

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

Coordinated Proceeding Special )  
Title (Rule 1550(b)) )

THE CLERGY CASES I )

This Document Relates to Santa )  
Barbara Superior Court Case )  
No. [REDACTED] )

[REDACTED], an individual, )

Plaintiff, )

vs. ) Proceeding No. 4286

ARCHDIOCESE OF LOS ANGELES )  
EDUCATION AND WELFARE CORPORATION;)   
ROMAN CATHOLIC ARCHBISHOP OF LOS )  
ANGELES; and DOES 3-100, )  
inclusive, )

Defendants. )

VIDEOTAPED DEPOSITION OF [REDACTED]  
LOS ANGELES, CALIFORNIA  
THURSDAY, JANUARY 11, 2007  
VOLUME 1

REPORTED BY:  
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CSR No. 7844  
JOB No. 07011EL

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Defendants. )

Videotaped Deposition of [REDACTED]  
Volume 1, taken on behalf of the Defendants,  
at 865 South Figueroa Street, Suite 2900, Los  
Angeles, California, commencing at 10:08 a.m.,  
Thursday, January 11, 2007, before Elizabeth  
Borrelli, a Certified Shorthand Reporter for  
the State of California, License No. 7844.

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1 INFORMATION REQUESTED  
2 (None.)  
3

4 INSTRUCTIONS NOT TO ANSWER

5 Page Line  
6 25 3  
7 25 10  
8 62 17  
9 101 24  
10 162 22  
11 163 3  
12 178 8  
13 328 11

14 REFERENCE REQUESTED  
15 Page Line  
16 41 24  
17 63 2  
18 284 18  
19  
20  
21  
22  
23  
24  
25

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1 THE VIDEOGRAPHER: We are on the record.  
2 Would the reporter please swear in the witness.  
3  
4 having been duly administered an oath in  
5 accordance with CCP 2094, was examined  
6 and testified as follows:  
7 EXAMINATION  
8 BY MS. YOUNG:  
9 Q Good morning, Mr. [REDACTED]  
10 Could you please state your full name for the  
11 record.  
12 A [REDACTED]  
13 Q Okay.  
14 Mr. [REDACTED] have you ever been deposed  
15 before? Have you ever had your deposition taken before?  
16 A No.  
17 Q Okay.  
18 Are you comfortable with us speaking English  
19 with no translator?  
20 A Been here almost 50 years, so --  
21 Q So the answer --  
22 A -- no problem.  
23 Q -- is yes?  
24 A Yes.  
25 Q Okay. I just have to make sure.

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1 LOS ANGELES, CALIFORNIA; THURSDAY, JANUARY 11, 2007  
2 10:08 A.M.  
3 THE VIDEOGRAPHER: This is the videotaped  
4 deposition of [REDACTED] in the matter of the  
5 Clergy Cases I, [REDACTED] versus Archdiocese of  
6 Los Angeles Education and Welfare Corporation, et al.,  
7 in the Superior Court of the State of California, for  
8 the County of Los Angeles.  
9 The case number is [REDACTED]. Today's date is  
10 January 11th, 2007. The time is 10:08 a.m. The video  
11 operator is Lee Bosset, an associate of Gradillas Court  
12 Reporting, located at 345 North Maple Drive,  
13 Beverly Hills, California.  
14 This recording is taking place at 865 South  
15 Figueroa Street, Los Angeles, California, and was  
16 noticed by the law offices of Hennigan, Bennett &  
17 Dorman.  
18 Counsel, please voice identify yourselves and  
19 state your appearance for the record.  
20 MR. HALE: Tim Hale, for plaintiffs.  
21 MR. GRIFFITH: R. Thomas Griffith, on behalf  
22 of plaintiff.  
23 MS. YOUNG: Bless Young, Hennigan Bennett &  
24 Dorman, for the Defendant Archbishop of Los Angeles  
25 Corporation sole.

Page 8

1 My name is Bless Young.  
2 Even though you've had -- not had your  
3 deposition taken before, I'm sure your attorney has  
4 given you some instructions on what this procedure is  
5 all about, but let's put some more on the record.  
6 There's a court reporter taking down  
7 everything that each of us says, and she will make up a  
8 little booklet and you will have the opportunity at the  
9 end to review your testimony and to make sure that  
10 everything is correct.  
11 Do you understand that?  
12 A Yes, I do.  
13 Q Okay.  
14 And because the court reporter is taking down  
15 a transcript, you'll have to speak clearly and make sure  
16 that she can hear what you're saying.  
17 Do you understand that?  
18 A Yes, I do.  
19 Q And I'll try to wait for you to finish your  
20 answer before I ask my next question, and please try to  
21 wait for me to finish my question, even if you think you  
22 know what I'm going to ask, before you answer it so that  
23 the court reporter can get both the question and the  
24 answer on the record.  
25 Do you understand that?

1 A Yes, I do.  
 2 Q If you need a break at any time, just let me  
 3 know and we can take a break, but I would appreciate it  
 4 if you don't ask for a break while a question is  
 5 pending.  
 6 Is that agreeable?  
 7 A I will try.  
 8 Q Okay.  
 9 If I ask you a question and you don't  
 10 understand it, please let me know and I will try to  
 11 rephrase it because if you answer the question, we'll  
 12 presume that you understood it.  
 13 Is that agreeable?  
 14 A I understand.  
 15 Q Okay.  
 16 I'm entitled to your best recollection. Do  
 17 you understand that?  
 18 A Yes, I do.  
 19 Q And to your best estimate, although I don't  
 20 want you to guess. Do you understand that?  
 21 A Yes, I do.  
 22 Q Are you taking any medication? Have you taken  
 23 any medication within the last 24 hours?  
 24 A Yes, I did.  
 25 Q And what medication have you taken within the

1 last 24 hours?  
 2 A For my diabetes and high blood -- and high  
 3 blood pressure. I don't know the -- the names.  
 4 Q You don't know the names of the medications?  
 5 A No, I don't.  
 6 Q Okay.  
 7 Do you take -- have you taken Lorazepam?  
 8 A You know what, I'm not certain right now what  
 9 the name is, and I don't want to give you the wrong  
 10 name. And I don't have them written down anywhere with  
 11 me, even though I should.  
 12 Q Does any of the medication that you've taken  
 13 in the last 24 hours interfere with your memory?  
 14 A No.  
 15 Q You have in the past taken drugs that  
 16 interfere with your memory?  
 17 A I have taken drugs for antidepressant -- for  
 18 depression, if that's -- I don't know if -- if that's  
 19 what you're trying to get to.  
 20 Q And have those drugs -- have any of those  
 21 drugs that you took for depression interfered with your  
 22 memory?  
 23 A I know that they all have side effects,  
 24 different side effects.  
 25 Q And have any of those side effects been

1 interference with your memory?  
 2 A With some of them I felt that they controlled  
 3 my memory -- my -- my state of thinking, like if I was  
 4 in a, you know, halfway state, I couldn't think clear --  
 5 clearly and that's where I will change to a different  
 6 medication.  
 7 Q Did any of your doctors ever tell you that one  
 8 of the drugs you were taking had a side effect of  
 9 interfering with your memory?  
 10 A When I started taking the medication, no, they  
 11 never told me any of the side effects, no.  
 12 Q But then after you continued to take the  
 13 medication, did any doctor explain to you that a side  
 14 effect was interference with your memory?  
 15 A I seeked out a psychiatrist or psychologist  
 16 and that she is the one that first mentioned that if I  
 17 knew the side effects of all the antidepressant drugs  
 18 and she gave me a booklet for me to read of all the side  
 19 effects of everything that's out there, and that's what  
 20 motivated me to get off them.  
 21 Q Did you ever go to one of your doctors or  
 22 counselors, psychiatrists, psychologists, and complain  
 23 to them that medication was -- that you felt medication  
 24 was interfering with your memory?  
 25 A With my memory, you know what, I don't recall.

1 I could tell you just about all the side effects I have  
 2 from the different medications, but as far as  
 3 interfering with my work, I just felt that at work,  
 4 where I work, I could not move at the speed that I  
 5 normally do, that I couldn't think as fast as I did, of  
 6 answering phones and taking care of customers.  
 7 But there were many side effects that I felt,  
 8 from not sleeping to not being able to go to sleep, to  
 9 seeing things, to seeing light come out of my body, and  
 10 eventually I got tired of it. And I -- well, I decided  
 11 to get off them. I didn't want to be like that any --  
 12 Q The antidepressants you're talking about?  
 13 A Yes, ma'am.  
 14 Q And did you ever complain to any doctor or  
 15 psychologist or counselor that you were seeing that  
 16 these antidepressants were interfering with your sex  
 17 life?  
 18 A Yes, I did, ma'am.  
 19 Q We got off on a tangent. We'll continue with  
 20 that later.  
 21 As far as you're aware, do any of the  
 22 medications that you are taking now interfere or would  
 23 they interfere with your ability to give your most  
 24 truthful testimony here today?  
 25 A You know what, I'm not an expert, but I -- I

1 don't think so.  
 2 Q And you say the medications that you're taking  
 3 now are for your diabetes and for your blood pressure.  
 4 Is that --  
 5 A That --  
 6 Q -- what you said?  
 7 A -- is correct.  
 8 Q Okay.  
 9 And those are the only medications -- are  
 10 those the only medications you take to- -- now?  
 11 A Yeah.  
 12 Q When was the last time you took an  
 13 antidepressant?  
 14 A Oh, it was roughly about -- probably about  
 15 seven years ago, give or take.  
 16 Q Seven years ago?  
 17 A It's been -- yes.  
 18 Q And --  
 19 A I'm saying give or take. I'm not certain the  
 20 exact amount of years, but --  
 21 Q I understand.  
 22 A -- it's been at least seven years.  
 23 Q That's your best estimate?  
 24 A That's my best estimate, yes.  
 25 Q And when was the last -- strike that.

1 Did you ever take medication to help you  
 2 sleep?  
 3 A No, no, I don't. I don't recall, but no, I  
 4 don't think so.  
 5 Q Can you tell me, have you ever been named --  
 6 known by any other names than [REDACTED]?  
 7 A [REDACTED] or just [REDACTED].  
 8 Normally I don't use the middle initial or the last --  
 9 or the middle name.  
 10 Q And your date of birth, Mr. [REDACTED]...  
 11 A Is November 4th, 1944.  
 12 Q Do you have a driver's license?  
 13 A Yes, I do.  
 14 Q And what is that?  
 15 A From California.  
 16 Q Do you --  
 17 A The number?  
 18 Q -- have it with you?  
 19 A Yes, I do.  
 20 Q Can you read the number to the court reporter?  
 21 A [REDACTED].  
 22 Q And let the record reflect that the witness  
 23 didn't have to take out his driver's license; he knew  
 24 the number by heart.  
 25 What is your current residence address?

1 A My current address is [REDACTED] Drive, Santa  
 2 Barbara, California.  
 3 Q That's [REDACTED]?  
 4 A [REDACTED], yes, that's correct.  
 5 Q How long have you lived there?  
 6 A I moved in this last time about in the end of  
 7 July -- at the beginning of July.  
 8 Q Of this year?  
 9 A Of this year.  
 10 Q No, last year, 2006?  
 11 A Oh, last year, I'm sorry, last year, last  
 12 year, yes.  
 13 Q You said you -- you moved in. Had you lived  
 14 at that address before that time?  
 15 A That's my parents' house.  
 16 Q So you lived there with your --  
 17 A My mother and father.  
 18 Q -- parents?  
 19 A Parents, yes.  
 20 Q Your parents are still alive?  
 21 A Yes, they are.  
 22 Q And do your parents rent or own the house?  
 23 A They own the house.  
 24 Q Where did you live before the -- before July  
 25 of 2006?

1 A [REDACTED] --  
 2 Q Can you --  
 3 A -- Santa Barbara.  
 4 Q -- spell that?  
 5 L-Y --  
 6 A [REDACTED].  
 7 Q And how long did you live at that address, if  
 8 you remember?  
 9 A Approximately about three years.  
 10 Q Who lives with you at the -- at your current  
 11 address other than your parents? Anyone else live  
 12 there?  
 13 A I have a brother, a younger brother that lives  
 14 there.  
 15 Q When was the first time that you heard about  
 16 the priest abuse scandals?  
 17 A You'd be --  
 18 MR. HALE: Vague and ambiguous as to which  
 19 one.  
 20 You can answer.  
 21 THE WITNESS: I started reading more about it  
 22 when the incidents at St. Anthony's seminary at the  
 23 Mission came out. I believe it was the mid-'90s or  
 24 early '90s. I don't remember the exact year.  
 25

1 BY MS. YOUNG:  
 2 Q And you said you began reading more about it.  
 3 In the newspaper?  
 4 A They were in the newspaper and on television,  
 5 local. It happened in Santa Barbara.  
 6 Q And do you -- did you at that time subscribe  
 7 to the newspaper?  
 8 A I don't remember, but I know that they also  
 9 get the newspaper where I work, so I -- I know I read it  
 10 in the newspaper also, so I just --  
 11 Q And you said in the early or mid-'90s.  
 12 A I don't remember the --  
 13 Q Can you be any more precise?  
 14 A -- I don't remember the exact year when they  
 15 first came out as far as the -- the allegations.  
 16 Q Did you read about it when it first came out?  
 17 A I -- I read it when it came out in the paper  
 18 and when it was on television. I don't know if that's  
 19 what you mean.  
 20 Q But do you believe that when you read about it  
 21 or heard it on the -- in the -- on television, that was  
 22 when the story first broke, so to speak?  
 23 A That, I couldn't answer you. All I'm telling  
 24 you is that I -- I read about it when it first came --  
 25 when I grabbed the first paper. I don't mean as the

1 my head --  
 2 Q Memories --  
 3 A -- my mind.  
 4 Q -- of what?  
 5 A Of what had happened to me.  
 6 Q What had happened to you with Father Kelly?  
 7 A What had happened to me with Father Kelly and  
 8 everything that went down with Father Kelly, yes.  
 9 Q Now, did you at that time think about filing a  
 10 lawsuit?  
 11 A That had been the farthest thing from my mind  
 12 up to toward the end. That had never crossed my mind.  
 13 Q And when was the first time that you -- when  
 14 was the first time that you thought about filing a  
 15 lawsuit?  
 16 A Ma'am, when I first came forward, I offered  
 17 myself as an -- as a witness, just to -- to state that  
 18 what I had read on a -- in a -- in a newspaper story  
 19 that I would -- that the same thing had happened to me,  
 20 but that it -- that I was seeking help.  
 21 At that time I got in -- I came in contact  
 22 with the -- Archbishop Curry's office in Santa Barbara.  
 23 I spoke to his secretary and I spoke to him, and I asked  
 24 him that I needed help, and they gave me a phone number  
 25 to a Sister [REDACTED] in Los Angeles.

1 very, very first paper. The first one that came across  
 2 in -- in my hands and when it was on television.  
 3 Q Do you remember what paper it was where you  
 4 read it?  
 5 A It was probably the "Santa Barbara  
 6 News-Press."  
 7 Q And do you recall where you were when you  
 8 first -- well, let me withdraw that.  
 9 Was the first time you heard about the  
 10 St. Anthony's priest abuse cases, was it in the  
 11 newspaper or was it on television?  
 12 A I wish I could answer you specifically. I  
 13 don't know which of the two I -- I first saw, but it was  
 14 in the newspaper and it was on television, so that's --  
 15 Q Do you remember --  
 16 A -- that's my best --  
 17 Q -- where you were when you first read or heard  
 18 about it?  
 19 MR. HALE: Asked and answered.  
 20 THE WITNESS: No, I don't. I don't really  
 21 recall, no.  
 22 BY MS. YOUNG:  
 23 Q And how did you feel after you first read or  
 24 heard about it?  
 25 A Started triggering memories, more memories in

1 Q And when was this that you're talking about  
 2 now, what year?  
 3 A This was when -- it would have been in --  
 4 toward the end of 19- -- of 2000 -- I believe it was  
 5 2002 or '3 when the first -- current case against Father  
 6 Kelly came out in the newspaper.  
 7 Q So you read that newspaper article about the  
 8 first case against --  
 9 A The first person --  
 10 Q -- Father Kelly?  
 11 MR. HALE: Let her finish her question before  
 12 you --  
 13 THE WITNESS: Yes.  
 14 MR. HALE: -- answer.  
 15 THE WITNESS: I'm sorry. I read the -- the  
 16 article of the first person that had come forward.  
 17 BY MS. YOUNG:  
 18 Q Do you remember who that person was?  
 19 A I know it's -- I remember reading his name  
 20 later on and I -- I know -- I believe his name is [REDACTED].  
 21 The first -- the first people I contacted was the --  
 22 Mr. Curry's office.  
 23 Q When you say "Mr. [REDACTED]," can you spell that  
 24 name?  
 25 A Arch- -- Archbishop Curry. I don't --

1 Q C-U-R-R-Y?  
 2 A I don't know. Who's the current -- he's still  
 3 there.  
 4 Q Okay.  
 5 And you contacted his office and --  
 6 A First I talked to his --  
 7 Q -- what did you --  
 8 A -- sec --  
 9 MR. HALE: Hang on.  
 10 BY MS. YOUNG:  
 11 Q You contacted his office --  
 12 MR. HALE: Let her finish.  
 13 BY MS. YOUNG:  
 14 Q -- and what did you say?  
 15 A I said that I had read the story in the  
 16 newspaper and that I was seeking help; that I could  
 17 corroborate everything that person was saying in the  
 18 newspaper.  
 19 And she wanted to know if I wanted Bishop  
 20 Curry to contact me, and I said yes. And she said --  
 21 she gave me the phone number to Sister [REDACTED] in  
 22 Los Angeles.  
 23 That same day, in the afternoon, Bishop Curry  
 24 returned my call.  
 25 Q And what did you tell the bishop?

1 A I told him the same thing, and he proceeded to  
 2 say that he didn't -- he hadn't read the story and that  
 3 he didn't know anything about Father Kelly.  
 4 And he asked me if they had given me the name  
 5 of Sister Sheila, and I told him yes. And I proceeded  
 6 to call Sister Sheila.  
 7 Q So did you talk to Sister [REDACTED]?  
 8 A Yes, I did.  
 9 Q And what did you tell Sister [REDACTED]?  
 10 A Pardon me?  
 11 Q What did you tell -- what did you say to  
 12 Sister [REDACTED]?  
 13 A I told her that I had been given the phone  
 14 number by the secretary or Archbishop Curry, and that I  
 15 told her about the story in the local newspaper.  
 16 And she said that she would mail me the names  
 17 of three -- I don't remember if it was psychiatrists or  
 18 psychologists; that -- that I would choose which one I  
 19 wanted to and get in contact with them and start to get  
 20 help.  
 21 Q And did she subsequently mail you names?  
 22 A No. That reply never came.  
 23 Q Did -- what else -- was anything else said  
 24 during that conversation?  
 25 A I don't -- don't remember. I don't think so.

1 I -- I believe what she said, she told me that  
 2 was, as I understood, that was her job, and that was  
 3 what she was put there for. And that's -- I believe, if  
 4 I understood, that that's exclusively what she was  
 5 supposed to do.  
 6 Q And do you know Sister [REDACTED]'s last name?  
 7 A No.  
 8 Q And you're saying -- did you give her your  
 9 address to mail you -- to mail you the information?  
 10 A Yes, I did.  
 11 Q And you're saying you never received it?  
 12 A That is yes, ma'am. I never received it up to  
 13 this day.  
 14 Q Did you at any point in time call her back and  
 15 say, "I never received the information that you were  
 16 going to send me" or something like that?  
 17 A I called her after the -- after I had filed,  
 18 because the -- if -- I believe the filing date had  
 19 expired. Afterwards I called her and I talked to her  
 20 and I told her that my name was [REDACTED], if she  
 21 remembered me, that I had talked to her, and if she was  
 22 going to mail me the address of three psychiatrists,  
 23 names and psychiatrists, and her answer was "I'm sorry,  
 24 I forgot."  
 25 Q And did you ask her at that point in time to

1 mail you information?  
 2 A It was too late.  
 3 Q What do you mean it was too late?  
 4 A I had -- I had filed and at that time I didn't  
 5 want to have anything to do with the Archdiocese. I  
 6 didn't need any help from them and I didn't -- I refused  
 7 to get help from them because I didn't trust them. I  
 8 believe I gave her ample -- ample time.  
 9 Let me ask you a question. What would --  
 10 Q No, no, no, no, no.  
 11 A Okay. Let me --  
 12 Q You don't ask --  
 13 A Okay.  
 14 Q -- me questions.  
 15 I ask you the questions, okay, and you just --  
 16 A Okay. I -- I thought --  
 17 Q -- answer the questions that I ask.  
 18 A I thought that if I waited until after the  
 19 filing period, she could have said, "I'm sorry, it's too  
 20 late." Then I really would have been fried.  
 21 Q How did you find out what the filing period  
 22 was?  
 23 MR. HALE: Objection. Attorney-client  
 24 privilege.  
 25 If you learned that information from your

1 attorneys, don't answer that question.  
 2 THE WITNESS: Do I have to answer that?  
 3 MR. HALE: If you learned it from your  
 4 attorneys, no, you don't answer it. If you learned it  
 5 from some other source, you can answer the question.  
 6 THE WITNESS: I -- I don't want to answer the  
 7 question.  
 8 BY MS. YOUNG:  
 9 Q Because you learned it from your attorneys?  
 10 MR. HALE: Same issue. Again, you simply  
 11 don't answer the question. If you learned that  
 12 information from your attorneys, you don't answer that  
 13 question.  
 14 If you learned it from some other source, you  
 15 are free to testify as to what that other source is. If  
 16 you read about it in the newspaper --  
 17 THE WITNESS: I refuse to answer the question.  
 18 BY MS. YOUNG:  
 19 Q Excuse me?  
 20 A I refuse to answer the question.  
 21 Q Can you recall where you were when you  
 22 contacted the Arch -- Bishop Curry, Curry, whatever his  
 23 name is?  
 24 A No, I don't. I don't remember if I called him  
 25 from home or from work.

1 Q Do you have a cell phone?  
 2 A At that time I did not.  
 3 Q At that time what was your home telephone  
 4 number?  
 5 A Eee. I don't remember it.  
 6 Q Where were you living?  
 7 A At [REDACTED] Lane.  
 8 Q And you don't remember whether you called him  
 9 from home, at [REDACTED] -- [REDACTED] Lane or from work  
 10 at where? Where were you working at the time?  
 11 A [REDACTED].  
 12 Q And when you called Sister [REDACTED], where did  
 13 you call her from?  
 14 A I don't remember. Again, it could have been  
 15 my -- from home or it could have been from work.  
 16 Q But it would have been from either of those  
 17 two places?  
 18 A That's -- that's usually -- that was  
 19 usually -- from work to home, home to work, yes.  
 20 Q Would you usually -- are you in the habit of  
 21 making personal telephone calls from work?  
 22 A Ma'am, it's not a company -- it's not against  
 23 company policy, and my job is to answer phones all day  
 24 long.  
 25 Q My question is: Were you in the habit of

1 making personal telephone calls from work, whether it's  
 2 against company policy or not? I didn't ask you that.  
 3 A Again, it's -- I've never been told that --  
 4 that I don't make it a habit of spending all day  
 5 answering -- doing personal phone calls, but if I did it  
 6 from there, I thought it was very important for me to  
 7 make it. But again, I don't recall if I made it from  
 8 home or from work.  
 9 Q Was your call to the bishop a long distance  
 10 call? Now you were in the Santa Barbara area, correct?  
 11 A Uh-huh.  
 12 Q Was it a long distance call?  
 13 A Ma'am, he's about [REDACTED] from where  
 14 I work. His rectory is about [REDACTED] from  
 15 where I work.  
 16 Q So it was not a long distance call is the  
 17 answer?  
 18 A No, it was not.  
 19 Q And what about your call to Sister [REDACTED], was  
 20 that a long distance call?  
 21 A I believe, if I remember correctly, that she  
 22 has either an 800 number, an 888 number, I don't  
 23 remember, but it -- it was to Los Angeles, so it was --  
 24 it had to have been long distance.  
 25 Q Does your -- did your employer and -- your

1 current employer and your employer at the time, [REDACTED]  
 2 [REDACTED], have -- have any policy on making long  
 3 distance personal calls from work?  
 4 MR. HALE: Speculation.  
 5 BY MS. YOUNG:  
 6 Q If you know.  
 7 A I don't think so, no.  
 8 Q So you're saying you -- you don't think that  
 9 they have any policy regarding making long distance  
 10 call -- personal calls from work?  
 11 A Ma'am, I have a desk, I have a phone, I have a  
 12 computer. I've been doing this for [REDACTED]  
 13 Q Sir --  
 14 A And I --  
 15 Q -- I just asked you a yes-or-no question.  
 16 A Okay. Then I can't answer you that. I don't  
 17 know if they have a policy or not. They have never said  
 18 it.  
 19 Q Does your --  
 20 A It's not written --  
 21 Q It's not written?  
 22 A -- if that's what you're trying to get.  
 23 Right.  
 24 Q Does your employer have a written personnel  
 25 manual?

1 MR. HALE: Same objection.  
 2 THE WITNESS: I can't answer that. I have  
 3 never been shown one. I don't know.  
 4 BY MS. YOUNG:  
 5 Q So you've never seen a written personnel  
 6 manual from your employer; is that correct?  
 7 A Correct.  
 8 Q When was the first time -- well, strike that.  
 9 Have you ever spoken to [REDACTED] about this  
 10 lawsuit?  
 11 MR. HALE: Vague and ambiguous as to which --  
 12 as to which lawsuit.  
 13 BY MS. YOUNG:  
 14 Q Have you ever spoken to [REDACTED]?  
 15 A Yes, I have.  
 16 Q When was the first time you spoke to him?  
 17 A Let me -- let me refresh my memory. If  
 18 that's -- if that's the last name of the -- of the first  
 19 article that came out in the newspaper, if his last name  
 20 is [REDACTED], then yes, I did talk to him once.  
 21 Q So you've spoken to him once?  
 22 A Once.  
 23 Q Only once?  
 24 A Only once, yes.  
 25 Q And when was that?

1 Q -- correct?  
 2 MR. HALE: Misstates prior -- objection.  
 3 Misstates prior testimony.  
 4 BY MS. YOUNG:  
 5 Q Well, you can correct me if I'm wrong, but I  
 6 thought what you said was when you first read the  
 7 article, you had no idea how to get in touch with [REDACTED]  
 8 [REDACTED].  
 9 MR. HALE: Objection. Misstates prior  
 10 testimony. Just to clarify my objection, it's regards  
 11 to his knowledge of whether the person's last name was  
 12 [REDACTED] or not.  
 13 MS. YOUNG: Okay.  
 14 MR. HALE: That's all.  
 15 BY MS. YOUNG:  
 16 Q Let's assume for purposes of this that the  
 17 article you read, talked about an [REDACTED], his last  
 18 name was [REDACTED], okay, even though you didn't know that at  
 19 the time or remember it.  
 20 When you first read that article, you didn't  
 21 know how to get in touch with him; is that your  
 22 testimony?  
 23 A That is correct.  
 24 Q And so -- but you wanted to get in touch with  
 25 him?

1 A The specific time of day, I cannot give it to  
 2 you. It was after the -- when I read the article and I  
 3 had offered myself as a witness.  
 4 Q Which article are you referring to?  
 5 A On -- if -- if -- again, if he's the person  
 6 who first --  
 7 Q Let's assume he's the person. Which article  
 8 are you referring to?  
 9 A On the "Santa Barbara News-Press" -- in the  
 10 "Santa Barbara News-Press," accusing or stating that --  
 11 molestations by Father Kelly.  
 12 Q And so you say you spoke to him after you read  
 13 that article?  
 14 A Not -- again, I'm not -- I'm saying that I --  
 15 it wasn't immediate after. I had no idea how to get  
 16 ahold of him at the beginning. First I contact the  
 17 archbishop's house -- office, and then I --  
 18 Q The Archbishop of...  
 19 A Archbishop Curry of Santa Barbara.  
 20 Q Oh, of Santa Barbara. Okay.  
 21 A And then came in contact with Tom, and I  
 22 offered myself as a witness.  
 23 Q So let me back up a minute. You say you had  
 24 no idea how to get in touch with [REDACTED] --  
 25 A When I first read --

1 A Not -- not -- no, not right away. I hadn't --  
 2 no.  
 3 Q When was it that you decided you wanted to get  
 4 in touch with him?  
 5 A After I had called the Bishop Curry's office,  
 6 after I had contacted Tom and I offered myself as a  
 7 witness, I wanted to just speak to him.  
 8 Q So you didn't get in touch with him -- you  
 9 didn't actually talk to him until after you had already  
 10 contacted your lawyer; is that correct?  
 11 MR. HALE: Misstates prior testimony.  
 12 THE WITNESS: When I came to them, I came only  
 13 as a witness. At that time I didn't think -- I  
 14 didn't -- that they would -- that they were my lawyers.  
 15 I just offered my help to -- to veri- -- to say that the  
 16 same thing that [REDACTED] had talked in the article, the same  
 17 thing had happened to me.  
 18 BY MS. YOUNG:  
 19 Q I understand. But you didn't contact [REDACTED]  
 20 until after you had spoken to Mr. Hale; is that correct?  
 21 MR. HALE: Misstates testimony.  
 22 THE WITNESS: I guess I'm not trying to -- I  
 23 can't understand what you're trying to get at or where  
 24 your question is. It was sometime after I had contacted  
 25 Tom that --

1 BY MS. YOUNG:  
 2 Q And by "Tom," you're referring to -- oh, I'm  
 3 sorry. Tom -- I'm confused. Tom --  
 4 MR. HALE: Griffith.  
 5 BY MS. YOUNG:  
 6 Q -- Griffith?  
 7 A Griffith; Tom Griffith; Mr. Griffith, yes.  
 8 Q Okay.  
 9 It was after you contacted him, then you  
 10 contacted [REDACTED]?  
 11 A Somewhere down -- later I -- I -- I shared  
 12 with Tom -- Mr. Tom Griffith that I wanted to just talk  
 13 to him and let him know that I -- that -- to share with  
 14 him that I knew what he -- that what he was feeling,  
 15 that I believed him because the same thing had happened  
 16 to me.  
 17 Q How did you know Tom Griffith?  
 18 MR. HALE: Assumes facts not in evidence.  
 19 BY MS. YOUNG:  
 20 Q How did you first come to contact  
 21 Mr. Griffith?  
 22 A Their names came out in the article on the  
 23 "Santa Barbara News-Press." I grabbed the phone book.  
 24 I went through the Yellow Pages and I found Mr. Tom  
 25 Griffith. I called him.

1 Sister [REDACTED]? We talked about two, I believe. Had any  
 2 others?  
 3 A At the beginning I talked to Sister [REDACTED]  
 4 once, and then again when I called her to -- just to let  
 5 her know.  
 6 Q Just to let her know that you had filed a  
 7 lawsuit?  
 8 A No. Just to let her know how I felt, just to  
 9 let her know that I couldn't be -- I just wanted to  
 10 know what she had to say.  
 11 Q What she had to say about what?  
 12 A Of why that mail never came, why the letter  
 13 never came, why the name of those psychiatrists never  
 14 came.  
 15 Q Now, how long was it between the time you  
 16 called her the first time when she told you she'd send  
 17 you the name of three psychiatrists and the time you  
 18 called her the second time?  
 19 A I know I waited weeks, a couple of weeks. I  
 20 don't remember the exact amount of time I waited, but I  
 21 believe I gave her enough time where I didn't think that  
 22 the -- it should have taken more than four or five days  
 23 or more than a week, you know.  
 24 Q So you waited about a couple of weeks?  
 25 A Again, I don't remember the exact amount I

1 Q So you didn't know him before that?  
 2 A Oh, no. No.  
 3 Q How many conversations have you had with  
 4 Bishop Curry?  
 5 A About the case?  
 6 Q Yes.  
 7 A About -- one.  
 8 Q Just the one that we talked about earlier?  
 9 A Yes.  
 10 Q Was anything else said in that -- that was a  
 11 telephone conversation, correct?  
 12 A That is correct.  
 13 Q Anything else said in that conversation  
 14 besides what you just told me earlier?  
 15 A You know, ma'am, it would be hard for me to  
 16 remember the whole conversation, but I do remember him  
 17 telling me that he had -- he hadn't read the story yet  
 18 and that he didn't know anything about Father Kelly.  
 19 Q How long did the conversation last?  
 20 A Again, what, probably no more than two,  
 21 three -- you know, a couple minutes at the maximum.  
 22 Q Was anyone else present when you called Bishop  
 23 Curry, Curry?  
 24 A Not to my recollection, no.  
 25 Q And how many conversations did you have with

1 waited. But it was something that was very important to  
 2 me, so I -- I -- I waited and waited and waited. Every  
 3 day I go home and check the mail.  
 4 Q Well, what I'm asking you is how long was it  
 5 between the first and second conversation? Was it  
 6 weeks? Was it months? Was it years?  
 7 MR. HALE: Asked and answered.  
 8 BY MS. YOUNG:  
 9 Q So a couple weeks is what you said?  
 10 MR. HALE: Same objection.  
 11 BY MS. YOUNG:  
 12 Q Your best recollection.  
 13 You can answer.  
 14 A I can't give you the specific time because I  
 15 really -- I don't remember, but I do know the first  
 16 conversation and I know the second conversation. How  
 17 much time in between, I don't -- I don't know exactly.  
 18 Q Okay.  
 19 Do you recall what year it was when you spoke  
 20 to Sister [REDACTED] the first time?  
 21 A You already asked me that.  
 22 Q And what did -- refresh my recollection.  
 23 A It was -- I believe it was 2003.  
 24 Q Do you remember what month it was in 2003?  
 25 MR. HALE: Asked and answered.

1 THE WITNESS: I don't remember when the first  
 2 article came out. Would have been sometime in October  
 3 or November, but I don't remember the exact date.  
 4 BY MS. YOUNG:  
 5 Q And when was the first time you spoke to [REDACTED],  
 6 the first and last time you spoke to [REDACTED], because you  
 7 said it was just once?  
 8 MR. HALE: Same objection.  
 9 BY MS. YOUNG:  
 10 Q You can answer.  
 11 A Well, you already asked me that.  
 12 MR. HALE: You can answer.  
 13 THE WITNESS: It was sometime after I had read  
 14 the article that after that, I talked to Tom.  
 15 BY MS. YOUNG:  
 16 Q And I'm asking you when that was.  
 17 A I don't remember.  
 18 MR. HALE: Same objection.  
 19 BY MS. YOUNG:  
 20 Q Okay.  
 21 You don't remember what month it was?  
 22 MR. HALE: Same objection.  
 23 THE WITNESS: The exact month, no, I don't  
 24 remember.  
 25 BY MS. YOUNG:

1 A Mr. Griffith.  
 2 Q And what did you say to [REDACTED] when you called  
 3 him?  
 4 A Again, I'll tell you that I wanted to express  
 5 my feelings; that I knew what he -- what -- that I was  
 6 going through the same thing that he had written; that I  
 7 would -- I could cooperate -- that I would -- I would be  
 8 there for him; that I had come forward to be just a  
 9 witness.  
 10 Q Okay.  
 11 Pretend I'm [REDACTED]. What did you say to [REDACTED]  
 12 specifically?  
 13 A Ma'am, if you want --  
 14 MR. HALE: Asked and answered.  
 15 You can answer it.  
 16 THE WITNESS: Ma'am, if you want me to  
 17 remember the exact conversation, it will be next to  
 18 impossible. All I'm telling you is that I shared my  
 19 feelings.  
 20 You need to understand that I was very hurt  
 21 and I was -- I was going through a lot. I was going  
 22 through hell. A lot of memories had been triggered in  
 23 my mind.  
 24 And I wanted to let him know that he was not  
 25 alone. I wanted to let him know that I was -- that I

1 Q And did you call [REDACTED] or did he call you?  
 2 A I called [REDACTED].  
 3 Q And do you remember what number you called him  
 4 at?  
 5 A No.  
 6 Q Where did you call him from?  
 7 A Don't remember. Really don't remember.  
 8 Q Was anybody there when you called him, on your  
 9 side?  
 10 A No.  
 11 Q Do you know where [REDACTED] was when you called  
 12 him?  
 13 MR. HALE: Speculation.  
 14 THE WITNESS: No.  
 15 MS. YOUNG: It's not really speculation,  
 16 Counsel, because if he called him at home, he would have  
 17 been at home.  
 18 BY MS. YOUNG:  
 19 Q Do you recall who gave you [REDACTED]'s phone number  
 20 or how you got [REDACTED]'s phone number?  
 21 A Yes, I do remember.  
 22 Q And how did you get his phone number?  
 23 A I got it from Tom.  
 24 Q Okay.  
 25 Tom is Mr. Griffith?

1 knew what he was talking about; that I believed him.  
 2 BY MS. YOUNG:  
 3 Q Did you tell him the same thing happened to  
 4 you?  
 5 A I don't remember the exact words, but I told  
 6 him that I understood what he was talking about.  
 7 Q Did you tell him there wasn't enough money in  
 8 the world to compensate you for what Father Kelly had  
 9 done?  
 10 A Ma'am, I don't think that I remembered talking  
 11 about money.  
 12 Q Have you ever filed a Workers' Compensation  
 13 claim against your employer?  
 14 A There were two claims made at work, yes, but I  
 15 don't -- I guess I don't understand about filing.  
 16 Whenever you get hurt at work, you have to report it.  
 17 Q And one of the claims that you reported was  
 18 for a back injury, correct?  
 19 A That is correct.  
 20 Q And what were the circumstances involving  
 21 your -- your back injury?  
 22 A One of the pickup trucks was backed up to the  
 23 loading and shipping and receiving area and one of the  
 24 coworkers asked me [REDACTED] -- I  
 25 believe it was [REDACTED], and when I grabbed my

1 end and I turned, I felt a tweak in my back. I felt  
 2 something, and --  
 3 Q And you hurt your [REDACTED]?  
 4 A And -- they -- yes, yes.  
 5 Q And that -- did that injury have anything to  
 6 do with the abuse you're alleging against Father Kelly?  
 7 MR. HALE: Calls for expert testimony.  
 8 BY MS. YOUNG:  
 9 Q In your opinion?  
 10 A I'm not an expert. I -- I don't know what you  
 11 want me to tell you.  
 12 Q What I'm asking is a very simple question.  
 13 Did your back injury have anything to do with the abuse  
 14 that you're alleging against Father Kelly?  
 15 MR. HALE: Same objection.  
 16 THE WITNESS: Again --  
 17 BY MS. YOUNG:  
 18 Q You can answer the question.  
 19 A -- I'm not an expert. I -- I don't -- you  
 20 know, I don't know what you want me to answer.  
 21 Q In your opinion?  
 22 A I'm not an expert.  
 23 MR. HALE: Same objection.  
 24 MS. YOUNG: Can you mark that? Thank you.  
 25 BY MS. YOUNG:

1 street from where I work, and from there it required  
 2 therapy. But as far as specific amount of days or days,  
 3 I don't remember.  
 4 Q Do you have any residual injury from that  
 5 [REDACTED]?  
 6 MR. HALE: It calls for expert testimony.  
 7 BY MS. YOUNG:  
 8 Q You can answer.  
 9 A Well, I -- I guess I don't know what -- I  
 10 don't understand.  
 11 MR. HALE: Belated, vague and ambiguous as to  
 12 residual injury.  
 13 BY MS. YOUNG:  
 14 Q Does your back still bother you from that  
 15 injury?  
 16 A I could tell you that I'm [REDACTED] years old. I'm  
 17 not as young as I used to be and, you know, my body is  
 18 not what it used to be.  
 19 Q That wasn't the question.  
 20 A Well, I'm not an expert to tell you whether  
 21 that -- that particular injury is -- is causing back  
 22 problems and, you know, that I do have knowledge. I  
 23 just couldn't tell you.  
 24 Q So you do have back problems now?  
 25 A Just, you know, I'm getting old and getting

1 Q Was the [REDACTED] you were helping  
 2 your [REDACTED], did that [REDACTED] about [REDACTED]  
 3 or do you know how much it weighed?  
 4 A No, I don't.  
 5 Q Did you ever tell someone at work that it  
 6 [REDACTED]?  
 7 A I don't remember. I don't know whether after  
 8 the injury was reported if somebody went and weighed it.  
 9 I -- I -- I couldn't -- I don't -- I don't remember.  
 10 Q Did you ever write anything on your Workers'  
 11 Compensation -- anything you filed for Workers'  
 12 Compensation stating that it weighed a -- that it was a  
 13 [REDACTED]?  
 14 A I -- again, I don't remember exactly how much  
 15 in weight. All I know is that because I felt a tweak  
 16 and it happened at work, it had to be reported. I mean  
 17 it's the law.  
 18 Q Did you miss any time from work because of the  
 19 back injury?  
 20 A It took therapy.  
 21 Q The question is: Did you miss any time from  
 22 work because of the back injury?  
 23 A I really don't remember specifically. I -- I  
 24 think -- I know that that day they sent me home. First  
 25 they send me to the clinic, which is right down the

1 tired.  
 2 Q What kind of back problems do you have now?  
 3 A Well, I just have, you know, not as fast, and  
 4 when you get up and you can feel it, the aches and  
 5 pains.  
 6 Q Are you being treated for any back problems?  
 7 A No.  
 8 Q Do you take any medication for back problems?  
 9 A No. I've already told you that the only  
 10 medication I take is for my diabetes and blood pressure.  
 11 Q Do you ever take any over-the-counter  
 12 medications for back problems? Like Advil or aspirin  
 13 or --  
 14 A No.  
 15 Q -- Tylenol?  
 16 A No.  
 17 Q When did that back injury occur?  
 18 A The exact year, I couldn't tell you.  
 19 Q You don't know what year it was?  
 20 A No.  
 21 Q If I told you it was in June 1994, would that  
 22 refresh your recollection?  
 23 A No, it wouldn't refresh my recollection.  
 24 Q In your opinion, do you have a good memory?  
 25 MR. HALE: Argumentative.

1 BY MS. YOUNG:  
 2 Q You can answer.  
 3 A I think so.  
 4 Q Did you receive any compensation, Workers'  
 5 Compensation for the back injury?  
 6 A Explain that one to me. What do you mean?  
 7 Q Did Workers' Compensation -- did -- did your  
 8 employer compensate you for the back injury? Did they  
 9 pay you anything?  
 10 A No, I don't remember whether some of the days  
 11 I missed, I covered with vacation days or if they just  
 12 covered my days, but I don't -- I don't remember.  
 13 Q But they didn't pay you any lump sum?  
 14 A Oh, no, no.  
 15 Q Did your employer at that time, [REDACTED]  
 16 [REDACTED] have a policy for sick leave, paid sick leave that  
 17 applied to you?  
 18 MR. HALE: Speculation.  
 19 THE WITNESS: I don't think [REDACTED]  
 20 has ever had a sick leave policy.  
 21 BY MS. YOUNG:  
 22 Q Are you a member -- were you a member of a  
 23 union then?  
 24 A No, no, Santa Barbara, the [REDACTED] in Santa  
 25 Barbara is not a --

1 truthfully I couldn't answer your question. I don't  
 2 remember, but I know it was trying to get in and out of  
 3 my car where I would bend down and be in probably even  
 4 lower than in a chair. That's where I had problems,  
 5 getting out of that car.  
 6 Q And you -- after the injury, you went to a  
 7 doctor and told him what your back problems were, is  
 8 that correct, him or her, whoever the doctor was that  
 9 you went to?  
 10 A After the injury, they -- they -- they took me  
 11 over to the clinic, which is half a block from where I  
 12 work.  
 13 Q And you explained what problems you were  
 14 having with your back?  
 15 A I -- I guess I'm lost. I -- at that time all  
 16 I know my back was hurting, my back was bothering me.  
 17 Q And whatever you told the doctor that they  
 18 took you to, you would have no reason to lie to that  
 19 doctor, would you?  
 20 MR. HALE: Objection. Argumentative.  
 21 Harassing.  
 22 THE WITNESS: I don't want to answer that.  
 23 BY MS. YOUNG:  
 24 Q Well, you have to answer it.  
 25 You told the doctor the truth about what was

1 Q Not union?  
 2 A -- not affiliated with any union, no.  
 3 Q Do you recall who treated you for your back  
 4 injury?  
 5 A I remember the specific cleaner -- clinic  
 6 where they took me and then the therapy session place,  
 7 which was right next door, but the specific person or  
 8 doctor, no, I don't.  
 9 Q Okay.  
 10 And did that back injury that you had at the  
 11 time, how long did the injury itself last?  
 12 A I don't remember. I don't remember how long I  
 13 went to therapy.  
 14 Q Do you recall what the complaint -- what your  
 15 complaint was when you went to therapy?  
 16 A I remember I had problems bending down. I  
 17 remember I had problems turning. So they sent me to  
 18 therapy.  
 19 Q But you were able to walk?  
 20 A I'll say able to walk. I had a hell of a time  
 21 driving, getting up, in and out of my car.  
 22 Q And sitting, did your back hurt from that  
 23 injury when you would sit for long periods of time?  
 24 A You know, at work I have an option that I can  
 25 do the same thing sitting down or standing up, so I --

1 bothering you?  
 2 MR. HALE: Same objections.  
 3 THE WITNESS: I don't have a habit of lying.  
 4 BY MS. YOUNG:  
 5 Q That's not my question.  
 6 A I'm telling you --  
 7 Q Did you tell the doctor --  
 8 A If I don't have habit of lying, then I  
 9 wouldn't lie to the doctor.  
 10 Q You wouldn't lie to the doctor, correct?  
 11 A Why would I? I was there for him to make me  
 12 feel better.  
 13 Q Now, you had a second Workers' Compensation  
 14 case at work that you filed as well, you said?  
 15 A That is correct.  
 16 Q And when was the second one? Was it after the  
 17 [REDACTED] injury?  
 18 A You know what, I don't remember the exact time  
 19 or year, but I -- it did happen at work.  
 20 Q You don't remember the year?  
 21 A I don't remember the exact month or year, no.  
 22 Q Was it after the back injury or before?  
 23 A I don't remember.  
 24 Q And what was the second Workers' Compensation  
 25 claim you filed? What did it involve. What was the

1 accident --  
 2 A I explo- --  
 3 Q -- or injury?  
 4 A I exploded at work. I had what they call -- I  
 5 believe was a nervous breakdown.  
 6 Q You had a nervous breakdown at work?  
 7 A I exploded at work, yes.  
 8 Q And in what way did you explode? What  
 9 happened?  
 10 A I had -- I felt a lot of stress, a lot of  
 11 tension. I could feel it all the way up to my neck.  
 12 And I just got up and I remember slamming my fist on the  
 13 desk and I -- I just went into a rage.  
 14 Q What did you say when you slammed your fist on  
 15 the desk and went into a rage?  
 16 A I --  
 17 MR. HALE: Assumes facts.  
 18 THE WITNESS: I don't -- I wish I could tell  
 19 you. I just know that I -- I felt so much tension I  
 20 exploded.  
 21 BY MS. YOUNG:  
 22 Q What did you do? You slammed your fist on the  
 23 desk. What else did you do?  
 24 A I got up and -- got up, slammed my fist -- my  
 25 fist on the desk and about that time the office manager

1 A No, ma'am. I don't -- for me to sit here and  
 2 tell you the specific words that I told the doctor I was  
 3 very agitated, I think he could see where I was. And I  
 4 told him that I exploded at work and he could probably  
 5 see it in my face. And that was --  
 6 Q Did you tell him that you were doing [REDACTED]  
 7 [REDACTED] had  
 8 [REDACTED]?  
 9 A I don't remember what I told him, but -- no, I  
 10 don't remember.  
 11 Q By the way, did you keep any records of these  
 12 Workers' Compensation claims that you've filed?  
 13 A No.  
 14 Q Did you keep any of the newspaper articles  
 15 that you read that involved the scandal of  
 16 St. Anthony's?  
 17 A No.  
 18 Q You didn't keep them?  
 19 MR. HALE: Asked and answered.  
 20 THE WITNESS: I don't --  
 21 BY MS. YOUNG:  
 22 Q Did you keep any of the articles about the  
 23 Father Kelly abuse?  
 24 A I kept them for about a month and then I threw  
 25 them away.

1 was walking by.  
 2 Q And who was that?  
 3 A Her name is [REDACTED]. And she immediately  
 4 took me to the clinic, which is, again, a couple of --  
 5 half a block from the --  
 6 Q And who did you see that time at the clinic?  
 7 A Don't remember.  
 8 Q Was it a doctor?  
 9 A It had to be.  
 10 Q What did you tell the doctor? Well, let me  
 11 back up a step.  
 12 Did Ms. [REDACTED] stay with you? Did she take  
 13 you -- was she the one who took you to the doctor?  
 14 A Yes, she did.  
 15 Q Did she stay with you while you were at the  
 16 doctor?  
 17 A I don't remember. Normally I -- I don't  
 18 remember whether she stayed with me or not.  
 19 Q And what did you tell the -- was the doctor  
 20 you saw a man or a woman?  
 21 A That, I can't -- don't remember.  
 22 Q What did you tell the doctor?  
 23 A I was very agitated.  
 24 Q That's what you told the doctor, "I'm very  
 25 agitated"?

1 Q The Father Kelly articles?  
 2 A Yes.  
 3 MR. HALE: Are you okay? Do you want a break?  
 4 THE WITNESS: Yeah, can I take a break? I  
 5 gotta go to the restroom.  
 6 MS. YOUNG: Sure.  
 7 THE VIDEOGRAPHER: We're going off the record.  
 8 The time is 11:02 a.m.  
 9 (Recess.)  
 10 THE VIDEOGRAPHER: We're going back on the  
 11 record. The time is 11:12 a.m. Please continue.  
 12 BY MS. YOUNG:  
 13 Q In your opinion, what triggered your nervous  
 14 breakdown at work?  
 15 MR. HALE: Calls for expert testimony.  
 16 THE WITNESS: Again, I don't remember the  
 17 exact year.  
 18 BY MS. YOUNG:  
 19 Q I'm not asking you the year. I'm asking you,  
 20 in your opinion, what triggered the nervous breakdown?  
 21 MR. HALE: Same objection.  
 22 THE WITNESS: I couldn't answer that. I'm not  
 23 an expert.  
 24 BY MS. YOUNG:  
 25 Q Do you have an opinion on what triggered it?

1 A All I could tell you is -- all I could share  
2 with you is that -- that the articles about the arch- --  
3 about the problems at St. Anthony's seminary had  
4 started, triggered a lot of memories in my mind. I had  
5 more and more workload to carry and it -- it affected  
6 me. It affected me a lot.

7 Q But you don't remember when those articles --  
8 when you first saw those articles about St. Anthony's?

9 A No.

10 MR. HALE: Misstates testimony.

11 THE WITNESS: Don't remember. I know it was  
12 in the mid-'90s or somewhere in the '90s.

13 BY MS. YOUNG:

14 Q And you didn't -- you didn't save any of those  
15 articles about St. Anthony's?

16 A No, I did not.

17 Q Do you remember what the articles about  
18 St. Anthony's that you read said? Say the first article  
19 about St. Anthony's that you read in the newspaper, what  
20 did it say?

21 A Allegations of sexual -- of sexual abuse by --  
22 assuming they're Franciscan fathers against students --

23 Q I'm sorry. You're assuming what?

24 A I said at St. Anth- -- at St. Anthony's  
25 seminary is a -- is a seminary that was run by -- I

1 because you said that.

2 A What I remember is that they referred me to a  
3 psychiatrist or psychologist. I don't know what his  
4 title is.

5 Q And what was his name, this psychiatrist or  
6 psychologist?

7 A I know his last name. His name is  
8 Dr. [REDACTED]

9 Q And did Dr. [REDACTED] prescribe any medications  
10 for you?

11 A He was the doctor that first gave me  
12 antidepressants.

13 Q And which antidepressant did he first  
14 prescribe for you?

15 A Ma'am, I've taken so many; I -- to be -- to  
16 tell you the first one, I don't know.

17 Q When you say you've "taken so many," you've  
18 taken so many over a period of years are you referring  
19 to?

20 A Dr. [REDACTED] prescribed an antidepressant. I  
21 would start having side effects. I would notify him and  
22 he will say let's try --

23 Q Different?

24 A -- something else and so on.

25 Q So do you remember the first antidepressant he

1 believe they were Franciscan priests or fathers; that  
2 they were being accused of sexual misconduct against  
3 some of the students or seminarians that were attending  
4 there.

5 Q And do you remember anything else that the  
6 article said, the first one that you saw?

7 A No, I don't.

8 Q You mentioned you also saw some TV coverage of  
9 the same -- of the same thing. Do you recall that, what  
10 the TV coverage said about St. Anthony's?

11 A The exact thing, no, I don't.

12 Q Did you -- let me back up a second to the back  
13 injury.

14 Do you remember whether the doctor you saw  
15 prescribed any medication for your back injury?

16 A You know, I don't remember.

17 Q You don't remember?

18 A No, I don't remember.

19 Q The doctor that you saw for the nervous  
20 breakdown, was it a woman or a man?

21 A I don't.

22 Q You don't remember?

23 A I don't remember.

24 Q Did that doctor prescribe any medication for  
25 your nervous breakdown? I'm using that term, I think,

1 prescribed for you?

2 A No, I don't.

3 Q Do you remember what -- how long you took it  
4 before you went to him and told him you were having side  
5 effects?

6 A No, I don't.

7 Q Do you remember what the side effects were  
8 that you complained about?

9 A No.

10 Q And would your -- would those same answers  
11 apply with respect to each of the antidepressants that  
12 he prescribed for you, that you don't remember what the  
13 antidepressant was, you don't remember what the side  
14 effects you complained about was, and you don't remember  
15 how long you took it?

16 MR. HALE: Objection. Compound.

17 THE WITNESS: I could tell you -- I could name  
18 you a -- some of the antidepressants that I took. And  
19 what order, I -- I -- I don't know, I don't remember.

20 BY MS. YOUNG:

21 Q Okay.

22 What antidepressants did you take?

23 A Some of them were Paxil, Xanax, Zoloft. They  
24 were --

25 Q And do you remember for each one of those what

1 the side effects were?  
 2 A Specifically, no, no.  
 3 Q Do you remember for any of those that you've  
 4 named why you stopped taking them?  
 5 A I've already --  
 6 Q Let's talk about Paxil. Do you remember  
 7 complaining that Paxil interfered with your sex life?  
 8 A I've already -- I think I've already shared  
 9 with you that I don't remember the specific side effects  
 10 of each -- each antidepressant. That, I couldn't  
 11 answer. I'm not a -- I don't remember.  
 12 Q But on each occasion you went back to the  
 13 doctor and you told him that you were having side  
 14 effects and, therefore, he switched your medication to a  
 15 different antidepressant?  
 16 A Ma'am, if -- if with one you can't sleep, with  
 17 another one you can't wake up --  
 18 Q I'm just asking --  
 19 A Well --  
 20 MS. YOUNG: Could you read the question back,  
 21 please.  
 22 (Record read.)  
 23 THE WITNESS: I -- again, I don't remember  
 24 which -- which specific antidepressant caused specific  
 25 side effect.

1 BY MS. YOUNG:  
 2 Q Right, I understand that.  
 3 But each of the ones you took -- did each of  
 4 the ones that you just mentioned, Paxil -- I forgot the  
 5 other two -- they each caused side effects?  
 6 MR. HALE: Calls for expert testimony.  
 7 THE WITNESS: I could tell you that because of  
 8 the side effects, that's why I decided to go off them.  
 9 BY MS. YOUNG:  
 10 Q Okay. Fair enough.  
 11 And -- and the side effects, you reported  
 12 those side effects to your doctor, correct?  
 13 A Yes.  
 14 Q Do you remember taking a drug called  
 15 Lorazepam?  
 16 A I believe that was one of the -- the drugs  
 17 that I -- I believe that was one of the ones that I  
 18 took.  
 19 Q And do you remember what side effects you  
 20 complained about because of that drug?  
 21 A I've already told you that I don't remember  
 22 the specific side effects of each drug.  
 23 Q Did you ever tell Dr. [REDACTED] about -- did --  
 24 strike that.  
 25 Did you ever tell Dr. [REDACTED] that you were

1 abused when you were a minor by a priest?  
 2 A No, I did not.  
 3 Q When was the first time you ever told a doctor  
 4 or counselor, psychologist, that you were abused by a  
 5 priest?  
 6 MR. HALE: Objection. Attorney-client --  
 7 attorney work product.  
 8 You can answer that to the extent your answer  
 9 does not include any reference to a -- a -- the person  
 10 who was responsible for interviewing you for your  
 11 certificate of merit.  
 12 THE WITNESS: He would have been the first one  
 13 that I talked to.  
 14 MR. HALE: Okay. Then that -- that's it.  
 15 THE WITNESS: Okay.  
 16 BY MS. YOUNG:  
 17 Q When was the -- I think the question, I'm not  
 18 asking you who you talked to.  
 19 When was the first time you told a doctor or  
 20 psychiatrist or therapist that you were abused by a  
 21 priest? What year?  
 22 A It would have been after I filed --  
 23 Q After you --  
 24 A -- which --  
 25 Q -- filed the lawsuit?

1 A I -- I'm pretty -- yeah, I -- I think so. I'm  
 2 not certain, but it was --  
 3 Q 2004?  
 4 A God, I wish I could be sure. I'm not sure of  
 5 the exact year.  
 6 Q Well, you filed your lawsuit in December of  
 7 2003, correct?  
 8 A If -- yes, I think so.  
 9 Q So it would have been after that?  
 10 MR. HALE: Misstates testimony.  
 11 THE WITNESS: Again, I told you I don't  
 12 remember.  
 13 BY MS. YOUNG:  
 14 Q Okay.  
 15 Do you recall whether you received  
 16 compensation from your employer or Workers' Compensation  
 17 for your nervous breakdown?  
 18 A Yes, I do remember.  
 19 Q And how much did you receive?  
 20 A The exact amount, I couldn't tell you, but I  
 21 did receive a settlement.  
 22 Q A lump sum settlement?  
 23 A At the end, yes.  
 24 Q \$10,000, does that refresh your recollection?  
 25 A The exact amount I really don't remember, but

1 it was -- it was roughly about \$10,000. I just --  
 2 Q And in the course of that Workers'  
 3 Compensation claim that you filed for your nervous  
 4 breakdown, were you evaluated also, besides being  
 5 evaluated by Dr. [REDACTED], were you evaluated by a -- a  
 6 psychiatrist or psychologist from the insurance company?  
 7 Do you recall?  
 8 A You know, I -- I don't remember, but I don't  
 9 think so.  
 10 Q Does the name Dr. [REDACTED] ring any bells?  
 11 A Dr. [REDACTED]? No. No, I don't recall that  
 12 name.  
 13 Q Do you recall telling your -- the doctor that  
 14 you were seeing at the time, Dr. [REDACTED], that you were  
 15 nervous about being evaluated by the other side's -- the  
 16 insurance company's therapist?  
 17 A No, I don't remember that.  
 18 Q After that incident, that Workers'  
 19 Compensation claim that you filed, do you remember going  
 20 back -- strike that. Bad question.  
 21 After your Workers' Compensation claim for the  
 22 nervous breakdown, do you recall some years later going  
 23 back and telling another therapist that you were again  
 24 shorthanded at work and having panic attacks?  
 25 MR. HALE: Vague and ambiguous as to time.

1 THE WITNESS: No, I don't remember.  
 2 BY MS. YOUNG:  
 3 Q How much work did you miss, if any, because of  
 4 the nervous breakdown for which you filed a Workers'  
 5 Compensation claim?  
 6 A That, I can't -- I don't remember. I wish I  
 7 could tell you. No, I don't, the exact amount of days,  
 8 no.  
 9 Q Was it or weeks or months? You don't  
 10 remember.  
 11 A Again, I don't remember.  
 12 Q Did you review any documents in preparation  
 13 for your deposition today?  
 14 A No, I didn't.  
 15 Q Did you meet with your attorney in preparation  
 16 for your deposition?  
 17 MR. HALE: Objection. Attorney-client.  
 18 Don't answer that.  
 19 THE WITNESS: Don't answer that.  
 20 MS. YOUNG: So you're saying he can't answer  
 21 yes or no as to whether or not he met with his  
 22 attorney --  
 23 MR. HALE: The only way he could possibly know  
 24 if he was meeting to practice for his deposition to  
 25 prepare for it is if his attorney told him that. So

1 that would make it an attorney-client communication.  
 2 MS. YOUNG: Can you mark that?  
 3 Thank you.  
 4 BY MS. YOUNG:  
 5 Q Did you have any meetings with your attorney  
 6 in the last month where anyone else was present, other  
 7 than you and your attorney?  
 8 A No.  
 9 Q Have you ever had any meetings with your  
 10 attorney or attorneys where other people were present  
 11 other than you and your attorneys?  
 12 A In their office?  
 13 Q Anywhere?  
 14 A No. No.  
 15 Q Have you ever other than a telephone  
 16 conversation that we referred to earlier between you and  
 17 [REDACTED], have you ever met with [REDACTED]?  
 18 A I've never met him, no.  
 19 Q You've never met him in person?  
 20 A No.  
 21 Q And you've never had any other telephone  
 22 conversations with him, correct?  
 23 A Correct.  
 24 Q What about [REDACTED]? Do you know [REDACTED]  
 25 [REDACTED]?

1 A Yes, I know [REDACTED].  
 2 Q Did you go to school with [REDACTED]?  
 3 A I don't think he went to the same school I  
 4 did. He just --  
 5 Q So the answer is no?  
 6 A -- lived -- what's your question?  
 7 Q Did you go to school with [REDACTED]?  
 8 A Again, I don't think he went to the same  
 9 school I did. I don't think so.  
 10 Q When did you first meet [REDACTED]?  
 11 A [REDACTED] used to live a couple of blocks  
 12 from the house to where I moved to when I first came to  
 13 this country.  
 14 Q And that was in fourth grade? Were you in  
 15 fourth grade at the time?  
 16 A I was in second grade at the time.  
 17 Q You were in second grade.  
 18 What year was that?  
 19 A I came to this country in 1956.  
 20 Q And so you knew [REDACTED] because he lived  
 21 close by; that's how you knew him?  
 22 A Back in those years there were very few Latin  
 23 people in the neighborhood, so we generally -- we just  
 24 stuck out like a sore thumb. And so you just knew  
 25 everybody, you met everybody.

1 He's -- he was about my height, probably about  
2 my weight, but as far as knowing him as a, you know, no,  
3 not that well. I just saw him, I knew him, I knew what  
4 his name was.

5 Q So you knew who he was, but you weren't  
6 friends with him?

7 A Not --

8 Q Did you hang out together?

9 A No.

10 Q So you -- from the time you moved to this  
11 country in 1956 through high school, you never hung out  
12 with [REDACTED]?

13 A Ma'am, I can't remember the last time I saw  
14 [REDACTED] or I've had anything to do with him. I  
15 moved from --

16 Q That wasn't my question. Did you ever hang  
17 out with [REDACTED] between the time you moved to this  
18 country and the time you went to high school?

19 A I'm trying to understand what you mean by  
20 "hanging out." I mean as far as --

21 Q Socialize with.

22 A No, no, no.

23 Q Did you ever talk to [REDACTED] about the  
24 allegations in your lawsuit?

25 A I haven't talked to [REDACTED] in probably

1 yours that were also friends of his, if you know?

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

3 Q Do you know [REDACTED]?

4 A No.

5 Q Never heard of him?

6 A I don't know him.

7 Q You don't know him personally --

8 A No.

9 Q -- correct?

10 A No.

11 Q Have you ever heard of him?

12 A I -- if somebody mentioned him, probably did.  
13 I don't think so. I don't know him.

14 Q Have you ever written any letters to anyone  
15 regarding the abuse you're alleging against Father  
16 Kelly?

17 A I don't think so, no.

18 Q Did you keep a diary at the time of the  
19 alleged abuse? We're talking when you were -- when you  
20 were young.

21 A Ma'am, that would be the last thing on your  
22 mind.

23 Q That's a yes-or-no question. Did you keep a  
24 diary at the time of the abuse?

25 A Again, I don't think so. That would be the

1 over 40 years. I haven't seen --

2 Q Over how many years?

3 A Probably 40. Easily 40. I haven't talked to  
4 him in a long time.

5 Q And the last time you talked to [REDACTED] 40  
6 years ago, what was the nature of that conversation?

7 A Ma'am, I can't remember the last time I talked  
8 to [REDACTED].

9 Q Did you ever talk to him about Father Kelly?

10 A No.

11 Q No?

12 A No, no.

13 Q When did you -- did you ever become aware that  
14 [REDACTED] had filed a lawsuit naming Father Kelly as  
15 an abuser?

16 A Probably a couple of months ago, maybe,  
17 when -- no more than a couple of months ago.

18 Q When you knew [REDACTED] back when you were  
19 in school and he was in a different school, did he have  
20 a reputation as being a juvenile delinquent?

21 MR. HALE: Speculation.

22 THE WITNESS: I didn't know him that well, so  
23 I couldn't answer that.

24 BY MS. YOUNG:

25 Q Did you have any common friends, friends of

1 last thing on my mind.

2 Q Do you belong to any victim groups?

3 MR. HALE: Vague and ambiguous.

4 THE WITNESS: What do you mean by victim  
5 groups?

6 BY MS. YOUNG:

7 Q Like SNAP, victims of priest abuse?

8 A No, I don't.

9 Q Do you belong to Alcoholics Anonymous?

10 That's -- belong is probably not a correct word. Do you  
11 go to meetings of Alcoholics Anonymous?

12 A Not as regularly as I used to, but yes, I have  
13 attended, and occasionally I will drop by to AA  
14 meetings, yes.

15 Q And when was the first time you attended an AA  
16 meeting? Do you recall?

17 A The first time I attended AA meetings was  
18 probably when -- probably about seven, eight -- seven,  
19 eight years ago.

20 Q Who was your sponsor?

21 A This was down in [REDACTED]. I -- I just  
22 wanted -- I decided to stop drinking and give up the  
23 antidepressants, and I took off; I needed to be in a  
24 different environment.

25 Q Who was your sponsor?

1 A His last name is [REDACTED]. I don't know his  
 2 first name. But it was in my hometown in [REDACTED].  
 3 Q And what -- what is your hometown in [REDACTED]?  
 4 A My hometown in [REDACTED] is [REDACTED],  
 5 [REDACTED].  
 6 Q [REDACTED]?  
 7 A That's correct.  
 8 Q [REDACTED]?  
 9 A That's correct.  
 10 Q And how do you spell your sponsor's last name?  
 11 A [REDACTED].  
 12 Q And how often did you go to those meetings in  
 13 [REDACTED]?  
 14 A Every day for the duration of the time I spent  
 15 down there. Probably about two weeks; two, three weeks.  
 16 Q And that was about seven years ago?  
 17 A Give or take, yes.  
 18 Q And then did you -- when you -- then you came  
 19 back to the United States?  
 20 A Yes.  
 21 Q And did you then attend meetings in California  
 22 of AA?  
 23 A Yes, I did.  
 24 Q And how regularly did you attend those  
 25 meetings?

1 Q In [REDACTED]?  
 2 A Yes.  
 3 Q And they came to the United States?  
 4 A That's correct.  
 5 Q And they didn't return for five years; is that  
 6 correct?  
 7 A They sent -- they would go back periodically,  
 8 especially my mother, but -- and then they -- they had  
 9 us move up here. Took care of our immigration papers  
 10 and that's -- we -- we came and live up here.  
 11 Q And when you became an adult, did you seek  
 12 therapy, counseling for issues you had that related to  
 13 your parents abandoning you?  
 14 MR. HALE: Calls for expert testimony.  
 15 BY MS. YOUNG:  
 16 Q You can answer the question.  
 17 A I don't think I've ever used the word  
 18 "abandoned," because they left us with my grandmother.  
 19 Q So it's your testimony that you never told a  
 20 therapist that you were having emotional issues because  
 21 your parents had abandoned you when you were young?  
 22 MR. HALE: Misstates prior testimony.  
 23 THE WITNESS: Dr. [REDACTED] referred me to a  
 24 different psychiatrist right next to him, and he was, I  
 25 believe, the family therapist, and he wanted to talk

1 A I used to attend them once a week.  
 2 Q And did you have a sponsor here in California?  
 3 A No.  
 4 Excuse me.  
 5 Q Now, what -- you mentioned earlier that your  
 6 parents are still alive. What are their names? What's  
 7 your mother's name?  
 8 A [REDACTED].  
 9 Q And your father's name?  
 10 A [REDACTED].  
 11 Q Now, when you were born, you were born in  
 12 [REDACTED], correct?  
 13 A That is --  
 14 Q You lived --  
 15 A -- correct.  
 16 Q -- with your mother and father when you were  
 17 born?  
 18 A That's correct.  
 19 Q Okay.  
 20 And -- and I understand that for some period  
 21 of time when you were in [REDACTED] and when you were young,  
 22 your parents left you for five years and came to the  
 23 United States; is that correct?  
 24 A They left me and my -- two of my brothers --  
 25 brother and a sister with my grandmother.

1 about my family history. And I --  
 2 BY MS. YOUNG:  
 3 Q What -- what was the name of the family  
 4 therapist that [REDACTED] -- Dr. [REDACTED] referred you to?  
 5 A I believe it was Dr. [REDACTED]. I don't know  
 6 how to spell it.  
 7 Q And did he refer you to -- did you tell  
 8 Dr. [REDACTED] that you were having problems because your  
 9 parents left you as a little kid for five years?  
 10 A That, I don't remember.  
 11 Q You don't remember.  
 12 And did you go see Dr. [REDACTED]?  
 13 A I believe I saw him about once or twice.  
 14 Q And did you discuss with him issues, emotional  
 15 issues that you were having because of that time that  
 16 your parents left you to come to the United States?  
 17 MR. HALE: Vague and ambiguous as to emotional  
 18 issues.  
 19 THE WITNESS: I don't remember exactly what I  
 20 talked to him about it. He was a family therapist.  
 21 BY MS. YOUNG:  
 22 Q But you don't remember what you talked to him  
 23 about?  
 24 MR. HALE: Asked and answered.  
 25 BY MS. YOUNG:

1 Q What year did your parents leave you with your  
 2 grand- -- was it your grandmother or grandparents?  
 3 A Grandmother.  
 4 Q What year did they leave you with your  
 5 grandmother when they came to the United States?  
 6 A I believe I was about six years old, so it  
 7 would have been probably in 1950.  
 8 Q 1950.  
 9 And that -- they stayed in the United States  
 10 for five years after that?  
 11 A They've been here ever since.  
 12 Q So they stayed here ever since, but they sent  
 13 for you five years later?  
 14 A When I was 11.  
 15 Q When you were 11.  
 16 And that would have been what, 1955 --  
 17 A '56.  
 18 Q -- approximately -- '56.  
 19 A 1956.  
 20 Q Between the time that they left [redacted] and  
 21 left you with your grandmother in 1950 and 1956, how  
 22 often, if ever, did you see your parents?  
 23 A You know, at that age I don't remember. I  
 24 know they would go sometimes every year. They traveled  
 25 according to their financial means. But I can't --

1 BY MS. YOUNG:  
 2 Q They put you in second grade when you were 11?  
 3 A Yes, they did. I did not know any Eng- -- any  
 4 English. And they put me there because -- I believe  
 5 because my brother was in that same grade so I would  
 6 feel comfortable with somebody.  
 7 Q I see.  
 8 And your brother was older than you were or  
 9 younger?  
 10 A He's younger.  
 11 Q And then eventually did you -- did you ever  
 12 move up after you learned English or did you stay in --  
 13 in that progression from second grade at -- at age 11?  
 14 A I finished the second and fourth grade from --  
 15 in one year. They moved me to the fourth grade probably  
 16 about a month, month and a half into the school year.  
 17 Q After you learned English?  
 18 A No, no.  
 19 Q Before you learned English?  
 20 A You don't learn English in a month, month and  
 21 a half. They moved me up after a month and a half into  
 22 the fourth grade.  
 23 Q Okay.  
 24 So then you were in the fourth grade, and were  
 25 you still 11 years old?

1 Q That --  
 2 A -- tell you --  
 3 Q That doesn't answer my question.  
 4 A Well, I can't --  
 5 Q If you don't remember, just tell --  
 6 A I don't remember.  
 7 Q -- me you don't remember.  
 8 A I don't remember, no.  
 9 Q Did you see them at any time between 1950 and  
 10 1956?  
 11 A Yes, I did.  
 12 Q After they sent for you and you came to --  
 13 Santa Barbara, correct?  
 14 A That's correct.  
 15 Q And you were six years old at the time?  
 16 A I came when I was 11.  
 17 Q I'm sorry. You were 11 years old at the time.  
 18 My mistake.  
 19 And they enrolled you in school in Santa  
 20 Barbara when you were 11?  
 21 A Yes, they did. Yes, they did.  
 22 Q What grade were you in when were you 11; do  
 23 you remember?  
 24 MR. HALE: Asked and answered.  
 25 THE WITNESS: They put me in second grade.

1 A I turned 12 in November of that year, of that  
 2 school year.  
 3 Q Who did you live with when you moved -- when  
 4 you first moved to Santa Barbara?  
 5 A With my parents and all my brothers and my  
 6 grandmother.  
 7 Q So your grandmother came to California also  
 8 from [redacted] at the same time?  
 9 A Yes.  
 10 Q So you lived with your -- both your parents,  
 11 your mother and your father?  
 12 A Yes.  
 13 Q Have your parents been married for a long  
 14 time?  
 15 A Sixty something years.  
 16 Q Would you say they're hap- -- in your opinion,  
 17 are they happily married?  
 18 A I couldn't answer that. I -- I mean,  
 19 you're -- you know, they're still together.  
 20 Q Okay.  
 21 In your papers that you filed through your  
 22 attorney and that you verified, do you remember saying  
 23 that your father was uninvolved?  
 24 MR. HALE: Vague and ambiguous as to what he  
 25 was uninvolved in.

1 BY MS. YOUNG:

2 Q Uninvolved in your life when you were -- when  
3 you moved to California.

4 A My parents worked a lot, it was a big family,  
5 and I don't recall my -- you know, my father very much.

6 So I don't know if that answers your question.  
7 It's just --

8 Q What was your father's occupation when you  
9 were growing up?

10 A He worked at a lemon packing house.

11 Q In Santa Barbara?

12 A Yes.

13 Q And what did he do at the lemon packing  
14 house --

15 A I --

16 Q -- pack lemons?

17 A The packing house involving everything. That,  
18 I couldn't tell you.

19 Q And did your mother work outside the home when  
20 you were growing up in Santa Barbara?

21 A When I first came here, yes, she worked at a  
22 packing house, lemon packing house, yes.

23 Q Same one as your father or different one?

24 A I believe my father worked at a different one.

25 Q Did your mother work full-time or part-time?

1 A No.

2 Q So she was at home?

3 A Yes.

4 Q She lived in the same house that you did?

5 A They lived with us for -- I believe about a  
6 year and then they moved to their own house.

7 Q When you say "they," your grandmother and your  
8 grandfather?

9 A No, my grandmother had another daughter and  
10 another son that lived here in this country also, so she  
11 moved in -- the three of them rented their own --

12 Q So --

13 A -- place.

14 Q -- for the first year they lived in your house  
15 and then they moved to a different house?

16 A About a year. I don't remember the exact  
17 time.

18 Q Did your father ever have problems with  
19 alcohol abuse?

20 A No.

21 Q And your mother...

22 A No.

23 Q When you were growing up, when -- after you  
24 moved to the United States, do you remember your family  
25 ever being on welfare or other type of aid?

1 A My mother worked full-time.

2 Q And did she work during the day or in the  
3 evenings?

4 A She worked during the day.

5 Q And did your father work day -- during the day  
6 also?

7 A Yes.

8 Q Full time?

9 A Yes.

10 Q And did your mother work full-time from the  
11 time you were in second grade here until the time you  
12 went to high school?

13 A I don't remember exactly what year, but she --  
14 she left her job and became a housewife.

15 Q You don't remember how old you were when that  
16 happened?

17 A It was after we had come here. I just don't  
18 remember how many years into the time that I have been  
19 here that he left her -- she left her job and started  
20 staying home.

21 Q Was it before the time you're alleging you  
22 were abused by Father Kelly or after?

23 A I can't remember.

24 Q And did your grandmother work when you were  
25 growing up in Santa Barbara?

1 A No.

2 Q Now, your father has [REDACTED]; is that  
3 correct?

4 A That is correct.

5 Q And you have [REDACTED] as well?

6 A That is correct.

7 Q Did you have a good relationship with your  
8 mother when you were growing up, once you moved to Santa  
9 Barbara?

10 A Yeah, I've never had a bad one. Took me a  
11 while to get used to this country, to a language, to a  
12 culture and different foods, you know, 11-year-old  
13 trying to adjust, just a completely different world for  
14 me.

15 Q Did that have something to do with your  
16 relationship with your mother? I think my question was  
17 did you have a good relationship with your mother when  
18 you first came -- when you came --

19 A No.

20 MR. HALE: Objection, argumentative.

21 THE WITNESS: I told you I have never had a  
22 bad one with my mother.

23 BY MS. YOUNG:

24 Q Were you close?

25 A Yeah.

1 Q Did you have a good relationship with your  
 2 father when you came to California?  
 3 A Yes.  
 4 Q Yes?  
 5 A Yes.  
 6 Q Were you close to your father?  
 7 A Yes.  
 8 Q Is your relationship with your mother and your  
 9 father still good today?  
 10 A Yes, it is.  
 11 Q In fact, you took care of your father recently  
 12 for a period of time when he was very ill; is that  
 13 correct?  
 14 A I'm still taking care of him --  
 15 Q And he's still --  
 16 A -- nowadays -- today.  
 17 Q Is he still very ill?  
 18 A He [redacted] of his [redacted].  
 19 Q For -- from [redacted]?  
 20 A Yes.  
 21 Q Do you know when your father was first  
 22 diagnosed with [redacted]?  
 23 A No.  
 24 Q Has your relationship with your parents always  
 25 been good over the years?

1 A I -- I don't understand, I guess, what you're  
 2 trying to get at. You know, like any -- any normal  
 3 teenager, we probably had our ups and downs.  
 4 Q But nothing out of the ordinary, nothing you  
 5 would consider out of the ordinary?  
 6 MR. HALE: Misstates testimony.  
 7 THE WITNESS: We never scream at each other,  
 8 we never fought, we never done, you know, that kind of  
 9 stuff, no.  
 10 Do you mind if I get a bottle of water?  
 11 MS. YOUNG: No, not at all.  
 12 MR. HALE: I'll get it for you.  
 13 MR. GRIFFITH: I have one here.  
 14 THE WITNESS: Thank you.  
 15 BY MS. YOUNG:  
 16 Q Okay.  
 17 Have either of your parents objected to your  
 18 filing this lawsuit?  
 19 A No.  
 20 Q Are you currently married?  
 21 A I'm separated.  
 22 Q And where is your wife from whom you're  
 23 separated? Where does she currently reside?  
 24 A In [redacted].  
 25 Q And what is her name?

1 A [redacted].  
 2 Q When did you first become separated?  
 3 A July of this year.  
 4 Q What is the reason for the separation?  
 5 MR. HALE: May call for expert testimony.  
 6 You can answer, though.  
 7 THE WITNESS: She has a [redacted]-year-old daughter.  
 8 BY MS. YOUNG:  
 9 Q [redacted]?  
 10 A No, that's my --  
 11 Q What's --  
 12 A -- daughter.  
 13 Her name is [redacted].  
 14 Q [redacted]?  
 15 A [redacted] -- it starts with a [redacted], and she was  
 16 having [redacted].  
 17 Q Were the [redacted] related to [redacted]  
 18 [redacted]?  
 19 A Part of it, yes.  
 20 Q And so her mother decided to take her back to  
 21 [redacted]; is that your understanding?  
 22 A We both decided.  
 23 Q That it would be better for her to be in  
 24 [redacted]?  
 25 A Yes.

1 Q What was the nature of her daughter's [redacted]  
 2 [redacted]?  
 3 A God, have you ever [redacted]?  
 4 Q No.  
 5 Sir, you have to answer my question.  
 6 A Well, when you start seeing your daughter  
 7 [redacted] --  
 8 Q What did her daughter do? What was the  
 9 [redacted]? Just tell me.  
 10 A They started [redacted]  
 11 [redacted], some of her friends were  
 12 [redacted].  
 13 Q Was she ever found to [redacted]?  
 14 A No. But we didn't want to get to that point.  
 15 Q Do you recall seeing a therapist and telling  
 16 that therapist that this was very distressing to you,  
 17 that your wife was [redacted]  
 18 [redacted]?  
 19 A I don't remember.  
 20 Q Are you planning on getting a divorce or have  
 21 you filed for divorce?  
 22 A I haven't thought of either one. Right now  
 23 there's just so many things in my head that I --  
 24 Q So the answer is no --  
 25 A I haven't thought --

1 Q -- you haven't --  
 2 A -- about it.  
 3 Q -- filed for divorce?  
 4 A I haven't thought about it. No, I haven't  
 5 filed and I haven't thought about it.  
 6 Q Do you still love [REDACTED]?  
 7 A I think that's kind of a personal question.  
 8 I'd rather not answer.  
 9 Q I know, but this whole lawsuit is about  
 10 personal things, so I'm entitled to your answer.  
 11 A Yeah, I love her. Yes.  
 12 Q Are you upset by the fact that you're  
 13 separated?  
 14 A Of course.  
 15 Q Do you still go to [REDACTED] to visit her?  
 16 A I haven't been there since she left, since --  
 17 [REDACTED]?  
 18 A -- [REDACTED], yeah.  
 19 Q Are you planning to go?  
 20 A I hope so.  
 21 Q Were you close to her daughter?  
 22 A At first, yes.  
 23 Q At first, what do you mean?  
 24 A When they first -- we met each other in  
 25 [REDACTED]. We were married in [REDACTED], and, you know, she

1 was 12, 11, 12. And when it -- when she came here and  
 2 she started to change --  
 3 Q The daughter started to change?  
 4 A The daughter started to change, I started to  
 5 try to put some discipline, some, you know, rules and  
 6 regulations and she rebelled. She didn't like it. So  
 7 toward the end, no, my answer would be no.  
 8 Q When did your stepdaughter start to change?  
 9 When did the problems begin?  
 10 A When she entered high school.  
 11 Q And that would have been what year; do you  
 12 remember?  
 13 A That would have been last year.  
 14 Q Two thousand --  
 15 A Sorry.  
 16 Q -- five?  
 17 A 2004.  
 18 Q 2004.  
 19 A Beginning of the school year of -- wait a  
 20 minute. The beginning of the school year of 2005.  
 21 Q So September 2005, around that time?  
 22 A Yeah.  
 23 Q Now, your [REDACTED] is how much [REDACTED] than  
 24 you are?  
 25 A I believe [REDACTED] years.

1 Q [REDACTED]?  
 2 A Uh-huh.  
 3 Q Do you ever recall telling a therapist that  
 4 you were jealous when you were apart?  
 5 A Don't remember.  
 6 Q Were you jealous when you were apart?  
 7 A Distance will make you feel a lot of things.  
 8 Q Is that answer yes or no?  
 9 A Again, like I tell you, being far away and,  
 10 you know, you're alone, yeah, you might could wonder  
 11 sometimes, but you know, I don't want to answer yes or  
 12 no because we spend many -- a couple of years separated.  
 13 Q Now, you saw a doctor called -- a Dr. [REDACTED]  
 14 [REDACTED]. Do you remember her?  
 15 A She's my current doctor.  
 16 Q Do you remember telling her that you have  
 17 romantic weekends with Ms. [REDACTED] and then you come home  
 18 and you get depressed?  
 19 A No, I don't --  
 20 Q Or, I'm sorry, I misstated the quote. You  
 21 have romantic weeks with Ms. -- Ms. [REDACTED] when she was  
 22 in [REDACTED], then you come home and get depressed?  
 23 A I don't remember saying that. I do -- I don't  
 24 remember saying that, no.  
 25 Q When you met Ms. [REDACTED], was this -- when was

1 it?  
 2 A I met Ms. [REDACTED] when I went down there to get  
 3 off the depressants and the alcohol, which would have  
 4 been about seven years ago.  
 5 Q Two thousand and --  
 6 A Give or take, about 2000.  
 7 Q One, maybe?  
 8 A No, I think it would have either probably --  
 9 about six years ago, it would have been either '99 or  
 10 2000.  
 11 Q But she didn't move to the United States till  
 12 2002; is that correct?  
 13 A If -- I think that's correct, yeah. It took  
 14 me a while to get her immigration papers.  
 15 Q And you don't recall telling Dr. [REDACTED] at  
 16 the time that that was a very stressful time for you  
 17 because of the distance between the two of you, between  
 18 you and Ms. [REDACTED]?  
 19 A You know, I don't remember telling her, but  
 20 being separated is stressful.  
 21 Q Have you ever been violent with Ms. [REDACTED]?  
 22 A No.  
 23 MR. HALE: Vague and ambiguous.  
 24 BY MS. YOUNG:  
 25 Q Prior to -- well, let's start out with your --

1 you've been married how many times? Four?  
 2 A Yes, ma'am.  
 3 Q Yes?  
 4 Let's start out with the first -- your first  
 5 wife. What was her name?  
 6 A [REDACTED]  
 7 Q How old were you when you met [REDACTED]?  
 8 A I believe I was about 18, 19.  
 9 Q Eighteen or 19, you don't remember which --  
 10 A I don't remember the exact year, no.  
 11 Q Where were you when you met her?  
 12 A I used to -- I used to know a couple of her  
 13 brothers and that's probably how I met her.  
 14 Q So you were in Santa Barbara?  
 15 A Yes.  
 16 Q And when did you get married? How old were  
 17 you when you got married?  
 18 A I believe I was 22.  
 19 Q Why did that marriage end?  
 20 A I could tell you part of that was we both  
 21 wanted children and we were married, I believe, for five  
 22 years and they never came.  
 23 MR. HALE: Belated objection. May call for  
 24 expert testimony.  
 25 BY MS. YOUNG:

1 Q No violence?  
 2 A No.  
 3 Q Did you ever have violent arguments? I'm not  
 4 talking about hitting her.  
 5 MR. HALE: Vague and ambiguous as to violent  
 6 arguments.  
 7 THE WITNESS: You know what, we were married,  
 8 we had our problems. I don't know what you mean by as  
 9 far as violent.  
 10 BY MS. YOUNG:  
 11 Q Did you ever throw anything?  
 12 A God, that was almost 40 years ago. I -- I  
 13 don't --  
 14 Q You don't remember?  
 15 A I don't think so. I don't remember, no.  
 16 Q Were you faithful to her?  
 17 A No.  
 18 Q Was she faithful to you, to the best of your  
 19 knowledge?  
 20 A After we were separated, I went home to pick  
 21 up my -- some of my stuff and there was a person there,  
 22 a man, and she claimed it was her friend. That's about  
 23 as close as I could tell you of me thinking that she  
 24 might have been unfaithful to me, but...  
 25 That's all I could answer you.

1 Q And all these questions that I'm asking you,  
 2 just so you know, I am not asking you what a doctor  
 3 would say about it. I'm asking you your opinion.  
 4 Do you recall telling a therapist that the two  
 5 of you were no longer married because you were too  
 6 young -- you were both too young?  
 7 A I don't -- I don't remember, but I told you  
 8 one of the reasons was that we wanted to have kids.  
 9 Q When did you and [REDACTED] separate, what year;  
 10 do you recall?  
 11 A We were married five years. I was married in  
 12 22 [sic], so I would have been probably about 27.  
 13 Q And what year would that have been?  
 14 A I don't know. About '71, if I do my math  
 15 correctly.  
 16 Q How -- how old -- was there an age difference  
 17 between you and [REDACTED]?  
 18 A I believe it was four years.  
 19 Q You were four years older?  
 20 A Yes, ma'am.  
 21 I'm not certain, but I believe it was four  
 22 years.  
 23 Q And were you ever violent toward [REDACTED]?  
 24 A Ma'am, I've never hit a fe- -- a fe- -- I've  
 25 never hit a female, so no. The answer is no.

1 Q Were you jealous during the time you were  
 2 married?  
 3 A No. I -- no, I don't -- don't remember.  
 4 Q Where did you get -- did you get married in  
 5 the church to [REDACTED]?  
 6 A Yes.  
 7 Q Which church?  
 8 A At Our Lady of Guadalupe.  
 9 Q And who presided over your marriage at the  
 10 church?  
 11 A Don't remember.  
 12 Q What year was the marriage performed?  
 13 A I was 22. '44. '66, give or take.  
 14 Q And what year did your divorce become final?  
 15 A That would have been five years after -- well,  
 16 when I became final, I don't remember, but normally,  
 17 what, it takes a year after you file.  
 18 Q Did you ever seek therapy before you got the  
 19 divorce, therapy with your wife?  
 20 A No, I don't think so.  
 21 Q Where does your wife currently live -- where  
 22 does [REDACTED] currently live?  
 23 A I have no idea.  
 24 Q You don't know? When was the last time you  
 25 saw her?

1 A Probably more than -- probably at least 10  
 2 years.  
 3 Q Did you ever tell her about the abuse by  
 4 Father Kelly?  
 5 A No.  
 6 Q Your second wife was who? What was her name?  
 7 A [REDACTED]  
 8 Q Her last name --  
 9 A [REDACTED] --  
 10 Q -- and middle name?  
 11 A -- [REDACTED]  
 12 Q [REDACTED] S?  
 13 A Yes.  
 14 Q And what's the age difference between you and  
 15 [REDACTED] ?  
 16 A That, I could not sure -- I don't know.  
 17 Q Was she younger than you?  
 18 A Yes.  
 19 Q Was she younger than your first wife?  
 20 MR. HALE: Vague and ambiguous as to time.  
 21 THE WITNESS: Don't remember.  
 22 MS. YOUNG: As to what?  
 23 MR. HALE: Time.  
 24 MS. YOUNG: Well, if she was younger, she was  
 25 always younger.

1 Q And is your son also her son?  
 2 A Yes, he is.  
 3 Q So you had two children with Ms. [REDACTED] ?  
 4 A Yes.  
 5 Q How long were you married to her?  
 6 A Probably -- no, not probably. A little over  
 7 three years. About three years.  
 8 Q And why did that relationship end, as far as  
 9 you're con- -- as far as you understand?  
 10 MR. HALE: May call for expert testimony.  
 11 THE WITNESS: What she shared with me was that  
 12 [REDACTED]  
 13 BY MS. YOUNG:  
 14 Q She couldn't [REDACTED] --  
 15 A She couldn't --  
 16 Q -- [REDACTED] --  
 17 A -- [REDACTED] -- she was not prepared to [REDACTED]  
 18 [REDACTED] --  
 19 Q And you had the kids one right after another?  
 20 A About a -- about a year apart or a year and  
 21 two or three months apart, yes.  
 22 Q When did she share that with you?  
 23 A About the time she asked me for a divorce.  
 24 Q So she asked you for the divorce?  
 25 A Yes.

1 BY MS. YOUNG:  
 2 Q You don't remember?  
 3 A You mean she was younger than 18?  
 4 Q No. I said was she younger than your first  
 5 wife?  
 6 A Don't remember.  
 7 Q Where did you meet Ms. [REDACTED] ?  
 8 A At a party.  
 9 Q Where?  
 10 A In Santa Barbara.  
 11 Q When did you meet her?  
 12 A I don't remember.  
 13 Q How long was it between the time that you met  
 14 her and the time that you got married to her?  
 15 A Probably about a year.  
 16 Q And is Ms. [REDACTED] Hispanic?  
 17 A No.  
 18 Q She's American?  
 19 A Yes.  
 20 Q How old were you when you got married to her;  
 21 do you recall?  
 22 A Let me figure it out. 32. I have a daughter  
 23 that's 33 that she's the mother of, and she was mar- --  
 24 she was born the year after we got married, so that  
 25 would have been about 34 years ago.

1 Q Did she share anything else with you?  
 2 A That was a long time ago.  
 3 Q That's -- I mean, about the -- why she wanted  
 4 a divorce?  
 5 A No, I don't remember.  
 6 Q Were you upset when she asked you for a  
 7 divorce?  
 8 A It caught me off guard; it caught me  
 9 completely by surprise.  
 10 Q So you weren't expecting it?  
 11 A No.  
 12 Q As far as you were concerned, you were happily  
 13 married; is that correct?  
 14 A I -- yeah, I think so, yeah.  
 15 Q When was the last time you spoke to Ms. [REDACTED] ?  
 16 A I can't remember. It would be probably --  
 17 maybe probably five or six years.  
 18 Q Do you still keep in touch with her because  
 19 you have common children?  
 20 A They -- yeah, I had -- I had -- I got custody  
 21 of the kids, so because of visitation rights, we --  
 22 we've always kept an open relation -- I mean an open  
 23 phone line or to be able to talk to each other.  
 24 Q But you had -- you got custody of them?  
 25 A Yes.

1 Q Did she object to your having custody?  
 2 A She signed the papers.  
 3 Q Do you know where she is now?  
 4 A Yeah, she lives in [REDACTED], California, either  
 5 [REDACTED] or [REDACTED], but she lives in the [REDACTED] area.  
 6 Q Right near where I used to live.  
 7 Did you ever talk to her about the abuse that  
 8 you're alleging against Father Kelly?  
 9 A No.  
 10 Q Have you ever had a restraining order taken  
 11 out against you?  
 12 A No.  
 13 Q So that you couldn't see your kids?  
 14 A I got custody of them.  
 15 Q Right. So the answer is no, you never had any  
 16 problems in that regard?  
 17 A No.  
 18 Q Do you have a good relationship with your  
 19 children?  
 20 A The best.  
 21 Q Your third wife?  
 22 A Okay.  
 23 Q What was her name?  
 24 A [REDACTED], [REDACTED], [REDACTED].  
 25 Q Now you were married to your third wife for

1 quite a long time, correct?  
 2 A Yes, yes.  
 3 Q What's the age difference between you and your  
 4 third wife, [REDACTED]?  
 5 A I think it's been 10 years.  
 6 Q She was 10 years younger than you are?  
 7 A I believe so.  
 8 Q Where did you meet [REDACTED]?  
 9 A She was my hairstylist; she was my haircutter.  
 10 Q That's nice.  
 11 When? When did you meet her?  
 12 A I don't remember exactly, but it would have  
 13 been probably about three years after I became a single  
 14 parent, maybe three or four years.  
 15 Q How old were you then, do you remember, when  
 16 you met her?  
 17 A No, I don't.  
 18 Q And how long was it between the time you met  
 19 [REDACTED] and the time you and [REDACTED] got married?  
 20 A We dated, went out --  
 21 MR. HALE: No, no, no. I --  
 22 MS. YOUNG: It's my fault.  
 23 MR. HALE: -- was looking out the window, not  
 24 at anything on your --  
 25 MS. YOUNG: I do it when I play cards also.

1 THE WITNESS: I believe we went out and dated  
 2 for about a year, a year and a half, maybe more.  
 3 BY MS. YOUNG:  
 4 Q And then you got married. And how long were  
 5 you married to [REDACTED]?  
 6 A I think it was about 18 years.  
 7 Q Let me back up a minute.  
 8 During that 18 years that you were married to  
 9 [REDACTED], were you faithful to her?  
 10 A No.  
 11 Q Do you recall telling one of your therapists  
 12 that you were [REDACTED]?  
 13 A (Inaudible response.)  
 14 Q Never told anybody that?  
 15 A I don't remember that.  
 16 Q Don't remember?  
 17 A No.  
 18 Q When did you first begin to become [REDACTED]  
 19 [REDACTED]?  
 20 A God, I wish I could answer that. It's --  
 21 it's -- don't remember.  
 22 Q On how many occasions were you [REDACTED]  
 23 [REDACTED]?  
 24 A Quite a few times.  
 25 Q And did that begin toward the beginning of

1 your marriage or at the end of your marriage?  
 2 A Again, I don't remember the -- you know,  
 3 whether they started right after the -- in the  
 4 beginning, the middle or the end, but there was quite a  
 5 few times.  
 6 Q Were you [REDACTED]?  
 7 A Yes.  
 8 Q Did you ever tell [REDACTED] about the abuse  
 9 that you're alleging against Father Kelly?  
 10 A No.  
 11 Q Never told her anything?  
 12 A No.  
 13 MS. YOUNG: Okay. Why don't we go off the  
 14 record because the -- we're about to run out of video,  
 15 so he can change the tape.  
 16 Do you want to take a five-minute break?  
 17 MR. HALE: Sure.  
 18 THE VIDEOGRAPHER: We're going off the record.  
 19 The time is 12:16 p.m. This is the end of Media No. 1.  
 20 (Recess.)  
 21 THE VIDEOGRAPHER: We're going back on the  
 22 record. The time is 12:25 p.m. This is the beginning  
 23 of Media No. 2. Please continue.  
 24 MR. HALE: Bless, before we go any further,  
 25 Mr. [REDACTED] recalls some additional information

1 responsive to your question about meetings he's had with  
2 his -- oh, sorry -- with his attorneys and third parties  
3 present. So if you'd like him to follow up with that  
4 information, he can or -- it's your call.

5 MS. YOUNG: Okay.

6 Are you -- do you want to say that again?

7 MR. HALE: Sure.

8 MS. YOUNG: -- or --

9 MR. HALE: You asked a question earlier  
10 about -- were we on or was I -- was I -- you asked a  
11 question earlier about whether he -- Mr. [REDACTED] had  
12 had any meetings with his attorneys where a third party  
13 was present, and I think he answered no. He's recalled  
14 there were some meetings, and he's prepared to testify  
15 about those meetings if you have any questions about  
16 those.

17 BY MS. YOUNG:

18 Q Okay.

19 Mr. [REDACTED], I understand you just recalled  
20 that there were meetings where you met with your  
21 attorney and third parties; is that correct?

22 A That is correct.

23 Q And -- and what made you recall those?

24 MR. HALE: Well, that would exclude any -- you  
25 can -- that would -- you can answer that to the extent

1 you can -- you learned that information without talking  
2 to your attorneys. If it calls for an attorney-client  
3 communication, you can't answer that answer. So  
4 basically don't answer that question.

5 BY MS. YOUNG:

6 Q Okay.

7 So when you were out for the break, your  
8 attorney reminded you of some meetings. What -- what  
9 meetings were you at when other people were present and  
10 your attorneys were also present?

11 A I accompanied my mother -- my mother to their  
12 office twice.

13 Q And let's talk about the first meeting with  
14 your mother and the attorneys. When did that take  
15 place?

16 A I believe it was about two weeks ago.

17 Q Two weeks ago?

18 A Yeah, two or three -- no more than two or  
19 three weeks ago.

20 Q And what was the purpose of the meeting with  
21 your mother and the attorneys?

22 MR. HALE: Speculation.

23 THE WITNESS: I went in to be a translator.  
24 My mother speaks very little, little English.  
25

1 BY MS. YOUNG:

2 Q She speaks very little English --

3 A Yes.

4 Q -- is that what you said?

5 A Yes.

6 Q And -- and so you went in to be a translator  
7 and your mother met with the attorneys?

8 A Yes.

9 Q And what did your mother tell the attorneys?

10 A She answered their questions, what she had to  
11 say. I lis--

12 Q And what -- what was the substance of the  
13 conversation?

14 A The questions were regarding what she  
15 recalled.

16 Q And what did your mother say she recalled?

17 A She recalled me telling her about the abuse.  
18 She remembered --

19 Q She recalled you telling her about the abuse  
20 when? When did you first tell her about the abuse?

21 A I first told her after the fuse -- the first  
22 incident with Father Kelly.

23 Q And that would have been in 19 when?

24 A I don't remember exactly when it started, but  
25 I met Father Kelly when I was playing basketball in the

1 sixth grade at Guadalupe and the trips to the cabin  
2 started a little after that.

3 Q A little after that?

4 A I --

5 Q Weeks after? Months after? A year after?

6 A Basketball season doesn't last that long. It  
7 was a small school -- I mean a small schedule. We  
8 played against other parochial schools.

9 Q So how long -- how long after you first met  
10 Father Kelly when you were on the basketball team did  
11 the abuse start, is my question?

12 A The -- the trips started probably within a  
13 week or two weeks, and the first abuse, when it  
14 happened, I don't remember exactly how long after they  
15 started --

16 Q Were you --

17 A -- after --

18 Q -- still in sixth grade or were you in a  
19 higher grade when the actual abuse that you're alleging  
20 began?

21 A Ma'am, I did second and fourth grade in one  
22 year. I did the fifth and sixth in one year. And I did  
23 the seventh and eighth in another year. So in three  
24 years --

25 Q So my question is, did the actual abuse start

1 when you were in the sixth grade? You testified you met  
 2 Father Kelly when you were in the sixth grade. Did the  
 3 actual abuse start when you were in the sixth grade or  
 4 did it start after, sometime after?  
 5 A It would have -- it would have started when --  
 6 when I was in the sixth grade.  
 7 Q And how old --  
 8 A But you --  
 9 Q -- were you when it started?  
 10 A It would have put me, I believe, at 14.  
 11 Q Fourteen?  
 12 A I believe.  
 13 Q And your mother --  
 14 A It would have been --  
 15 Q -- you said --  
 16 A -- either 13 or 14.  
 17 Q And you said you told your mother right after  
 18 the first incident, correct?  
 19 A That is correct.  
 20 Q And your mother remembered that at this  
 21 meeting she had with Mr. Hale?  
 22 MR. HALE: Assumes facts not in evidence.  
 23 BY MS. YOUNG:  
 24 Q Was the meeting that you say you had with your  
 25 lawyers, was it with Mr. Hale or Mr. Griffith and your

1 mother or both?  
 2 A Both.  
 3 Q And did your mother tell the lawyers about  
 4 that -- about what you told her?  
 5 A She answered their questions. I was  
 6 translating --  
 7 Q And what were --  
 8 A -- and --  
 9 Q -- their questions?  
 10 A That, I can't remember the specific questions,  
 11 but it had to do with what she recalled, what she -- if  
 12 she did anything about it.  
 13 Q Let me stop you a minute.  
 14 You can't remember their questions and this  
 15 meeting was two weeks ago?  
 16 A She --  
 17 MR. HALE: Objection. Argumentative. He just  
 18 answered your question to the best of his recollection,  
 19 Counsel. I'm not going to sit here and let you harass  
 20 this witness.  
 21 He's testifying to the best of his ability  
 22 about a subject matter that is not pleasant to talk  
 23 about. I'm not going to sit here and let you harass  
 24 this witness, I'm telling you right now.  
 25 MS. YOUNG: I don't believe that I am

1 harassing --  
 2 MR. HALE: Well, I think that question read  
 3 back on the record, read -- put it in front of a judge,  
 4 is clearly going to be considered harassing. So if you  
 5 have got a pleasant, nonharassing question to ask,  
 6 please feel free, but we are not going to sit here and  
 7 listen to those kind of questions, I'll tell you right  
 8 now.  
 9 BY MS. YOUNG:  
 10 Q Sir, two weeks ago your mother met with your  
 11 lawyers. What did the lawyers ask your mother and what  
 12 were her answers?  
 13 MR. HALE: Misstates prior testimony as to  
 14 when the meeting took place.  
 15 BY MS. YOUNG:  
 16 Q When did the meeting take place?  
 17 MR. HALE: Asked and answered.  
 18 THE WITNESS: I already told you, about two or  
 19 three weeks ago.  
 20 BY MS. YOUNG:  
 21 Q Two or three weeks ago.  
 22 A I don't remember the exact date --  
 23 Q I understand.  
 24 A -- I --  
 25 Q What did your lawyers ask your mother and what

1 did your mother tell them?  
 2 MR. HALE: Asked and answered.  
 3 BY MS. YOUNG:  
 4 Q You can say -- you can answer.  
 5 A I told you that I went there as a translator;  
 6 that they wanted to know what -- what she knew, what she  
 7 remembered.  
 8 Q And what did she tell them she knew?  
 9 A She remembered that I told her about the first  
 10 incident with Father Kelly.  
 11 Q And did she tell them what you told her?  
 12 A Believe it or not, almost word by word.  
 13 Q Excuse me?  
 14 A Believe it or not, almost word by word.  
 15 Q And what did she tell them?  
 16 A She told them that I had come home and told  
 17 her that Father Kelly would ask us to either be naked or  
 18 just in our underwear and that he was touching me in  
 19 areas that I didn't like. Almost word by word.  
 20 Q That's what she told them? You are telling me  
 21 word by word what she told your lawyers, correct?  
 22 A That's correct.  
 23 Q And what else did -- what else did she tell  
 24 the lawyers?  
 25 A She remembered that she told me that -- to go

1 wash my mouth with soap, that she didn't believe that a  
 2 priest would do something like that.  
 3 Q And what else did she tell the lawyers?  
 4 A She answered questions as -- if she did  
 5 anything about it.  
 6 Q And what did she tell them?  
 7 A Part of it was that she went down to the --  
 8 which would be the convent of the nuns that live right  
 9 next to Our Lady of Guadalupe, and she shared her fears  
 10 or her -- what I had told her, and I -- her -- I believe  
 11 her that she remembered that their answer was, "He's a  
 12 priest, trust him. He's a pastor."  
 13 Q Did she tell the lawyers who exactly she  
 14 talked to at the convent?  
 15 A Yes, she did.  
 16 Q And who did she say she talked to at the  
 17 convent?  
 18 A I believe one of them was Sister [REDACTED]. I  
 19 don't know her last name.  
 20 Q Did you know Sister [REDACTED] when you were  
 21 going to school there?  
 22 A Those nuns were not the teach -- they were not  
 23 involved in the school. We had a different orders.  
 24 Q So the question was, did you know Sister --  
 25 A I don't remember.

1 Q -- [REDACTED]?  
 2 A No, I don't think so.  
 3 Q And who was the second person she said she  
 4 told?  
 5 A I believe -- I don't remember if she said  
 6 Sister [REDACTED] or -- I believe it was Sister [REDACTED].  
 7 Q Did you know a Sister [REDACTED] when you were  
 8 there?  
 9 A No.  
 10 Q Did your -- at this meeting between -- this  
 11 first meeting between your mother and the lawyers two or  
 12 three weeks ago, did your mother remember the names of  
 13 the sisters that she told or did the lawyers suggest  
 14 names?  
 15 MR. HALE: Objection. Misstates testimony.  
 16 Assumes facts not in evidence.  
 17 BY MS. YOUNG:  
 18 Q You can answer.  
 19 A The lawyers -- the lawyers -- the nuns were  
 20 like my mother's translator, transportation, they would  
 21 take her to wherever she needed to go. They would --  
 22 Q That's not my question.  
 23 MS. YOUNG: Could you read back --  
 24 THE WITNESS: She knew them.  
 25 MS. YOUNG: -- the question, please.

1 THE WITNESS: No. The answer was no.  
 2 MS. YOUNG: Your -- could you read back the  
 3 question.  
 4 (Record read.)  
 5 THE WITNESS: She remembered.  
 6 BY MS. YOUNG:  
 7 Q What else did the lawyers ask your mother at  
 8 that first meeting?  
 9 A God, I don't remember specifically every --  
 10 every question that was asked of her. I will listen in  
 11 English.  
 12 Q But I understand you were translating. You  
 13 don't remember the questions that -- the other questions  
 14 that were asked?  
 15 MR. HALE: Asked and answered.  
 16 THE WITNESS: (Inaudible response.)  
 17 BY MS. YOUNG:  
 18 Q Do you remember your mother's answers to any  
 19 of the other questions, what your mother said?  
 20 A No.  
 21 Q And how old is your mother now?  
 22 A Eighty -- I believe she's 84 or 85. I believe  
 23 she's 84.  
 24 Q Eighty what?  
 25 A I think she's 84.

1 Q Is she in good health?  
 2 A She has arthritis.  
 3 Q And she doesn't speak English?  
 4 A Hardly.  
 5 Q So if we were to take her deposition, she  
 6 would need an interpreter, correct?  
 7 A That's correct, yeah.  
 8 Q Now, you mentioned -- have you told me  
 9 everything you remember about the first meeting two or  
 10 three weeks ago between your lawyers, yourself, and your  
 11 mother?  
 12 MR. HALE: Misstates testimony.  
 13 BY MS. YOUNG:  
 14 Q You can answer the question.  
 15 A As far as I remember, ma'am, yes. It was very  
 16 painful listening, sitting there listening to what my  
 17 mother --  
 18 Q I move to strike.  
 19 A -- was saying.  
 20 Q Sir --  
 21 A It was very painful for her and me.  
 22 Q That wasn't my question.  
 23 Have you told me --  
 24 A Yes.  
 25 Q My question was: Have you told me everything

1 that you remember about the first meeting?  
 2 A Yes, ma'am.  
 3 Q When was the second meeting?  
 4 A Probably about a week after or maybe a little  
 5 more.  
 6 Q So that would have been a week -- a week and a  
 7 half ago?  
 8 A I--  
 9 MR. HALE: Misstates testimony.  
 10 THE WITNESS: I don't -- I think -- I think  
 11 so. I don't remember the -- they have been recently,  
 12 but I don't know how long exactly.  
 13 BY MS. YOUNG:  
 14 Q And where was the meeting held?  
 15 A That second one?  
 16 Q Yes.  
 17 A At their office.  
 18 Q How -- where was the first meeting held, by  
 19 the way?  
 20 A At their office.  
 21 Q At whose office?  
 22 A Tim -- Tim's office.  
 23 Q And how long did that first meeting last?  
 24 A I don't -- I don't know. I don't remember.  
 25 Hour, hour and a half.

1 Q Was anyone else at the meeting besides  
 2 yourself, your two attorneys, and your mother?  
 3 A No.  
 4 Q Who was present at the second meeting at Tim's  
 5 office?  
 6 A Same people, them two, my mother and myself.  
 7 Q Your two lawyers, your mother and yourself?  
 8 A Yes.  
 9 Q What -- what happened during the second  
 10 meeting?  
 11 A I translated more -- more questions.  
 12 Q And what were those questions that you  
 13 translated? Let's start at the beginning. What were  
 14 they?  
 15 A Ma'am, I wish I could answer you. It's -- I  
 16 don't -- don't remember the exact questions or answers.  
 17 Q Well, the substance of the questions. It  
 18 doesn't have to be exactly.  
 19 A Father Kelly.  
 20 Q What about Father Kelly?  
 21 A Oh, you said -- you asked for the substance.  
 22 I'm saying the --  
 23 Q So all you remember was that the questions  
 24 involved Father Kelly at that second meeting, that's all  
 25 you remember?

1 MR. HALE: Misstates testimony.  
 2 BY MS. YOUNG:  
 3 Q You can answer.  
 4 A Well, I -- I don't remember. You know, you go  
 5 there as a translator. No, I don't remember word by  
 6 word, or, again, I'll tell you I didn't want to be  
 7 there. It was very painful for both of us.  
 8 Q Do you -- do you remember -- you don't  
 9 remember any of the questions from that second meeting?  
 10 MR. HALE: Misstates testimony.  
 11 THE WITNESS: It was something that I don't  
 12 want to remember.  
 13 BY MS. YOUNG:  
 14 Q I understand that you don't want to remember  
 15 it, but you filed a lawsuit alleging that certain things  
 16 happened and that you said certain things and certain  
 17 things were done to you. And your mother now says  
 18 certain things happened. And you filed the lawsuit  
 19 against our clients and we're entitled to explore it,  
 20 whether you want to remember it or not.  
 21 MR. HALE: Objection. Argumentative.  
 22 Harassing.  
 23 MS. YOUNG: So I'm not trying to harass you,  
 24 but we're entitled to explore the subject matter, the  
 25 painful subject matter that you're alleging in this

1 lawsuit.  
 2 THE WITNESS: Ma'am, I went both times as a  
 3 translator.  
 4 BY MS. YOUNG:  
 5 Q I understand that you went as a --  
 6 A I don't remember the specific every question.  
 7 I know it was related -- I remember it was related to  
 8 everything that happened with Father Kelly, to her  
 9 talking to the nuns, to her worries.  
 10 Q So you -- what was different from -- in the  
 11 questions from the first meeting and the second meeting?  
 12 Were there different questions?  
 13 A You know what, there probably was. I -- I  
 14 didn't want to sit there and remember them. I --  
 15 honestly, I didn't want to sit there and remember them.  
 16 Q So you don't remember any more than you've  
 17 already told me?  
 18 MR. HALE: Misstates testimony.  
 19 THE WITNESS: A word by word as you want to  
 20 hear it, no, I don't remember.  
 21 BY MS. YOUNG:  
 22 Q No. I said I didn't need to hear it word by  
 23 word. I would like to know what the substance of the --  
 24 other than that they relate to Father Kelly, do you  
 25 remember any more than that regarding the second

1 meeting?  
 2 MR. HALE: Misstates testimony.  
 3 THE WITNESS: The subject was what happened to  
 4 me, what she remembered --  
 5 BY MS. YOUNG:  
 6 Q And what were her -- what did she say --  
 7 MR. HALE: Can he -- can he finish his answer?  
 8 MS. YOUNG: Sure, go ahead.  
 9 THE WITNESS: Just telling you that -- that  
 10 she went to the nuns, that she shared her fear more than  
 11 one occasion, many occasions.  
 12 BY MS. YOUNG:  
 13 Q Oh, on more than one occasion?  
 14 A That she shared her feelings with them and  
 15 they kept saying, "Father Kelly is a great person, he's  
 16 a priest."  
 17 Q On how many occasions did that happen?  
 18 A I don't know --  
 19 Q Did she say?  
 20 A -- the exact amount, but -- how many exact  
 21 times, no, I couldn't tell you that.  
 22 Q No. How many times did she say?  
 23 A That's what I said, I don't remember how many  
 24 times she said, but they were different -- a few times  
 25 that she mentioned it to the nuns.

1 A I don't think so, no.  
 2 Q Did your mother's -- did the lawyers show your  
 3 mothers [sic] any documents during the first meeting?  
 4 A No.  
 5 Q When was the first time that you discussed the  
 6 lawsuit with your mother, if ever?  
 7 A I had a hard time telling my whole family.  
 8 With my mother, she was probably the first one that  
 9 knew, that I talked to about it.  
 10 Q When was that?  
 11 A It would have been probably sometimes --  
 12 sometime after I had filed.  
 13 Q So after --  
 14 A I don't remember.  
 15 Q -- 2000 -- after --  
 16 A I don't remember the --  
 17 Q -- the end of 2003?  
 18 A I remember -- I don't remember the specific  
 19 time or date, but it would have been after -- sometime  
 20 after I had filed.  
 21 Q When was the first time you found out that  
 22 your mother had allegedly spoken to these sisters about  
 23 the Father Kelly matter?  
 24 A In their office.  
 25 Q In your lawyer's office?

1 Q And you say these were nuns that used to drive  
 2 her around?  
 3 A The nuns live right next to the Our Lady of  
 4 Guadalupe. They had a convent there, and they would  
 5 help on transportation matters, on translation matters,  
 6 if they needed to go to the Social Security office, if  
 7 they needed to go to the post office. They were kind  
 8 of -- they worked for Social Service.  
 9 Q And did your mother tell your lawyers this  
 10 during either of those meetings?  
 11 A Yes.  
 12 Q Do you recall anything else other than what  
 13 you've told me that your mother told the lawyers during  
 14 this second meeting?  
 15 A No.  
 16 Q Did your mother show the lawyers any documents  
 17 during that meeting?  
 18 A No.  
 19 Q Did the lawyers show your mother any documents  
 20 during that meeting?  
 21 A No.  
 22 MR. HALE: Vague and ambiguous as to which  
 23 meeting.  
 24 BY MS. YOUNG:  
 25 Q The second meeting.

1 A Yes.  
 2 Q Were there any other meetings other than those  
 3 two between your lawyers and your mother that you know  
 4 of?  
 5 A No.  
 6 MR. HALE: Speculation.  
 7 BY MS. YOUNG:  
 8 Q Were there any other meetings that you  
 9 attended with your lawyers where other people were  
 10 present?  
 11 A No.  
 12 Q Have you told me everything you remember about  
 13 what happened in those two meetings where -- where you  
 14 acted as translator for your mother?  
 15 A I think so, yes.  
 16 Q How long was the second meeting?  
 17 A It was shorter than the first time. So I  
 18 don't know, half an hour, 40 minutes.  
 19 Q What time of day did that second meeting take  
 20 place?  
 21 A I want to say in the afternoon. I think it  
 22 was about 4:00 or 5:00 in the afternoon. But I don't  
 23 remember. I remember that one was in the morning and  
 24 one was in the afternoon. I just don't know -- remember  
 25 the sequence.

1 Q What did your mother say to you when you first  
2 told her about the lawsuit?

3 A I don't think she understand exactly what a  
4 lawsuit is. You know, I've never been involved in one.  
5 I just told her that I was seeing some lawyers in  
6 regards to Father Kelly. And as far as legal matters,  
7 she doesn't know that much, so I -- I will say not much.

8 Q You said earlier that the first time you told  
9 your mother about what Father Kelly had done to you  
10 after the first time, she told you to go wash your mouth  
11 out with soap; is that what you said?

12 A Yes, I did.

13 Q So did you get the feeling then she didn't  
14 believe you?

15 A You know, I don't remember -- I don't remember  
16 what I was feeling at that -- at that time, but she made  
17 me go wash my mouth with soap.

18 Q By the way, at the meeting between your mother  
19 and the lawyers, where you were acting as translator,  
20 did she tell you where this meeting -- where this  
21 discussion she had with the sisters took place?

22 MR. HALE: Misstates testimony.

23 BY MS. YOUNG:

24 Q You can answer.

25 A I believe I answered that already. It was at

1 MR. HALE: Do you want me to get you a date  
2 for February sometime?

3 MS. YOUNG: Yeah.

4 MR. HALE: Is that okay?

5 MS. YOUNG: I need to look at my calendar.

6 MR. HALE: I'll get you a string of dates and

7 you can --

8 MS. YOUNG: Okay. Great. Because we need to  
9 get a translator.

10 MR. HALE: She -- and she's got health issues,  
11 so is it okay if we do it in Santa Barbara? Traveling  
12 for her is -- she's got --

13 MS. YOUNG: Sure.

14 MR. HALE: -- arthritis bad. And she's not in  
15 good shape.

16 MS. YOUNG: Sure.

17 We can get the --

18 MR. HALE: Okay.

19 MS. YOUNG: -- hotel, the Pepper Tree and --

20 MR. HALE: Yeah.

21 BY MS. YOUNG:

22 Q So correct me if I'm misstating anything, but  
23 during all these years, your mother never told you that  
24 she had gone to see the sisters about the Father Kelly  
25 suspicions; is that correct?

1 their convent.

2 Q The meetings took place at the convent?

3 A Some of them in the convent, yes.

4 Q And the rest of them...

5 A They used to go to our house also, so I  
6 imagine it was at the house.

7 MR. HALE: Don't guess.

8 THE WITNESS: It could have been in the car.  
9 I don't remember.

10 MR. HALE: Don't guess.

11 THE WITNESS: Oh. I don't know. I wasn't  
12 there.

13 BY MS. YOUNG:

14 Q Your mother doesn't work anymore, does she?

15 A No.

16 Q So she -- is she home most of the time?

17 A Yes.

18 MS. YOUNG: We need to take her deposition.

19 MR. HALE: I agree.

20 MS. YOUNG: So we need to --

21 MR. HALE: Do you want a date soon? I can get  
22 you one. Because if you're not gonna, we're gonna,  
23 because I'm worried about her age.

24 MS. YOUNG: Right. Well, that's what I -- we  
25 were going to, but I hadn't said anything yet.

1 A That's correct, ma'am.

2 Q When was the first time you told your  
3 mother -- well, no, I already asked that.

4 Did you ever talk to your mother about Father  
5 Kelly after that first time that you allege he abused  
6 you?

7 MR. HALE: But before the 2003 --

8 BY MS. YOUNG:

9 Q But before the lawsuit.

10 A No, I don't think so, no.

11 Q Did you ever talk to your father about Father  
12 Kelly?

13 A I talked to my father about two months ago.

14 Q For the first time?

15 A Yes.

16 Q What did you tell your father?

17 A That I been molested as a child; that during  
18 that time that I went to Guadalupe, Father Kelly had  
19 done things to me.

20 He wanted to know why I never told him before,  
21 and I said I was ashamed, I was embarrassed. And it's  
22 just something you don't -- as a man, you don't -- you  
23 don't talk. But that was the first time I ever talked  
24 to him, about two months ago.

25 Q Now, I understand from some of the papers that

1 you've signed and that your lawyers have submitted that  
 2 shortly after or during the time you were be -- being  
 3 abused -- you allege you were abused by Father Kelly,  
 4 you [REDACTED]?

5 A Yes.  
 6 Q What is your [REDACTED] name?  
 7 A [REDACTED].  
 8 Q [REDACTED]?  
 9 A No, no, no.  
 10 I'm blanking out on the last name right now,  
 11 but I'll remember and I'll give it to you.  
 12 Q Is he a [REDACTED]?  
 13 A Yes.  
 14 Q What's his relationship?  
 15 A [REDACTED]  
 16 [REDACTED].  
 17 Q [REDACTED]?  
 18 A Yes.  
 19 Q And when was it that you [REDACTED]  
 20 [REDACTED]?  
 21 A The exact year, I don't remember.  
 22 Q How old were you; do you remember?  
 23 A Probably about 15, 14, 15.  
 24 Q What did you [REDACTED]?  
 25 A [REDACTED]

1 towns surrounding.  
 2 Q Near [REDACTED], did you say?  
 3 A Yeah.  
 4 Q Have you and [REDACTED]  
 5 [REDACTED]  
 6 A No.  
 7 Q [REDACTED]  
 8 [REDACTED]?  
 9 A Correct.  
 10 Q [REDACTED]?  
 11 A No.  
 12 Q [REDACTED] then  
 13 [REDACTED]?  
 14 A [REDACTED]  
 15 [REDACTED]  
 16 MR. HALE: No, stop. That's -- that's  
 17 protected information. It's attorney-client work  
 18 product.  
 19 THE WITNESS: Okay.  
 20 MS. YOUNG: What, the doctor?  
 21 MR. HALE: Absolutely. The person who  
 22 performs the certificate of merit is --  
 23 THE REPORTER: I'm sorry?  
 24 MR. HALE: The person who performs the  
 25 certificate of merit examination, that's confidential.

1 Q And what did Mr. -- [REDACTED]  
 2 [REDACTED]?  
 3 A [REDACTED]  
 4 [REDACTED]  
 5 [REDACTED]  
 6 [REDACTED]  
 7 Q [REDACTED]  
 8 A [REDACTED]  
 9 Q [REDACTED]  
 10 A [REDACTED]  
 11 Q [REDACTED]  
 12 [REDACTED]?  
 13 A [REDACTED]  
 14 Q [REDACTED]?  
 15 A [REDACTED]  
 16 Q [REDACTED]  
 17 A [REDACTED]  
 18 Q [REDACTED]  
 19 [REDACTED]  
 20 A [REDACTED]  
 21 Q [REDACTED]  
 22 A [REDACTED]  
 23 [REDACTED]  
 24 Q Where does he live, Mr. [REDACTED]?  
 25 A Somewhere near [REDACTED] or the little -- the

1 MS. YOUNG: Oh. I thought he was referring to  
 2 the doctors he's been --  
 3 MR. HALE: No.  
 4 MS. YOUNG: I'm sorry. I thought he was  
 5 referring to the doctors that he -- [REDACTED].  
 6 THE WITNESS: No.  
 7 MR. HALE: If you are, you can testify to  
 8 that.  
 9 THE WITNESS: No, no.  
 10 BY MS. YOUNG:  
 11 Q Okay.  
 12 [REDACTED]?  
 13 [REDACTED]? She's not a doctor.  
 14 [REDACTED]?  
 15 A [REDACTED]  
 16 Q When was the last time you spoke with [REDACTED]  
 17 [REDACTED]?  
 18 A Probably about four, six -- about six months  
 19 ago.  
 20 Q And have you talked to him about the lawsuit?  
 21 A No.  
 22 Q Have you talked to him about Father Kelly?  
 23 A No.  
 24 Q How old was [REDACTED]  
 25 [REDACTED]

1 A [REDACTED]

2 [REDACTED]

3 MR. HALE: Make sure you let her finish her

4 question before you answer.

5 THE WITNESS: Okay.

6 BY MS. YOUNG:

7 Q [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 THE WITNESS: Yeah, I think so. I don't know.

11 I'm not sure.

12 BY MS. YOUNG:

13 Q [REDACTED]

14 [REDACTED]

15 A If I remember correctly, yes.

16 Q And you stated earlier, I believe, that they

17 occurred after your experience with Father Kelly. Was

18 it after your first experience of abuse with Father

19 Kelly or was it --

20 MR. HALE: Objection. Misstates prior

21 testimony.

22 BY MS. YOUNG:

23 Q When did these -- when did the first time you

24 [REDACTED]

25 [REDACTED]

1 Q If you know.

2 A I don't think -- no, I don't know.

3 Q [REDACTED]

4 A No.

5 Q [REDACTED]

6 [REDACTED]

7 MR. HALE: Misstates the testimony. Assumes

8 facts not in evidence.

9 MS. YOUNG: Excuse me.

10 BY MS. YOUNG:

11 Q [REDACTED]

12 A [REDACTED]

13 Q [REDACTED]

14 [REDACTED]

15 A Everything I remember, yes.

16 Q [REDACTED]

17 [REDACTED]

18 A No.

19 Q Have you ever had a relationship, a sexual

20 relationship -- [REDACTED]

21 [REDACTED]

22 A No.

23 Q You consider yourself a heterosexual?

24 A Which means women-orientated, is that the

25 one --

1 [REDACTED]

2 MR. HALE: Asked and answered.

3 THE WITNESS: That, I don't remember.

4 BY MS. YOUNG:

5 Q You don't remember?

6 A No.

7 Q [REDACTED]

8 [REDACTED]

9 A No, I don't.

10 Q [REDACTED]

11 [REDACTED]

12 A I don't remember.

13 Q [REDACTED]

14 [REDACTED]

15 A Again, I don't remember.

16 Q And you stated, I believe, that [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 A [REDACTED]

20 [REDACTED]

21 Q [REDACTED]

22 A Yeah.

23 Q [REDACTED]

24 MR. HALE: Speculation.

25 BY MS. YOUNG:

1 Q Yes.

2 A Yes, yes.

3 Q Why did you [REDACTED]

4 [REDACTED]

5 MR. HALE: May call for expert testimony.

6 MS. YOUNG: Well, I just want to know what you

7 think.

8 THE WITNESS: I can't answer that. I really

9 can't.

10 BY MS. YOUNG:

11 Q You don't know?

12 MR. HALE: Same objection.

13 BY MS. YOUNG:

14 Q What do you mean you can't answer it?

15 A Well, same thing as if I say why did Father

16 Kelly try to --

17 Q Well, that's different. That's -- that's

18 asking about what somebody else thought. I'm asking

19 about what you -- what you think.

20 A I -- I -- I --

21 MR. HALE: Same objection.

22 THE WITNESS: I've already answered. I

23 don't -- I don't know.

24 BY MS. YOUNG:

25 Q You don't know?

1 A No.  
 2 MR. HALE: Same objection.  
 3 MS. YOUNG: Counsel, just for the record, you  
 4 know, you're objecting to everything as being expert  
 5 testimony. I know you're going to pay an expert to give  
 6 testimony, but I'm interested in what your client  
 7 says --  
 8 MR. HALE: I understand. But I'm making my  
 9 record.  
 10 MS. YOUNG: -- at this point in time.  
 11 MR. HALE: And I'm going to continue to make  
 12 my record. I'm not making speaking objections, so  
 13 there's nothing inappropriate about what I'm saying at  
 14 all.  
 15 We definitely have a disagreement as to  
 16 whether or not the objection is appropriate.  
 17 BY MS. YOUNG:  
 18 Q Now, you had two brothers, correct?  
 19 A Two brothers and a sister.  
 20 Q Right. Let's talk about your two brothers for  
 21 a minute. You have one older -- do you have an older  
 22 brother?  
 23 A Yes.  
 24 Q And what's his name?  
 25 A [REDACTED] or [REDACTED]

1 Q And what was his response?  
 2 A We both cried. He wanted -- we both cried.  
 3 Q So you never told him anything while you were  
 4 growing up?  
 5 A No.  
 6 Q And you have another brother?  
 7 A A [REDACTED] brother, yes.  
 8 Q And his name is...  
 9 A [REDACTED], or [REDACTED].  
 10 Q And where does he live?  
 11 A At [REDACTED] Drive in Santa Barbara, where I  
 12 live.  
 13 Q Where you live?  
 14 What is his occupation?  
 15 A He is permanently disabled.  
 16 Q What's wrong with him?  
 17 A He's got [REDACTED], which cause inflammation  
 18 of the legs and really bad ulcers.  
 19 Q [REDACTED]?  
 20 A [REDACTED].  
 21 Q Of the [REDACTED]?  
 22 A Yeah.  
 23 Q When was he first diagnosed with that?  
 24 A About four years ago.  
 25 Q How -- how old is your brother?

1 Q How much older is he than you?  
 2 A I believe he's [REDACTED] years [REDACTED] than I am.  
 3 Q And what is his occupation?  
 4 A He's a -- he owns a [REDACTED] service.  
 5 Q Where does he live?  
 6 A In Santa Barbara.  
 7 Q And are you close with your brother?  
 8 A As far as feelings, yes. He's -- he's busy,  
 9 very busy with his company and I'm busy at work.  
 10 Q Is your brother married?  
 11 A Yes, he is.  
 12 Q And he has children?  
 13 A Yes.  
 14 Q When was the last time you saw your brother,  
 15 [REDACTED]?  
 16 A About a week, week and a half ago.  
 17 Q When was the first time you told him about  
 18 what you're alleging against Father Kelly?  
 19 MR. HALE: Assumes facts not in evidence.  
 20 BY MS. YOUNG:  
 21 Q If you told him?  
 22 A I told him about -- probably about a month,  
 23 month and a half ago.  
 24 Q And what did you tell him?  
 25 A Everything that had happened to me.

1 A I believe he is four years younger than I am.  
 2 I think he's [REDACTED].  
 3 Q Was the [REDACTED] -- do you know  
 4 what caused the [REDACTED]?  
 5 A No.  
 6 Q Did your brother abuse alcohol, [REDACTED]?  
 7 A No.  
 8 Q Did [REDACTED] ever have any problems with alcohol  
 9 that you know?  
 10 A No.  
 11 Q Did your brother [REDACTED] have an occupation  
 12 before he was [REDACTED]?  
 13 A He was a [REDACTED] for the Santa Barbara  
 14 [REDACTED].  
 15 THE REPORTER: The what -- oh, the Santa  
 16 Barbara.  
 17 BY MS. YOUNG:  
 18 Q And did you ever tell him about what you're  
 19 alleging happened with Father Kelly, [REDACTED]?  
 20 A Not that long ago.  
 21 Q Excuse me?  
 22 A Not that long ago that I told him.  
 23 Q But you did --  
 24 A He was --  
 25 Q -- tell him?

1 A After -- yes, yes, I did tell him.  
 2 Q When?  
 3 A I believe it was after I had filed. All my  
 4 family has learned since -- after I filed. I never  
 5 talked with them in the past.  
 6 Q So did you tell [REDACTED] before you told [REDACTED]?  
 7 A Oh, yes. Yeah.  
 8 Q Are you closer to [REDACTED] than [REDACTED]?  
 9 A We -- we live together. And I watch over him.  
 10 Q I see.  
 11 So you take care of him?  
 12 A Yes, in a way, yes.  
 13 Q What do you mean "in a way"?  
 14 A I go get him something to eat if he can't  
 15 drive. I take him food to his room if he can't get up.  
 16 Q Does he -- is he not able to --  
 17 A Not all the --  
 18 Q -- drive or --  
 19 A Not all the time. We don't want him to drive  
 20 all the time.  
 21 Q So you're taking care of your father and your  
 22 brother?  
 23 A Not -- not by myself. There's my mother  
 24 helps. My sister helps. So I'm not the only one.  
 25 Q And you have a sister, [REDACTED]?

1 A Yes.  
 2 Q And is she younger or older than you are?  
 3 A She's older.  
 4 Q How much older?  
 5 A I believe she is [REDACTED] than I am.  
 6 Q And [REDACTED], does she work?  
 7 A She's retired.  
 8 Q She had a [REDACTED], I understand, in  
 9 1994; is that correct?  
 10 MR. HALE: Speculation.  
 11 THE WITNESS: I don't remember.  
 12 MR. HALE: Assumes facts not in evidence.  
 13 THE WITNESS: I don't remember.  
 14 BY MS. YOUNG:  
 15 Q Do you remember telling your medical providers  
 16 that your sister had a [REDACTED] in 1994?  
 17 A No, I don't remember. I don't remember she --  
 18 Q You don't know anything about her having a  
 19 [REDACTED] in 1994?  
 20 MR. HALE: Misstates the testimony.  
 21 THE WITNESS: I already answered that. I  
 22 don't remember.  
 23 BY MS. YOUNG:  
 24 Q You don't remember.  
 25 What was your sister's occupation before she

1 retired?  
 2 A She worked for an [REDACTED]. I just  
 3 don't remember the name of it.  
 4 Q Doing what?  
 5 A [REDACTED] a company that did contracts  
 6 with --  
 7 Q You don't remember the name of the company she  
 8 worked for?  
 9 A No.  
 10 Q Is her -- is she married?  
 11 A No.  
 12 Q And she lives where?  
 13 A She lives in Santa Barbara.  
 14 Q Where? What is her address?  
 15 A I don't remember.  
 16 Q Does she live by herself?  
 17 A Yes.  
 18 Q Has your sister ever been married?  
 19 A No.  
 20 Q So you don't remember anything happening to  
 21 your sister in 1994?  
 22 MR. HALE: Asked and answered.  
 23 THE WITNESS: No.  
 24 BY MS. YOUNG:  
 25 Q What was the highest level of school that your

1 brother [REDACTED] finished?  
 2 A Here in this country? He never went to school  
 3 here.  
 4 Q He only went to school in [REDACTED]?  
 5 A Yes.  
 6 Q And what was the highest level in [REDACTED]?  
 7 A Sixth grade.  
 8 Q Sixth grade?  
 9 A Yes.  
 10 Q And what was the highest level of school your  
 11 brother [REDACTED] finished?  
 12 A He graduated from the 12th grade.  
 13 Q From --  
 14 A He graduated.  
 15 Q -- high school?  
 16 A Yes.  
 17 Q Any post-high school education?  
 18 A No.  
 19 Q And your sister, [REDACTED], what was the highest  
 20 level of school she completed?  
 21 A Sixth grade in [REDACTED].  
 22 Q And those are your only siblings?  
 23 A Three of them, yes.  
 24 Q Are you close with your sister, [REDACTED]?  
 25 A Yes.

1 Q Do you consider yourself a close family, all  
 2 your siblings, your brothers and sisters?  
 3 A Yeah, we never had any major problems. We've  
 4 always been close to each other, yes.  
 5 Q Did you talk to your sister at all about your  
 6 allegations against Father Kelly?  
 7 A Yes, I talked to her.  
 8 Q When? When was the first time?  
 9 A After I had filed the lawsuit.  
 10 Q How much after?  
 11 A I remember I talked to my brother first. Then  
 12 I talked to my sister. And recently it was to my older  
 13 brother, in which -- what time, I don't remember  
 14 exactly.  
 15 Q Did your brother [redacted] know Father Kelly?  
 16 MR. HALE: Speculation.  
 17 BY MS. YOUNG:  
 18 Q If you know.  
 19 A No, I don't know.  
 20 Q You don't know whether he did or not?  
 21 A No.  
 22 Q He never went to school in the U.S., though?  
 23 A No.  
 24 Q Did he go to church with you back then?  
 25 A I don't remember going to church.

1 Q What else did he tell you -- did your brother  
 2 tell you about Father Kelly, if anything, after you  
 3 spoke to your brother about this -- your allegations?  
 4 A What he told me is that he put him to do some  
 5 gardening work and he saw some snakes and he got scared  
 6 and he came home and he -- I believe he told my mother  
 7 he didn't want to go back because of the snakes, and  
 8 that's -- that's what he shared with me.  
 9 Q Did he tell you that Father Kelly paid him to  
 10 do the gardening work?  
 11 A Yes.  
 12 Q He told you that?  
 13 A He said that -- that he shared -- I believe he  
 14 said that he shared with my mom that he couldn't see  
 15 getting paid for not doing anything, doing nothing or  
 16 small garden work.  
 17 Q And did your sister, [redacted], know Father Kelly?  
 18 A That, I don't know. I couldn't answer for  
 19 sure.  
 20 Q Did she tell you she -- whether she knew him  
 21 or not, when you told her about your allegations?  
 22 A I don't remember asking her, and she just  
 23 listened to me, let me share my -- what I had to say  
 24 and --  
 25 Q She didn't say anything in return?

1 Q Okay.  
 2 What about your brother [redacted] [sic], do you  
 3 know whether he knew Father Kelly?  
 4 MR. HALE: Same objection.  
 5 THE WITNESS: (Inaudible response.)  
 6 BY MS. YOUNG:  
 7 Q You're shaking your head no. One thing --  
 8 A No. I'm sorry. No.  
 9 Q -- I forgot to tell you, you have to --  
 10 A You have to talk.  
 11 Q -- answer yes or --  
 12 A No. He went to Guadalupe. But, you know, I'm  
 13 sure he knew him.  
 14 Q You're sure he knew him?  
 15 A I know he knew him, yes.  
 16 Q Did he ever tell you he knew him?  
 17 A After I talked to him, he told me that he had  
 18 gone to the cabin a couple of times.  
 19 Q Your brother [redacted] had gone to the cabin?  
 20 A Yes.  
 21 Q With Father Kelly?  
 22 A Yes.  
 23 Q Did he tell you that Father Kelly had done  
 24 anything to him?  
 25 A No.

1 A She just put her hands around me.  
 2 MR. HALE: Bless, it's almost quarter after,  
 3 so whenever is good for you.  
 4 MS. YOUNG: Oh. Why don't we break now. I  
 5 lost track of time. I'm sorry.  
 6 THE VIDEOGRAPHER: We're going off the record.  
 7 The time is 1:14 p.m.  
 8 (Lunch taken.)  
 9 (Whereupon Mr. Nye entered the  
 10 deposition proceedings at this point in  
 11 time.)  
 12 THE VIDEOGRAPHER: We're going back on the  
 13 record. The time is 2:07 p.m. Please continue.  
 14 MS. YOUNG: Thank you.  
 15 BY MS. YOUNG:  
 16 Q Good afternoon, Mr. [redacted].  
 17 A Good afternoon.  
 18 Q And you realize you're still under oath,  
 19 right?  
 20 A That's correct.  
 21 Q Okay.  
 22 You mentioned you attended Our Lady of  
 23 Guadalupe school when you first came to the United  
 24 States; is that correct?  
 25 A That is correct.

1 Q And what grades of Our Lady of Guadalupe  
 2 school did you attend?  
 3 A I started in the second grade.  
 4 Q And where does it end?  
 5 A The eighth.  
 6 Q So the school goes from kindergarten to eighth  
 7 grade?  
 8 A I think so, yes.  
 9 Q And you attend--  
 10 A But I did second and fourth in one year.  
 11 Q Right.  
 12 A Fifth and sixth the second year, and seven and  
 13 eight the third year.  
 14 Q So you attended Our Lady of Guadalupe school  
 15 for three years?  
 16 A That's correct.  
 17 Q And you graduated?  
 18 A Yes.  
 19 Q I'd like to show you and have marked -- if I  
 20 don't lose my mike -- as Exhibit 1 -- let me take this  
 21 off here.  
 22 I'd like to have marked as Exhibit 1, for  
 23 identification, and -- two photos, which are marked  
 24 Bates stamp AR223 and AR222.  
 25 MR. HALE: I know what they are.

1 A Yeah.  
 2 Q Do you recognize that priest?  
 3 A It sure looks like Father Kelly.  
 4 Q It looks like Father Kelly?  
 5 A Yeah, Father Kelly.  
 6 Q Yes.  
 7 And then there's a nun standing in front of  
 8 her -- of him, a sister. Do you recognize that person?  
 9 A No, I don't.  
 10 Q And do you recognize the sister on the right  
 11 of the first photo?  
 12 A No, I don't.  
 13 Q The bottom photo, there's a -- looks like a  
 14 priest standing to the left. Do you recognize that  
 15 person?  
 16 A Father Kelly.  
 17 Q Okay.  
 18 But neither of these photos that have been  
 19 marked for identification as Exhibit 1 are of a class  
 20 that you were in?  
 21 A I see my younger brother here (indicating) in  
 22 the first picture.  
 23 Q In the top picture?  
 24 A Yeah.  
 25 Q Where -- where is your younger brother? Which

1 Dave, do you want to see these?  
 2 MR. NYE: Do you have an extra copy?  
 3 Do you have an extra copy in this room now?  
 4 (Whereupon Exhibit 1 was marked for  
 5 identification.)  
 6 BY MS. YOUNG:  
 7 Q Mr. [REDACTED], I'm going to ask you, just so  
 8 you know, whether you recognize either or both of these  
 9 two photos, which have been produced by your lawyer.  
 10 A I've never seen them before.  
 11 Q Never seen either of -- did you look at the  
 12 second one?  
 13 A Oh, sorry.  
 14 Q And -- and just for the record, these appear  
 15 to be some type of perhaps graduation photos from school  
 16 with the children of young age.  
 17 A I've never seen this one, either.  
 18 Q You've never seen either --  
 19 A I've never seen --  
 20 Q -- of the photos?  
 21 A -- any of these.  
 22 Q If you look to the right.  
 23 A On which one?  
 24 Q Of the first -- the top photo there's -- it  
 25 looks like a priest there.

1 one? Can you identify which one he is? Why don't you  
 2 circle him. Can you circle him on that exhibit?  
 3 A (Witness complies.)  
 4 Q So he's in the top row?  
 5 A The tenth one from the -- to the left, going  
 6 to the left -- right to left.  
 7 Q Tenth one --  
 8 A The one that's --  
 9 Q -- is your brother?  
 10 A -- in all white. The one that's --  
 11 MR. HALE: I think he was going from your  
 12 right to the left.  
 13 MS. YOUNG: Oh, sorry.  
 14 THE WITNESS: Right to left. The one that is  
 15 in all white.  
 16 BY MS. YOUNG:  
 17 Q Do you recognize anybody in that second photo,  
 18 what's marked 222?  
 19 A No.  
 20 Q Okay.  
 21 All right. You can give those back to the  
 22 court reporter.  
 23 What year did you graduate from Our Lady of  
 24 Guadalupe school?  
 25 A 1959.

1 Q How old were you when you graduated?  
 2 A Eleventh...  
 3 Q Excuse me?  
 4 A I would have been -- I believe I would have  
 5 been 16, if I remember, 15, 16 to the eighth -- I  
 6 wouldn't --  
 7 THE REPORTER: I'm sorry, I can't hear you.  
 8 THE WITNESS: Let me rephrase that. I  
 9 graduated from Our Lady of Guadalupe in 1969 [sic].  
 10 BY MS. YOUNG:  
 11 Q In 19 what?  
 12 A 1959.  
 13 Q And you would have been how old then?  
 14 A Fifteen, turning.  
 15 Q So the year you graduated, that November, you  
 16 would have been 16; is that correct?  
 17 A No, let me rephrase it. Let me remember. I  
 18 was 11th and -- I was born in '44. I graduated in '58.  
 19 Q '58?  
 20 A Sorry. '59. But I -- it was before November  
 21 when graduation is, so I believe I would have been 14.  
 22 Q Okay.  
 23 And after you -- well, strike that.  
 24 When you were in Our Lady of Guadalupe school,  
 25 did you play any sports?

1 A I started playing base- -- basketball when I  
 2 was in the sixth grade for Our Lady of Guadalupe.  
 3 Q How old were you when you started playing  
 4 basketball?  
 5 A I think I would have been maybe 13.  
 6 Q And when you played basketball for the team at  
 7 Our Lady of Guadalupe, did you on some occasions travel  
 8 to various other locations to play other teams?  
 9 A Yes.  
 10 Q Did you ever stay overnight on those  
 11 occasions?  
 12 A For the school team?  
 13 Q Yes.  
 14 A No.  
 15 Q Never stayed overnight?  
 16 A Not for the school team, no.  
 17 Q Okay.  
 18 Who was the head? When you first started  
 19 playing on the basketball team for Our Lady of  
 20 Guadalupe, was there a person who ran that team, a  
 21 teacher or somebody else?  
 22 A We had a coach.  
 23 Q You had a coach.  
 24 And what was the coach's name?  
 25 A I know what his first name is; his name is

1 A Yes, I did.  
 2 Q And what sports did you play?  
 3 A I played basketball -- during recess I would  
 4 play all sports, but for the school I played basketball,  
 5 football and baseball.  
 6 MR. HALE: Belatedly, vague and ambiguous as  
 7 to the years.  
 8 BY MS. YOUNG:  
 9 Q And you played basketball on an organized team  
 10 that the school had?  
 11 A They had a league that they competed against  
 12 other parochial schools and some other schools of the  
 13 same level or -- yes.  
 14 Q And you played in that league; is that  
 15 correct?  
 16 A If you want to call it a league, yeah.  
 17 Q On a -- on a team for --  
 18 A Yes.  
 19 Q -- Our Lady of Guadalupe?  
 20 A Yes.  
 21 MR. HALE: Let her finish.  
 22 BY MS. YOUNG:  
 23 Q When did you start -- what grade were you in  
 24 when you started playing basketball for Our Lady of  
 25 Guadalupe?

1 [REDACTED]  
 2 Q [REDACTED]?  
 3 A Yes. I don't --  
 4 Q And was the coach -- you don't remember his  
 5 last name?  
 6 A No.  
 7 Q And was the coach a teacher at the school?  
 8 A No, I think he was a custodian.  
 9 Q He was a --  
 10 A I think he --  
 11 Q -- custodian at the school?  
 12 A He was a maintenance worker. He was not a  
 13 teacher.  
 14 Q And was there an assistant coach?  
 15 A No.  
 16 Q Was there anybody else who -- any other adult  
 17 person who helped out with the team?  
 18 A Father Kelly would come over and play with us,  
 19 but -- join our practice. Later on Father [REDACTED]  
 20 would come in and practice with us.  
 21 Q And --  
 22 A But not as a -- as an assistant, so that --  
 23 but they were grownups, so I'm --  
 24 Q Right.  
 25 A -- answering your questions.

1 Q So when Father Kelly -- how often did Father  
 2 Kelly come in and practice with you?  
 3 A You know, dropped by once a week. I can't  
 4 recall exactly --  
 5 Q How often --  
 6 A -- how many times.  
 7 Q -- did the team practice?  
 8 A We practiced -- during the season we practiced  
 9 every day.  
 10 Q And the season was how long?  
 11 A You know, I don't recall how many teams there  
 12 were, but it probably went on for about a month maybe,  
 13 month -- a little longer.  
 14 Q And you played basketball, you started out  
 15 when you were in sixth grade. Did you continue to play  
 16 on that basketball team until you graduated from Our  
 17 Lady?  
 18 A Yeah, I played basketball for two years.  
 19 Q The whole time you were there?  
 20 A Yes.  
 21 Q And you say Father Kelly would drop by maybe  
 22 once a week and play, practice with the team, scrimmage?  
 23 A He would drop by once in a while, maybe once a  
 24 week. But yes, he would drop by. I just don't want to  
 25 say exactly once a week, but he would drop by, yes,

1 Q Any of the other priests other than Fathers  
 2 [redacted] and Kelly that ever played basketball with you  
 3 during that period of time?  
 4 A I think those were the only two priests there  
 5 at the time.  
 6 Q And you mentioned you played also football and  
 7 baseball, correct, while you were at Our Lady --  
 8 A Yes.  
 9 MR. HALE: Vague and ambiguous as to time.  
 10 BY MS. YOUNG:  
 11 Q -- while you were at Our -- at Our Lady of  
 12 Guadalupe. Three years you were there, correct?  
 13 MR. HALE: Same objections. Misstates  
 14 testimony.  
 15 THE WITNESS: Yes.  
 16 BY MS. YOUNG:  
 17 Q When did you start playing football for Our  
 18 Lady of Guadalupe?  
 19 A I only played football once during the '57-'58  
 20 season.  
 21 Q And you were in what grade then?  
 22 A Seventh and eighth.  
 23 Q And --  
 24 A I'm sorry -- yeah, seventh and eighth, yes.  
 25 Q Now when you say you only played football

1 that's how I met him.  
 2 Q When you were on the basketball team, you met  
 3 him?  
 4 A That's how I became more in contact with him.  
 5 Q And -- and you said -- and you testified a few  
 6 minutes ago that later Father Landreau would also drop  
 7 by sometimes and practice with the team as well?  
 8 A Father [redacted] would -- yes, yes, I did.  
 9 More into the football season is what -- and during the  
 10 football season of 19- -- the following year when I was  
 11 in the seventh and eighth grade that I came in contact  
 12 with Father [redacted].  
 13 Q But would Father [redacted] sometimes come and  
 14 play basketball with your team?  
 15 A Yes.  
 16 MR. HALE: Vague and ambiguous as to the time.  
 17 BY MS. YOUNG:  
 18 Q Any other teachers or priests who would play  
 19 basketball with your team while you were in Our Lady of  
 20 Guadalupe who would practice with your team?  
 21 A All the teachers I had were nuns and females  
 22 except one lady that was not a nun, but they were all  
 23 females.  
 24 Q And they didn't play basketball with you?  
 25 A No.

1 once, do you mean one year?  
 2 A One year, one year, yes.  
 3 Q And you played on an organized team, Our Lady  
 4 of Guadalupe had an organized football team?  
 5 A Yes.  
 6 Q And going back a minute to basketball, what  
 7 position did you play?  
 8 A Guard.  
 9 Q Point guard?  
 10 A Those years, there was no point guard. You  
 11 had two guards, a center and two forwards.  
 12 Q On the football team for the year that you  
 13 played football, did the team travel to different  
 14 locations?  
 15 A To the different schools where we played at,  
 16 some of them, yes.  
 17 Q And did you ever go on overnight trips to  
 18 those schools --  
 19 A No.  
 20 Q -- for the football team?  
 21 A No.  
 22 Q They were all day trips?  
 23 A Yes.  
 24 Q Did any of the priests practice with your  
 25 football team?

1 A Yes.  
 2 Q Who?  
 3 A I remember Father [redacted] coming to our  
 4 practices.  
 5 Q Okay.  
 6 Do you remember Father Kelly coming to your  
 7 practices?  
 8 A No, I don't remember Father Kelly coming to  
 9 our practices.  
 10 Q And then you mentioned you also played  
 11 baseball for Our Lady of Guadalupe while you were there,  
 12 correct?  
 13 A That is correct.  
 14 Q Did you play on an organized baseball team  
 15 that the school had?  
 16 A Yes, the three sports that I mentioned to you  
 17 were organized for a team for the school.  
 18 Q And what years did you play on the baseball  
 19 team?  
 20 A I played while I was in the sixth grade and  
 21 while I was in the seventh and eighth grade.  
 22 Q And did any of the priests ever practice with  
 23 your baseball team?  
 24 A I don't remember that they came to the  
 25 basketball -- to the baseball practice. I don't --

1 [redacted].  
 2 Q [redacted]?  
 3 A [redacted], yeah.  
 4 Q Not the [redacted]?  
 5 A No, no.  
 6 Q Anyone else, any other good friends?  
 7 A You know what, they were all friends; I didn't  
 8 have any enemies.  
 9 Q You didn't have any enemies?  
 10 A No.  
 11 Q Did you ever get in trouble in grade school?  
 12 A No. Well, I -- yes, I did.  
 13 Q What happened?  
 14 A I set a girl's hair on fire.  
 15 Q In grade school?  
 16 A In grade school.  
 17 Q Who was the girl?  
 18 A I don't remember her name.  
 19 Q Where did you set her hair on fire?  
 20 A She was sitting right in front of me in the  
 21 classroom.  
 22 Q In class?  
 23 A Yeah -- well, inside the classroom.  
 24 Q Not while class was going on?  
 25 A That, I don't remember. You know, a lot of

1 Q You don't remember --  
 2 A I don't remember, no.  
 3 Q -- them coming --  
 4 Did you ever travel overnight for your  
 5 baseball team?  
 6 A No.  
 7 Q Did you enjoy our Lady of Guadalupe school?  
 8 A How can I put it to you this way? I started  
 9 trying to learn the language. I started trying to make  
 10 friends. I started trying to -- to get to know people  
 11 who were my age, just be part of the crowd, be part of  
 12 the students.  
 13 Very hard learning a different language. Most  
 14 of the kids, we had very few Spanish-speaking students,  
 15 especially in my early grades, so I would say it was  
 16 hard as far as being, you know, alone.  
 17 Q Did you have friends in grade school?  
 18 A Yes, I had friends, but we got a communication  
 19 problem.  
 20 Q So --  
 21 A You know, we play during recess and we -- I  
 22 would pick up the sport whatever they were playing.  
 23 Q Who were your -- who do you remember as being  
 24 your best friends when you were in sixth grade there?  
 25 A I -- person named -- I believe his name was

1 times we went in early before the bell rang, and other  
 2 times we stayed until the -- for a few minutes so --  
 3 Q What grade were you in then; do you recall?  
 4 A I think it was the eighth grade.  
 5 Q Eighth grade?  
 6 A Yeah.  
 7 Q And when you set her hair on fire, did you get  
 8 reprimanded by the teachers or anybody?  
 9 A I got sent to the principal's office.  
 10 Q You got sent to the principal's office?  
 11 A Yeah.  
 12 Q And then what happened? Anything?  
 13 A That, I don't remember. Really, I don't  
 14 remember.  
 15 Q Did you get suspended at any point?  
 16 A No. I think in those years they will send a  
 17 note to your parents or they will ask your parents to  
 18 come in.  
 19 Q And do you remember them asking your parents  
 20 to come in?  
 21 A No, I don't remember.  
 22 Q So you don't know whether your parents ever  
 23 went to the school for -- because they were asked to  
 24 come in for that incident?  
 25 A No, I don't remember.

1 Q Any other incidents in Our Lady of Guadalupe  
 2 where you got in trouble?  
 3 A Yes.  
 4 Q And what was the other one?  
 5 A I put a teacher's bicycle up on the flagpole.  
 6 Q Who was the teacher?  
 7 A The third grade teacher. I don't -- I  
 8 remember -- her name was Mrs. [REDACTED]. How do you  
 9 spell it, I have no idea.  
 10 Q [REDACTED]?  
 11 A [REDACTED], I believe that's how they used to  
 12 call her.  
 13 Q And what do you mean you put her bicycle up on  
 14 the flagpole?  
 15 A The hook of -- of one of the hooks of the  
 16 flag, I put it on one of the spokes, raised it up.  
 17 Q And you raised it?  
 18 A And I left it up there until she came out,  
 19 trying to look for it and she couldn't find it.  
 20 Q And this was in third grade?  
 21 A No, no.  
 22 Q How old were you?  
 23 A No, no, it wasn't the third grade. I never  
 24 did third grade.  
 25 Q Oh, you said third grade, I thought.

1 Q Who did you hear about it from? You said  
 2 "recently."  
 3 MR. HALE: Same objection.  
 4 If you heard about it from your lawyers, don't  
 5 answer it.  
 6 THE WITNESS: I --  
 7 MR. HALE: If you heard about it from someone  
 8 else, then --  
 9 THE WITNESS: I don't remember.  
 10 MR. HALE: -- testify.  
 11 THE WITNESS: I don't remember.  
 12 BY MS. YOUNG:  
 13 Q You don't remember?  
 14 A Yeah.  
 15 Q Were you a member of a -- well, have you ever  
 16 heard of the St. Mary's Boys Club?  
 17 A Mary -- no.  
 18 Q Did you play soccer in -- at Our Lady of  
 19 Guadalupe?  
 20 A They didn't have soccer those years.  
 21 Q Do you play soccer today?  
 22 A I -- I used to. Been retired.  
 23 Q You're -- you're retired?  
 24 A I'm 62 years old; it's not like you can go  
 25 around and run around.

1 A I said the third grade teacher.  
 2 Q Oh, okay.  
 3 And how old were you?  
 4 A It was in the eighth grade.  
 5 Q And did you get written up for that?  
 6 A I got sent to the principal's office, yes.  
 7 Q And what happened at the principal's office?  
 8 A Most likely they send a note for -- for me  
 9 to -- or for my parents to go in.  
 10 Q You don't remember?  
 11 A I don't remember, no.  
 12 Q Were you a member of the Blue Jackets Club at  
 13 Our Lady of Guadalupe?  
 14 A No.  
 15 Q Do you know what the Blue Jackets Club is?  
 16 A I've heard that there were -- well, I heard  
 17 about the club, yes, but recently. I -- I don't think  
 18 they were -- I don't remember if they were around when I  
 19 was in Guadalupe.  
 20 Q Okay.  
 21 So you heard about it from your lawyers or --  
 22 MR. HALE: Objection.  
 23 If you heard about it from your lawyers, I'm  
 24 instructing you not to answer.  
 25 BY MS. YOUNG:

1 Q I won't tell you how old I am.  
 2 You --  
 3 A I walk, I run, I jog, I ride a bike.  
 4 Q You jog?  
 5 A Yeah.  
 6 Q You ride your bike?  
 7 A Yeah.  
 8 Q Today we're talking about?  
 9 A Yeah.  
 10 Q And when did you stop playing soccer?  
 11 A Officially with the team I -- my daughter was  
 12 four. Would have put it about 29 years ago.  
 13 Q You haven't played in 29 years?  
 14 A For a team, no.  
 15 Q But you play recreational?  
 16 A I kick around. No, no, no, no.  
 17 Q Did you belong to any other teams or clubs  
 18 when you were at Our Lady of Guadalupe school?  
 19 A No.  
 20 Q What kind of grades did you get at Our Lady of  
 21 Guadalupe school?  
 22 A Once I learned English fairly good, I was  
 23 probably either a B or a straight A student.  
 24 Q Do you remember more specifically than that?  
 25 A Well, I got a scholarship when I left the

1 eighth grade to go to a Catholic high school.  
 2 Q And was that scholarship based on academics,  
 3 need, or both?  
 4 MR. HALE: Speculation.  
 5 THE WITNESS: That, I couldn't answer. I  
 6 don't know. But all I know is they presented me with a  
 7 scholarship.  
 8 BY MS. YOUNG:  
 9 Q And who presented you with a scholarship?  
 10 A The -- if I remember, the principal or the  
 11 eighth grade teacher was handing them out.  
 12 Q And was that a full scholarship?  
 13 A What do you mean by "a full scholarship."  
 14 Q They paid the entire tuition for you to go to  
 15 school, high school?  
 16 A From my -- what my mother says, she never paid  
 17 a penny for the whole year that I went to a Catholic --  
 18 a parochial high school.  
 19 Q So you went to Bishop Garcia Diego High  
 20 School?  
 21 A For one year, yes.  
 22 Q For one year.  
 23 And that was ninth grade?  
 24 A '59, '60; ninth grade, yes, ma'am.  
 25 Q I'm sorry, what --

1 A My grades had already dropped enough to where  
 2 even at that -- the end of the first semester, I didn't  
 3 care. I didn't want to put in the effort, and they --  
 4 if you didn't -- I believe -- I don't remember what the  
 5 grade level average was, but if you didn't maintain a  
 6 certain grade level average, you couldn't play.  
 7 Q And when is the football season there in high  
 8 school? What season is it?  
 9 A Bishop, I don't remember, really.  
 10 Q And you started going to high school there in  
 11 what, September?  
 12 A September '59, '60, yes.  
 13 Q And --  
 14 A You know what, I need to recollect. I need to  
 15 recollect. Okay. Sorry.  
 16 I went out for spring football and I dropped  
 17 out. The sport that I -- that my grades were not high  
 18 enough was when I went out for baseball.  
 19 Q So you went out for football as soon as you  
 20 got to high school?  
 21 A When it -- when it started, I went out for  
 22 freshman football. I wanted to be a punter. And I -- I  
 23 dropped out; I just stopped going.  
 24 Q Why?  
 25 A I don't know. I don't know.

1 A '59, '60, ninth grade, yes.  
 2 Q The '59-'60 school year, correct?  
 3 A Yes.  
 4 Q Why did you leave Bishop Garcia Diego High  
 5 School?  
 6 A I started rebelling. I started not caring  
 7 about school. I started letting my grades go. At that  
 8 school you have to maintain your academic level.  
 9 Couldn't play sports because of my grades.  
 10 And somehow I stuck it out, but I -- everybody  
 11 had said how different it was at Santa Barbara High  
 12 School.  
 13 THE REPORTER: At what? Oh, Santa Barbara.  
 14 THE WITNESS: Santa Barbara High School. And  
 15 after the first year, I transferred to Santa Barbara  
 16 High School.  
 17 BY MS. YOUNG:  
 18 Q Now, when you said you couldn't play sports at  
 19 Bishop Garcia Diego High School, did you start out  
 20 playing sports there in ninth grade?  
 21 A I tried to go out for spring football for  
 22 freshman.  
 23 Q For what?  
 24 A For freshman football team.  
 25 Q And what happened?

1 Q And then you said something about baseball,  
 2 you --  
 3 A Then I tried go out for baseball --  
 4 Q After that?  
 5 A -- during baseball season, which -- when  
 6 baseball season is and for that -- that period. Then  
 7 I -- I was asked to, but I couldn't. At the end of each  
 8 semester, they would put the names of who would -- who's  
 9 eligible, who's not eligible.  
 10 Q So you went out for baseball in the spring?  
 11 Is that when baseball season is?  
 12 A I think so, yeah.  
 13 Q So you had been at Bishop Diego for a half of  
 14 a -- half of the year and then you went out for  
 15 baseball?  
 16 A Whenever baseball season was, that's when I  
 17 went out for baseball.  
 18 Q And that's when you found out you weren't  
 19 eligible?  
 20 A When they put the grades up on the wall, then  
 21 my grades -- I didn't qualify for the grade average,  
 22 yes, that's when I found --  
 23 Q And what kind of grades were you getting the  
 24 first half of your year at Bishop Diego?  
 25 A You know, I -- I've never kept any record of

1 my report cards. I -- I don't know. But I don't think  
 2 I had problems as far as not -- right at the beginning,  
 3 I might have been a C plus. I don't know.  
 4 Q And what about the second half of that year?  
 5 A Second year -- second half of the year, I  
 6 dropped below whatever level, which I don't remember  
 7 what is it. It's probably a C grade average that I  
 8 didn't qualify for.  
 9 MR. HALE: Don't guess.  
 10 THE WITNESS: I don't know. No, I don't know.  
 11 BY MS. YOUNG:  
 12 Q And were you dismissed from Bishop Garcia  
 13 Diego High School, or did you choose to leave and go to  
 14 Santa Barbara High School?  
 15 A I've already told you that I transfer. I  
 16 transferred to Santa Barbara High School.  
 17 Q So you weren't -- you weren't dismissed?  
 18 A No.  
 19 Q You were --  
 20 A I--  
 21 Q -- transferred?  
 22 MR. HALE: Asked and answered.  
 23 BY MS. YOUNG:  
 24 Q And how many years did you stay at Santa  
 25 Barbara High School?

1 MR. HALE: Do you mean at the school or just  
 2 in general?  
 3 THE WITNESS: You're saying at the school?  
 4 BY MS. YOUNG:  
 5 Q At the school.  
 6 A At the school I don't remember seeing him  
 7 there.  
 8 Q And did you ever see him while you were a  
 9 student at the school, not necessarily on the school's  
 10 premises?  
 11 A The trips to the cabin continued during my  
 12 ninth grade and it -- I remember that one of my friends,  
 13 when I was going to public high school where I started  
 14 hanging around with them, I remember going to the cabin  
 15 with them.  
 16 So most likely they continue -- the trips  
 17 continue with Father Kelly into the '60s, into the  
 18 '60 -- the year '60.  
 19 Q Into the '60s?  
 20 A Into the year -- into the year that I was in  
 21 Santa Barbara High School.  
 22 Q And what year were you in Santa Barbara High  
 23 School?  
 24 A It would have been '60, '61.  
 25 Q So you just said likely the trips to the cabin

1 A I didn't complete a whole year. I dropped out  
 2 of high school.  
 3 Q In 10th grade?  
 4 A Yes.  
 5 Q Were you -- when you were at Bishop Diego High  
 6 School -- by the way, is that affiliated with Our Lady  
 7 of Guadalupe?  
 8 MR. HALE: Speculation.  
 9 BY MS. YOUNG:  
 10 Q If you know.  
 11 A No, I don't know.  
 12 Q Did you ever see Father Kelly when you were at  
 13 Bishop Diego High School?  
 14 A No, I don't remember.  
 15 MR. HALE: Vague and ambiguous.  
 16 BY MS. YOUNG:  
 17 Q Your answer was "no"?  
 18 A "I don't remember," is what I said.  
 19 MS. YOUNG: Excuse me.  
 20 THE WITNESS: I said, "I don't remember."  
 21 BY MS. YOUNG:  
 22 Q You don't remember if you ever saw Father  
 23 Kelly when you were in Bishop Di- -- while you were in  
 24 Bishop Diego High School?  
 25 A That's --

1 continued into the year you were in Santa Barbara High  
 2 School?  
 3 A No, I told you that I met a friend that I  
 4 started hanging around with at Santa Barbara High  
 5 School. I remember going to the cabin with him.  
 6 Q And -- and who was that friend?  
 7 A His name is [REDACTED].  
 8 Q And you met him when you were a student at  
 9 Santa Barbara High School and you went to the cabin with  
 10 him?  
 11 A I started hanging around with him a lot when  
 12 we were at Santa Barbara High School.  
 13 Q Did you know him before that?  
 14 A I don't remember. I know that I really  
 15 started hanging around with him when I was at Santa  
 16 Barbara High School.  
 17 Q Was he in the same grade as you were in Santa  
 18 Barbara High School?  
 19 A Yes.  
 20 Q And you say you went to the cabin with him,  
 21 with [REDACTED]?  
 22 A I remember the -- Father Kelly taking us  
 23 together to the cabin, yes.  
 24 Q Just the two of you?  
 25 A Yes, a couple of trips, yes.

1 Q Okay. We'll get back to that later.  
 2 Who were your other friends at Santa Barbara  
 3 High School besides [REDACTED]?  
 4 A God, there were many. I just not -- I can  
 5 remember their first names. I don't remember their last  
 6 names.  
 7 Q Did you know a [REDACTED]?  
 8 A I -- yeah, I know [REDACTED], yes, I do.  
 9 Q Where do you -- how do you know [REDACTED]?  
 10 A [REDACTED] used to live around -- about a  
 11 block from my house. And he's the first one that  
 12 invited me to the cabin, to go up with Father Kelly.  
 13 Q And that was when you were in grade school?  
 14 A Yes.  
 15 Q And when [REDACTED] invited you to go to the  
 16 cabin with Father Kelly, did he tell you anything about  
 17 Father Kelly during the -- when he invited you?  
 18 A No.  
 19 Q What did he say to you?  
 20 A He just said that he had a gym; there was a  
 21 river that -- that ran right by the -- by the cabin,  
 22 that they would go swimming and we will have a good  
 23 time, and I went.  
 24 Q That was the first time you ever went?  
 25 A The first time I went, I went with [REDACTED]

1 talked about what grade are you in, we knew which  
 2 classes we were all in, but I don't specifically  
 3 remember whether he was in the 10th grade.  
 4 Q But you -- you think he's about the same age  
 5 as you are?  
 6 A We're pretty close.  
 7 Q And by the way, what classes were you taking  
 8 at Santa Barbara High School? Were you in a special  
 9 program like a college prep program or a general  
 10 education program or some other special program?  
 11 A I don't know if they had college prep classes  
 12 back in those years, but I remember I took Spanish, I  
 13 took English. I took --  
 14 Q Spanish?  
 15 A You have to take a foreign --  
 16 Q You must have been a straight A.  
 17 A No, I flunked it.  
 18 Q Really?  
 19 A Because they used to teach a Castilian  
 20 Spanish.  
 21 Q Oh.  
 22 A And it's completely different.  
 23 Q I know.  
 24 A PE, auto shop.  
 25 Q Uh-huh.

1 [REDACTED], yes.  
 2 Q Do you know [REDACTED]?  
 3 A Yes, I do.  
 4 Q Who is [REDACTED]?  
 5 A [REDACTED] is a friend that I had from  
 6 Santa Barbara High School.  
 7 Q Did you ever go to the cabin with [REDACTED]  
 8 [REDACTED]?  
 9 A Yes, I did.  
 10 Q Father Kelly's cabin?  
 11 A That's the only cabin we ever went to.  
 12 Q And did you know [REDACTED] before --  
 13 before Santa Barbara High School?  
 14 A I don't think so.  
 15 Q So you met him at -- when you were a student  
 16 at Santa Barbara High School?  
 17 A If I remember correctly, yes.  
 18 Q And was [REDACTED] the same age as you  
 19 were?  
 20 A I think we were about the same age.  
 21 Q He was in the same grade?  
 22 A I -- he -- pardon me?  
 23 Q Was he in the same grade? Tenth?  
 24 A You know, once you get to public high school,  
 25 you take different classes, so, you know, whether we

1 A And I don't remember what other classes I  
 2 took.  
 3 Q Who is [REDACTED]?  
 4 A [REDACTED] is [REDACTED]'s brother. I believe  
 5 he's little younger, a year or two.  
 6 Q And did you ever go to the cabin with [REDACTED]  
 7 [REDACTED]?  
 8 A I really don't remember going to the cabin  
 9 with [REDACTED]. I might have, but I just don't remember.  
 10 Q Have you ever discussed with [REDACTED] what  
 11 happened to you at Father Kelly's cabin?  
 12 A, No.  
 13 Q Have you ever discussed with [REDACTED] what  
 14 happened to you at Father Kelly's cabin?  
 15 A Yes, I did.  
 16 Q When?  
 17 A Just before he died.  
 18 Q And when did he die?  
 19 A I believe about a year ago.  
 20 Q So that was after you filed your lawsuit?  
 21 A That was -- no, I never said that. I said  
 22 that I --  
 23 Q No, I'm asking you.  
 24 A Okay.  
 25 Q A year ago --

1 A Oh, yes, yes --  
 2 Q -- was after you filed your lawsuit?  
 3 A -- yes, yes, yes, that's correct, yes, you're  
 4 right.  
 5 Q And what did you tell [REDACTED] about  
 6 Father Kelly?  
 7 A I asked him if -- if -- if he had heard of  
 8 Father Kelly. He told me he had read the article. And  
 9 I asked him if he had -- if anything had happened to  
 10 him, and he wanted to know if I had talked to a lawyer,  
 11 and I said yes, and he asked me the name of who that  
 12 person was, but specifically whether -- we never got  
 13 into specifics into -- I didn't want to tell him what  
 14 had happened to me.  
 15 Q Did he tell you that anything had happened to  
 16 him?  
 17 A No. If I remember correctly, he told me he  
 18 wanted to talk, that he had things to say, but that he  
 19 wanted to talk to a lawyer.  
 20 Q Do you know whether he ever talked to a  
 21 lawyer?  
 22 MR. HALE: Speculation.  
 23 MS. YOUNG: I'm asking if he knows.  
 24 THE WITNESS: Yes, I did. Yes, I did, that he  
 25 talked to a lawyer.

1 A No.  
 2 Q Was he in the hospital?  
 3 A I imagine in and out. When -- the last time I  
 4 saw him, he was at home.  
 5 Q Did you ever tell [REDACTED] what  
 6 happened to you with Father Kelly?  
 7 A No.  
 8 Q Who is [REDACTED]?  
 9 MR. HALE: Speculation. Assumes facts not in  
 10 evidence.  
 11 THE WITNESS: I don't know an [REDACTED].  
 12 BY MS. YOUNG:  
 13 Q Do you know [REDACTED]?  
 14 MR. HALE: Same objections.  
 15 THE WITNESS: No.  
 16 MS. YOUNG: Do you know a [REDACTED]? How  
 17 is that objectionable --  
 18 MR. HALE: You're right.  
 19 MS. YOUNG: -- Counsel?  
 20 MR. HALE: You're right. Sorry. I'll  
 21 withdraw that objection.  
 22 THE WITNESS: No, I don't.  
 23 BY MS. YOUNG:  
 24 Q Did you ever attend Santa Barbara City  
 25 College?

1 BY MS. YOUNG:  
 2 Q He -- you know that he talked to a lawyer?  
 3 A Yes.  
 4 Q That he talked to your lawyer?  
 5 A Yes, he did.  
 6 Q And -- and how do you know that?  
 7 A Because --  
 8 MR. HALE: Objection. Attorney-client.  
 9 To the extent you learned it from your  
 10 attorneys, I'm instructing you not to answer. If you  
 11 learned it from some other source, you can answer.  
 12 THE WITNESS: I don't want to answer that.  
 13 BY MS. YOUNG:  
 14 Q Did [REDACTED] ever tell you he talked to  
 15 your lawyers?  
 16 A I don't think so. He was pretty ill towards  
 17 the end.  
 18 Q Now, what -- what did he die of; do you know?  
 19 A I believe -- they had him in an oxygen mask.  
 20 I don't know if he had a -- problems breathing or  
 21 problems with his lungs. Whenever you go visit him,  
 22 there would always be a tank of oxygen and he would have  
 23 a mask for --  
 24 Q But you don't know what was wrong with him,  
 25 specifically?

1 A No.  
 2 Q Did you ever put down on your -- at an  
 3 employment application that you were filling out for  
 4 your job in Northern California that you attended Santa  
 5 Barbara City College?  
 6 A I don't remember that I ever did that, no.  
 7 Q But if you did that, it wouldn't be true --  
 8 MR. HALE: Objection. Argumentative.  
 9 BY MS. YOUNG:  
 10 Q -- because you never attended it.  
 11 A I don't remember ever putting that or -- I  
 12 know as a student I don't think -- I have never attended  
 13 Santa Barbara City College.  
 14 MS. YOUNG: I'm going to have marked, for  
 15 identification, as Exhibit 2 an application for  
 16 employment dated February 9th, 1976, by [REDACTED].  
 17 (Whereupon Exhibit 2 was marked for  
 18 identification.)  
 19 BY MS. YOUNG:  
 20 Q Do you recognize this application,  
 21 Mr. [REDACTED]?  
 22 A That's my handwriting, yes.  
 23 Q Do you see the listing of schools that --  
 24 where --  
 25 A Yes.

1 Q -- it says education, it says, "Grammar school  
 2 Our Lady of Guadalupe; high school, Santa Barbara High  
 3 School; college, Santa Barbara City College."  
 4 Do you see that?  
 5 A Yes, I do.  
 6 Q Did you write that?  
 7 A That's my handwriting, ma'am.  
 8 Q Why did you put down you attended Santa  
 9 Barbara City College if you didn't attend it?  
 10 A I don't have an answer for you.  
 11 Q You did work at [REDACTED] --  
 12 A Yes, I did.  
 13 Q -- up in Northern California for a while,  
 14 didn't you?  
 15 A Yes, I did.  
 16 Q You can give that back to the court reporter.  
 17 A One thing that it's not easy to tell people  
 18 you dropped out of high school.  
 19 Q What does that have to do with putting down a  
 20 college you never attended?  
 21 MR. HALE: Objection. Argumentative.  
 22 THE WITNESS: I don't know. Just --  
 23 BY MS. YOUNG:  
 24 Q The job you applied for at -- at [REDACTED]  
 25 was what?

1 MR. HALE: Speculation.  
 2 THE WITNESS: Don't know. I believe you asked  
 3 me that before.  
 4 BY MS. YOUNG:  
 5 Q I don't think so, but if I did, the answer to  
 6 your question is --  
 7 A I don't know.  
 8 Q -- you don't know?  
 9 A I don't know.  
 10 Q So you don't recall your father ever meeting  
 11 Father Kelly with you?  
 12 A Father Kelly used to come to the house looking  
 13 for me or he would invite himself over to dinner to our  
 14 house. I just don't recall whether my father was off  
 15 from work at that time or whether they actually ever  
 16 met. I -- that, I couldn't tell you.  
 17 Q So you say -- you just said Father Kelly would  
 18 sometimes invite himself over to dinner for -- to your  
 19 house?  
 20 A Yeah. But my father worked a lot of hours.  
 21 Q How did Father Kelly invite himself over to  
 22 dinner?  
 23 A Father Kelly invited himself everywhere.  
 24 Q What does that mean? What do you mean by  
 25 that, he "invited himself everywhere"?

1 A [REDACTED]  
 2 Q You need a college education for a [REDACTED]  
 3 [REDACTED]?  
 4 MR. HALE: Speculation.  
 5 THE WITNESS: Are you being sarcastic?  
 6 BY MS. YOUNG:  
 7 Q No.  
 8 A Well, then, you know, I -- your look and your  
 9 tone, I didn't like it.  
 10 Q I'm asking you a question. Did you --  
 11 A If it made me --  
 12 Q -- need a col- -- I --  
 13 A If it made me feel better --  
 14 Q Was that a requirement for that job? Did the  
 15 employer require a college education?  
 16 MR. HALE: Same objection.  
 17 THE WITNESS: No.  
 18 BY MS. YOUNG:  
 19 Q Were you baptized in the Roman Catholic  
 20 church?  
 21 A I am told yes.  
 22 Q That was in [REDACTED]?  
 23 A Yes.  
 24 Q Did your -- do you know whether your father  
 25 knew Father Kelly?

1 A That he knew all the families, that he would  
 2 drop by; that he would stop by about the time we were  
 3 eating dinner so, you know, he would sit down and join  
 4 us at dinner.  
 5 Q And your mother was there when that happened?  
 6 A Yes.  
 7 Q And your grandmother?  
 8 A I don't remember whether they had moved out or  
 9 not.  
 10 Q And what about your brothers and sister, were  
 11 any of them there?  
 12 A Probably. Probably, because we -- we tried  
 13 to -- at least once we were home, we tried to eat  
 14 together.  
 15 Q How often did Father Kelly drop by for dinner?  
 16 A That, I couldn't answer you. You know, I  
 17 couldn't tell you. Twice a week. I don't know. I know  
 18 he would come over looking for me.  
 19 Q Looking for you?  
 20 A Looking for me, yes. Calling, asking for me.  
 21 Q At dinnertime?  
 22 A At any time. After school.  
 23 Q So after school he would come over to your  
 24 house, and what grade were you in when this was  
 25 happening?

1 A I told you I met Father Kelly at basketball  
 2 season and --  
 3 Q I understand that, but what I'm asking is,  
 4 what grade were you in when he came to your house?  
 5 MR. HALE: Misstates testimony as to being a  
 6 single grade.  
 7 BY MS. YOUNG:  
 8 Q When did he start coming to your house?  
 9 A I don't remember when he started.  
 10 Q Over what period of time did he come to your  
 11 house?  
 12 A A long time. I don't remember what year he  
 13 stopped coming.  
 14 Q Was he still coming to your house when you  
 15 were in Santa Barbara col- -- High School?  
 16 A Yes, yes.  
 17 Q Did he come to your house after you dropped  
 18 out of Santa Barbara High School?  
 19 A I -- I just said I don't remember when he  
 20 stopped.  
 21 Q By the way, what did you do when you dropped  
 22 out of Santa Barbara High School?  
 23 A Started working.  
 24 Q For whom?  
 25 A My first job was for a couple of months at a

1 place called [REDACTED], a Mexican tortilla and food  
 2 that used to be open on -- on Haley Street.  
 3 Q What did you do there?  
 4 A Mixed the corn so it will turn into -- boil it  
 5 and then throw it in the machine so it would -- it  
 6 would -- makes into masa, as we call it, for the  
 7 tortilla.  
 8 Q Cornmeal?  
 9 A Corn -- corn tortilla.  
 10 Q How -- how old were you when you got your  
 11 first job working at La Tolteca?  
 12 A I believe I was 16 or a little -- about  
 13 that -- 16 or -- I don't remember the exact year. I  
 14 would have to figure out --  
 15 Q Was it right after you dropped out of  
 16 Bishop -- out of Santa Barbara High School?  
 17 A I don't remember if it was right after, but  
 18 you asked me which one my first job.  
 19 Q Right.  
 20 A And I just don't remember when --  
 21 exactly when -- when I started.  
 22 Q So you don't remember how much after the time  
 23 you left Santa Barbara High School you started working  
 24 at that job?  
 25 A No.

1 MR. HALE: Asked and answered.  
 2 BY MS. YOUNG:  
 3 Q Why did you drop out of Santa Barbara High  
 4 School?  
 5 MR. HALE: May call for expert testimony.  
 6 MS. YOUNG: Excuse me?  
 7 MR. HALE: May call for expert testimony.  
 8 MS. YOUNG: It may, but I'm asking him why he  
 9 dropped out of --  
 10 MR. HALE: And that's fine.  
 11 MS. YOUNG: -- Santa Barbara High School.  
 12 MR. HALE: I'm making my record. I'm going to  
 13 continue to make my record, Counsel.  
 14 MS. YOUNG: It's ridiculous.  
 15 MR. HALE: It's not ridiculous at all.  
 16 You don't have an understanding of how these  
 17 people function after this kind of abuse, do you?  
 18 MS. YOUNG: I think I do.  
 19 MR. HALE: I think you don't.  
 20 BY MS. YOUNG:  
 21 Q Why did you drop out of Santa Barbara High  
 22 School?  
 23 MR. HALE: Same objection.  
 24 THE WITNESS: I didn't care about a lot of  
 25 things. I didn't care about anything.

1 BY MS. YOUNG:  
 2 Q What grades were you getting in Santa Barbara  
 3 High School during the year you went there?  
 4 A Probably terrible grades. I've already told  
 5 you I flunked Spanish. About the only grade you never  
 6 could flunk is -- is sports.  
 7 Q So is it your testimony that you were flunking  
 8 everything in Santa Barbara High School?  
 9 A Pretty --  
 10 MR. HALE: Misstates testimony.  
 11 THE WITNESS: I don't remember the grades.  
 12 BY MS. YOUNG:  
 13 Q You don't remember the grades?  
 14 A What grades I were getting, but they were not  
 15 good.  
 16 Q Did you complete your whole 10th grade year at  
 17 Santa Barbara High School?  
 18 MR. HALE: Asked and answered.  
 19 THE WITNESS: You -- you've already asked me  
 20 that, and I said I dropped out in the 10th grade.  
 21 BY MS. YOUNG:  
 22 Q You dropped out during -- that's what I am  
 23 trying to estab- --  
 24 A During the 10th grade, yes.  
 25 Q During the 10th grade.

1 So you didn't complete the entire 10th grade?  
 2 MR. HALE: Asked and answered.  
 3 THE WITNESS: Correct.  
 4 BY MS. YOUNG:  
 5 Q You can answer.  
 6 A Correct.  
 7 Q Do you remember at what point in the -- what  
 8 month you dropped out?  
 9 A No.  
 10 Q Do you remember, was it during the winter?  
 11 Was it during the spring?  
 12 A No, I don't remember.  
 13 Q You don't remember?  
 14 A No.  
 15 Q Did you tell your parents why you were  
 16 dropping out of school?  
 17 A I didn't want to go; I didn't want to go to  
 18 school anymore.  
 19 Q That's what you told your parents?  
 20 A I don't remember, but I -- I didn't want to go  
 21 to school anymore.  
 22 Q Did you ever tell your parents why you were  
 23 dropping out of school?  
 24 A I don't think so. I don't remember.  
 25 Q Well, your -- your parents knew you dropped

1 A Don't remember. I mean we probably did, but  
 2 honestly, I can't answer that. I don't know.  
 3 MR. HALE: Vague and ambiguous, belated, as to  
 4 when. Are you talking about when the parents came or  
 5 when the parents came with the rest of the family?  
 6 BY MS. YOUNG:  
 7 Q Do you remember ever going to mass with your  
 8 parents at Our Lady of Guadalupe?  
 9 A No.  
 10 Q Did your parents hold any leadership positions  
 11 in the church at Our Lady of Guadalupe after you came to  
 12 America?  
 13 A No.  
 14 Q In the responses to questions that your  
 15 lawyers provided to us in your case, responses --  
 16 sorry -- to document requests, number 36, it says,  
 17 "Plaintiff has a camera and photos that Father Kelly  
 18 took on a trip to Europe."  
 19 Do you have a camera that Father Kelly used to  
 20 take photos? Do you know anything about --  
 21 A I know about a camera that was found in -- in  
 22 the cabin.  
 23 Q But you never found it?  
 24 A No, I didn't find it.  
 25 Q Have you ever seen it?

1 out of school, though, didn't they?  
 2 MR. HALE: Assumes --  
 3 THE WITNESS: Yes, they did.  
 4 MR. HALE: -- facts.  
 5 THE REPORTER: Pardon me?  
 6 MR. HALE: Assumes facts.  
 7 BY MS. YOUNG:  
 8 Q Did your parents know you dropped out of  
 9 school?  
 10 A Yes.  
 11 Q And did they ever try to convince you to say  
 12 in school?  
 13 A My mother tried to talk me into going back to  
 14 school.  
 15 Q At what point in time?  
 16 A I don't remember.  
 17 Q And what did you tell your mother when she  
 18 tried to convince you to go back to school?  
 19 A That I didn't want to go back to school, that  
 20 I wanted to be able to work if I could.  
 21 Q And when she tried to convince you to go back  
 22 to school, were you already working?  
 23 A No, I don't remember.  
 24 Q Did your parents, once they came to the United  
 25 States, did they go to mass at Our Lady of Guadalupe?

1 A I remember the camera he used to have when --  
 2 when he used to take pictures of us.  
 3 Q But did you ever have possession of that  
 4 camera?  
 5 A That it belonged to me that I took -- I mean,  
 6 I probably took pictures with it while we were --  
 7 Q But did you -- did you -- the response says,  
 8 "Plaintiff has a camera and photos that Father Kelly  
 9 took on a trip to Europe."  
 10 MR. HALE: Counsel, plaintiff's counsel has  
 11 the camera. We represent him, so, yes, his agents have  
 12 the camera.  
 13 BY MS. YOUNG:  
 14 Q Did you ever see pictures that Father Kelly  
 15 took on a trip to Europe?  
 16 A I don't think so. I saw the pictures that --  
 17 the -- the pictures that were found at the cabin.  
 18 Whether -- when we were up at the cabin with Father  
 19 Kelly, if he ever showed them to us I -- any pictures, I  
 20 don't remember.  
 21 Q And you never went to Europe with Father  
 22 Kelly, I take it?  
 23 A I've never been to Europe, no.  
 24 MS. YOUNG: Well, Counsel, it says that we can  
 25 inspect those photos that Father Kelly took on his trip

1 to Europe.  
 2 MR. HALE: Absolutely.  
 3 BY MS. YOUNG:  
 4 Q So have you ever seen photo -- photos that  
 5 Father Kelly took on his trip to Europe?  
 6 MR. HALE: You've already asked and answered  
 7 that, Counsel.  
 8 THE WITNESS: You already asked me that.  
 9 MR. HALE: We'll make them available to you if  
 10 you want to see them. We've got them.  
 11 MS. YOUNG: Okay.  
 12 MR. HALE: You're welcome to come and make  
 13 copies of them.  
 14 Next time you're in Santa Barbara, come on  
 15 over.  
 16 MS. YOUNG: Why don't you make copies and send  
 17 them to me, and then I'll just come and inspect the  
 18 camera?  
 19 MR. HALE: Well, we're not planning on  
 20 introducing them at trial, so I don't know if we want to  
 21 produce anything, but you can come and send a copy  
 22 service in if you want, and make copies of them.  
 23 We'll -- we'll produce them for inspection by you in  
 24 copying if you want, but we don't anticipate using them  
 25 at trial, not those, the European trip photos.

1 MS. YOUNG: Okay. But I take it that  
 2 nothing -- I guess what confuses me is I saw that for  
 3 the first time with this witness. And I take it they  
 4 have nothing --  
 5 MR. HALE: No.  
 6 MS. YOUNG: -- to do with this witness?  
 7 MR. HALE: It's just evidence we've assembled  
 8 in investigating this case.  
 9 They're not unique to this witness, though.  
 10 They're just --  
 11 MS. YOUNG: Okay.  
 12 MR. HALE: -- part of --  
 13 MS. YOUNG: Well, that's what --  
 14 MR. HALE: -- all the Kelly cases.  
 15 BY MS. YOUNG:  
 16 Q After -- how long did you work for La -- for  
 17 the tortilla place?  
 18 A About two months.  
 19 Q Excuse me?  
 20 A About two months.  
 21 Q And do you remember what your salary was  
 22 there?  
 23 A A dollar an hour.  
 24 Q And where did you go after two months?  
 25 A A nurs- -- a nursery up in [REDACTED] called

1 [REDACTED].  
 2 Q And did you -- what did you do there?  
 3 Landscape?  
 4 A No. They grew and shipped out azaleas  
 5 throughout the world, planting, replanting --  
 6 Q I asked --  
 7 A -- trimming.  
 8 Q I asked you earlier what your hobbies were.  
 9 Is one of your hobbies gardening?  
 10 A I've got my own lawn. I've got my own yard.  
 11 You know, whenever I owned a home -- most of my hobbies  
 12 are -- my main one was sports.  
 13 Q How long did you work for the nursery?  
 14 A I believe a little over a year.  
 15 Q And what was your starting salary there?  
 16 A \$1.25 an hour.  
 17 Q What was your salary when you left?  
 18 A I believe I've gotten about 30, 40 cents --  
 19 about a quarter raise.  
 20 Q Did you work at the nursery right after you  
 21 left the tortilla place?  
 22 A I believe so, yes.  
 23 Q And why did you leave the nursery?  
 24 A Because a friend of mine that I used to play  
 25 soccer with asked me that -- that they were needing a

1 driver at the current company where I'm at for the [REDACTED]  
 2 [REDACTED].  
 3 Q [REDACTED]?  
 4 A It used to be [REDACTED] at that time.  
 5 Same company; they have changed owners.  
 6 Q And who was that friend?  
 7 A His name is [REDACTED].  
 8 Q T --  
 9 A His full -- full name is [REDACTED].  
 10 Q How --  
 11 A T --  
 12 Q -- do you spell the last name?  
 13 A [REDACTED].  
 14 Q And he told you that they needed a driver and  
 15 so you went and applied?  
 16 A Yes.  
 17 Q Did you --  
 18 A He worked -- he worked at that company, and he  
 19 told me that -- that they needed a driver in the parts  
 20 department.  
 21 Q Did you fill out an employment application?  
 22 A I don't remember, but I -- I probably did.  
 23 Q And what year was that; do you recall?  
 24 A It would have been -- I believe I started in  
 25 1963 with them.

1 Q Do you recall what your starting salary was?  
 2 A I think it was \$1.50 an hour.  
 3 Q Now, at some point in time, you left [REDACTED]  
 4 [REDACTED] and went to work for [REDACTED]'s?  
 5 A Yes.  
 6 Q When was that?  
 7 A I left [REDACTED] a couple of  
 8 times. I -- I -- I wasn't a very stable person at the  
 9 beginning. I just didn't want to stay in one place.  
 10 I -- I left [REDACTED]'s -- as a matter of fact, I  
 11 worked for [REDACTED]'s when I -- first time I got married,  
 12 which would have made me when I was 22.  
 13 Q Were you living in Northern California then?  
 14 A No, no. To work at [REDACTED]'s was in [REDACTED]  
 15 in Santa Barbara.  
 16 Q It was in [REDACTED]?  
 17 A Yeah.  
 18 Q And how much was your starting salary at  
 19 [REDACTED]'s; do you recall?  
 20 A No, I don't remember.  
 21 Q Would that have been in 1966?  
 22 A '66? Well, I was 22, yeah.  
 23 Q Did you fill out an employment application at  
 24 [REDACTED]'s?  
 25 A I probably did, but I don't remember.

1 Q If I told you your starting salary was \$1.60  
 2 an hour, would that refresh your recollection?  
 3 A You know, the salaries around that time, they  
 4 were between \$1.25 and \$1.50. Very close, it might have  
 5 been.  
 6 Q How long did you work for [REDACTED]'s?  
 7 A I believe a year or two. I don't remember  
 8 exactly how long I worked there.  
 9 Q Why did you leave [REDACTED] to go to  
 10 work for [REDACTED]'s?  
 11 A Just needed to change. Just needed to change,  
 12 you know, the -- the error I -- that's the type of a  
 13 person I became, you know, from here to there and  
 14 everywhere.  
 15 Q Where did you go after [REDACTED]'s?  
 16 A I went back to [REDACTED], the  
 17 beginning.  
 18 Q [REDACTED]  
 19 And when you left [REDACTED]'s, was your ending  
 20 salary over two dollars an hour?  
 21 A I don't remember.  
 22 Q Do you remember what your salary was when you  
 23 went back to [REDACTED]?  
 24 A I believe ever since then it's been a  
 25 commission, but I don't remember exactly.

1 Q You were paid on commission, is that what you  
 2 said?  
 3 A On commission, yes, because I worked my way  
 4 up. I started as a driver, then I became a shipper and  
 5 receiver. Then an apprentice in the [REDACTED]  
 6 and I've been there ever since.  
 7 Q So you got promoted from driver to --  
 8 A Shipper and --  
 9 Q -- shipper and receiver?  
 10 A -- receiver --  
 11 Q And --  
 12 A -- to apprentice in the [REDACTED]  
 13 Q And last year you made approximately, at [REDACTED]  
 14 [REDACTED], \$[REDACTED] a year?  
 15 A I believe I gave that figure as an average for  
 16 about the last 15 years. It might have been more, but  
 17 it was --  
 18 Q And what did you make last year?  
 19 A I don't have my W-2 forms. I don't know. I  
 20 don't remember.  
 21 Q When you say you don't have them --  
 22 A Well, I mean I can't prove it to you, okay.  
 23 Q Well, you have them at home?  
 24 A Well, yeah, I filled out an income tax filing,  
 25 yeah, I gotta have them.

1 Q Do you have an accountant or do you do your  
 2 own taxes?  
 3 A No, I go to a friend of mine that does them,  
 4 the -- fills out a --  
 5 Q And who is that?  
 6 A His name is -- this last year I went to a  
 7 person named [REDACTED].  
 8 Q [REDACTED]?  
 9 A Yes.  
 10 Q And that was for your 2006 taxes -- or 2005?  
 11 A '5, 2005.  
 12 Q And have you -- who are you going to this  
 13 year; do you know?  
 14 A Back to him, yeah.  
 15 Q And you don't remember how much money you  
 16 earned last year, in 2005?  
 17 MR. HALE: Asked and answered.  
 18 THE WITNESS: You already asked me. I don't  
 19 know -- the figure I think you brought out was an  
 20 average for the last 15 years.  
 21 BY MS. YOUNG:  
 22 Q Okay.  
 23 Do you know how much you earned in 2006?  
 24 A I haven't gotten a --  
 25 Q A W-2?