6 MS. YOUNG: I have a couple.

7 MR. HALE: Why don't you go ahead.

8 MS. YOUNG: Well, go ahead and finish so I  
9 can conclude all my questions.

10 MR. HALE: Let's take a three minute break.

11 THE VIDEOGRAPHER: I have about ten minutes  
12 of tape. Will that cover everything?

13 MS. YOUNG: It will cover mine.

14 MR. HALE: Let's switch it now. Just to be  
15 safe.

16 THE VIDEOGRAPHER: We are going off the  
17 record. The time on the screen is 12:07 p.m. This  
18 marks the end of tape number one in the deposition of  
19 [REDACTED] on March 7th, 2007.

20 (Recess.)

21 THE VIDEOGRAPHER: We are back on the record  
22 at 12:13 p.m. This marks the start of tame number two  
23 in the deposition of [REDACTED] on March 7th,  
24 2007.

25 Q. (BY MR. HALE): Just have a couple more

1 questions.

2 A. Okay.

3 Q. Do you recall telling the gentleman who  
4 interviewed you that you thought Father Kelly was not  
5 friendly and was aloof?

6 A. Yes, I remember telling him that.

7 Q. Why did you feel that way?

8 A. Because I -- well, I thought he was -- he  
9 was fairly removed from us. Part of that was because  
10 we didn't -- we didn't live in the parish so we didn't  
11 have anything to do with the rectory, et cetera, et  
12 cetera, but I never saw him. He never came to the  
13 school, as far as I remember, except maybe to talk to  
14 Antoinette but --

15 Q. Did you also tell the gentleman who  
16 interviewed you that you thought that Father Kelly was  
17 the wrong pastor for a Hispanic community because --  
18 well, did you think you would tell the investigator  
19 you thought he was the wrong pastor for a Hispanic  
20 community?

21 A. I don't remember telling him that.

22 Q. Do you think that?

23 A. Uh-huh.

24 Q. Why do you think that?

25 A. Because he wasn't Hispanic.

1 Q. Any other reason?

2 A. You know, no, it's just that I had had  
3 experience as a child with a pastor who wasn't the  
4 same nationality as the majority of the parish, and it  
5 was awkward, through no fault of his or ours, but we  
6 just had different ways of looking at things and it  
7 was awkward.

8 Q. Do you recall telling the gentleman who  
9 interviewed you that it was Mrs. [REDACTED] who  
10 communicated to you the information about the alter  
11 boy starting the fire because he was mad at Father  
12 Kelly?

13 A. No, I don't remember -- I don't remember if  
14 she said that, that he was mad at Father Kelly.

15 Q. I will get to that in a second. Let me back  
16 up for a second. Do you remember saying that to the  
17 gentleman who interviewed you?

18 A. I don't remember saying that, because I  
19 don't remember now if it was [REDACTED] who said it,  
20 you know what I mean? It was in the air, but I don't  
21 know where it came from exactly.

22 MR. HALE: That's all I have.

23 MS. YOUNG: I have one or two questions.

24 EXAMINATION BY MS. YOUNG

25 Q. You talked earlier -- you mentioned earlier

1 in your testimony, I believe, about a dispute between  
2 the Sisters of the Immaculate Heart and Cardinal  
3 McIntire I believe it was at the time.

4 A. Yes.

5 Q. To the best of your knowledge is your  
6 order -- did your order, the Sisters of Notre Dame,  
7 ever have any such dispute with Cardinal McIntire?

8 A. No.

9 MR. HALE: Objection, vague and ambiguous,  
10 speculation as well.

11 Q. (BY MS. YOUNG): To the best of your  
12 knowledge, are the Sisters of Notre Dame subject to  
13 the control of the Archdiocese of Los Angeles or the  
14 Archbishop of Los Angeles?

15 A. No.

16 MR. HALE: Objection, speculation, may call  
17 for expert testimony.

18 MS. YOUNG: I am glad you with agree with  
19 all my objections of prior depositions I will point  
20 that out.

21 Q. (BY MS. YOUNG): Where were the Sisters of  
22 Notre Dame founded?

23 A. We were founded in France, but our mother  
24 house now is in Namur.

25 Q. Is in where?

1 A. In Belgium, in Namur. We are the Sisters of  
2 Notre Dame Namur. Now there is another group.

3 Q. You want to spell Namur?

4 A. N-a-m-u-r. There is another group of  
5 Sisters of Notre Dame in L.A. but that's not us.

6 MR. HALE: Belatedly objected to vague and  
7 ambiguous as to whether we are talking about the  
8 entire order or the province.

9 MS. YOUNG: I have no further questions.

10 MR. HALE: I don't either. Same  
11 stipulation?

12 MS. YOUNG: Same stipulation.

13 THE VIDEOGRAPHER: This ends today's  
14 deposition of [REDACTED] on November 7th, 2007.  
15 Total number of tapes used was two. The master video  
16 tapes of this deposition will remain in the custody of  
17 McMahan & Associates, LLC. We are off the record,  
18 time on the screen is 12:18 p.m.

19 THE REPORTER: Did you need a copy of the  
20 deposition?

21 MS. YOUNG: Yes.

22 (The deposition of [REDACTED] was concluded at  
23 12:18 p.m.)

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

Date: \_\_\_\_\_

[REDACTED]

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_

Notary Public in and for the County  
of Santa Cruz, State of California

1 STATE OF CALIFORNIA )

2 ss. )

3 COUNTY OF SANTA CRUZ )

4

5

6 I, CAROL LEHMAN, a Certified Shorthand Reporter in and  
7 for the State of California, hereby certify that the  
8 witness in the foregoing deposition,

9

10 [REDACTED]

11

12 was by me duly sworn to tell the truth, the whole  
13 truth and nothing but the truth in the within-entitled  
14 cause, and that the foregoing is a full, true and  
15 correct transcript of the proceedings had at the  
16 taking of said deposition, reported to the best of my  
17 ability and transcribed under my direction.

18

19

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21 Date: March 26, 2007 \_\_\_\_\_

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CSR Number 3500

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