

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: 11

John RRR Doe,

EXPERT INTERROGATORIES

Plaintiff,

vs.

The Archdiocese of St. Paul and
Minneapolis and St. Leo's Church in
Highland Park, Minnesota,

Defendants.

Court File No.: _____

TO: Defendant Archdiocese of St. Paul and Minneapolis and its attorneys, Daniel A. Haws, 1800 Meritor Tower, 444 Cedar Street, St. Paul, Minnesota 55101 and Thomas B. Wieser, Suite 2200, North Central Life Tower, 445 Minnesota Street, St. Paul, Minnesota 55101

YOU WILL PLEASE TAKE NOTICE that the Plaintiff in the above matter requests that you answer, pursuant to Rule 33 of the Minnesota Rules of Civil Procedure, the following interrogatories:

1. State whether or not you intend to call any witnesses as experts in the trial of the case.
2. If your answer to the foregoing Interrogatory is in the affirmative:
 - a. Provide the name, age, address and position of employment of each expert;
 - b. Describe in detail the qualification of each expert with particular reference to the issues about which said expert may be called to testify at the trial of this action;
 - c. Describe in detail the subject matter on which each expert may be expected to testify;
 - d. State in detail the substance of all facts upon which each expert may be expected to testify;

- e. State in detail the contents of all opinions which each expert may be expected to testify;
- f. State in detail a summary of the grounds for each opinion listed in your answer to subpart "e" above, and state in detail the substance of all facts upon which the opinions are based.
- g. Identify by author, title, copyright date and publisher any document you claim to be learned treatise upon which your expert may rely at trial in rendering his or her opinion. Identify separately any documents you intend to call to the attention of any other expert witness upon cross-examination. Also identify precisely the exact language contained in such document that you claim admissible to be read into evidence.
- h. Identify all civil cases in which any of the expert witnesses whom you have named have testified, including discovery depositions. For each identify the name of the case, venue, whether the expert testified for plaintiff or defendant and the attorney for plaintiff and defendant.

Dated: May 25, 1993

REINHARDT AND ANDERSON



By: Jeffrey R. Anderson, #2057

Mark A. Wendorf, #173484

David S. Burleson, #215776

Attorneys for Plaintiff

E-1400 First Natl Bank Bldg.

332 Minnesota Street

St. Paul, Minnesota 55101

(612) 227-9990

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT
Case Type: 11

John RRR Doe,

**REQUEST FOR PRODUCTION
OF DOCUMENTS**

Plaintiff,

vs.

The Archdiocese of St. Paul and
Minneapolis and St. Leo's Church in
Highland Park, Minnesota,

Defendants.

Court File No.: _____

TO: Defendant Archdiocese of St. Paul and Minneapolis and its attorneys, Daniel A. Haws, 1800 Meritor Tower, 444 Cedar Street, St. Paul, Minnesota 55101 and Thomas B. Wieser, Suite 2200, North Central Life Tower, 445 Minnesota Street, St. Paul, Minnesota 55101

PLEASE TAKE NOTICE that Plaintiff requires Defendant to produce for inspection and copying the following documents within thirty (30) days at the offices of Reinhardt and Anderson, E-1400 First National Bank Building, 332 Minnesota Street, St. Paul, Minnesota 55101, or at such other time and place as may be mutually agreed upon by counsel.

This request for production of documents is to be deemed continuing. If you, your counsel, or anyone representing your interests obtains any documents or takes any statements within the scope of this document request at any time prior to the final entry of judgment in this action, you are hereby requested and directed to furnish those documents or statements to the undersigned attorneys.

DEFINITIONS

"Document" means any written, printed, typed, recorded, or graphic matter, however produced, reproduced, or stored, including, but not limited to, correspondence, memoranda, telegraphs, reports, microfiche, microfilm, data stored on magnetic tape or disc, booklets, pamphlets, manuals, printouts, flyers, handouts, files, distributions, calendars, notes, minutes, summaries, phone messages, photographs, charts, graphs, diaries, contracts, agreements, notices, drawings, sketches, designs, newsletters, letters, statements, resumes, or transcripts, in the possession of, under the control of, or known to exist by you, any member of your family, or your present or former agents, employees, employers, representatives, or attorneys, and all drafts and copies thereof, by whatever means made.

"Sexual misconduct" means any "sexual contact" or "sexual penetration", as those terms are defined in Minn. Stat. § 609.341, with an individual under the age of 18, or any communication with a person under the age of 18 which is implicitly or explicitly suggestive of future "sexual contact" or "sexual penetration," or any attempted "sexual contact" or "sexual penetration."

"Defendant", "you" or "your" refers to this answering Defendant and its agents, servants and employees.

IDENTIFICATION OF PRIVILEGED DOCUMENTS

If any document requested below is claimed by you to be privileged, for each document please state the ground upon which such privilege is claimed and identify the document by specifying:

1. the type of document (e.g., letter, memorandum, photograph);
2. the date(s) it was created;
3. its title, if any;
4. its originator(s) or creator(s);
5. its addressee(s), if any;
6. its present location;
7. the person(s) having possession, custody or control of it or knowing of its existence.

IDENTIFICATION OF DESTROYED DOCUMENTS

If any document requested herein has been destroyed, erased, or otherwise discarded, please identify that document in the same manner as you have been requested to identify documents that you claim are privileged, to the extent that such identification is possible.

REQUESTS FOR PRODUCTION OF DOCUMENTS

1. Attach copies of all documents identified or referred to in your Answers to Plaintiff's Interrogatories.
2. All documents pertaining in any manner to the reporting or investigation of sexual misconduct or alleged sexual misconduct by Father Thomas Stitts.
3. All documents pertaining in any manner to allegations of sexual misconduct committed by Father Thomas Stitts before, during or after the events which comprise the subject matter of this action, or any correspondence with any of the alleged victims, including the Plaintiff, or his family members.
4. All documents which reflect Plaintiff's involvement with the Defendant including, but not limited to, certificates of baptism, certificates of confirmation, records of involvement in youth groups, altar servers, lectors, and eucharistic ministers; letters of recommendation by the Defendant and its representatives; documents provided by Plaintiff pursuant to applications for acceptance in any education or other program; and funds provided by the Defendant to assist Plaintiff in any education or other program attended by him or any other documents in any file or files of the Plaintiff maintained by Defendant.
5. All documents which reflect any discussions or communications between the Defendant or its representatives and Plaintiff.
6. All documents concerning correspondence to or from Plaintiff.

7. All documents concerning correspondence to or from Father Thomas Stitts.
8. All documents which reflect any discussions or communications between the Defendant and its representatives and Father Thomas Stitts relating to Stitt's interactions with Plaintiff.
9. All documents which reflect any discussions or communications between the Defendant and its representatives and any other person or entity relating to Father Thomas Stitts's sexual contact with Plaintiff or Father Stitt's sexual contact with any other person within the Archdiocese of St. Paul and Minneapolis.
10. The priest file and related documents for Father Thomas Stitts.
11. The personnel board file and related documents for Father Thomas Stitts.
12. Any file or related documents relating to Father Thomas Stitts which are separately maintained in the files of the Defendant.
13. Any other document, maintained by Defendant which refers specifically to Father Thomas Stitts, including but not limited to minutes of the meetings of the Priest Personnel Board, Priests Senate, Board of Consultors, or any other advising body to the Bishop.
14. All documents or policies which describe or reflect any evidence of liability insurance procured or sought by the Defendant to cover negligence or tort claims.
15. All documents which reflect the Defendant's policies and procedures pertaining to reports, allegations, and suspicions of sexual misconduct which were in effect during the period of time covering the allegations of this lawsuit.
16. All documents setting forth the terms of the relationship between the Defendant and Father Thomas Stitts including, but not limited to: employment contracts or agreements; disciplinary procedures; work or duty hours requirements; duties and responsibilities of a

priest; and duties and responsibilities of the Defendant to a priest.

17. All documents setting forth the qualifications for and the procedures necessary to qualify for the priesthood with the Defendant.

18. All documents indicating training and/or education that was provided to Father Thomas Stitts by the Defendant regarding the procedures for counseling and working with youth.

19. Any written documentation of rules, regulations or guidelines established by the Defendant regarding social contact between priests and youth associated with or served by the Defendant.

20. Any written documentation regarding the procedures the Defendant utilizes to supervise and/or review the performance of priests serving within Defendant.

21. Any and all written documentation of the Defendant's supervision and/or reviews of the performance of Father Thomas Stitts.

22. Any written documentation evidencing Father Thomas Stitts's application for priesthood and his application to become a priest serving with the Archdiocese of St. Paul and Minneapolis.

23. Any written documentation evidencing the changes of position, duties, or responsibilities of Father Thomas Stitts while he was a priest serving with the Defendant and any written documentation of the reason for such changes.

Dated: May 25, 1993

REINHARDT AND ANDERSON



By: Jeffrey R. Anderson, #2057
Mark A. Wendorf, #173484
David S. Burleson, #215776
Attorneys for Plaintiff
E-1400 First Natl Bank Bldg.
332 Minnesota Street
St. Paul, Minnesota 55101
(612) 227-9990

STATE OF MINNESOTA
COUNTY OF RAMSEY

DISTRICT COURT
SECOND JUDICIAL DISTRICT
Case Type: 11

John RRR Doe,

Plaintiff,

**REQUEST FOR PRODUCTION
OF STATEMENTS**

vs.

The Archdiocese of St. Paul and
Minneapolis and St. Leo's Church in
Highland Park, Minnesota,

Defendants.

Court File No.: _____

TO: Defendant Archdiocese of St. Paul and Minneapolis and its attorneys, Daniel A. Haws, 1800 Meritor Tower, 444 Cedar Street, St. Paul, Minnesota 55101 and Thomas B. Wieser, Suite 2200, North Central Life Tower, 445 Minnesota Street, St. Paul, Minnesota 55101

PLEASE TAKE NOTICE that pursuant to the Minnesota Rules of Civil Procedure, you are requested to furnish and provide to the undersigned copies of statements by parties or non-parties in your possession or under you control.

For this purpose of this request, a statement is a written statement signed or otherwise approved by the person making it, or a stenographic, mechanical, electrical, or other recording; or a transcription thereof, which is a substantially verbatim recital of an oral statement by the person making it and contemporaneously recorded.

Dated: May 25, 1993

REINHARDT AND ANDERSON



By: Jeffrey R. Anderson, #2057

Mark A. Wendorf, #173484

David S. Burleson, #215776

Attorneys for Plaintiff

E-1400 First National Bank Bldg.

332 Minnesota Street

St. Paul, Minnesota 55101

(612) 227-9990

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT
Case Type: 11

John RRR Doe,

INTERROGATORIES

Plaintiff,

vs.

The Archdiocese of St. Paul and
Minneapolis and St. Leo's Church in
Highland Park, Minnesota,

Defendants.

Court File No.: _____

TO: Defendant Archdiocese of St. Paul and Minneapolis and its attorneys, Daniel A. Haws, 1800 Meritor Tower, 444 Cedar Street, St. Paul, Minnesota 55101 and Thomas B. Wieser, Suite 2200, North Central Life Tower, 445 Minnesota Street, St. Paul, Minnesota 55101

PLEASE TAKE NOTICE that Plaintiff demands separate and complete answers under oath to each of these interrogatories within thirty (30) days of service as prescribed by the Minnesota Rules of Civil Procedure. These interrogatories are deemed to be continuing and should the answers be modified, amended or changed or additional witnesses obtained, it is demanded that you so advise Plaintiff and the undersigned attorneys.

DEFINITIONS

Identify means to state fully the persons name, present or last known resident address, present or last known position or business affiliation, employment address, business and residence telephone number.

Describe means to state fully and with particularity including but not limited to stating each date, fact, event, occurrence and identifying each and every individual or document that related to or can testify to said occurrence or allegation.

"Defendant", "you" or "your" refers to this answering Defendant and its agents, servants and employees.

"Sexual misconduct" means any "sexual contact" or "sexual penetration", as those terms are defined in Minn. Stat. §609.341, with an individual under the age of 18 or any communication with such person which is implicitly or explicitly suggestive of future "sexual contact" or "sexual penetration", or any attempted "sexual contact" or "sexual penetration."

INTERROGATORIES

1. Identify who is answering these Interrogatories.
2. Did Defendant have in effect a liability insurance policy or policies providing coverage for any of the damages claimed by the Plaintiff in this action? If so, please provide the following:
 - a. The named insured in this policy;
 - b. The policy number;
 - c. The name, address and phone number of the company extending coverage;
 - d. The policy limits;
 - e. The effective dates of each policy of insurance;
 - f. If coverage under this policy is being denied or, if legal defense is being provided under a reservation of rights, identify all policy clauses identified by the insurance company as the basis for the denial of coverage or the reservation of rights.
 - g. Attach a copy of each and every insurance policy identified in this interrogatory together with all declaration pages and amendatory endorsements applicable during the period of time of the alleged sexual abuse.
3. State whether the insurance company identified in your Answer to Interrogatory No. 2 has indicated that there are policy exclusions precluding or limiting coverage for the acts which are the basis for this Complaint? If so, describe these policy exclusion(s).
4. Identify any person who you contend has knowledge or claims to have knowledge of any facts relating to the incidents which are the subject matter of this litigation.
5. Have you, your agents, investigators or attorneys contacted or spoken to any of the persons named in the answers to the preceding interrogatory? If so, separately identify each such person.
6. As to all persons whose names are set forth in your responses to the preceding interrogatories have you, your agents, investigators or attorneys or anyone acting on your behalf, obtained statements of any kind, whether written, stenographic, recorded, reported, or otherwise, from any persons identified in the above interrogatories.

7. If your response to interrogatory No. 6 is in the affirmative, please state separately for each such person, the following:
 - a. Identify that person;
 - b. Date on which the statement was taken; and
 - c. Identify the person who took the statement.

8. Have you, your agents, investigators, or attorneys or anyone acting on your behalf, obtained any kind of written, stenographic, recorded, reported, oral, or other type of statements from the Plaintiff? If so, please state for each such statement:
 - a. The date on which the statement was taken; and
 - b. Identify the person who took the statement.

9. Have you, your agents, investigators, or attorneys or anyone acting on your behalf, destroyed any documents which reflect any discussions or communications relating to Father Thomas Stitts's sexual contact with Plaintiff or Father Thomas Stitts's sexual contact with any other person within the Archdiocese of St. Paul and Minneapolis or destroyed any document, notes, or memoranda which contains information about such sexual contact pursuant to Can. 489 §2 of the Code of Canon Law? If so, please state for each such document:
 - a. Identify the document;
 - b. Identify the contents of the document;
 - c. Identify the person who drafted the document;
 - d. Identify who the document was addressed to;

10. Do you know of any legal action or insurance claims brought by Plaintiff prior to the institution of this lawsuit? If so, please furnish all information you possess in this regard, including dates, nature of the claims and final disposition of any claims made.

11. Has the Defendant, or their agents, attorneys or employees at any time received any medical report, oral or written, x-ray report, hospital records or writings of any kind from any medical practitioners, psychiatrists, psychologists, or hospitals regarding the medical, physical, mental or emotional condition of Plaintiff John RRR Doe before, during or after the occurrences which are the subject matter of this litigation? If so, please provide the name and address of the person(s), clinic, hospitals or other institutions from which the information was originally received by Defendant or his representatives.

12. Does Defendant have knowledge of any written or oral report, or any statement, memorandum, recording or other form of testimony, from the Plaintiff, signed or unsigned, concerning this cause of action? If so, please describe that information in detail. If said information is in a written or recorded form, please attach a copy of said

documented information to your answers to these interrogatories.

13. Describe each and every report or statement made by you to anyone regarding the facts of the incidents which are the subject matter of this litigation or any events leading up to the occurrence of said incidents or any events occurring immediately thereafter. As to each, please provide the following:
 - a. The type of the report or statement, whether written, oral, recorded, reported or otherwise;
 - b. The date of said statement and by whom it was made;
 - c. The name, address and employer of the custodian of any permanent form of said statement;
 - d. If you are making a claim of privilege with regard to any of said statements or reports, please state the basis of said privilege; and
 - e. Attach copies of each document identified in this interrogatory.

14. Does Defendant have knowledge of any facts or allegations made against Father Thomas Stitts for sexual misconduct or attempted sexual misconduct with any individual, including the Plaintiff, before, during or after the incidents which are the subject matter of this action? If so, please state separately for each claim:
 - a. Identify all persons who informed Defendant of these allegations;
 - b. The name, present address and present age of each individual involved in the sexual misconduct;
 - c. The dates the sexual misconduct was purported to have occurred;
 - d. The nature of the act or acts of sexual misconduct Father Thomas Stitts was purported to have committed;
 - e. If criminal charges or civil damage claims resulted from this sexual misconduct, identify the parties to this action, the court in which the action was venued, the court file number and the ultimate disposition of the action;
 - f. The date Defendant became aware of these allegations, identifying the particular agent or agents of Defendant who became aware of these allegations;
 - g. Identify and describe any letter, document, memorandum, report or other tangible evidence relating in any manner to Defendant's knowledge of prior sexual misconduct committed by Father Thomas Stitts;
 - h. Attach copies of all tangible evidence identified in your answer to interrogatory 14(g);
 - i. If Father Thomas Stitts admitted the allegations of sexual misconduct, provide the date of and substance of the admission and identify each and every one of Defendant's agents who became aware of the admission;
 - j. Describe any disciplinary or preventative actions Defendant took in response to knowledge of this sexual misconduct;

15. Does Defendant have knowledge of any psychiatric, psychological or other therapy or counseling which Father Thomas Stitts has undergone either before, during or after the incidents which are the subject matter of this action. If so, provide the following:
 - a. Identify the person(s) who counseled or provided therapy for Father Thomas Stitts;
 - b. The dates of this therapy or counseling;
 - c. Did Defendant's agent, servant or employee direct or suggest that Father Thomas Stitts undergo this therapy or counseling. If so, please identify said agent, servant or employee of Defendant, the subject matter of the communication(s) with Father Thomas Stitts and the date(s) of these communications;
 - d. Describe any and all documents in Defendant's possession relating in any way to this therapy or counseling;
 - e. Attach to these interrogatory answers any reports, records, memorandum or other tangible documents relating in any way to this therapy or counseling.

16. Describe the employment relationship between you and Father Thomas Stitts including but not limited to the following:
 - a. Describe the circumstances surrounding Father Thomas Stitts's initial association with Defendant;
 - b. The method by which Father Thomas Stitts was compensated for services he supplied to Defendant, including the nature, source and frequency of this compensation;
 - c. List the specific duties and responsibilities of Father Thomas Stitts during his employment association with Defendant;
 - d. List the instrumentalities required by Father Thomas Stitts to perform these duties and identify the person or organization which supplied these instrumentalities to Father Thomas Stitts;
 - e. List the name(s) of Father Thomas Stitts's supervisor(s) during his association with the Defendant;
 - f. State the date Father Thomas Stitts association with the Defendant was terminated and the reason for termination of this association.
 - g. List each assignment given to Father Thomas Stitts and set forth the years Father Thomas Stitts served in each position and his title and duties.

17. Describe the Defendant's policies and/or procedures regarding the duties and obligations of priests, bishops, and others serving within the structure of the Archdiocese of St. Paul and Minneapolis pertaining to reports, allegations, and suspicions of sexual misconduct which were in effect during the period of time covering the allegations of this lawsuit.

18. Describe each and every allegation of sexual misconduct made against any Roman Catholic priest serving within The Archdiocese of St. Paul and Minneapolis that was made known to any official of Defendant prior to and/or during the period of time covering the sexual misconduct alleged in this case.
19. Describe each and every allegation of sexual misconduct made against any Roman Catholic priest serving within The Archdiocese of St. Paul and Minneapolis that was made known to any official of Defendant after the sexual misconduct alleged in this case.

Dated: May 25, 1993

REINHARDT AND ANDERSON

David S. Burleson

By: Jeffrey R. Anderson, #2057

Mark A. Wendorf, #173484

David S. Burleson, #215776

Attorneys for Plaintiff

E-1400 First Natl Bank Bldg.

332 Minnesota Street

St. Paul, Minnesota 55101

(612) 227-9990

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: 11

John RRR Doe,

EXPERT INTERROGATORIES

Plaintiff,

vs.

The Archdiocese of St. Paul and
Minneapolis and St. Leo's Church in
Highland Park, Minnesota,

Defendants.

Court File No.: _____

TO: Defendant Archdiocese of St. Paul and Minneapolis and its attorneys, Daniel A. Haws, 1800 Meritor Tower, 444 Cedar Street, St. Paul, Minnesota 55101 and Thomas B. Wieser, Suite 2200, North Central Life Tower, 445 Minnesota Street, St. Paul, Minnesota 55101

YOU WILL PLEASE TAKE NOTICE that the Plaintiff in the above matter requests that you answer, pursuant to Rule 33 of the Minnesota Rules of Civil Procedure, the following interrogatories:

1. State whether or not you intend to call any witnesses as experts in the trial of the case.
2. If your answer to the foregoing Interrogatory is in the affirmative:
 - a. Provide the name, age, address and position of employment of each expert;
 - b. Describe in detail the qualification of each expert with particular reference to the issues about which said expert may be called to testify at the trial of this action;
 - c. Describe in detail the subject matter on which each expert may be expected to testify;
 - d. State in detail the substance of all facts upon which each expert may be expected to testify;

- e. State in detail the contents of all opinions which each expert may be expected to testify;
- f. State in detail a summary of the grounds for each opinion listed in your answer to subpart "e" above, and state in detail the substance of all facts upon which the opinions are based.
- g. Identify by author, title, copyright date and publisher any document you claim to be learned treatise upon which your expert may rely at trial in rendering his or her opinion. Identify separately any documents you intend to call to the attention of any other expert witness upon cross-examination. Also identify precisely the exact language contained in such document that you claim admissible to be read into evidence.
- h. Identify all civil cases in which any of the expert witnesses whom you have named have testified, including discovery depositions. For each identify the name of the case, venue, whether the expert testified for plaintiff or defendant and the attorney for plaintiff and defendant.

Dated: May 25, 1993

REINHARDT AND ANDERSON



By: Jeffrey R. Anderson, #2057
Mark A. Wendorf, #173484
David S. Burleson, #215776
Attorneys for Plaintiff
E-1400 First Natl Bank Bldg.
332 Minnesota Street
St. Paul, Minnesota 55101
(612) 227-9990

STATE OF MINNESOTA

COUNTY OF RAMSEY

DISTRICT COURT

SECOND JUDICIAL DISTRICT

Case Type: 11

John RRR Doe,

Plaintiff,

**REQUEST FOR PRODUCTION
OF DOCUMENTS**

vs.

The Archdiocese of St. Paul and
Minneapolis and St. Leo's Church in
Highland Park, Minnesota,

Defendants.

Court File No.: _____

TO: Defendant Archdiocese of St. Paul and Minneapolis and its attorneys, Daniel A. Haws, 1800 Meritor Tower, 444 Cedar Street, St. Paul, Minnesota 55101 and Thomas B. Wieser, Suite 2200, North Central Life Tower, 445 Minnesota Street, St. Paul, Minnesota 55101

PLEASE TAKE NOTICE that Plaintiff requires Defendant to produce for inspection and copying the following documents within thirty (30) days at the offices of Reinhardt and Anderson, E-1400 First National Bank Building, 332 Minnesota Street, St. Paul, Minnesota 55101, or at such other time and place as may be mutually agreed upon by counsel.

This request for production of documents is to be deemed continuing. If you, your counsel, or anyone representing your interests obtains any documents or takes any statements within the scope of this document request at any time prior to the final entry of judgment in this action, you are hereby requested and directed to furnish those documents or statements to the undersigned attorneys.

DEFINITIONS

"Document" means any written, printed, typed, recorded, or graphic matter, however produced, reproduced, or stored, including, but not limited to, correspondence, memoranda, telegraphs, reports, microfiche, microfilm, data stored on magnetic tape or disc, booklets, pamphlets, manuals, printouts, flyers, handouts, files, distributions, calendars, notes, minutes, summaries, phone messages, photographs, charts, graphs, diaries, contracts, agreements, notices, drawings, sketches, designs, newsletters, letters, statements, resumes, or transcripts, in the possession of, under the control of, or known to exist by you, any member of your family, or your present or former agents, employees, employers, representatives, or attorneys, and all drafts and copies thereof, by whatever means made.

"Sexual misconduct" means any "sexual contact" or "sexual penetration", as those terms are defined in Minn. Stat. § 609.341, with an individual under the age of 18, or any communication with a person under the age of 18 which is implicitly or explicitly suggestive of future "sexual contact" or "sexual penetration," or any attempted "sexual contact" or "sexual penetration."

"Defendant", "you" or "your" refers to this answering Defendant and its agents, servants and employees.

IDENTIFICATION OF PRIVILEGED DOCUMENTS

If any document requested below is claimed by you to be privileged, for each document please state the ground upon which such privilege is claimed and identify the document by specifying:

1. the type of document (e.g., letter, memorandum, photograph);
2. the date(s) it was created;
3. its title, if any;
4. its originator(s) or creator(s);
5. its addressee(s), if any;
6. its present location;
7. the person(s) having possession, custody or control of it or knowing of its existence.

IDENTIFICATION OF DESTROYED DOCUMENTS

If any document requested herein has been destroyed, erased, or otherwise discarded, please identify that document in the same manner as you have been requested to identify documents that you claim are privileged, to the extent that such identification is possible.

REQUESTS FOR PRODUCTION OF DOCUMENTS

1. Attach copies of all documents identified or referred to in your Answers to Plaintiff's Interrogatories.
2. All documents pertaining in any manner to the reporting or investigation of sexual misconduct or alleged sexual misconduct by Father Thomas Stitts.
3. All documents pertaining in any manner to allegations of sexual misconduct committed by Father Thomas Stitts before, during or after the events which comprise the subject matter of this action, or any correspondence with any of the alleged victims, including the Plaintiff, or his family members.
4. All documents which reflect Plaintiff's involvement with the Defendant including, but not limited to, certificates of baptism, certificates of confirmation, records of involvement in youth groups, altar servers, lectors, and eucharistic ministers; letters of recommendation by the Defendant and its representatives; documents provided by Plaintiff pursuant to applications for acceptance in any education or other program; and funds provided by the Defendant to assist Plaintiff in any education or other program attended by him or any other documents in any file or files of the Plaintiff maintained by Defendant.
5. All documents which reflect any discussions or communications between the Defendant or its representatives and Plaintiff.
6. All documents concerning correspondence to or from Plaintiff.

7. All documents concerning correspondence to or from Father Thomas Stitts.
8. All documents which reflect any discussions or communications between the Defendant and its representatives and Father Thomas Stitts relating to Stitt's interactions with Plaintiff.
9. All documents which reflect any discussions or communications between the Defendant and its representatives and any other person or entity relating to Father Thomas Stitts's sexual contact with Plaintiff or Father Stitt's sexual contact with any other person within the Archdiocese of St. Paul and Minneapolis.
10. The priest file and related documents for Father Thomas Stitts.
11. The personnel board file and related documents for Father Thomas Stitts.
12. Any file or related documents relating to Father Thomas Stitts which are separately maintained in the files of the Defendant.
13. Any other document, maintained by Defendant which refers specifically to Father Thomas Stitts, including but not limited to minutes of the meetings of the Priest Personnel Board, Priests Senate, Board of Consultors, or any other advising body to the Bishop.
14. All documents or policies which describe or reflect any evidence of liability insurance procured or sought by the Defendant to cover negligence or tort claims.
15. All documents which reflect the Defendant's policies and procedures pertaining to reports, allegations, and suspicions of sexual misconduct which were in effect during the period of time covering the allegations of this lawsuit.
16. All documents setting forth the terms of the relationship between the Defendant and Father Thomas Stitts including, but not limited to: employment contracts or agreements; disciplinary procedures; work or duty hours requirements; duties and responsibilities of a

priest; and duties and responsibilities of the Defendant to a priest.

17. All documents setting forth the qualifications for and the procedures necessary to qualify for the priesthood with the Defendant.

18. All documents indicating training and/or education that was provided to Father Thomas Stitts by the Defendant regarding the procedures for counseling and working with youth.

19. Any written documentation of rules, regulations or guidelines established by the Defendant regarding social contact between priests and youth associated with or served by the Defendant.

20. Any written documentation regarding the procedures the Defendant utilizes to supervise and/or review the performance of priests serving within Defendant.

21. Any and all written documentation of the Defendant's supervision and/or reviews of the performance of Father Thomas Stitts.

22. Any written documentation evidencing Father Thomas Stitts's application for priesthood and his application to become a priest serving with the Archdiocese of St. Paul and Minneapolis.

23. Any written documentation evidencing the changes of position, duties, or responsibilities of Father Thomas Stitts while he was a priest serving with the Defendant and any written documentation of the reason for such changes.

Dated: May 25, 1993

REINHARDT AND ANDERSON



By: Jeffrey R. Anderson, #2057
Mark A. Wendorf, #173484
David S. Burleson, #215776
Attorneys for Plaintiff
E-1400 First Natl Bank Bldg.
332 Minnesota Street
St. Paul, Minnesota 55101
(612) 227-9990

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: 11

John RRR Doe,

**REQUEST FOR PRODUCTION
OF STATEMENTS**

Plaintiff,

vs.

The Archdiocese of St. Paul and
Minneapolis and St. Leo's Church in
Highland Park, Minnesota,

Defendants.

Court File No.: _____

TO: Defendant Archdiocese of St. Paul and Minneapolis and its attorneys, Daniel A. Haws, 1800 Meritor Tower, 444 Cedar Street, St. Paul, Minnesota 55101 and Thomas B. Wieser, Suite 2200, North Central Life Tower, 445 Minnesota Street, St. Paul, Minnesota 55101

PLEASE TAKE NOTICE that pursuant to the Minnesota Rules of Civil Procedure, you are requested to furnish and provide to the undersigned copies of statements by parties or non-parties in your possession or under you control.

For this purpose of this request, a statement is a written statement signed or otherwise approved by the person making it, or a stenographic, mechanical, electrical, or other recording; or a transcription thereof, which is a substantially verbatim recital of an oral statement by the person making it and contemporaneously recorded.

Dated: May 25, 1993

REINHARDT AND ANDERSON



By: Jeffrey R. Anderson, #2057

Mark A. Wendorf, #173484

David S. Burleson, #215776

Attorneys for Plaintiff

E-1400 First National Bank Bldg.

332 Minnesota Street

St. Paul, Minnesota 55101

(612) 227-9990

To Deul
Date 1/26 Time 3:43

WHILE YOU WERE OUT

M _
of _____

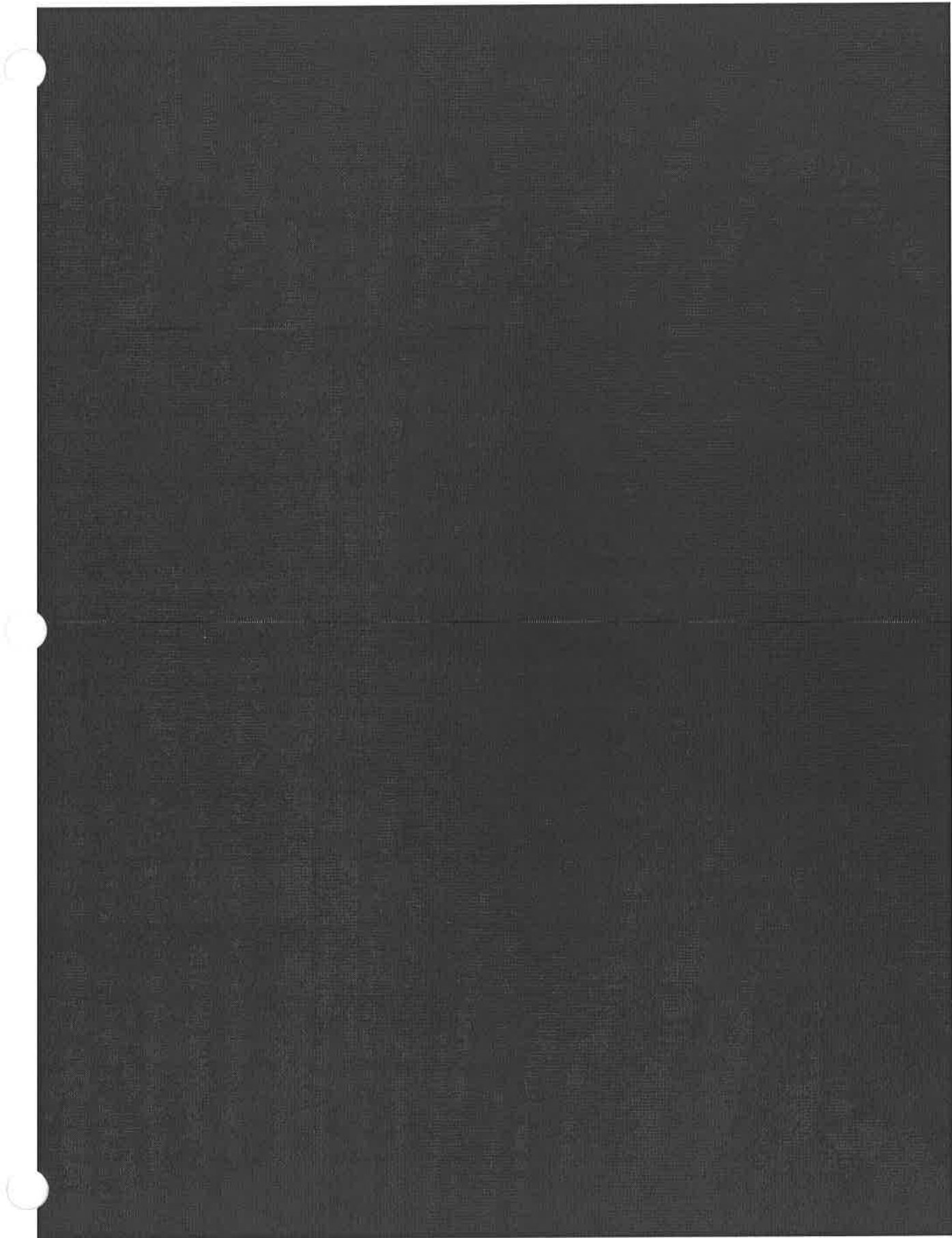
Phone _ Area Code Number Extension

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT	<input type="checkbox"/>
RETURNED YOUR CALL		<input type="checkbox"/>	<input type="checkbox"/>

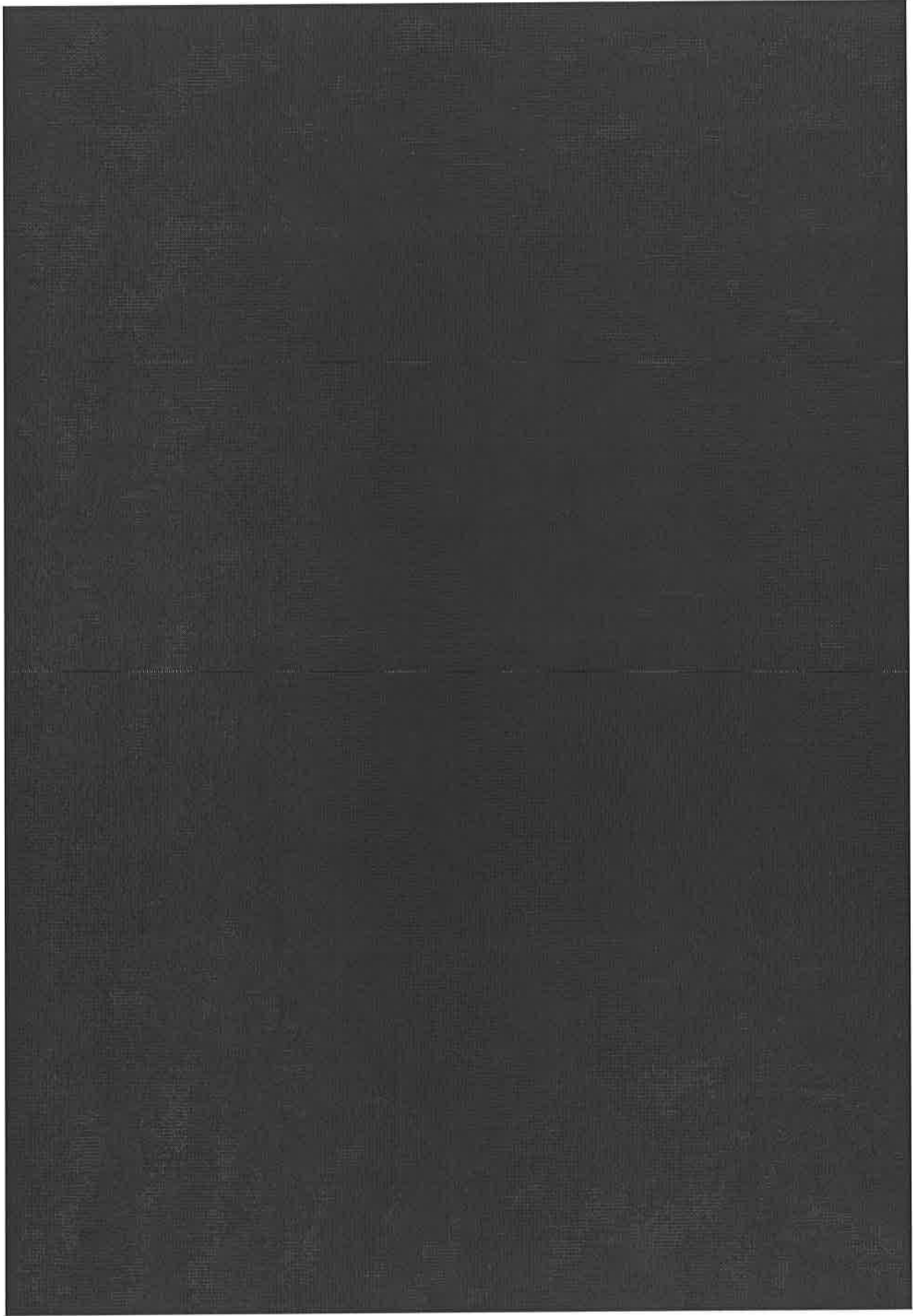
Message

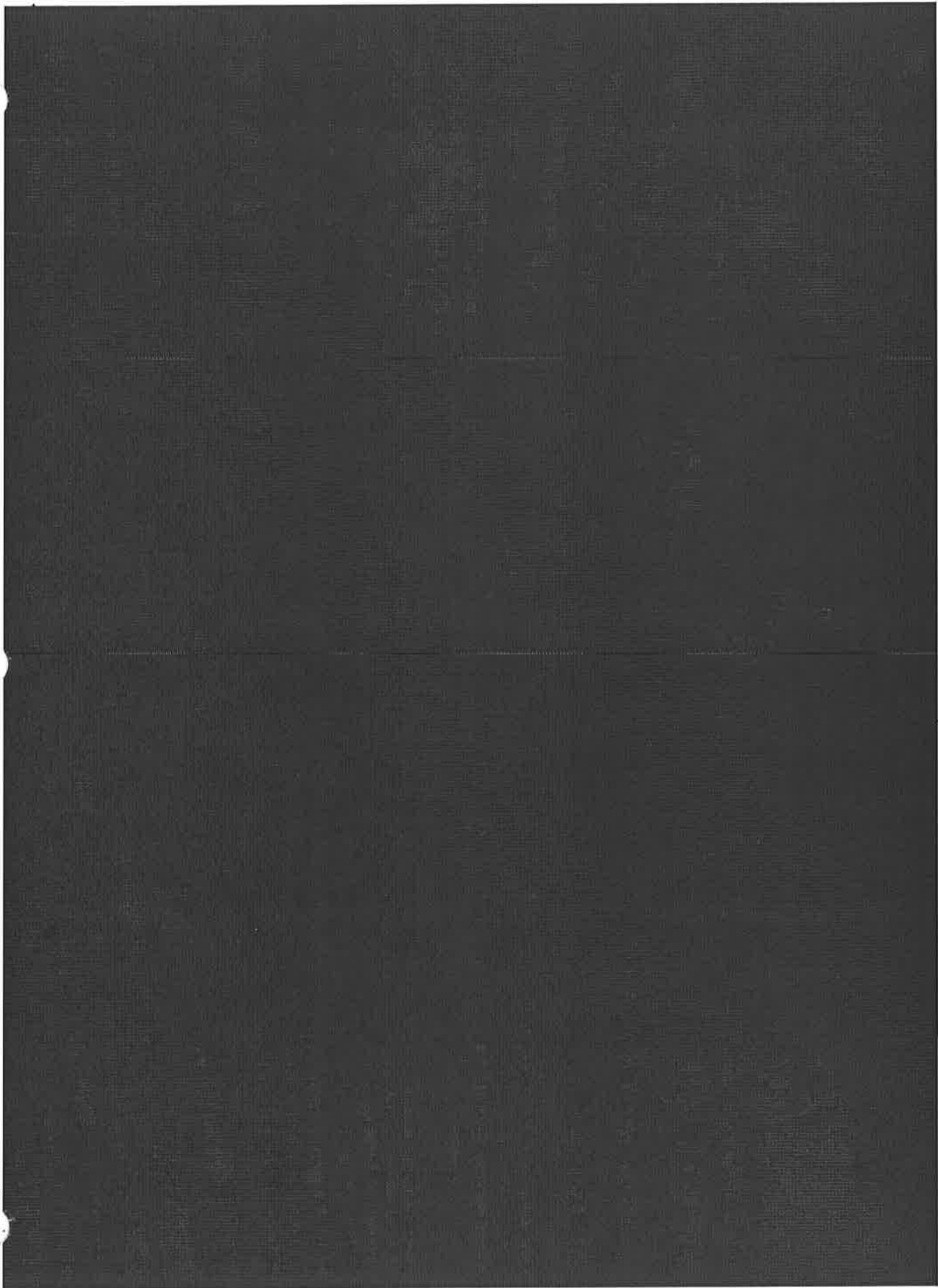
Operator

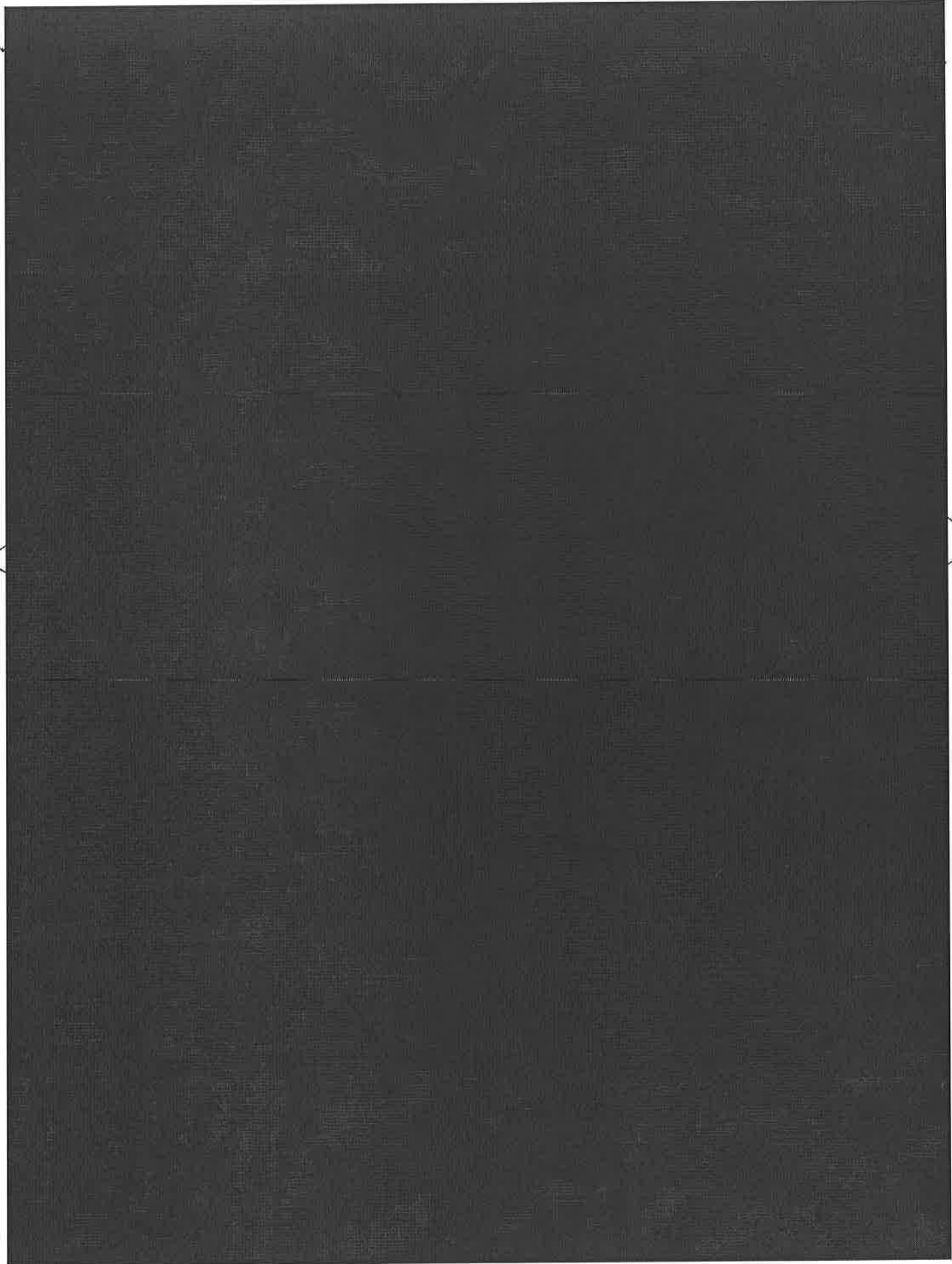
ARCH-011038

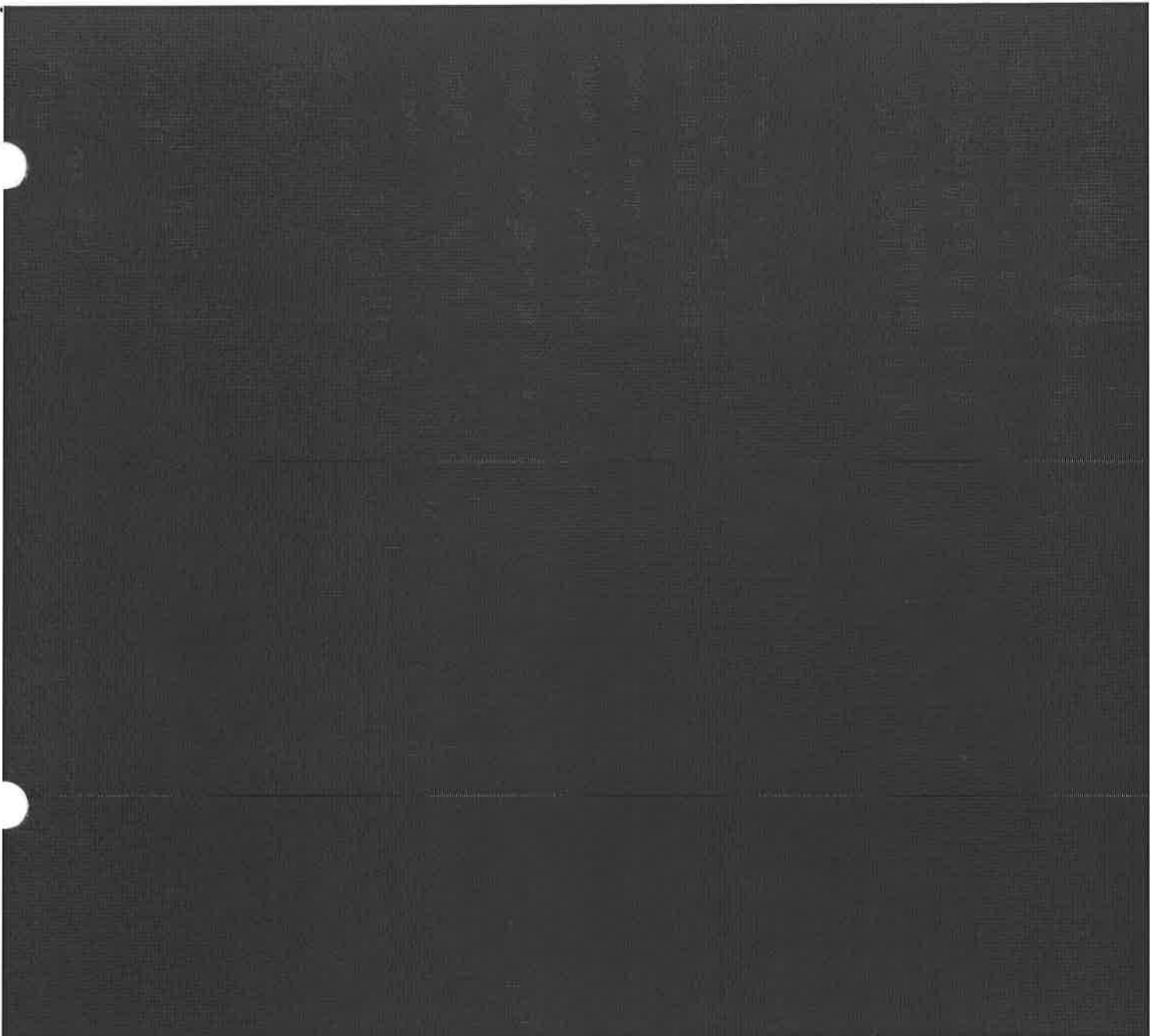












STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: 11

John SSS Doe,

**REQUEST FOR PRODUCTION
OF DOCUMENTS**

Plaintiff,

vs.

The Archdiocese of St. Paul and
Minneapolis, St. Elizabeth Ann Seaton
Church, f/k/a Guardian Angels
Church in Hastings, Minnesota,

Defendants.

Court File No.: _____

TO: Defendant Archdiocese of St. Paul and Minneapolis and its attorney, James T. Martin,
7600 Parklawn Avenue South, Edina, Minnesota 55435

PLEASE TAKE NOTICE that Plaintiff requires Defendant to produce for inspection and copying the following documents within thirty (30) days at the offices of Reinhardt and Anderson, E-1400 First National Bank Building, 332 Minnesota Street, St. Paul, Minnesota 55101, or at such other time and place as may be mutually agreed upon by counsel.

This request for production of documents is to be deemed continuing. If you, your counsel, or anyone representing your interests obtains any documents or takes any statements within the scope of this document request at any time prior to the final entry of judgment in this action, you are hereby requested and directed to furnish those documents or statements to the undersigned attorneys.

DEFINITIONS

"Document" means any written, printed, typed, recorded, or graphic matter, however produced, reproduced, or stored, including, but not limited to, correspondence, memoranda, telegraphs, reports, microfiche, microfilm, data stored on magnetic tape or disc, booklets, pamphlets, manuals, printouts, flyers, handouts, files, distributions, calendars, notes, minutes, summaries, phone messages, photographs, charts, graphs, diaries, contracts, agreements, notices, drawings, sketches, designs, newsletters, letters, statements, resumes, or transcripts, in the possession of, under the control of, or known to exist by you, any member of your family, or your present or former agents, employees, employers, representatives, or attorneys, and all drafts and copies thereof, by whatever means made.

"Sexual misconduct" means any "sexual contact" or "sexual penetration", as those terms are defined in Minn. Stat. § 609.341, with an individual under the age of 18, or any communication with a person under the age of 18 which is implicitly or explicitly suggestive of future "sexual contact" or "sexual penetration," or any attempted "sexual contact" or "sexual penetration."

"Defendant", "you" or "your" refers to this answering Defendant and its agents, servants and employees.

IDENTIFICATION OF PRIVILEGED DOCUMENTS

If any document requested below is claimed by you to be privileged, for each document please state the ground upon which such privilege is claimed and identify the document by specifying:

1. the type of document (e.g., letter, memorandum, photograph);
2. the date(s) it was created;
3. its title, if any;
4. its originator(s) or creator(s);
5. its addressee(s), if any;
6. its present location;

7. the person(s) having possession, custody or control of it or knowing of its existence.

IDENTIFICATION OF DESTROYED DOCUMENTS

If any document requested herein has been destroyed, erased, or otherwise discarded, please identify that document in the same manner as you have been requested to identify documents that you claim are privileged, to the extent that such identification is possible.

REQUESTS FOR PRODUCTION OF DOCUMENTS

1. Attach copies of all documents identified or referred to in your Answers to Plaintiff's Interrogatories.
2. All documents pertaining in any manner to the reporting or investigation of sexual misconduct or alleged sexual misconduct by Father Thomas Stitts.
3. All documents pertaining in any manner to allegations of sexual misconduct committed by Father Thomas Stitts before, during or after the events which comprise the subject matter of this action, or any correspondence with any of the alleged victims, including the Plaintiff, or his family members.
4. All documents which reflect Plaintiff's involvement with the Defendant including, but not limited to, certificates of baptism, certificates of confirmation, records of involvement in youth groups, altar servers, lectors, and eucharistic ministers; letters of recommendation by the Defendant and its representatives; documents provided by Plaintiff pursuant to applications for acceptance in any education or other program; and funds provided by the Defendant to assist Plaintiff in any education or other program attended by him or any other documents in any file or files of the Plaintiff maintained by Defendant.

5. All documents which reflect any discussions or communications between the Defendant or its representatives and Plaintiff.

6. All documents concerning correspondence to or from Plaintiff.

7. All documents concerning correspondence to or from Father Thomas Stitts.

8. All documents which reflect any discussions or communications between the Defendant and its representatives and Father Thomas Stitts relating to Stitt's interactions with Plaintiff.

9. All documents which reflect any discussions or communications between the Defendant and its representatives and any other person or entity relating to Father Thomas Stitts's sexual contact with Plaintiff or Father Stitt's sexual contact with any other person within the Archdiocese of St. Paul and Minneapolis.

10. The priest file and related documents for Father Thomas Stitts.

11. The personnel board file and related documents for Father Thomas Stitts.

12. Any file or related documents relating to Father Thomas Stitts which are separately maintained in the files of the Defendant.

13. Any other document, maintained by Defendant which refers specifically to Father Thomas Stitts, including but not limited to minutes of the meetings of the Priest Personnel Board, Priests Senate, Board of Consultors, or any other advising body to the Bishop.

14. All documents or policies which describe or reflect any evidence of liability insurance procured or sought by the Defendant to cover negligence or tort claims.

15. All documents which reflect the Defendant's policies and procedures pertaining to reports, allegations, and suspicions of sexual misconduct which were in effect during the

period of time covering the allegations of this lawsuit.

16. All documents setting forth the terms of the relationship between the Defendant and Father Thomas Stitts including, but not limited to: employment contracts or agreements; disciplinary procedures; work or duty hours requirements; duties and responsibilities of a priest; and duties and responsibilities of the Defendant to a priest.

17. All documents setting forth the qualifications for and the procedures necessary to qualify for the priesthood with the Defendant.

18. All documents indicating training and/or education that was provided to Father Thomas Stitts by the Defendant regarding the procedures for counseling and working with youth.

19. Any written documentation of rules, regulations or guidelines established by the Defendant regarding social contact between priests and youth associated with or served by the Defendant.

20. Any written documentation regarding the procedures the Defendant utilizes to supervise and/or review the performance of priests serving within Defendant.

21. Any and all written documentation of the Defendant's supervision and/or reviews of the performance of Father Thomas Stitts.

22. Any written documentation evidencing Father Thomas Stitts's application for priesthood and his application to become a priest serving with the Archdiocese of St. Paul and Minneapolis.

23. Any written documentation evidencing the changes of position, duties, or responsibilities of Father Thomas Stitts while he was a priest serving with the Defendant and any written documentation of the reason for such changes.

Dated: May 27, 1993

REINHARDT AND ANDERSON

David S. Burleson

By: Jeffrey R. Anderson, #2057

Mark A. Wendorf, #173484

David S. Burleson, #215776

Attorneys for Plaintiff

E-1400 First Natl Bank Bldg.

332 Minnesota Street

St. Paul, Minnesota 55101

(612) 227-9990

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: 11

John SSS Doe,

INTERROGATORIES

Plaintiff,

vs.

The Archdiocese of St. Paul and
Minneapolis, St. Elizabeth Ann Seaton
Church, f/k/a Guardian Angels
Church in Hastings, Minnesota,

Defendants.

Court File No.: _____

TO: Defendant Archdiocese of St. Paul and Minneapolis and its attorney, James T. Martin,
7600 Parklawn Avenue South, Edina, Minnesota 55435

PLEASE TAKE NOTICE that Plaintiff demands separate and complete answers under oath to each of these interrogatories within thirty (30) days of service as prescribed by the Minnesota Rules of Civil Procedure. These interrogatories are deemed to be continuing and should the answers be modified, amended or changed or additional witnesses obtained, it is demanded that you so advise Plaintiff and the undersigned attorneys.

DEFINITIONS

Identify means to state fully the persons name, present or last known resident address, present or last known position or business affiliation, employment address, business and residence telephone number.

Describe means to state fully and with particularity including but not limited to stating each date, fact, event, occurrence and identifying each and every individual or document that related to or can testify to said occurrence or allegation.

"Defendant", "you" or "your" refers to this answering Defendant and its agents, servants and employees.

"Sexual misconduct" means any "sexual contact" or "sexual penetration", as those terms are defined in Minn. Stat. §609.341, with an individual under the age of 18 or any communication with such person which is implicitly or explicitly suggestive of future "sexual contact" or "sexual penetration", or any attempted "sexual contact" or "sexual penetration."

INTERROGATORIES

1. Identify who is answering these Interrogatories.
2. Did Defendant have in effect a liability insurance policy or policies providing coverage for any of the damages claimed by the Plaintiff in this action? If so, please provide the following:
 - a. The named insured in this policy;
 - b. The policy number;
 - c. The name, address and phone number of the company extending coverage;
 - d. The policy limits;
 - e. The effective dates of each policy of insurance;
 - f. If coverage under this policy is being denied or, if legal defense is being provided under a reservation of rights, identify all policy clauses identified by the insurance company as the basis for the denial of coverage or the reservation of rights.
 - g. Attach a copy of each and every insurance policy identified in this interrogatory together with all declaration pages and amendatory endorsements applicable during the period of time of the alleged sexual abuse.
3. State whether the insurance company identified in your Answer to Interrogatory No. 2 has indicated that there are policy exclusions precluding or limiting coverage for the acts which are the basis for this Complaint? If so, describe these policy exclusion(s).
4. Identify any person who you contend has knowledge or claims to have knowledge of any facts relating to the incidents which are the subject matter of this litigation.
5. Have you, your agents, investigators or attorneys contacted or spoken to any of the persons named in the answers to the preceding interrogatory? If so, separately identify each such person.

6. As to all persons whose names are set forth in your responses to the preceding interrogatories have you, your agents, investigators or attorneys or anyone acting on your behalf, obtained statements of any kind, whether written, stenographic, recorded, reported, or otherwise, from any persons identified in the above interrogatories.
7. If your response to interrogatory No. 6 is in the affirmative, please state separately for each such person, the following:
 - a. Identify that person;
 - b. Date on which the statement was taken; and
 - c. Identify the person who took the statement.
8. Have you, your agents, investigators, or attorneys or anyone acting on your behalf, obtained any kind of written, stenographic, recorded, reported, oral, or other type of statements from the Plaintiff? If so, please state for each such statement:
 - a. The date on which the statement was taken; and
 - b. Identify the person who took the statement.
9. Have you, your agents, investigators, or attorneys or anyone acting on your behalf, destroyed any documents which reflect any discussions or communications relating to Father Thomas Stitts' sexual contact with Plaintiff or Father Thomas Stitts' sexual contact with any other person within the Archdiocese of St. Paul and Minneapolis or destroyed any document, notes, or memoranda which contains information about such sexual contact pursuant to Can. 489 §2 of the Code of Canon Law? If so, please state for each such document:
 - a. Identify the document;
 - b. Identify the contents of the document;
 - c. Identify the person who drafted the document;
 - d. Identify who the document was addressed to;
10. Do you know of any legal action or insurance claims brought by Plaintiff prior to the institution of this lawsuit? If so, please furnish all information you possess in this regard, including dates, nature of the claims and final disposition of any claims made.
11. Has the Defendant, or their agents, attorneys or employees at any time received any medical report, oral or written, x-ray report, hospital records or writings of any kind from any medical practitioners, psychiatrists, psychologists, or hospitals regarding the medical, physical, mental or emotional condition of Plaintiff John SSS Doe before, during or after the occurrences which are the subject matter of this litigation? If so, please provide the name and address of the person(s), clinic, hospitals or other institutions from which the information was originally received by Defendant or his

representatives.

12. Does Defendant have knowledge of any written or oral report, or any statement, memorandum, recording or other form of testimony, from the Plaintiff, signed or unsigned, concerning this cause of action? If so, please describe that information in detail. If said information is in a written or recorded form, please attach a copy of said documented information to your answers to these interrogatories.
13. Describe each and every report or statement made by you to anyone regarding the facts of the incidents which are the subject matter of this litigation or any events leading up to the occurrence of said incidents or any events occurring immediately thereafter. As to each, please provide the following:
 - a. The type of the report or statement, whether written, oral, recorded, reported or otherwise;
 - b. The date of said statement and by whom it was made;
 - c. The name, address and employer of the custodian of any permanent form of said statement;
 - d. If you are making a claim of privilege with regard to any of said statements or reports, please state the basis of said privilege; and
 - e. Attach copies of each document identified in this interrogatory.
14. Does Defendant have knowledge of any facts or allegations made against Father Thomas Stitts for sexual misconduct or attempted sexual misconduct with any individual, including the Plaintiff, before, during or after the incidents which are the subject matter of this action? If so, please state separately for each claim:
 - a. Identify all persons who informed Defendant of these allegations;
 - b. The name, present address and present age of each individual involved in the sexual misconduct;
 - c. The dates the sexual misconduct was purported to have occurred;
 - d. The nature of the act or acts of sexual misconduct Father Thomas Stitts was purported to have committed;
 - e. If criminal charges or civil damage claims resulted from this sexual misconduct, identify the parties to this action, the court in which the action was venued, the court file number and the ultimate disposition of the action;
 - f. The date Defendant became aware of these allegations, identifying the particular agent or agents of Defendant who became aware of these allegations;
 - g. Identify and describe any letter, document, memorandum, report or other tangible evidence relating in any manner to Defendant's knowledge of prior sexual misconduct committed by Father Thomas Stitts;
 - h. Attach copies of all tangible evidence identified in your answer to interrogatory 14(g);

- i. If Father Thomas Stitts admitted the allegations of sexual misconduct, provide the date of and substance of the admission and identify each and every one of Defendant's agents who became aware of the admission;
 - j. Describe any disciplinary or preventative actions Defendant took in response to knowledge of this sexual misconduct;

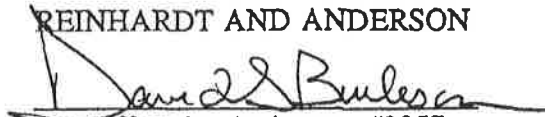
15. Does Defendant have knowledge of any psychiatric, psychological or other therapy or counseling which Father Thomas Stitts has undergone either before, during or after the incidents which are the subject matter of this action. If so, provide the following:
 - a. Identify the person(s) who counseled or provided therapy for Father Thomas Stitts;
 - b. The dates of this therapy or counseling;
 - c. Did Defendant's agent, servant or employee direct or suggest that Father Thomas Stitts undergo this therapy or counseling. If so, please identify said agent, servant or employee of Defendant, the subject matter of the communication(s) with Father Thomas Stitts and the date(s) of these communications;
 - d. Describe any and all documents in Defendant's possession relating in any way to this therapy or counseling;
 - e. Attach to these interrogatory answers any reports, records, memorandum or other tangible documents relating in any way to this therapy or counseling.

16. Describe the employment relationship between you and Father Thomas Stitts including but not limited to the following:
 - a. Describe the circumstances surrounding Father Thomas Stitts' initial association with Defendant;
 - b. The method by which Father Thomas Stitts was compensated for services he supplied to Defendant, including the nature, source and frequency of this compensation;
 - c. List the specific duties and responsibilities of Father Thomas Stitts during his employment association with Defendant;
 - d. List the instrumentalities required by Father Thomas Stitts to perform these duties and identify the person or organization which supplied these instrumentalities to Father Thomas Stitts;
 - e. List the name(s) of Father Thomas Stitts' supervisor(s) during his association with the Defendant;
 - f. State the date Father Thomas Stitts association with the Defendant was terminated and the reason for termination of this association.
 - g. List each assignment given to Father Thomas Stitts and set forth the years Father Thomas Stitts served in each position and his title and duties.

17. Describe the Defendant's policies and/or procedures regarding the duties and obligations of priests, bishops, and others serving within the structure of the Archdiocese of St. Paul and Minneapolis pertaining to reports, allegations, and suspicions of sexual misconduct which were in effect during the period of time covering the allegations of this lawsuit.
18. Describe each and every allegation of sexual misconduct made against any Roman Catholic priest serving with Defendant that was made known to any official of Defendant prior to and/or during the period of time covering the sexual misconduct alleged in this case.
19. Describe each and every allegation of sexual misconduct made against any Roman Catholic priest serving with Defendant that was made known to any official of Defendant after the sexual misconduct alleged in this case.

Dated: May 27, 1993

REINHARDT AND ANDERSON



By: Jeffrey R. Anderson, #2057

Mark A. Wendorf, #173484

David S. Burleson, #215776

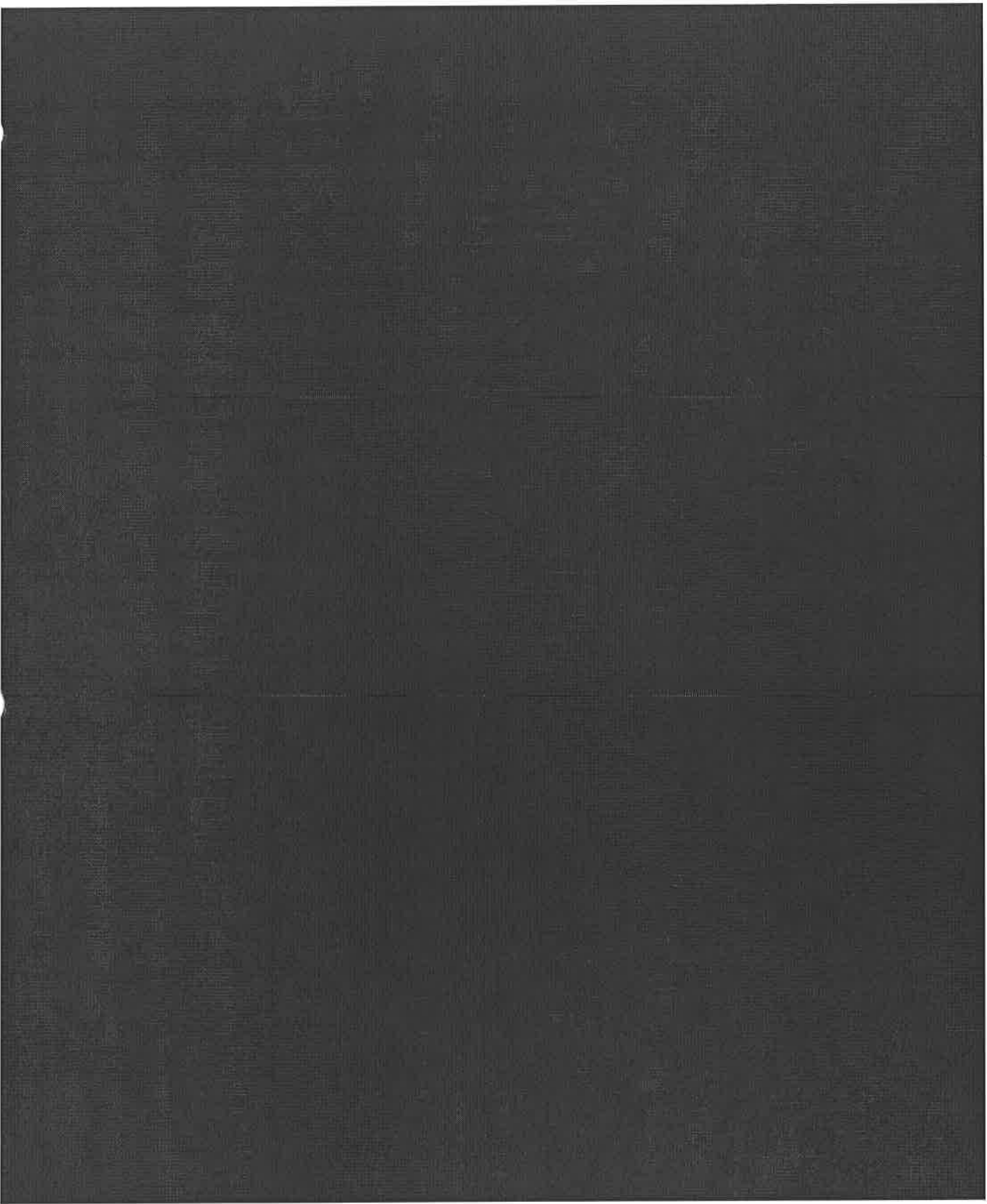
Attorneys for Plaintiff

E-1400 First Natl Bank Bldg.

332 Minnesota Street

St. Paul, Minnesota 55101

(612) 227-9990



PRIVILEGED
ATTORNEY-CLIENT LETTER

From Thomas Wieser
to Rev. Kevin McDonough
dated May 26, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser

to Glen Bredahl

dated May 26, 1993

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: 11

John SSS Doe,

EXPERT INTERROGATORIES

Plaintiff,

vs.

The Archdiocese of St. Paul and
Minneapolis, St. Elizabeth Ann Seaton
Church, f/k/a Guardian Angels
Church in Hastings, Minnesota,

Defendants.

Court File No.: _____

TO: Defendant Archdiocese of St. Paul and Minneapolis and its attorney, James T. Martin,
7600 Parklawn Avenue South, Edina, Minnesota 55435

YOU WILL PLEASE TAKE NOTICE that the Plaintiff in the above matter requests that
you answer, pursuant to Rule 33 of the Minnesota Rules of Civil Procedure, the following
interrogatories:

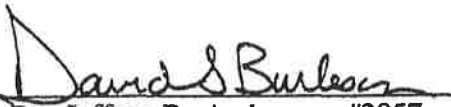
1. State whether or not you intend to call any witnesses as experts in the trial of the
case.
2. If your answer to the foregoing Interrogatory is in the affirmative:
 - a. Provide the name, age, address and position of employment of each expert;
 - b. Describe in detail the qualification of each expert with particular reference to the
issues about which said expert may be called to testify at the trial of this action;
 - c. Describe in detail the subject matter on which each expert may be expected to
testify;

23988

- d. State in detail the substance of all facts upon which each expert may be expected to testify;
- e. State in detail the contents of all opinions which each expert may be expected to testify;
- f. State in detail a summary of the grounds for each opinion listed in your answer to subpart "e" above, and state in detail the substance of all facts upon which the opinions are based.
- g. Identify by author, title, copyright date and publisher any document you claim to be learned treatise upon which your expert may rely at trial in rendering his or her opinion. Identify separately any documents you intend to call to the attention of any other expert witness upon cross-examination. Also identify precisely the exact language contained in such document that you claim admissible to be read into evidence.
- h. Identify all civil cases in which any of the expert witnesses whom you have named have testified, including discovery depositions. For each identify the name of the case, venue, whether the expert testified for Plaintiff or Defendant and the attorney for Plaintiff and Defendant.

Dated: May 27, 1993

REINHARDT AND ANDERSON



By: Jeffrey R. Anderson, #2057
Mark A. Wendorf, #173484
David S. Burleson, #215776
Attorneys for Plaintiff
E-1400 First Natl Bank Bldg.
332 Minnesota Street
St. Paul, Minnesota 55101
(612) 227-9990

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: 11

John SSS Doe,

**REQUEST FOR PRODUCTION
OF STATEMENTS**

Plaintiff,

vs.

The Archdiocese of St. Paul and
Minneapolis, St. Elizabeth Ann Seaton
Church, f/k/a Guardian Angels
Church in Hastings, Minnesota,

Defendants.

Court File No.: _____

TO: Defendant Archdiocese of St. Paul and Minneapolis and its attorney, James T. Martin,
7600 Parklawn Avenue South, Edina, Minnesota 55435

PLEASE TAKE NOTICE that pursuant to the Minnesota Rules of Civil Procedure, you
are requested to furnish and provide to the undersigned copies of statements by parties or non-
parties in your possession or under you control.

For this purpose of this request, a statement is a written statement signed or otherwise
approved by the person making it, or a stenographic, mechanical, electrical, or other recording;
or a transcription thereof, which is a substantially verbatim recital of an oral statement by the
person making it and contemporaneously recorded.

Dated: May 27, 1993

REINHARDT AND ANDERSON

David S. Burleson

By: Jeffrey R. Anderson, #2057

Mark A. Wendorf, #173484

David S. Burleson, #215776

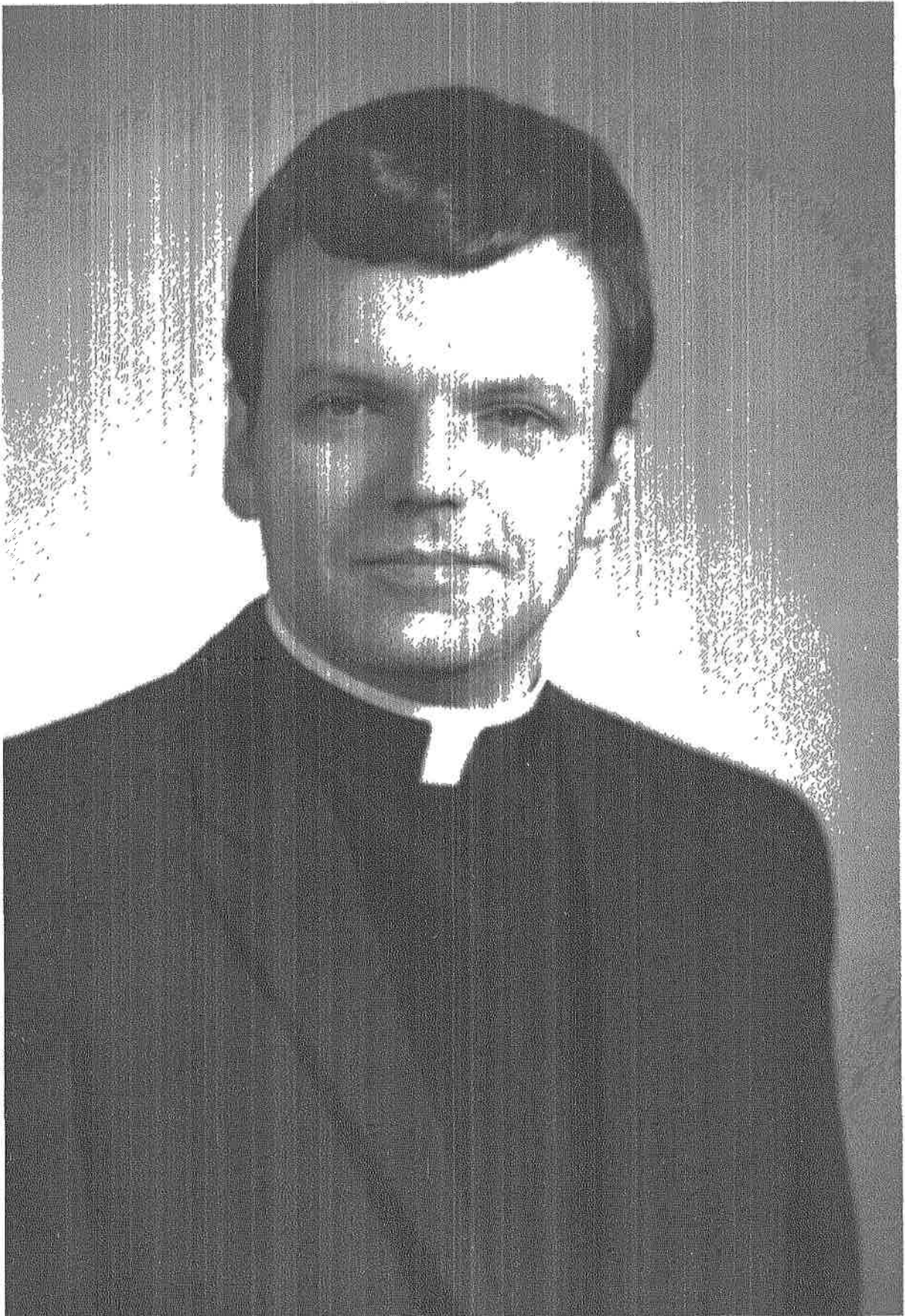
Attorneys for Plaintiff

E-1400 First Natl Bank Bldg.

332 Minnesota Street

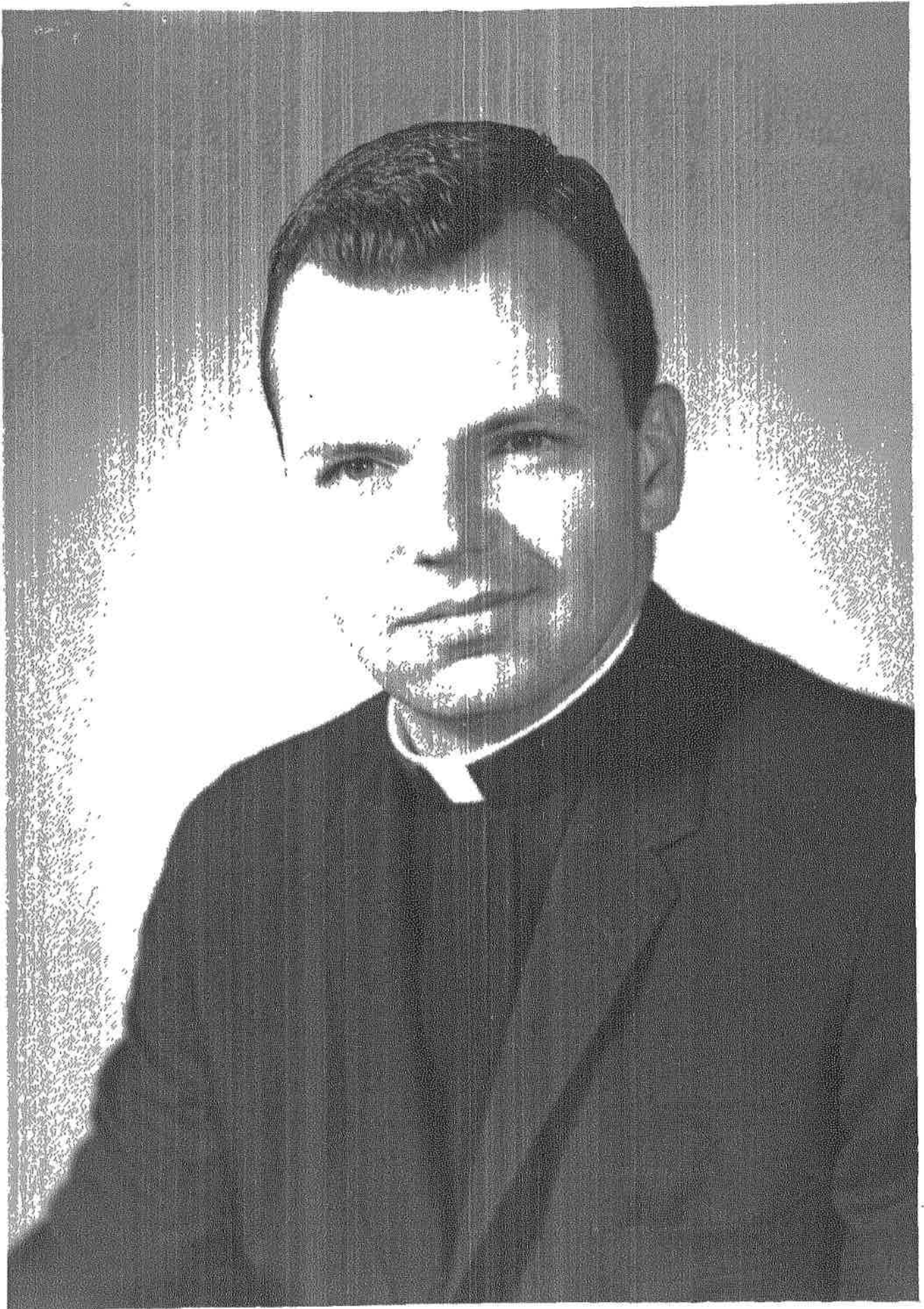
St. Paul, Minnesota 55101

(612) 227-9990



ARCH-010713

THOMAS S. STITTS
MAY -72-



ARCH-010715

Rev. T. S. STITTS

24

P. 4

~~# 93~~

ARCH-010716

PRIVILEGED
ATTORNEY-CLIENT LETTER

From Thomas Wieser
to William Fallon
dated June 2, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser
to Rev. Kevin McDonough
dated June 2, 1993

REINHARDT & ANDERSON

Attorneys at Law

E-1400 First National Bank Building
332 Minnesota Street, Saint Paul, Minnesota 55101
Office: 612/227-9990 Fax: 612/297-6543

Jeffrey R. Anderson*†
Mark Reinhardt**
Mark A. Wendorf
Thomas C. Racette
Joanne Jirik Mullen
Karen Kugler
Teresa K. Fett††
Sara Madsen
Harvey H. Eckart
David S. Burleson
Barbara J. Felt
Gavin S. Wilkinson

June 4, 1993

Thomas B. Wieser
Meier, Kennedy & Quinn
Suite 2200, North Central Life Tower
445 Minnesota Street
St. Paul, MN 55101

Re: John SSS Doe v. The Archdiocese of St. Paul/Mpls., et al

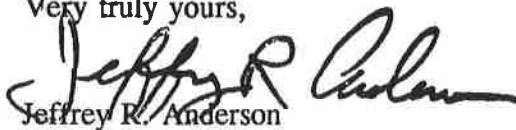
Dear Tom:

Enclosed is a bill from H. Berit Midelfort, M.D. in the amount of \$120.00 in regard to above-referenced client.

As in the past, please remit payment promptly to our office.

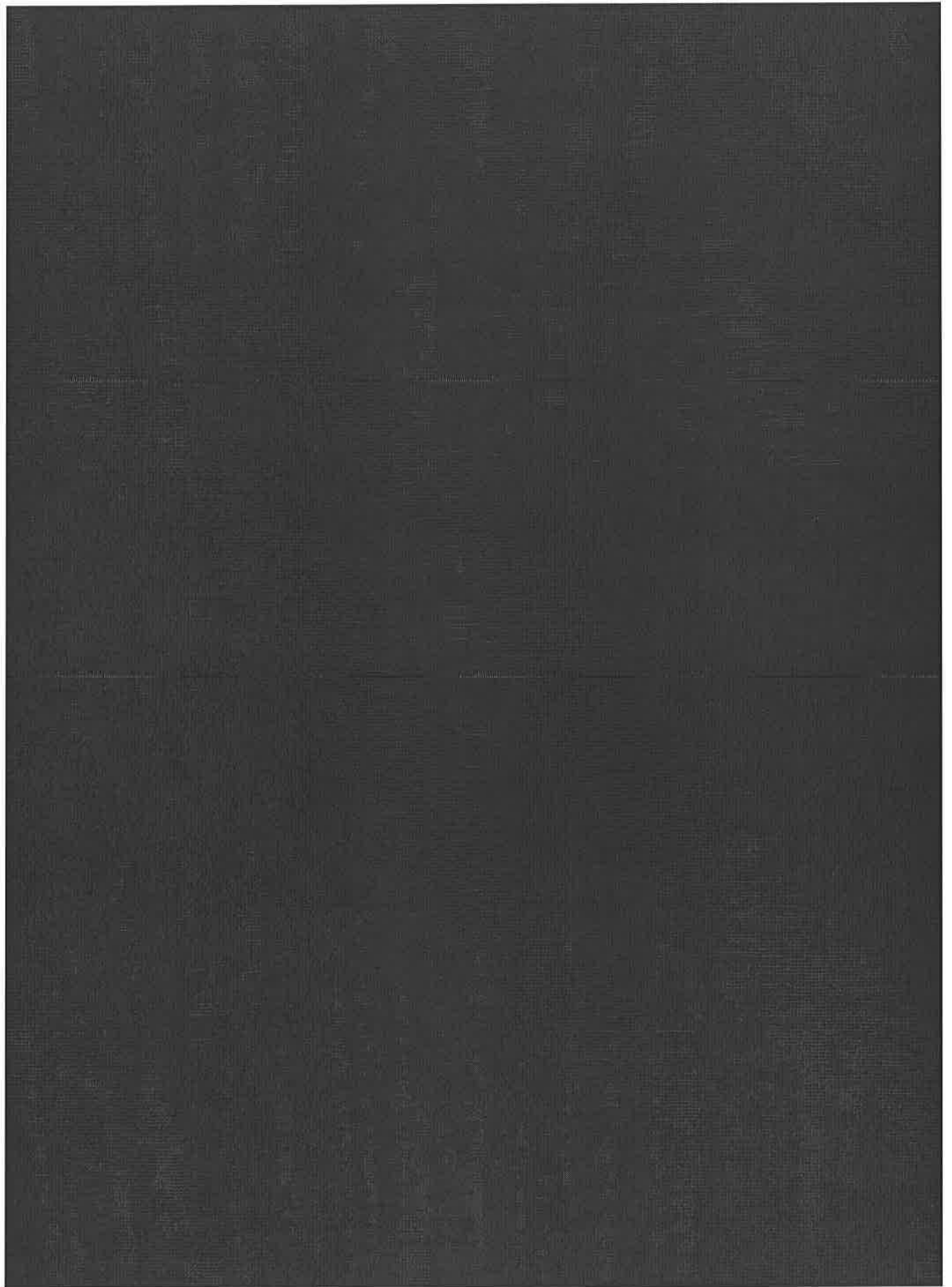
Thank you.

Very truly yours,


Jeffrey R. Anderson

JRA:jlr

Enclosure(s)



REINHARDT & ANDERSON

Attorneys at Law

E-1400 First National Bank Building
332 Minnesota Street, Saint Paul, Minnesota 55101
Office: 612/227-9990 Fax: 612/297-6543

Jeffrey R. Anderson*†
Mark Reinhardt**
Mark A. Wendorf
Thomas C. Racette
Joanne Jirik Mullen
Karen Kugler
Teresa K. Fett††
Sara Madsen
Harvey H. Eckart
David S. Burleson
Barbara J. Felt
Gavin S. Wilkinson

June 4, 1993

Thomas B. Wieser
Meier, Kennedy & Quinn
Suite 2200, North Central Life Tower
445 Minnesota Street
St. Paul, MN 55101

Re: John SSS Doe v. The Archdiocese of St. Paul/Mpls., et al

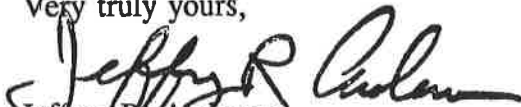
Dear Tom:

Enclosed is a bill from H. Berit Midelfort, M.D. in the amount of \$120.00 in regard to above-referenced client.

As in the past, please remit payment promptly to our office.

Thank you.

Very truly yours,


Jeffrey R. Anderson

JRA:jlr

Enclosure(s)

H. BERIT MIDELFORT, MD
5200 WILLSON ROAD - #J14
EDINA, MN 55424
(612)924-0798

MSC000

1

05-21-93

MISCELLANEOUS PATIENT



DATE	TYPE OF SERVICE	DATE OF SERVICE	CHARGE	PAYMENT
08-06-92	DIAG. EVALUATION-50 MINUTES		110.00	
08-14-92	PATIENT PAYMENT			-10.00
09-16-92	PHARMACOLOGIC MGT-25 MINUTES		60.00	
09-18-92	PATIENT PAYMENT			-25.00
10-30-92	PATIENT PAYMENT			-50.00
11-05-92	IND. PSYCH. - 25 MINUTES		60.00	
11-06-92	PATIENT PAYMENT			-50.00
12-17-92	PHARMACOLOGIC MGT-25 MINUTES		60.00	
01-08-93	PAYMENT-OTHER SOURCE			-155.00
02-11-93	PHARMACOLOGIC MGT-25 MINUTES		60.00	
05-11-93	PHARMACOLOGIC MGT-25 MINUTES		60.00	

OK for
payment
KMM
6/18/93

THE BALANCE ON YOUR ACCOUNT IS DUE UPON RECEIPT
OF THIS STATEMENT. THANK YOU FOR YOUR PROMPT PAYMENT.

BALANCE DUE 120.00 ;

PRIVILEGED
ATTORNEY-CLIENT LETTER

From Thomas Wieser
to Rev. Kevin McDonough
dated June 8, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

From Thomas Wieser
to Archbishop John Roach
dated June 9, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser

to Marilyn Wagner

dated June 9, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser

to Mike Fitzgerald

dated June 28, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser

to Archbishop John Roach, Rev. Kevin McDonough and William Fallon

dated July 15, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser

to Archbishop John Roach, Rev. Kevin McDonough and William Fallon

dated July 15, 1993

PRIVILEGED
ATTORNEY-CLIENT/WORK PRODUCT

from James T. Martin

to Michael Van Grunsven, Martin Berger and Charles Josephes

dated August 3, 1993

GISLASON, MARTIN & VARPNESS, P. A.
ATTORNEYS AND COUNSELORS AT LAW

JAMES T. MARTIN*
JOHN E. VARPNESS*
PATRICK M. CONLIN
DAN T. RYERSON

*CERTIFIED CIVIL TRIAL SPECIALIST
BY THE NATIONAL BOARD OF
TRIAL ADVOCACY

*ALSO ADMITTED TO PRACTICE
IN WISCONSIN

RETIRED
ROBERT W. GISLASON

7600 PARKLAWN AVENUE SOUTH
SUITE 444
MINNEAPOLIS, MINNESOTA 55435

TELEPHONE 612/831-5793
FAX 612/831-7358

LEGAL ASSISTANTS
GLORIA DEEB
JUDY THYREN

August 3, 1993

Mr. David S. Burleson
Attorney at Law
E-1400 First National Bank Bldg.
332 Minnesota Street
St. Paul, MN 55101

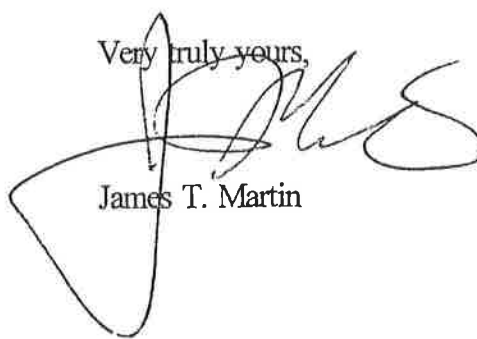
Re: John SSS Doe v. The Archdiocese of St. Paul/Minneapolis, et al

Dear Mr. Burleson:

Enclosed herewith and served upon you by mail, please find Notice of Taking Deposition of [REDACTED]. I am somewhat disappointed by your discovery responses. Surely the plaintiff has more information concerning the nature and extent of his claimed injuries than what is revealed in the answers. It is also hard for me to believe that you do not have any medical records or reports to give us in response to our Rule 35 requests. I wish you would take another look at what you've given us and then provide supplemental responses.

Meanwhile, I have your discovery requests in hand and will have appropriate responses for you in the next 30 days.

Very truly yours,

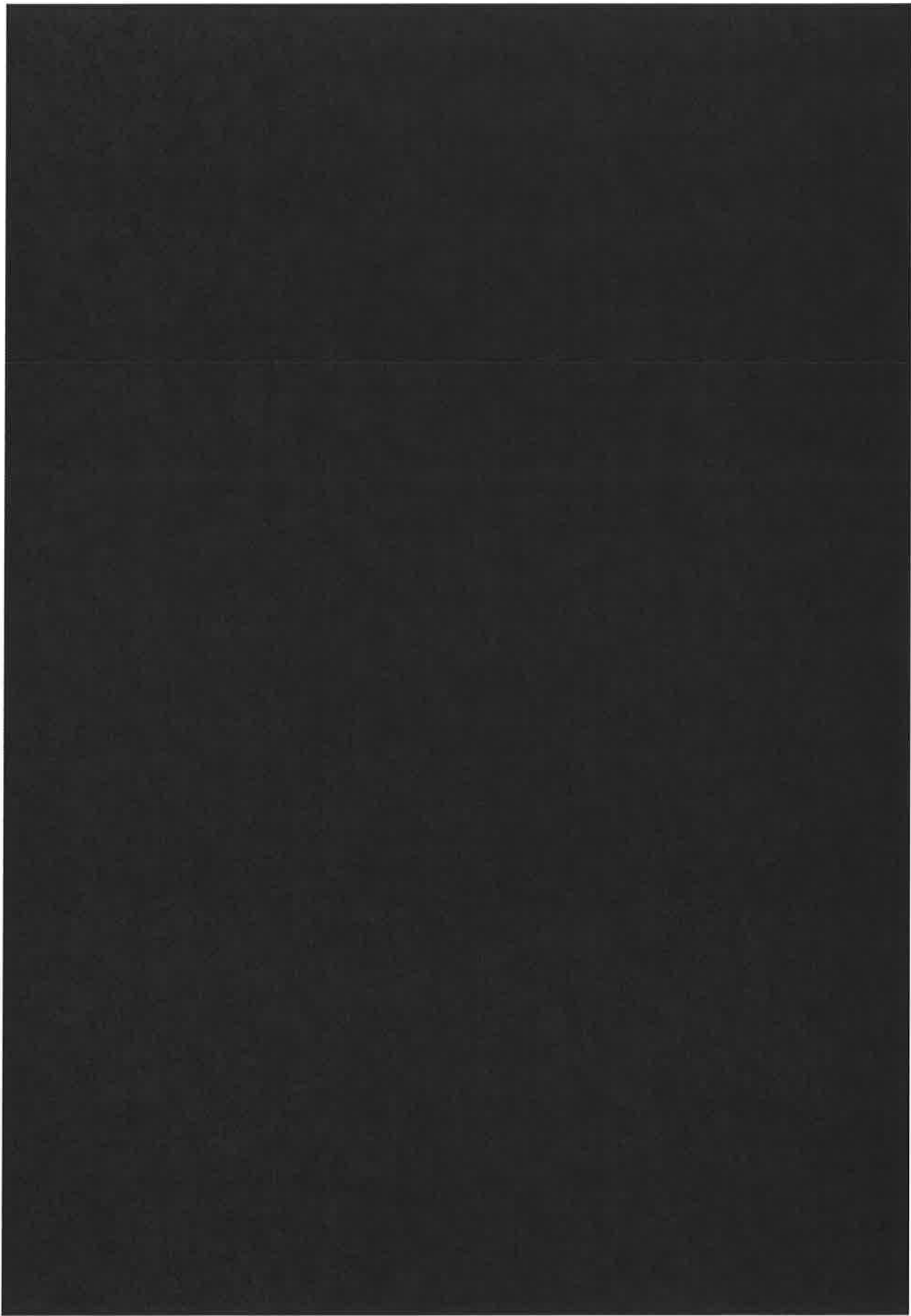


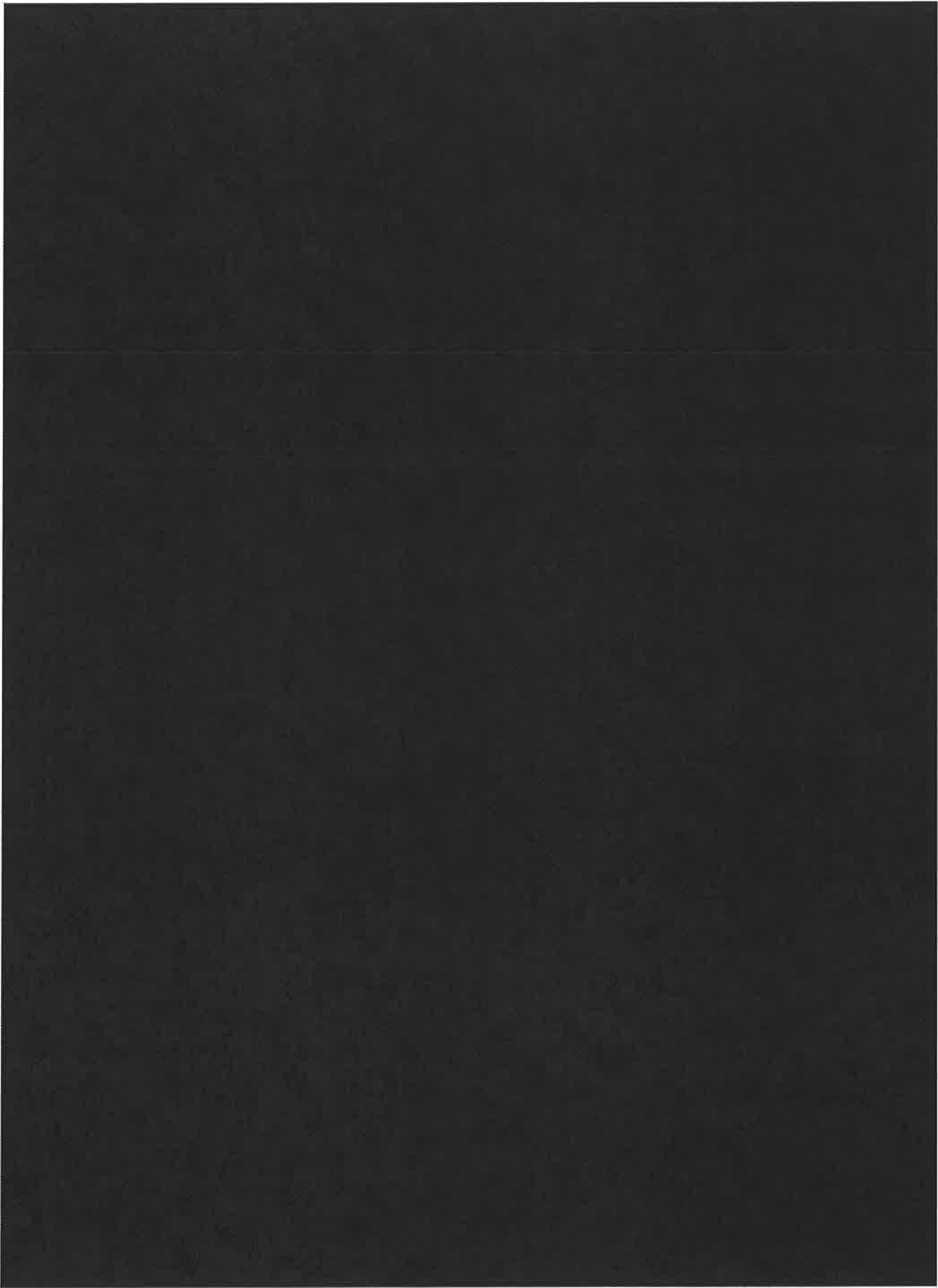
James T. Martin

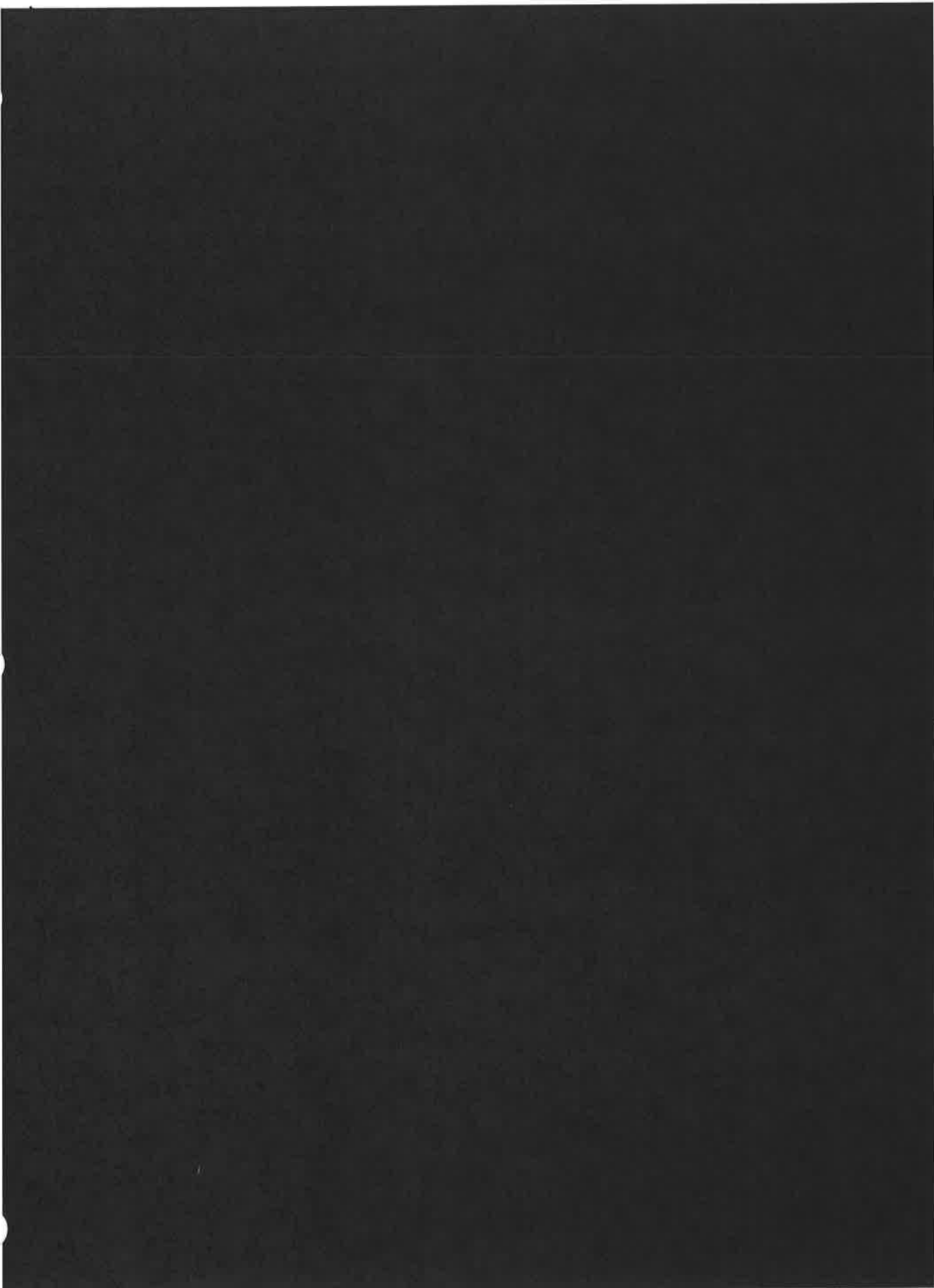
JTM/ks

Enc.

cc: Thomas Wieser







PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser

to James T. Martin

dated August 4, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser

to Mike Fitzgerald

dated August 4, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser

to Glen Bredahl

dated August 4, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser

to James T. Martin, Daniel Haws and James Haigh

dated August 4, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

From Thomas Wieser
to Rev. Kevin McDonough
dated August 9, 1993



()

()

()



REINHARDT & ANDERSON

Attorneys at Law

E-1400 First National Bank Building
332 Minnesota Street, Saint Paul, Minnesota 55101
Office: 612/227-9990 Fax: 612/297-6543

Jeffrey R. Anderson*†
Mark Reinhardt**
Mark A. Wendorf
Thomas C. Racette
Joanne Jirik Mullen
Karen Kugler
Teresa K. Fett††
Sara Madsen
Harvey H. Eckart
David S. Burleson
Barbara J. Felt
Gavin S. Wilkinson

August 10, 1993

Thomas B. Wieser
Meier, Kennedy & Quinn
Suite 2200, North Central Life Tower
445 Minnesota Street
St. Paul, MN 55101

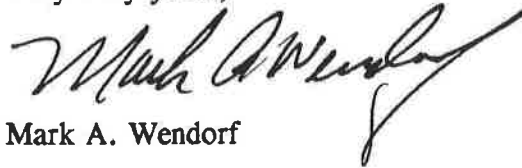
Re: John SSS Doe (b)(6). The Archdiocese of St. Paul/Mpls., et al

Dear Mr. Wieser:

Enclosed please find an itemized bill and note from Walter Bera. As you can see, (b)(6) future therapy is in jeopardy because of overdue bills. I have been informed that it is very important that (b)(6) therapy continue. Therefore, in order to avoid any delays, my office is advancing payment on this bill. I would request that in accordance with our agreement with Father McDonough that you forward this bill to the Archdiocese for immediate payment. Check for the payment should be made to Reinhardt & Anderson as reimbursement for our advance of these therapy bills. In this way, I believe we can short circuit the process and ensure that (b)(6) continue his therapy.

Thank you for your cooperation.

Very truly yours,



Mark A. Wendorf

MAW:lrh

Enc.

cc: Client

REINHARDT & ANDERSON

Attorneys at Law

E-1400 First National Bank Building
332 Minnesota Street, Saint Paul, Minnesota 55101
Office: 612/227-9990 Fax: 612/297-6543

Jeffrey R. Anderson*†
Mark Reinhardt**
Mark A. Wendorf
Thomas C. Racette
Joanne Jirik Mullen
Karen Kugler
Teresa K. Fett††
Sara Madsen
Harvey H. Eckart
David S. Burleson
Barbara J. Felt
Gavin S. Wilkinson

August 10, 1993

Dr. Walter Bera
1111 West 22nd St.
Minneapolis, MN 55404

Re: John SSS Doe [REDACTED] v. The Archdiocese of St. Paul/Mpls., et al

Dear Dr. Bera:

Enclosed please find the Reinhardt & Anderson check in the amount of \$1,490.00 in advance payment of [REDACTED] therapy expenses. I trust that [REDACTED] therapy will now continue as scheduled. I apologize for any delay in payment of this bill. Please forward all itemized statements to my office in the future, and we will see that they are paid promptly.

Very truly yours,

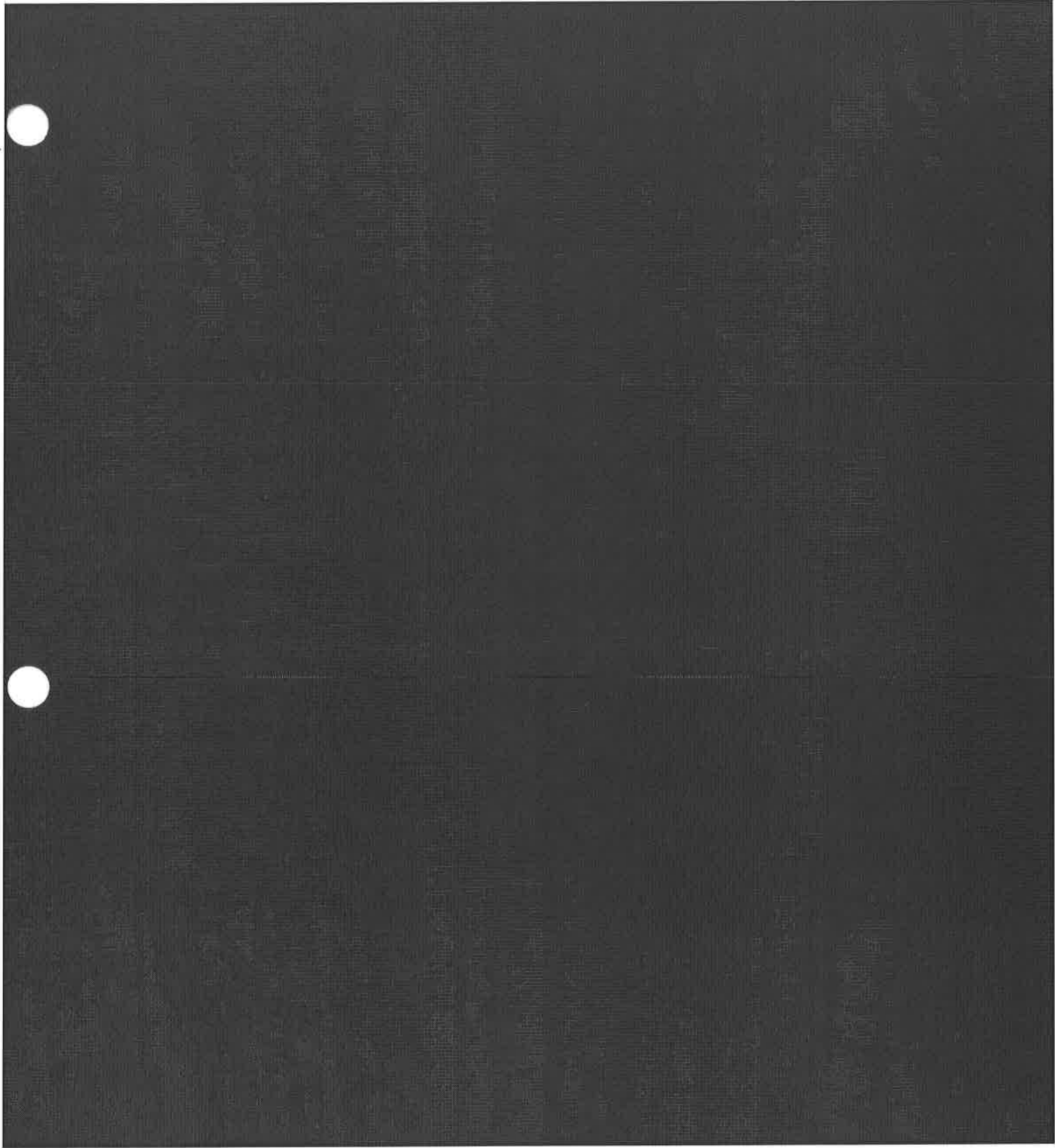
Mark A. Wendorf

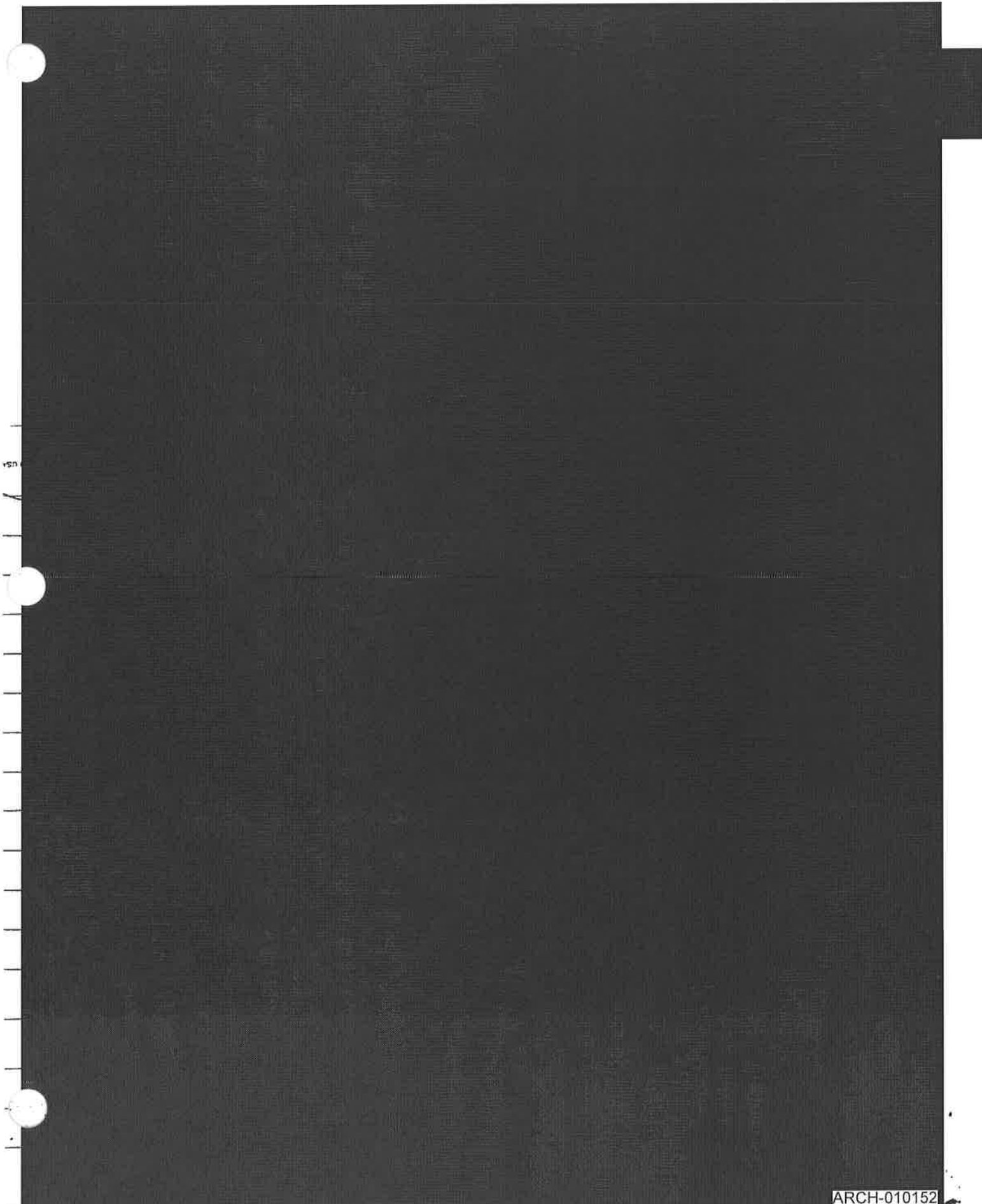
MAW:lrb

Enc.

cc: Thomas Wieser, Esq. ✓
Client

5786





USA

PLEASE

12/20/11 10:11 AM

ARCH-010153

REINHARDT & ANDERSON

Attorneys at Law

E-1400 First National Bank Building
332 Minnesota Street, Saint Paul, Minnesota 55101
Office: 612/227-9990 Fax: 612/297-6543

Jeffrey R. Anderson*†
Mark Reinhardt**
Mark A. Wendorf
Thomas C. Racette
Joanne Jirik Mullen
Karen Kugler
Teresa K. Fett††
Sara Madsen
Harvey H. Eckart
David S. Burleson
Barbara J. Felt
Gavin S. Wilkinson

August 10, 1993

Thomas B. Wieser
Meier, Kennedy & Quinn
Suite 2200, North Central Life Tower
445 Minnesota Street
St. Paul, MN 55101

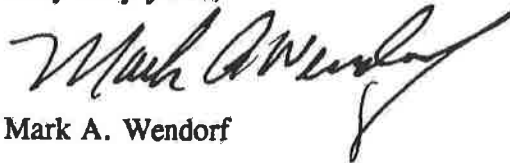
Re: John SSS Doe [REDACTED] v. The Archdiocese of St. Paul/Mpls., et al

Dear Mr. Wieser:

Enclosed please find an itemized bill and note from Walter Bera. As you can see, [REDACTED] future therapy is in jeopardy because of overdue bills. I have been informed that it is very important that [REDACTED] therapy continue. Therefore, in order to avoid any delays, my office is advancing payment on this bill. I would request that in accordance with our agreement with Father McDonough that you forward this bill to the Archdiocese for immediate payment. Check for the payment should be made to Reinhardt & Anderson as reimbursement for our advance of these therapy bills. In this way, I believe we can short circuit the process and ensure that [REDACTED] continue his therapy.

Thank you for your cooperation.

Very truly yours,



Mark A. Wendorf

MAW:lrb

Enc.

cc: Client

REINHARDT & ANDERSON

Attorneys at Law

E-1400 First National Bank Building
332 Minnesota Street, Saint Paul, Minnesota 55101
Office: 612/227-9990 Fax: 612/297-6543

Jeffrey R. Anderson*†
Mark Reinhardt**
Mark A. Wendorf
Thomas C. Racette
Joanne Jirik Mullen
Karen Kugler
Teresa K. Fett††
Sara Madsen
Harvey H. Eckart
David S. Burleson
Barbara J. Felt
Gavin S. Wilkinson

August 10, 1993

Dr. Walter Bera
1111 West 22nd St.
Minneapolis, MN 55404

Re: John SSS Doe ([REDACTED]) v. The Archdiocese of St. Paul/Mpls., et al

Dear Dr. Bera:

Enclosed please find the Reinhardt & Anderson check in the amount of \$1,490.00 in advance payment of [REDACTED] expenses. I trust that [REDACTED] therapy will now continue as scheduled. I apologize for any delay in payment of this bill. Please forward all itemized statements to my office in the future, and we will see that they are paid promptly.

Very truly yours,

Mark A. Wendorf

MAW:lrb

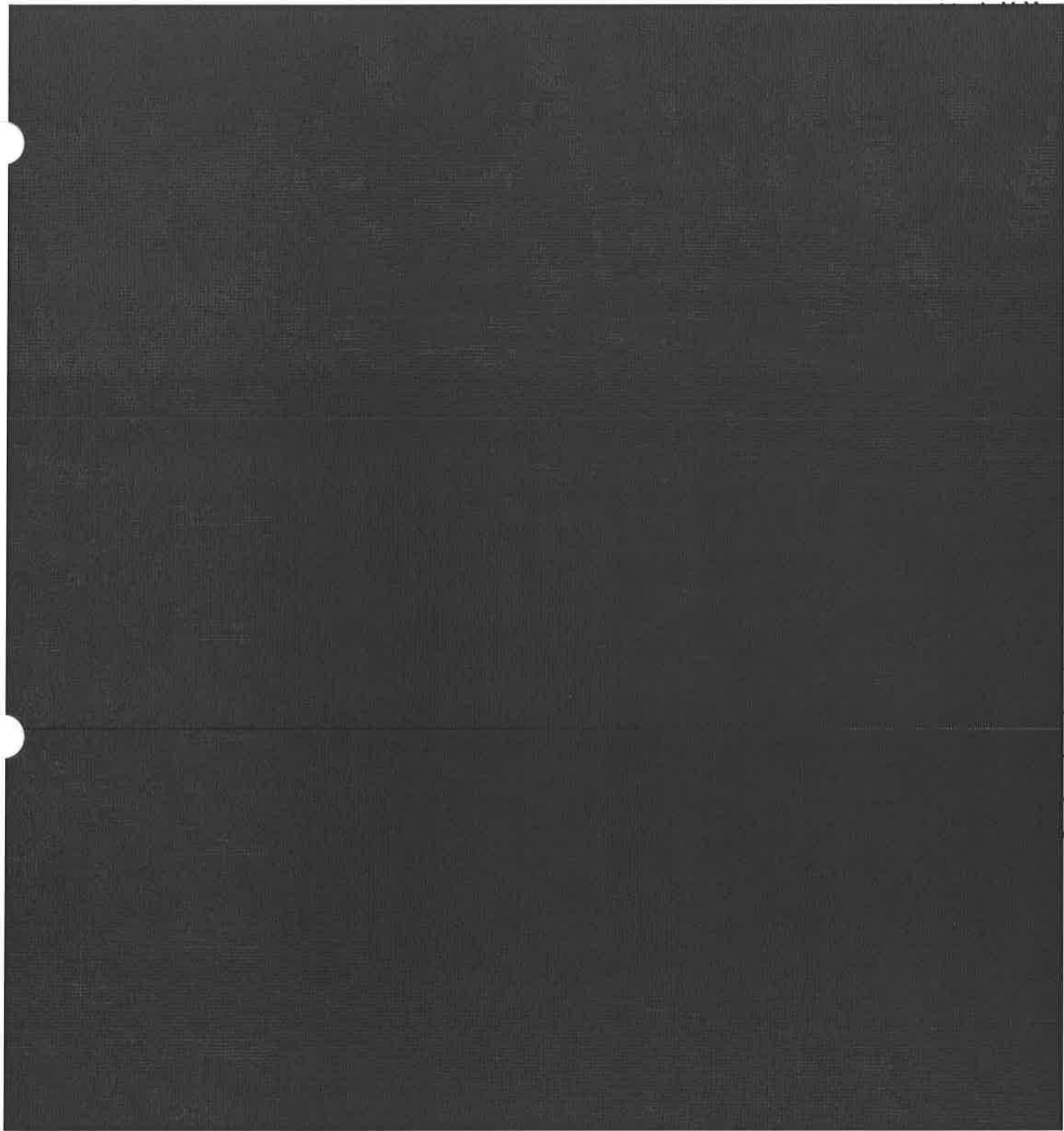
Enc.

cc: Thomas Wieser, Esq. ✓
Client

5786

12





PRIVILEGED
ATTORNEY-CLIENT/WORK PRODUCT

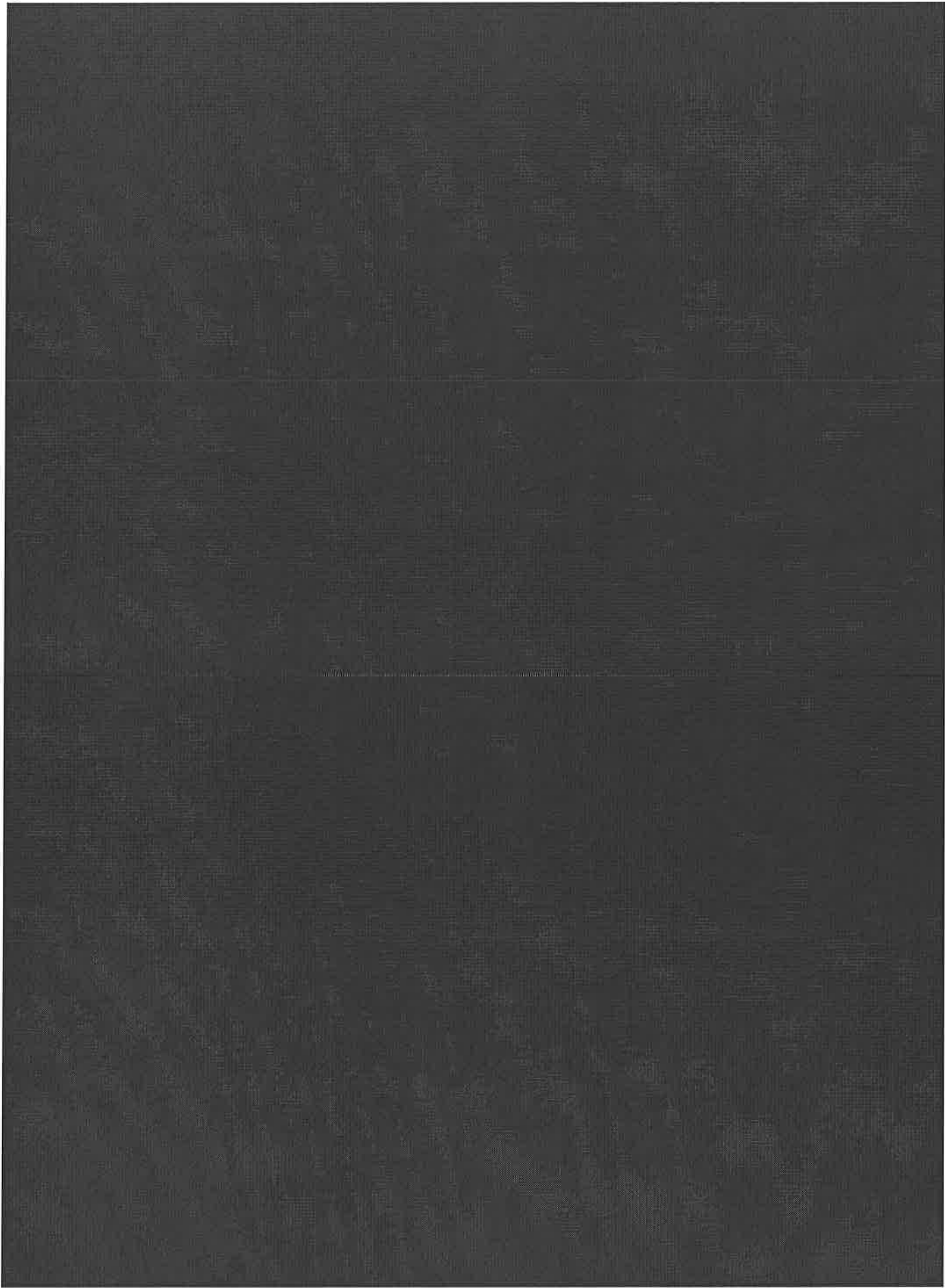
from Thomas Wieser
to Rev. Kevin McDonough
dated August 11, 1993

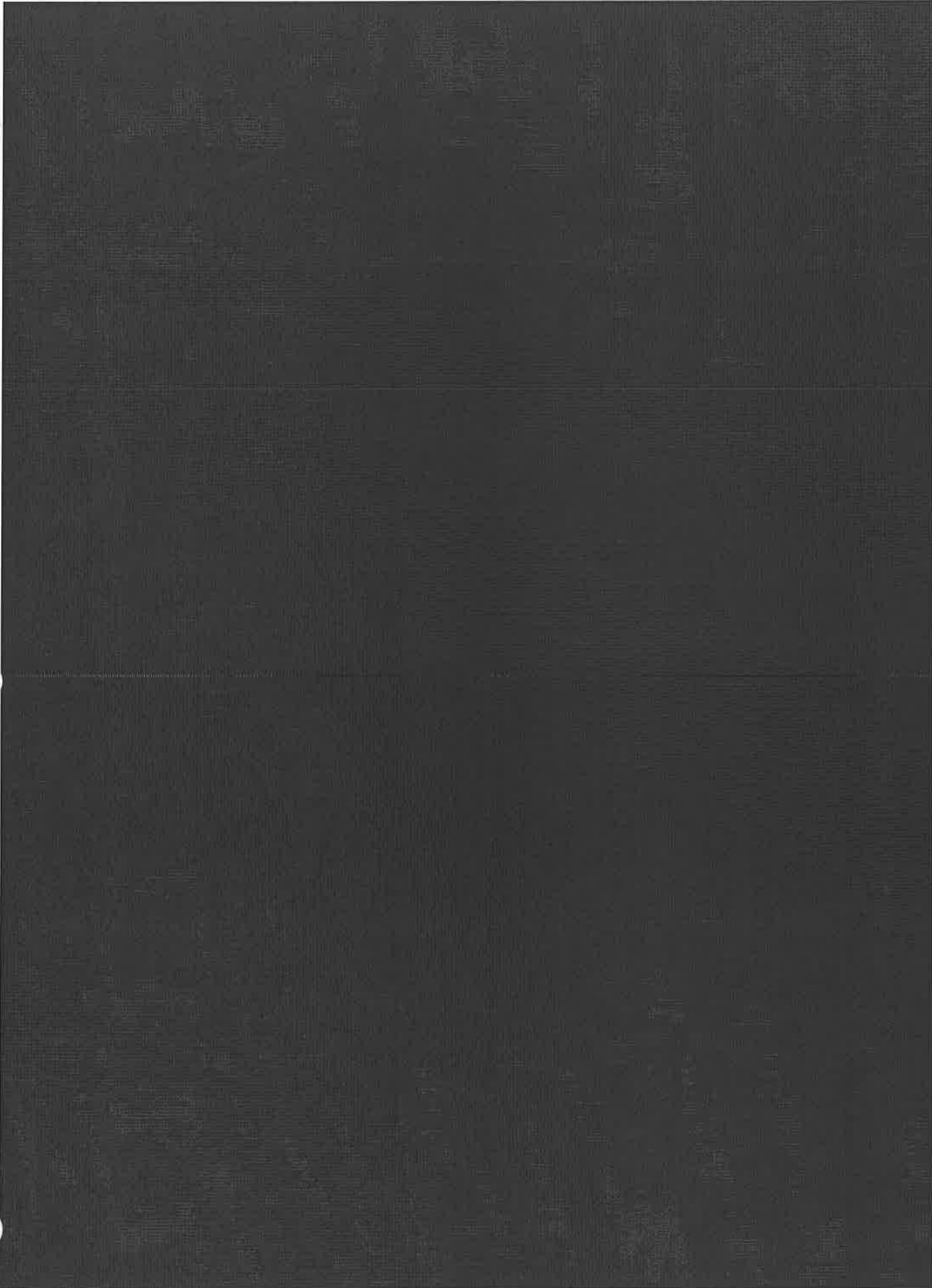
PRIVILEGED
ATTORNEY-CLIENT/WORK PRODUCT

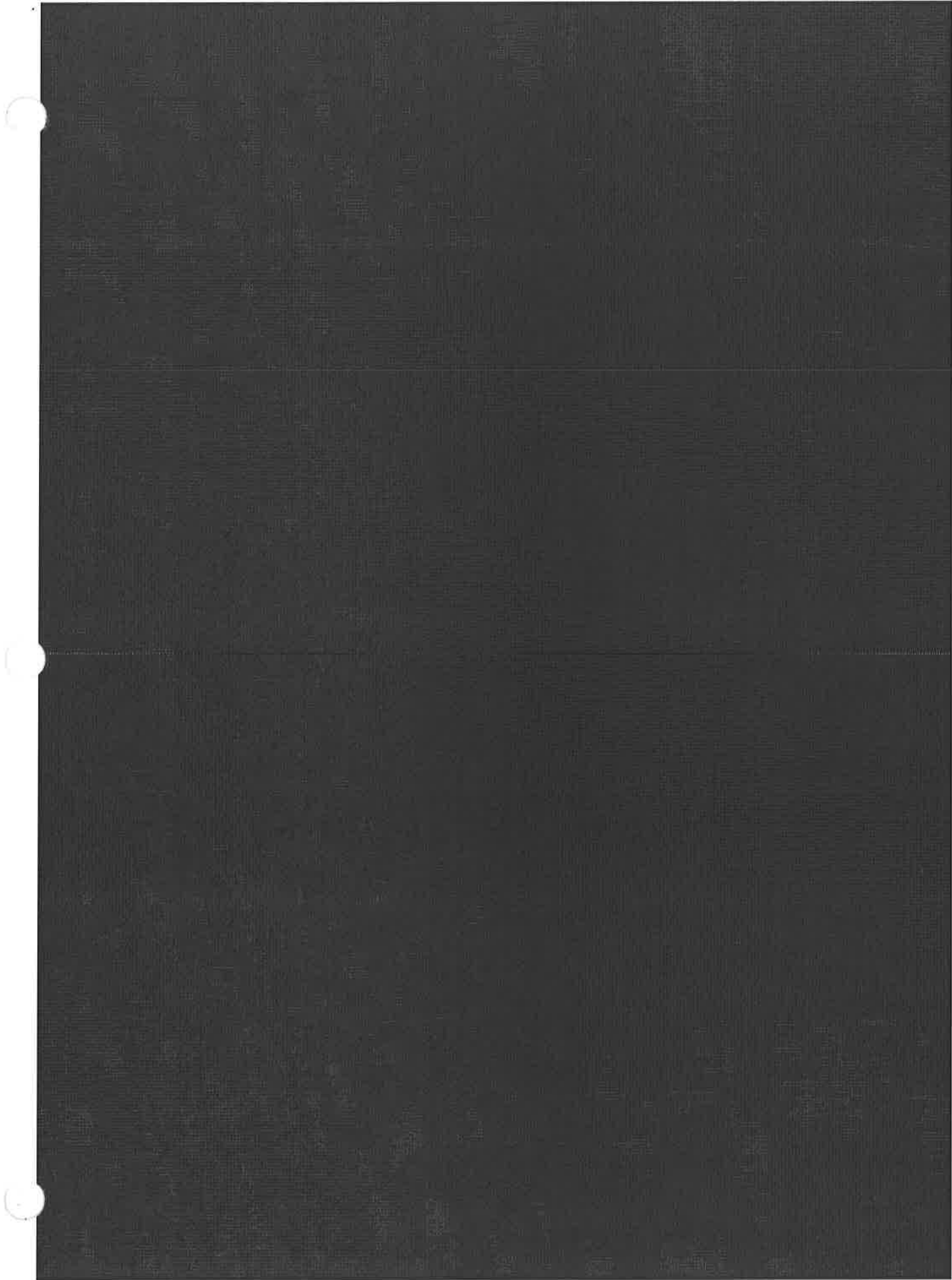
from Rev. Kevin McDonough

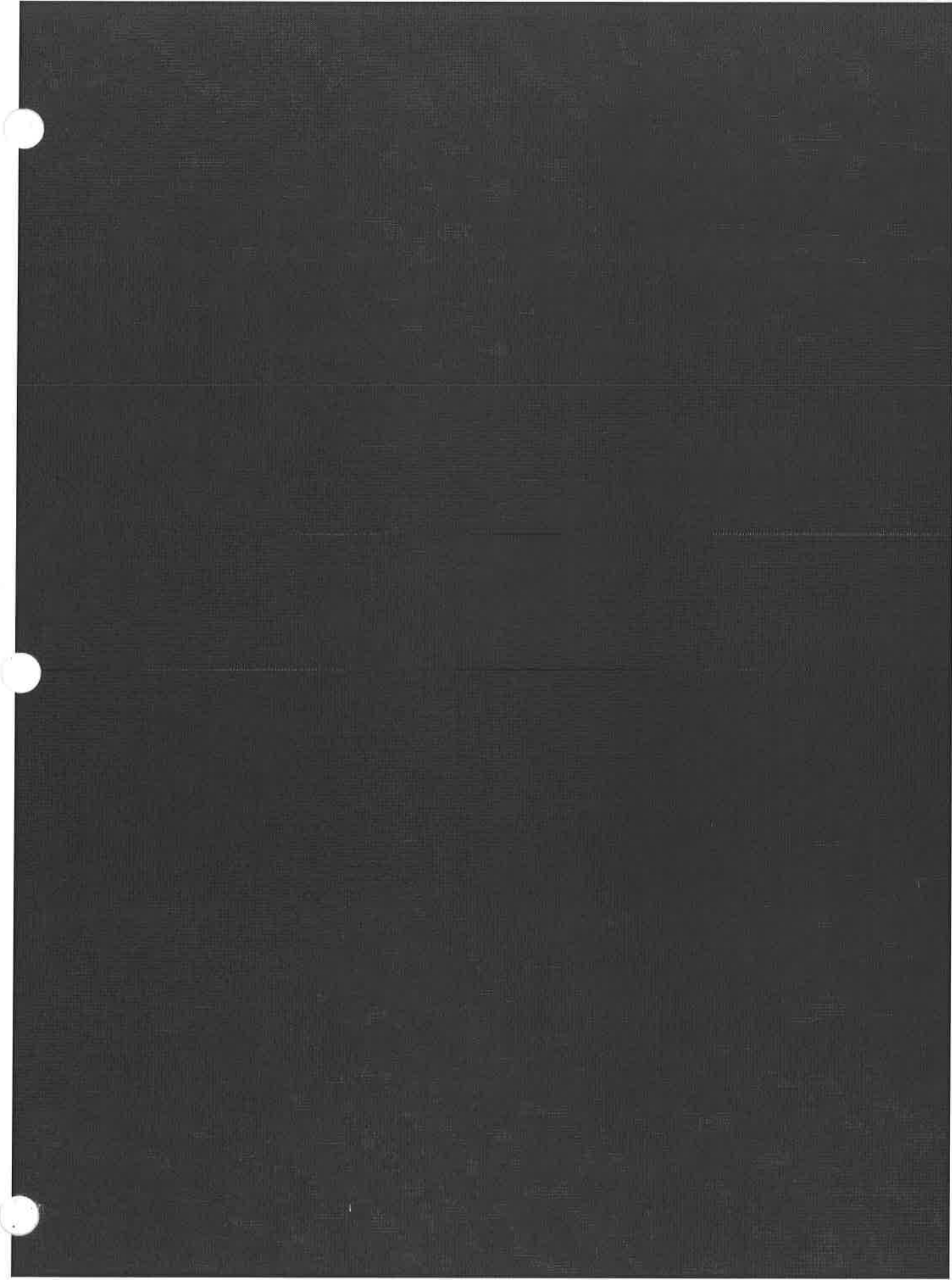
to Thomas Wieser

dated August 11, 1993









PRIVILEGED
ATTORNEY-CLIENT/WORK PRODUCT

from Thomas Wieser
to Rev. Kevin McDonough
dated October 7, 1993

PRIVILEGED
ATTORNEY-CLIENT/WORK PRODUCT

from Rev. Kevin McDonough

to Thomas Wieser

dated October 14, 1993

PRIVILEGED
ATTORNEY WORK PRODUCT

from Judy (Attorney Martin)

to File

dated October 18, 1993

PRIVILEGED
ATTORNEY WORK PRODUCT

from Judy (Attorney Martin)

to File

dated October 18, 1993

MEIER, KENNEDY & QUINN

CHARTERED
ATTORNEYS AT LAW

ANDREW J. EISENZIMMER
LEO H. DEHLER
THOMAS B. WIESER
JOHN C. GUNDERSON
CHARLES M. BICHLER

SUITE 2200, NORTH CENTRAL LIFE TOWER
445 MINNESOTA STREET
SAINT PAUL, MINNESOTA 55101-2100
TELEPHONE (612) 228-1911
FACSIMILE (612) 223-5483

WILLIAM C. MEIER
(1920-1981)
TIMOTHY P. QUINN
(1921-1991)
ALOIS D. KENNEDY, JR.
(RETIRED)

October 20, 1993

Mr. Mark Wendorf
Mr. David Burleson
Attorneys at Law
E-1400 First National Bank Building
332 Minnesota Street
St. Paul, MN 55102

Re: Jane SSS Doe v. The Archdiocese, et al
Our File No: 3842.577

Dear Mr. Wendorf and Mr. Burleson:

In Walter Bera's notes and in the course of Plaintiff's deposition, reference was made to a letter Plaintiff had written to _____ but never sent.

Please have your client locate that letter and send it to Mr. Martin and myself at your earliest opportunity.

Very truly yours,

MEIER, KENNEDY & QUINN, CHARTERED

Thomas B. Wieser

TBW:sam

cc: The Most Reverend John R. Roach
Reverend Kevin M. McDonough
Mr. William S. Fallon
Reverend Florian Muggli



1911 Pleasant Avenue
Minneapolis, MN 55403
(612) 874-9811

Bonni Walz
Administrator

Community Resources for Education, Alternative TARCH-010645

PRIVILEGED
ATTORNEY-CLIENT/WORK PRODUCT

from Thomas Wieser

to James T. Martin

dated October 20, 1993

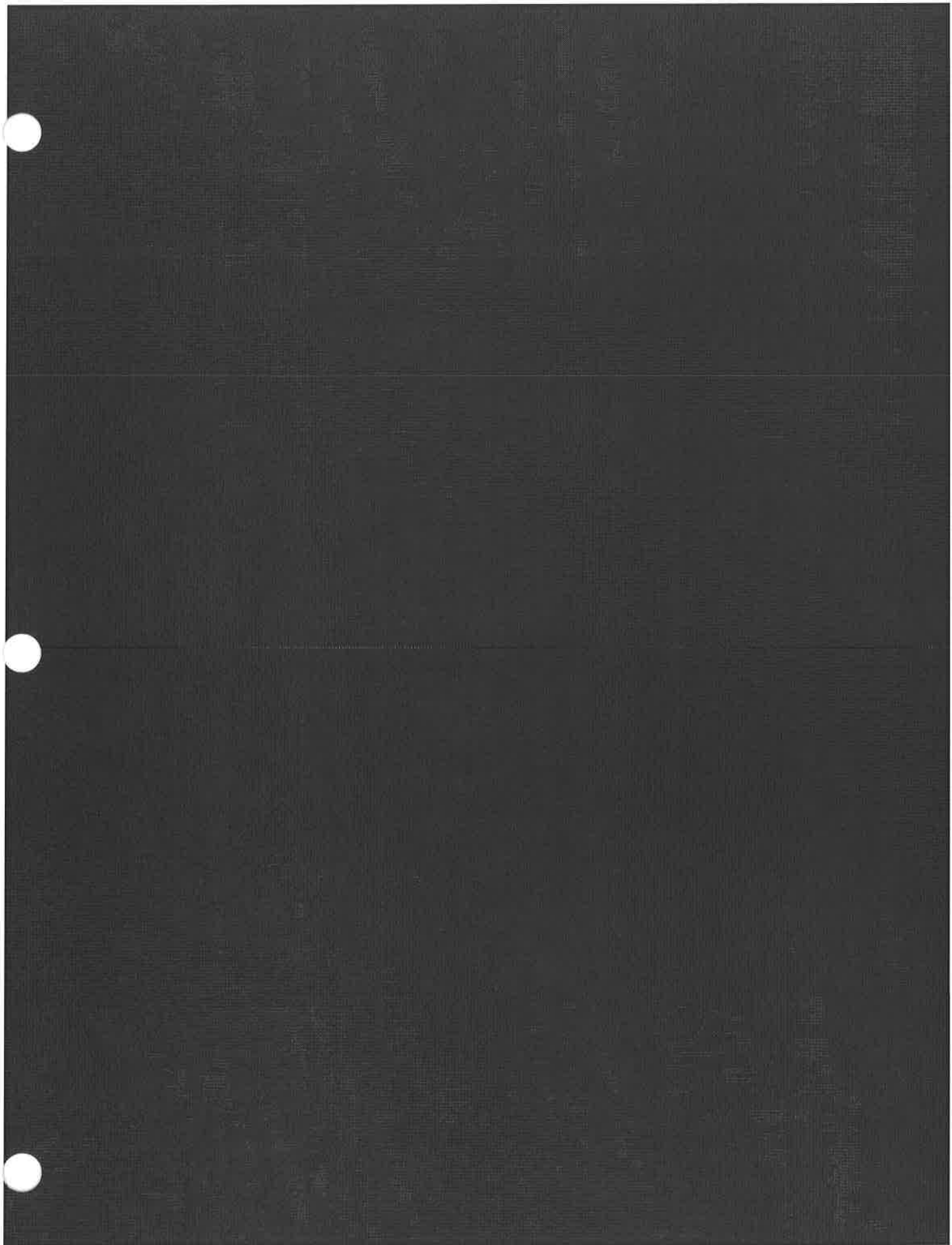
PRIVILEGED
ATTORNEY-CLIENT/WORK PRODUCT

from James T. Martin
to Michael Van Grunsven, Martin Berger and Charles Josephes
dated October 21, 1993

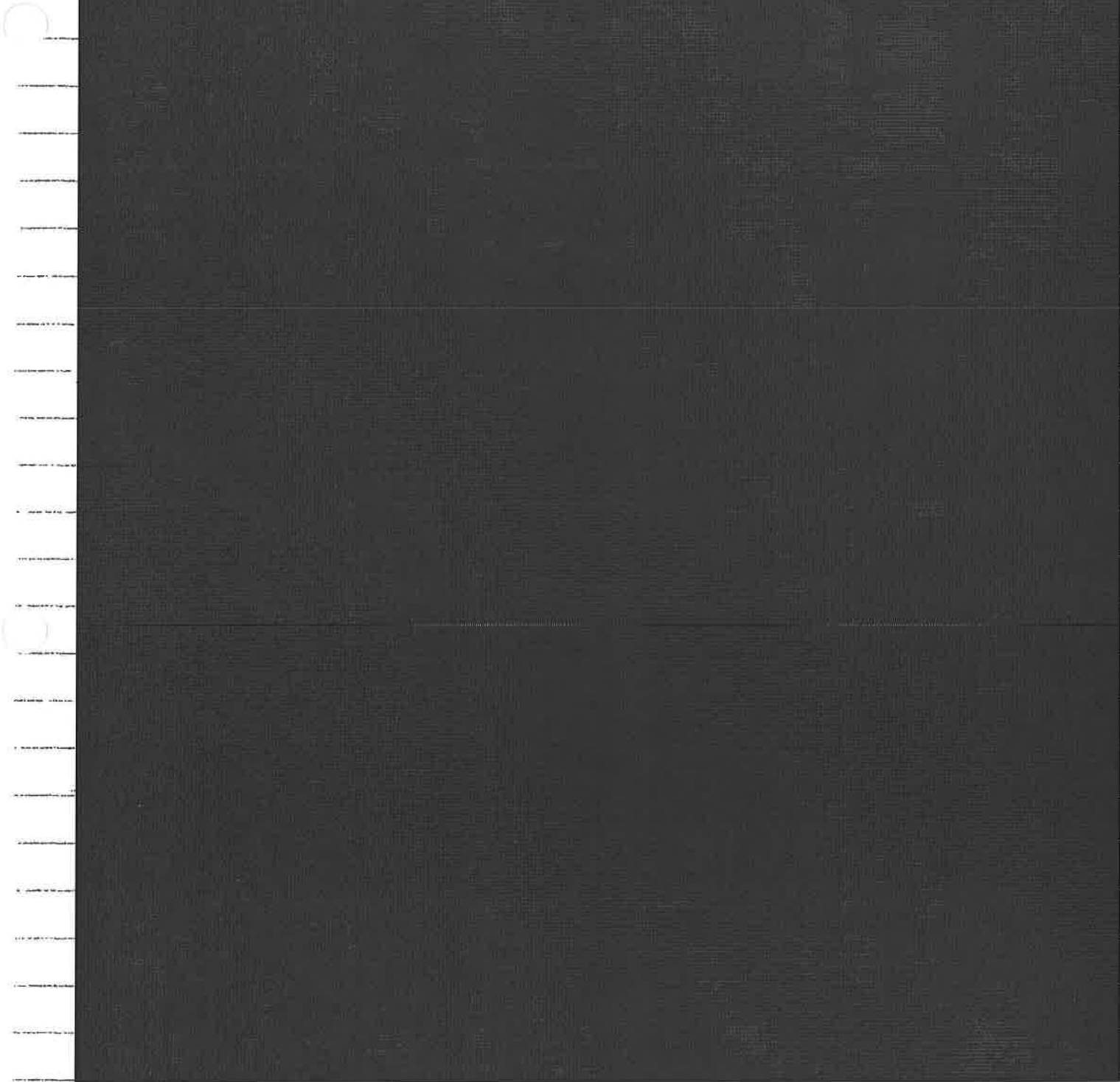
1
2
3

Archives of the
University of Toronto

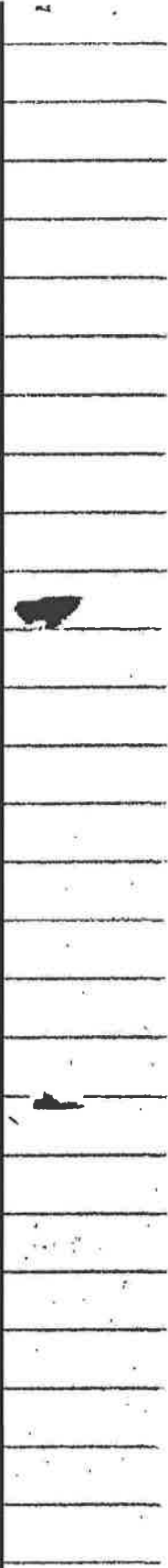
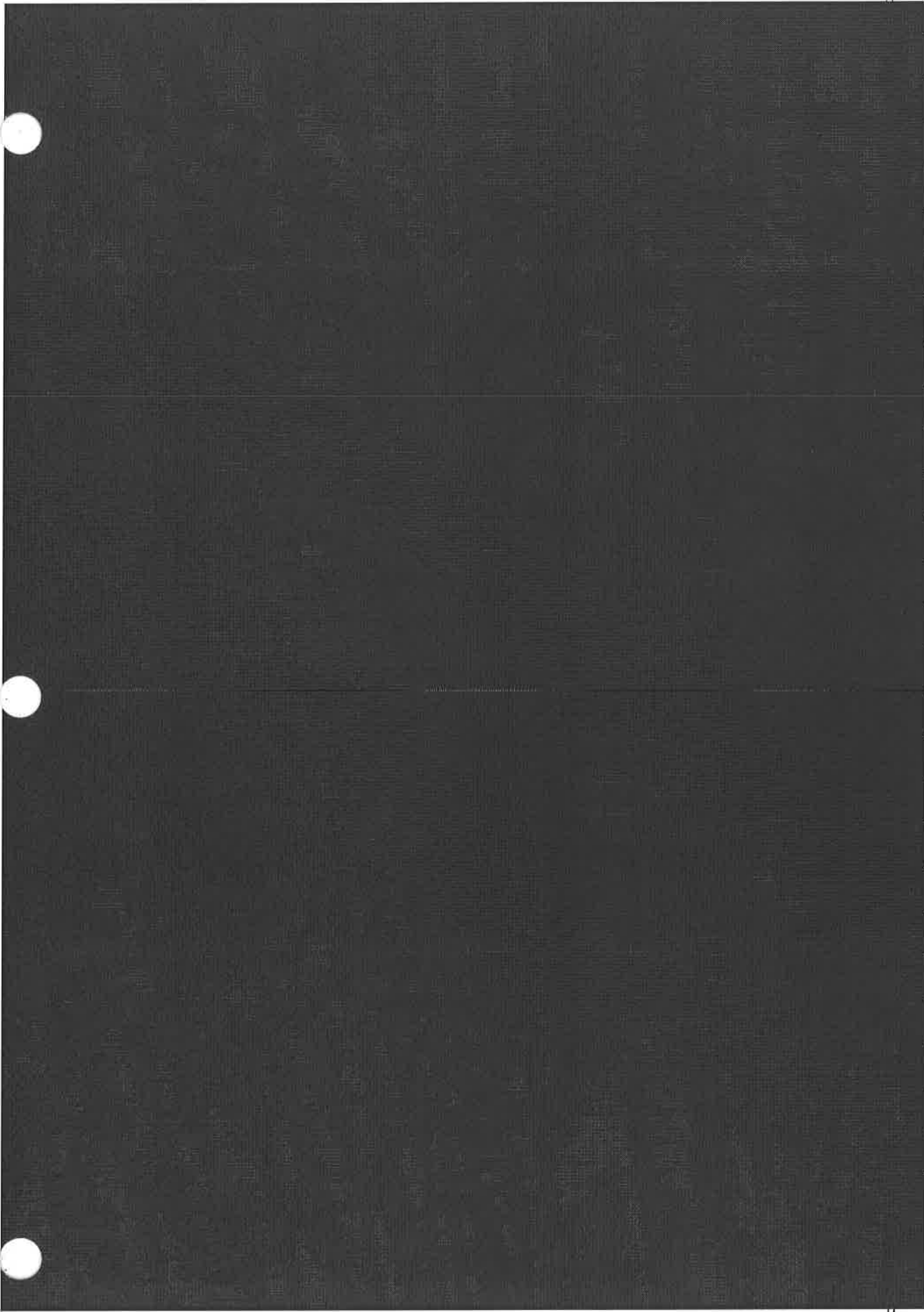


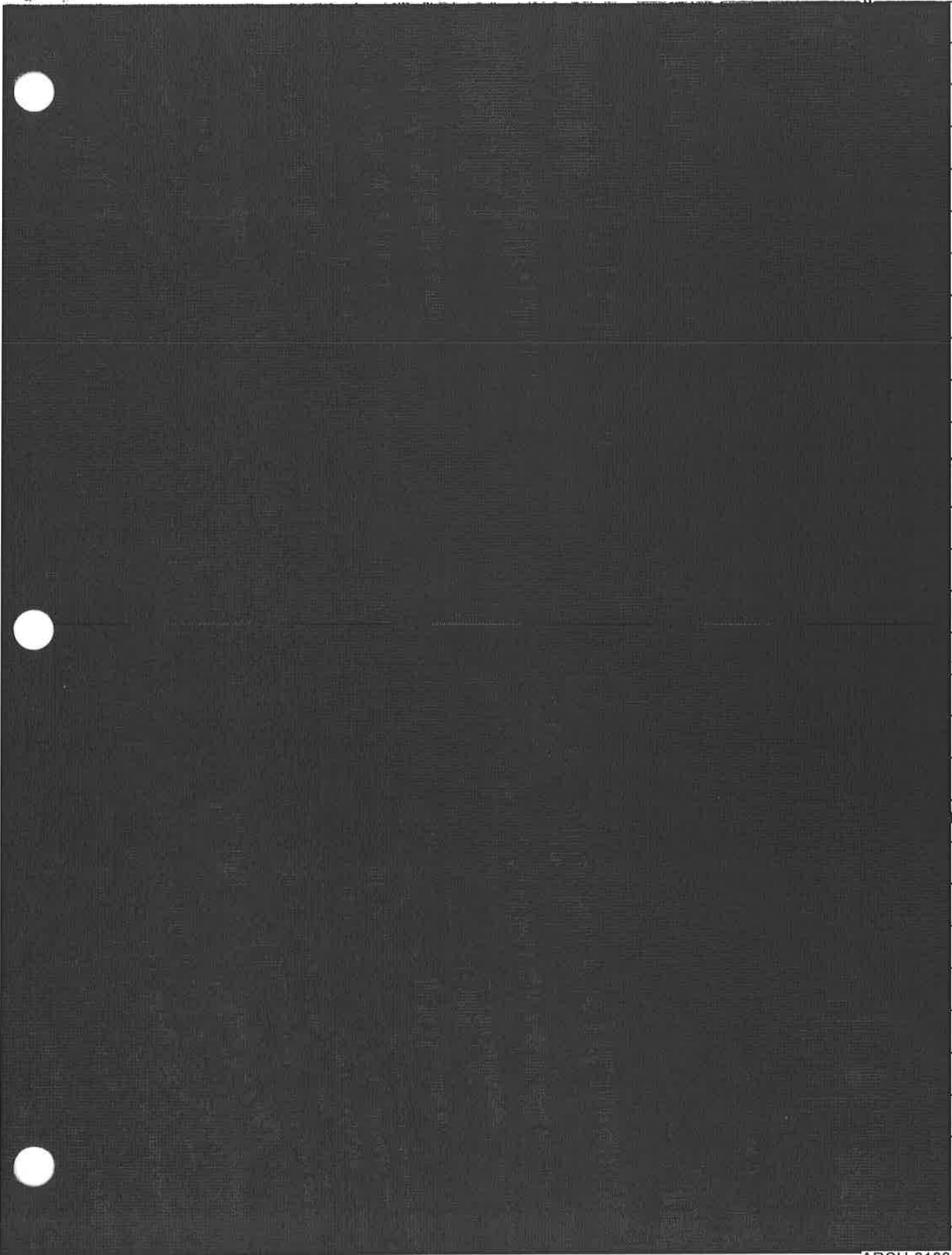


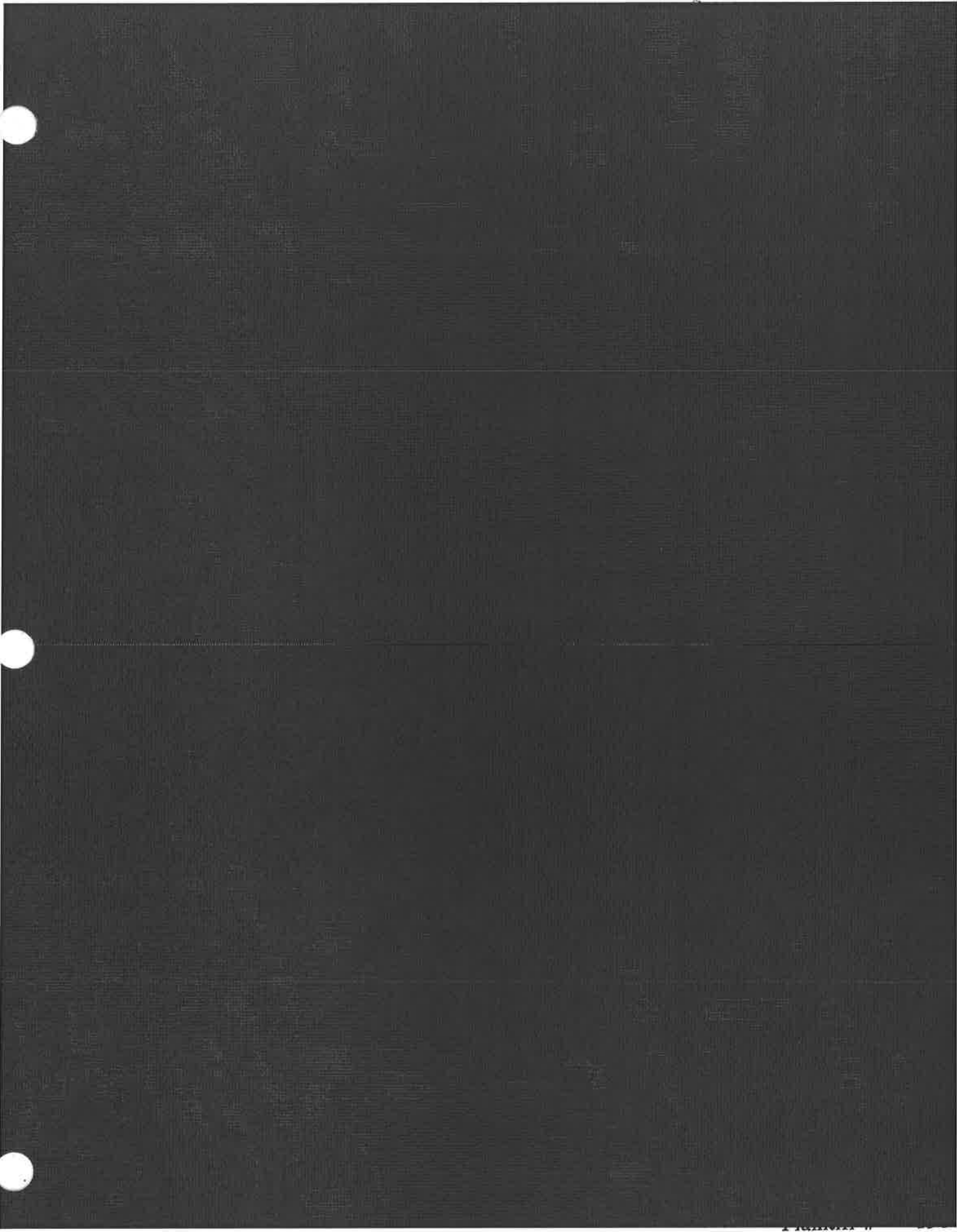






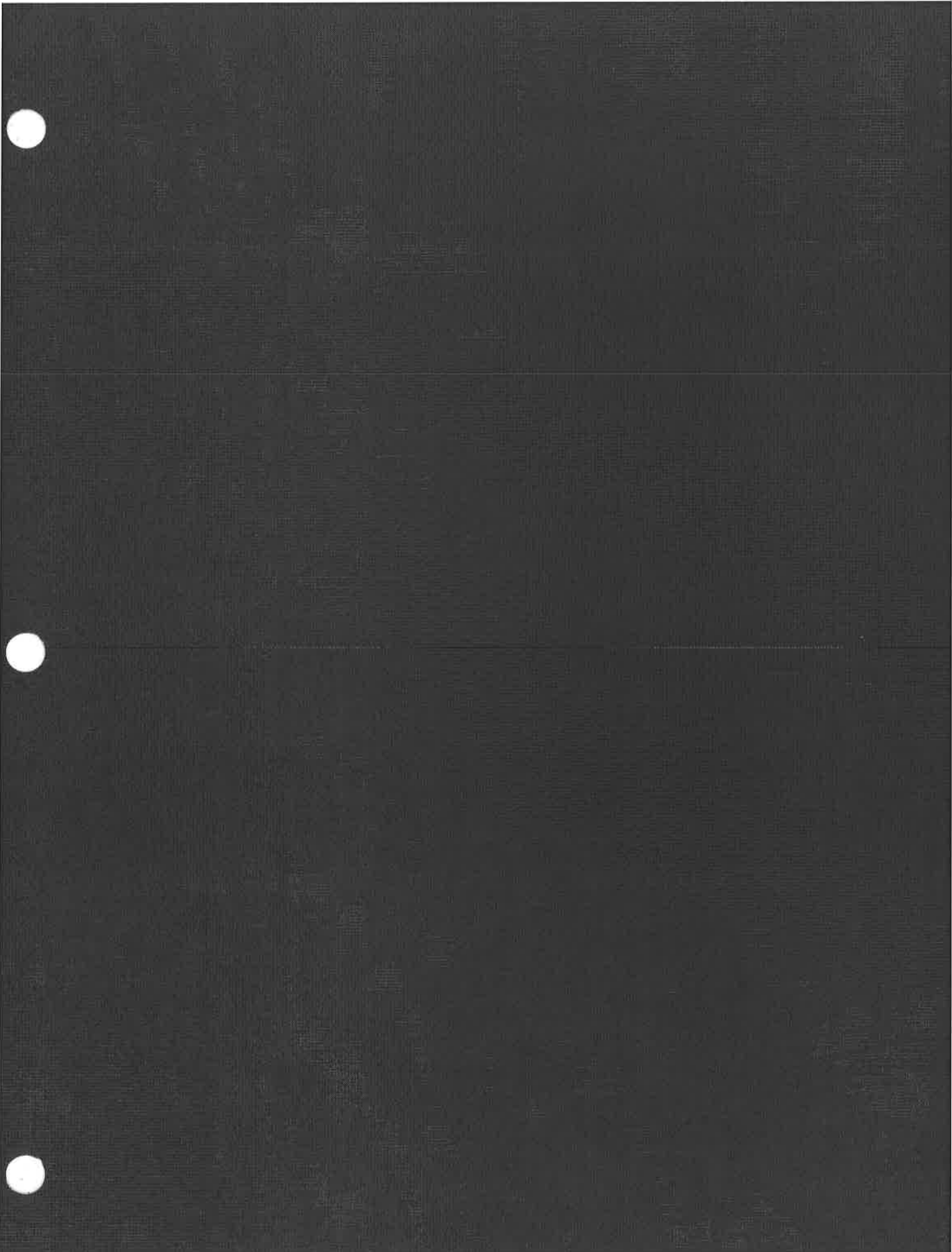




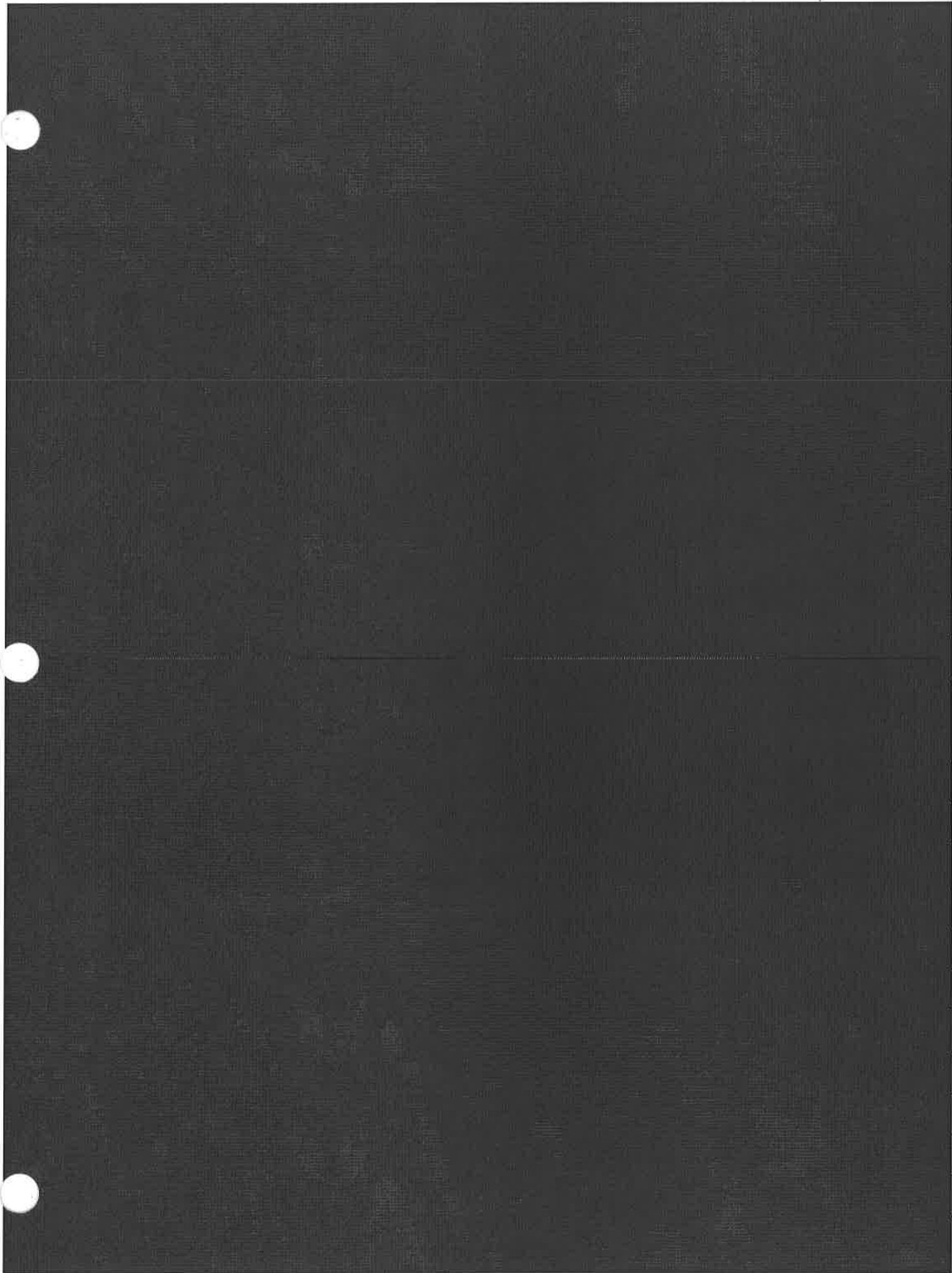


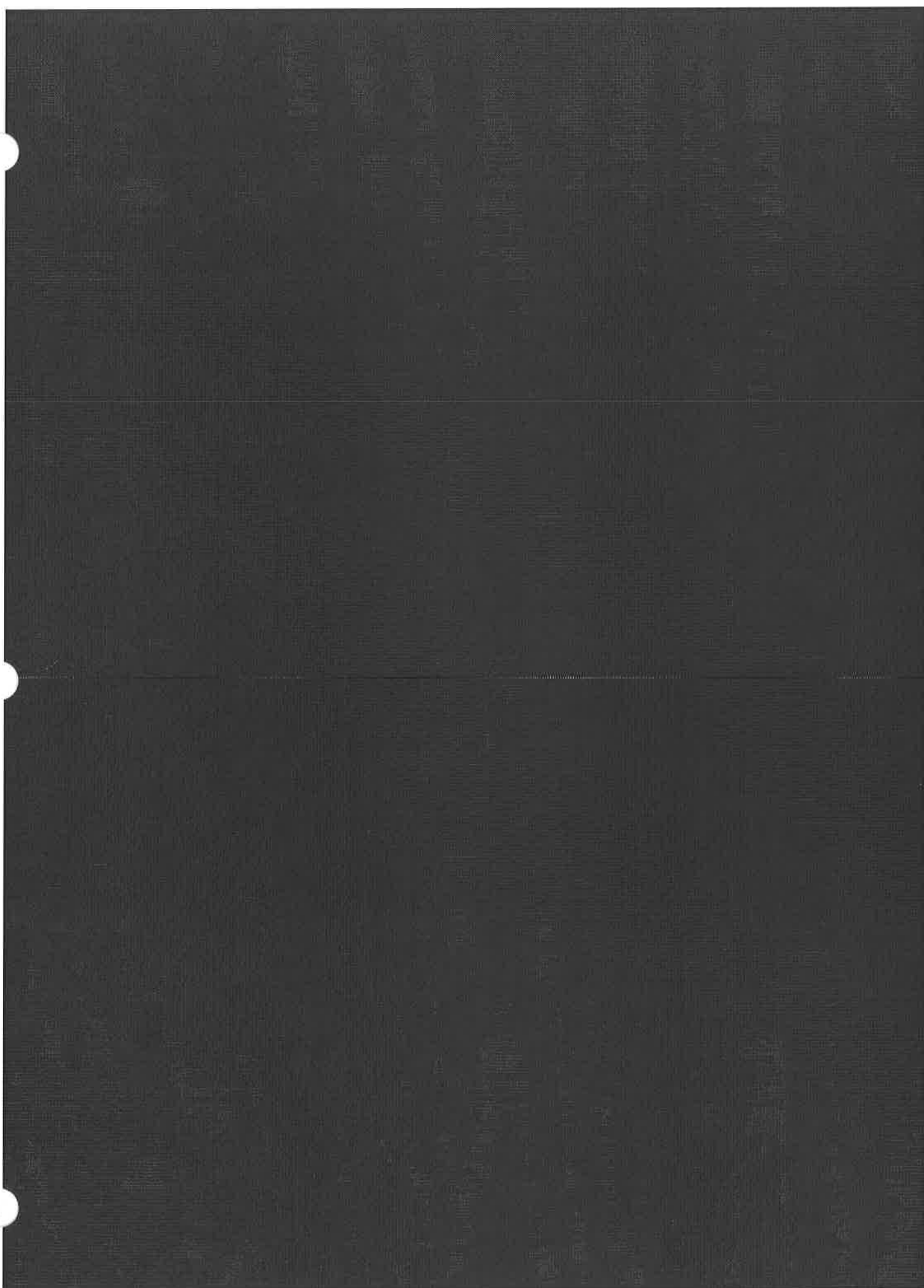


1









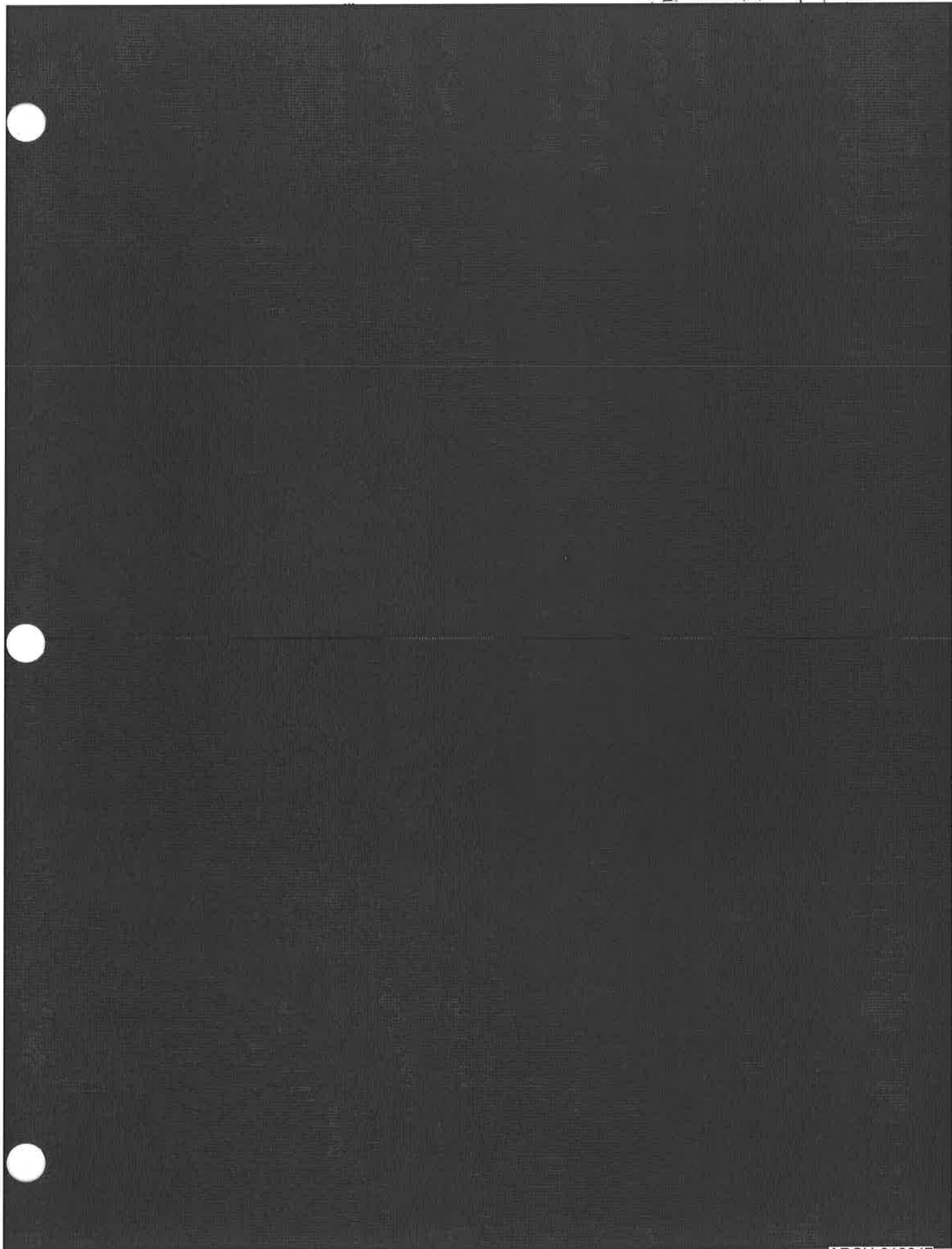
○

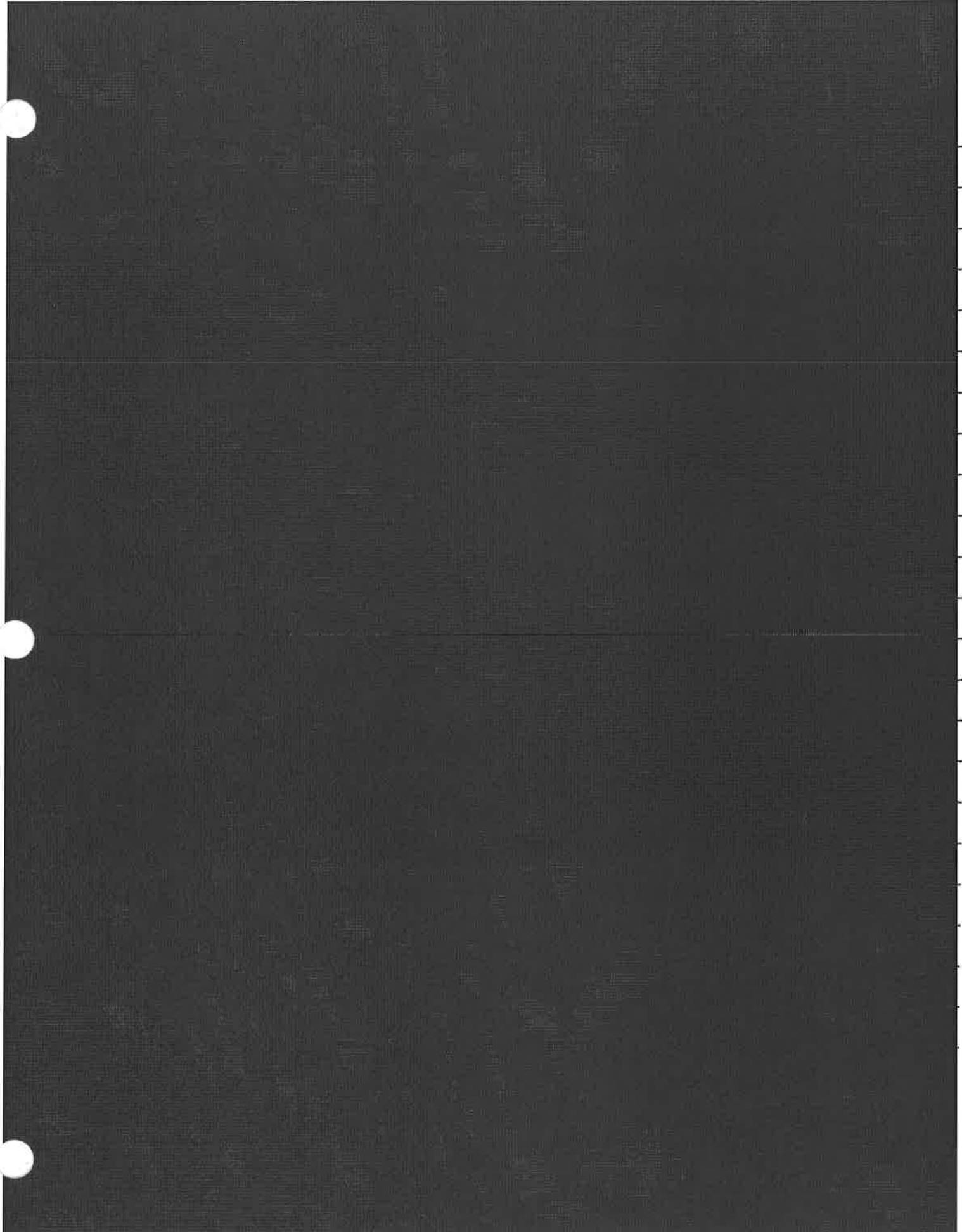
12

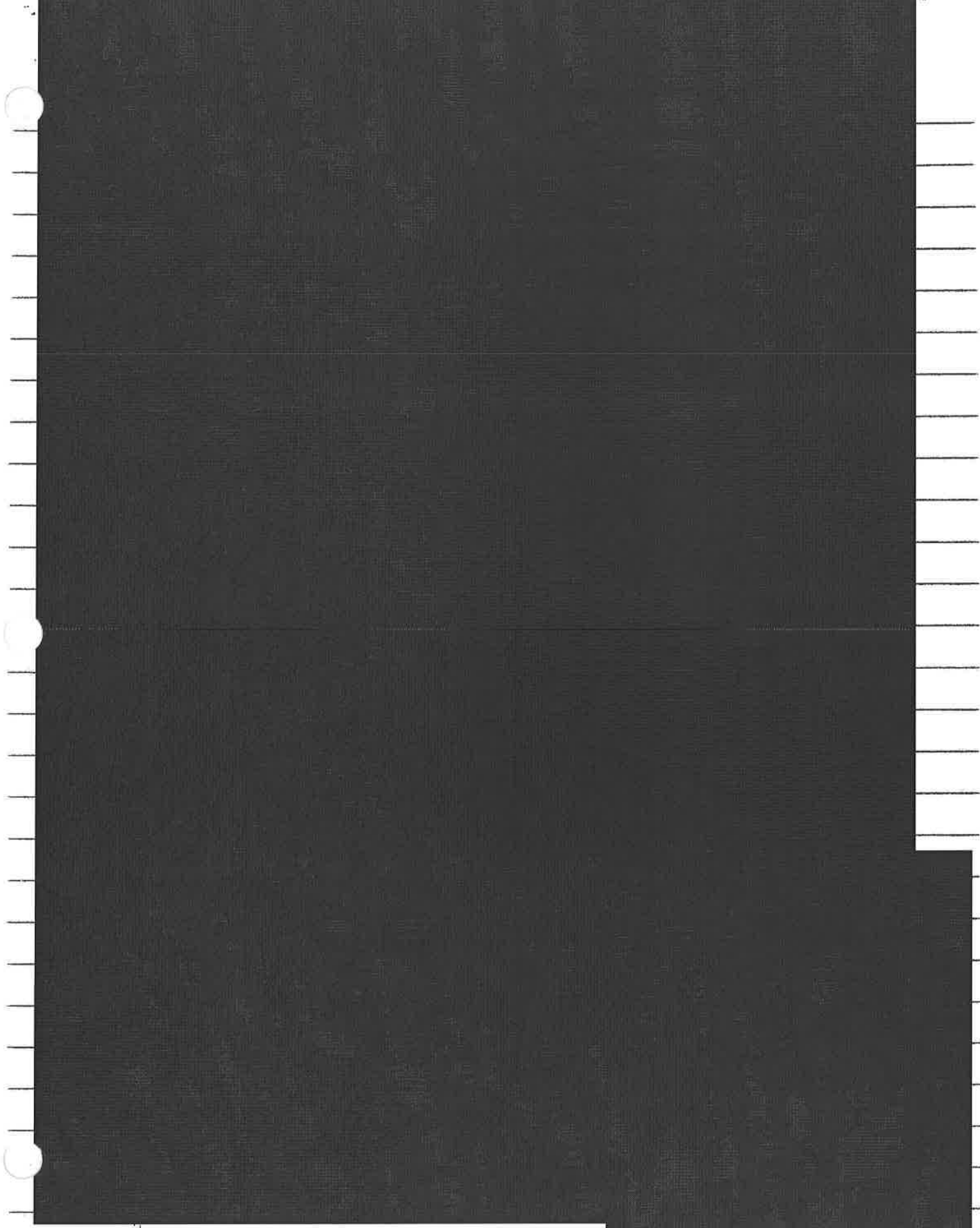
○

16

○

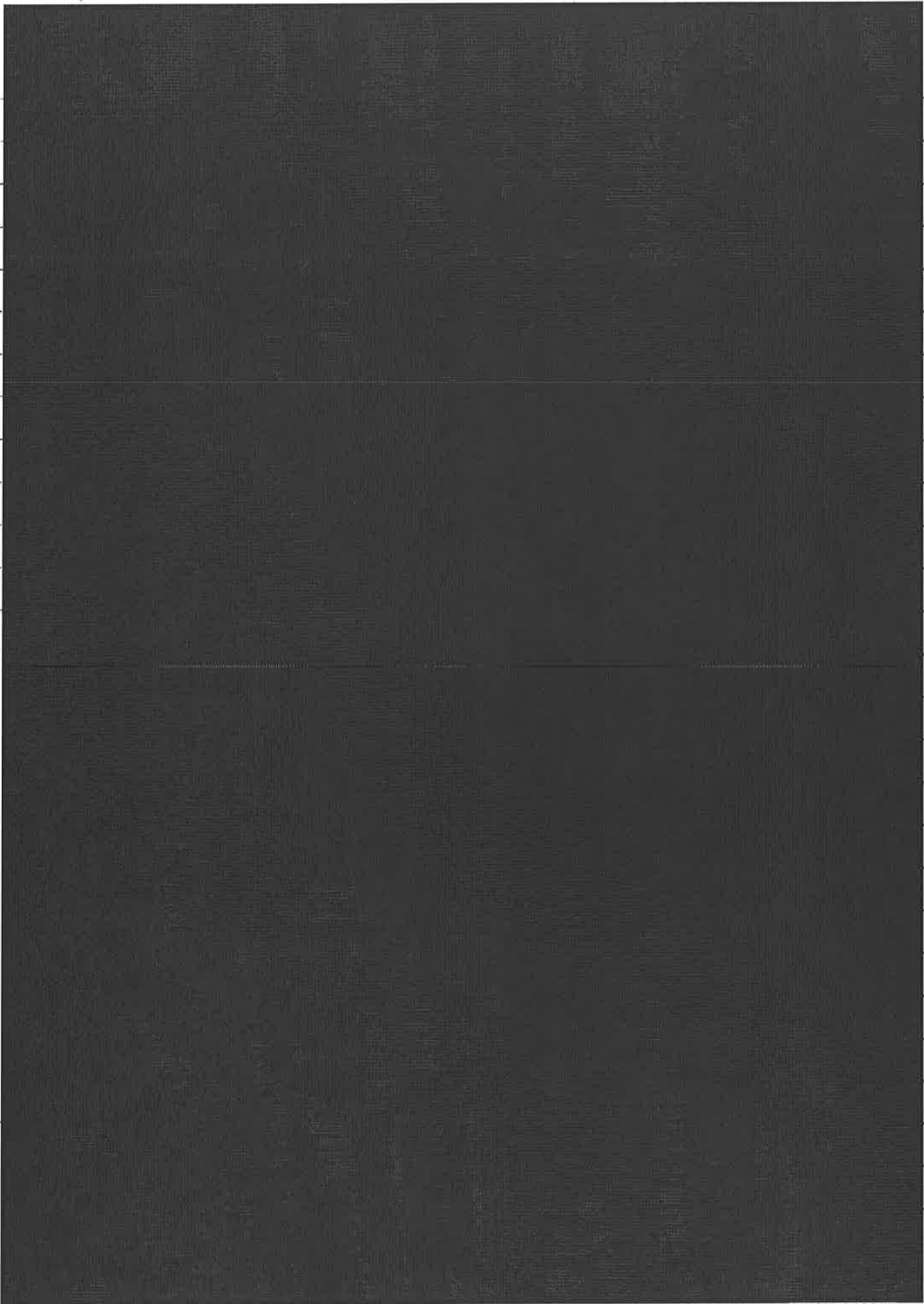


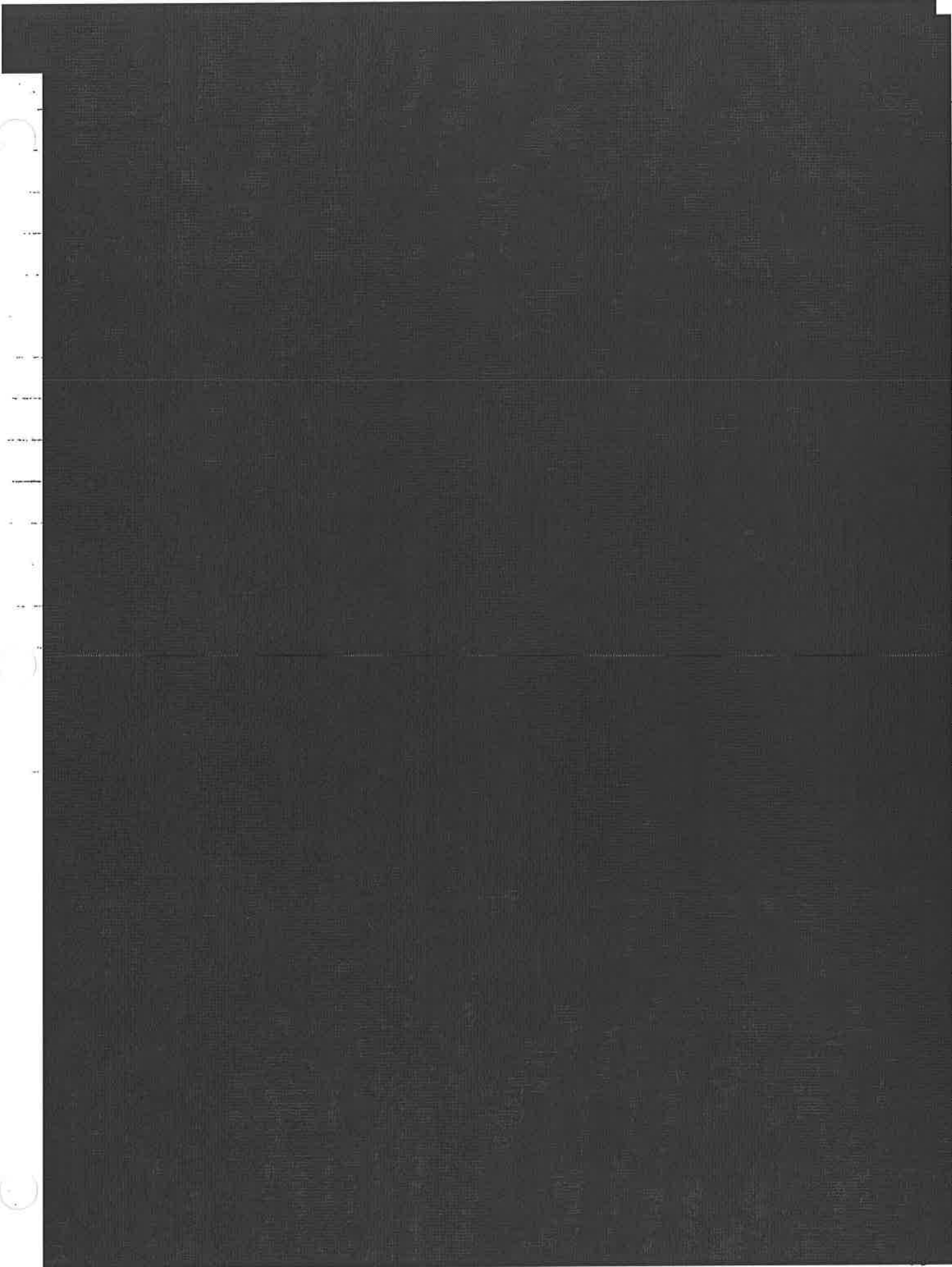


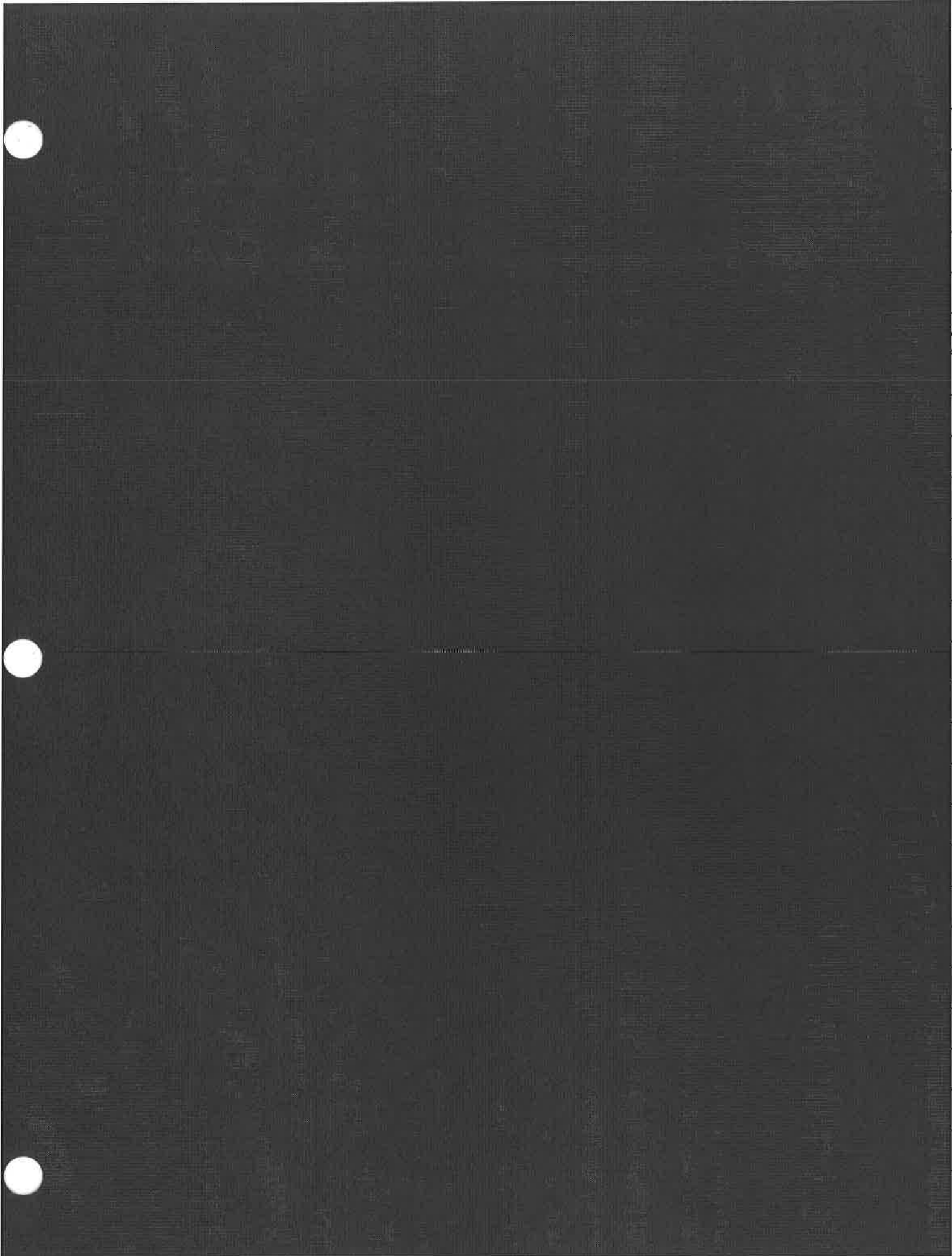










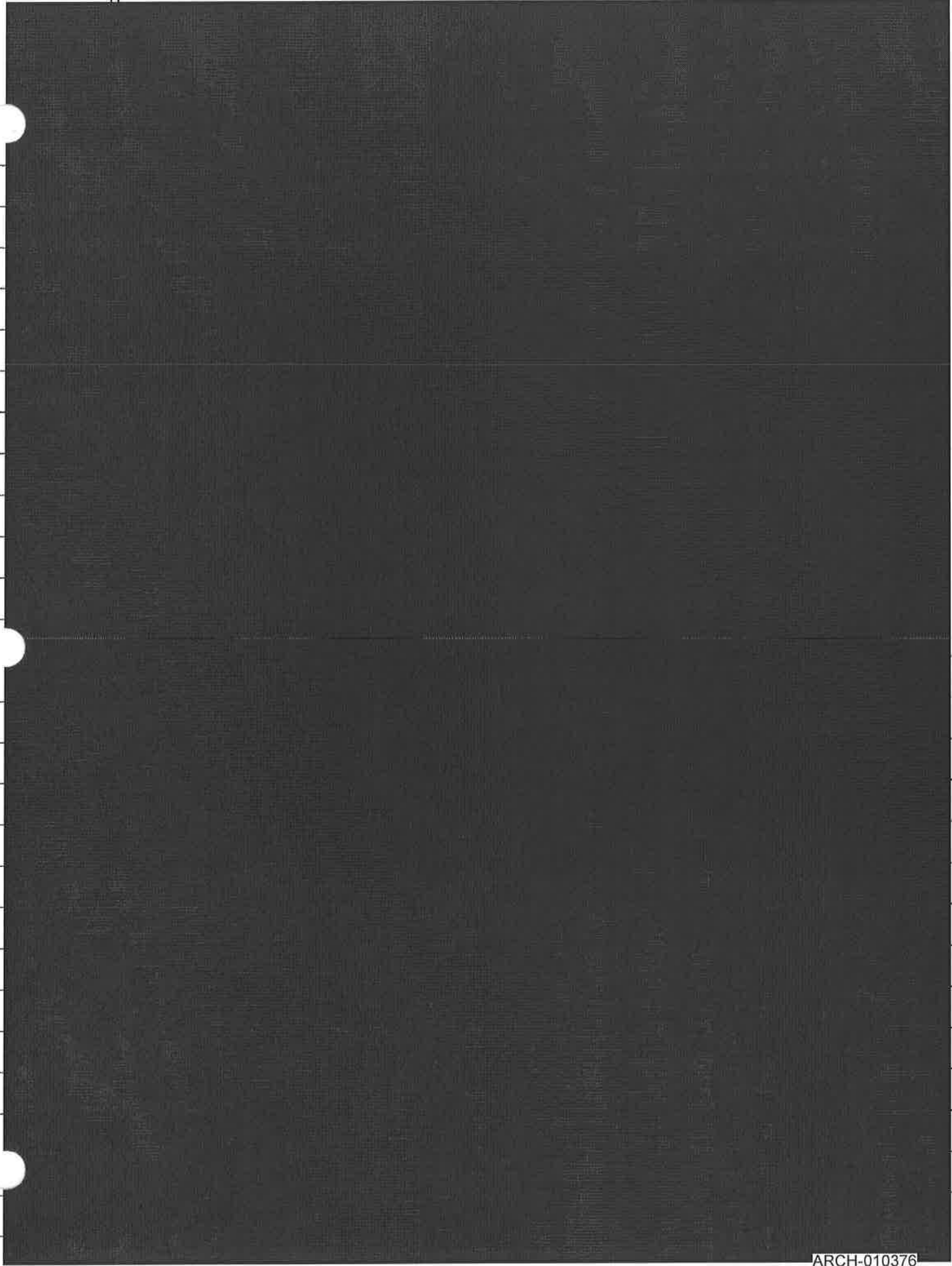


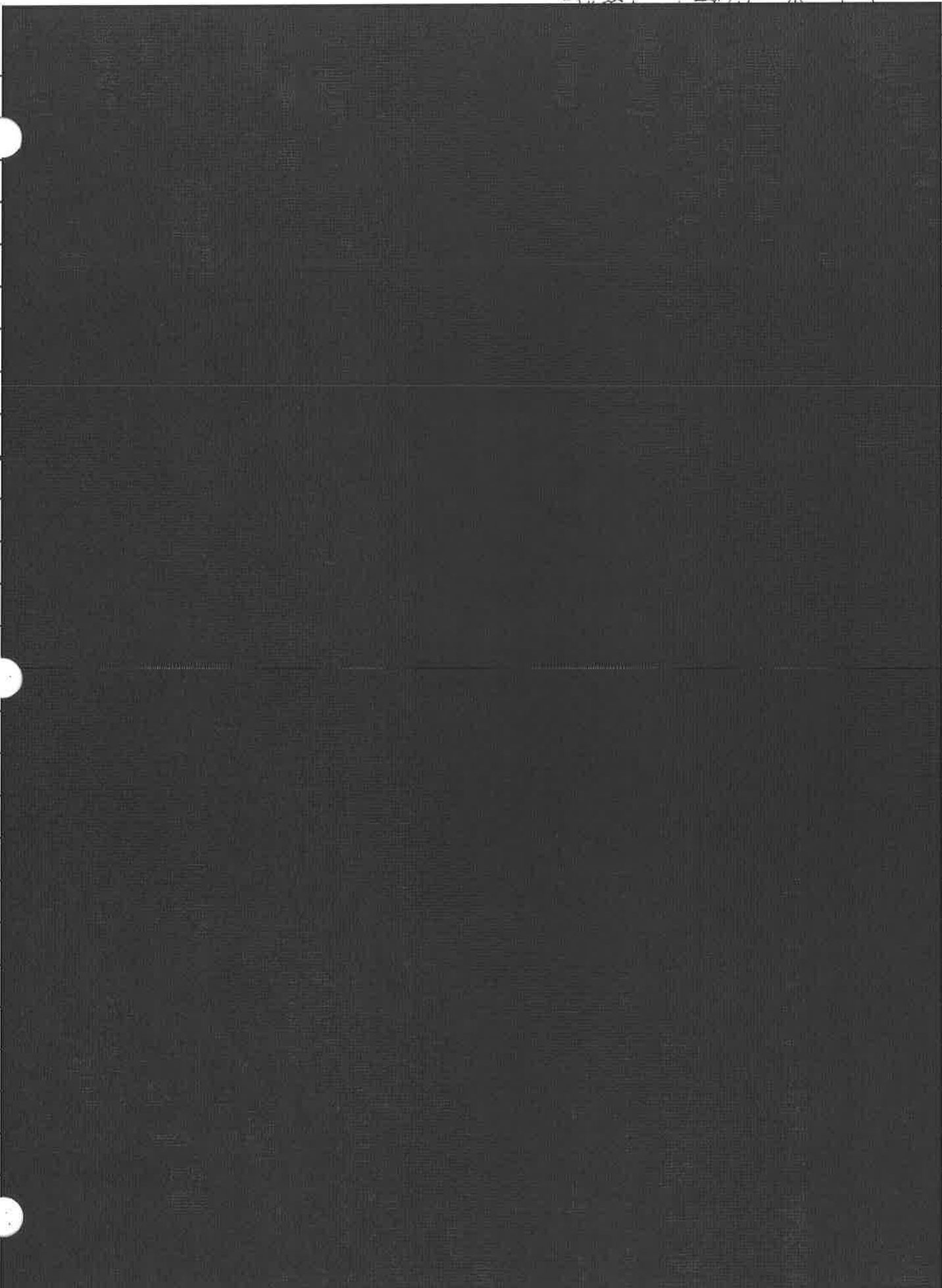
2.

2/12/10



110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000





H. BERIT MIDELFORT, MD
5200 WILLSON ROAD - #314
EDINA, MN 55424
(612)924-0798

MSC000

1

10-22-93

MISCELLANEOUS PATIENT

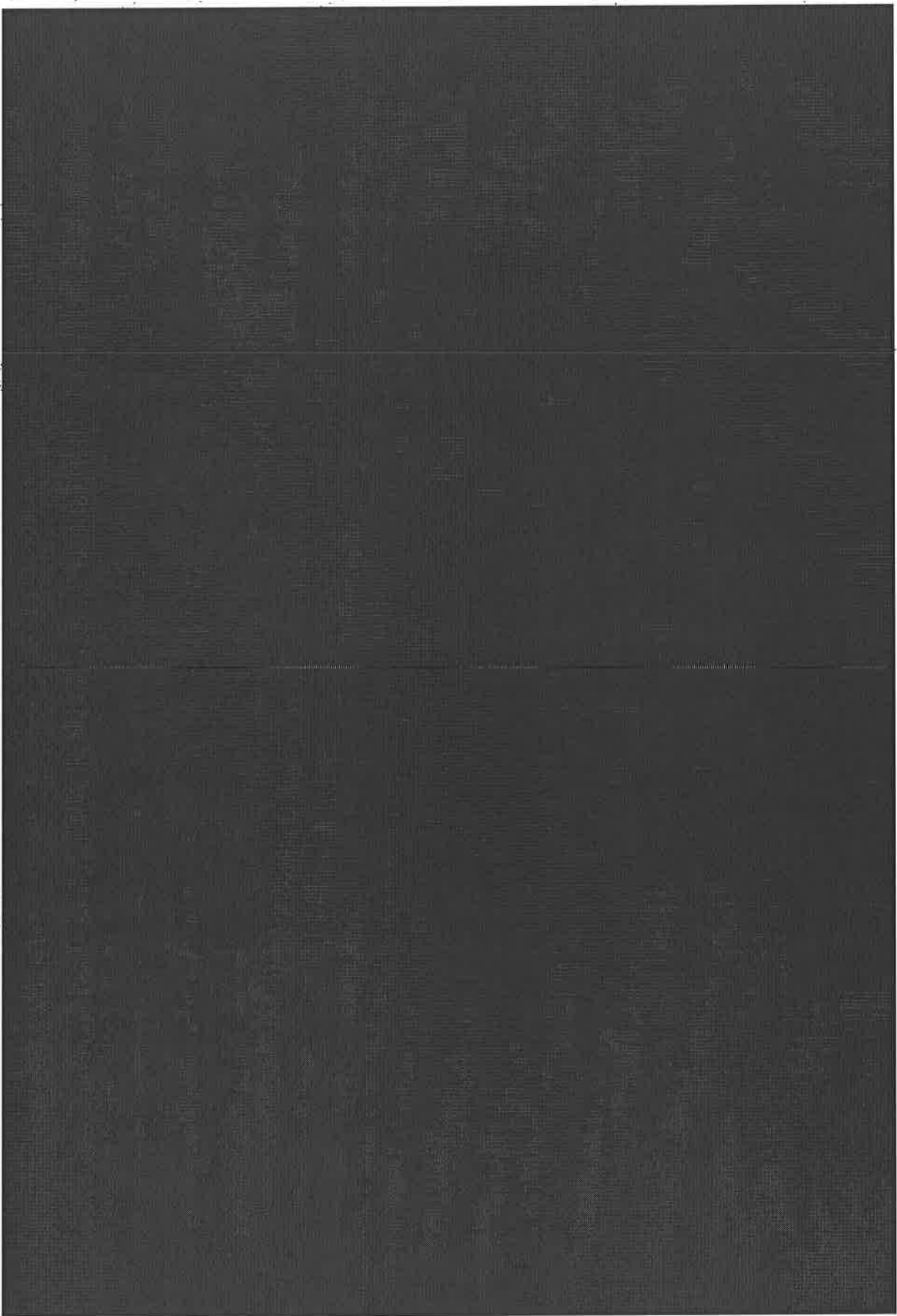
DATE	TYPE OF SERVICE	DATE OF SERVICE	CHARGE	PAYMENT
08-06-92	DIAG. EVALUATION-50 MINUTES		110.00	
08-14-92	PATIENT PAYMENT			-10.00
09-16-92	PHARMACOLOGIC MGT-25 MINUTES		60.00	
09-18-92	PATIENT PAYMENT			-25.00
10-30-92	PATIENT PAYMENT			-50.00
11-05-92	IND. PSYCH. - 25 MINUTES		60.00	
11-06-92	PATIENT PAYMENT			-50.00
12-17-92	PHARMACOLOGIC MGT-25 MINUTES		60.00	
01-08-93	PAYMENT-OTHER SOURCE			-155.00
2-11-93	PHARMACOLOGIC MGT-25 MINUTES		60.00	
5-11-93	PHARMACOLOGIC MGT-25 MINUTES		60.00	
06-28-93	PAYMENT-OTHER SOURCE			-60.00
07-14-93	IND. PSYCH. - 50 MINUTES		100.00	
07-15-93	PAYMENT-OTHER SOURCE			-120.00
09-09-93	FAILED APPOINTMENT CHARGE		40.00	

Prev. Bal = 40.00 See 7/19/93 Stmt
9/9 = 40.00

THE BALANCE ON YOUR ACCOUNT IS DUE UPON RECEIPT
OF THIS STATEMENT. THANK YOU FOR YOUR PROMPT PAYMENT.

BALANCE DUE 80.00

ARCH-010267

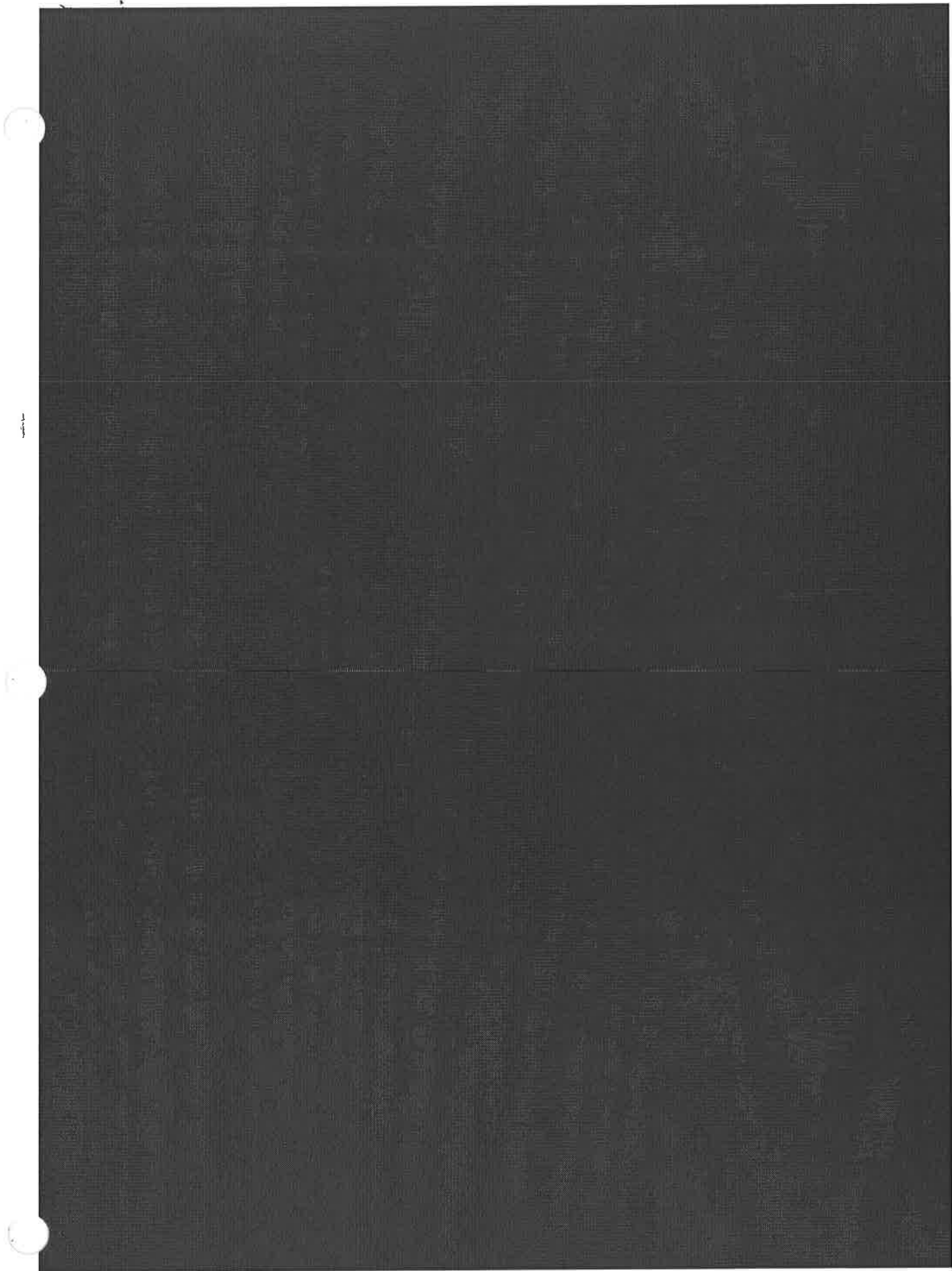


PRIVILEGED
ATTORNEY-CLIENT LETTER

From Thomas Wieser

to William Fallon

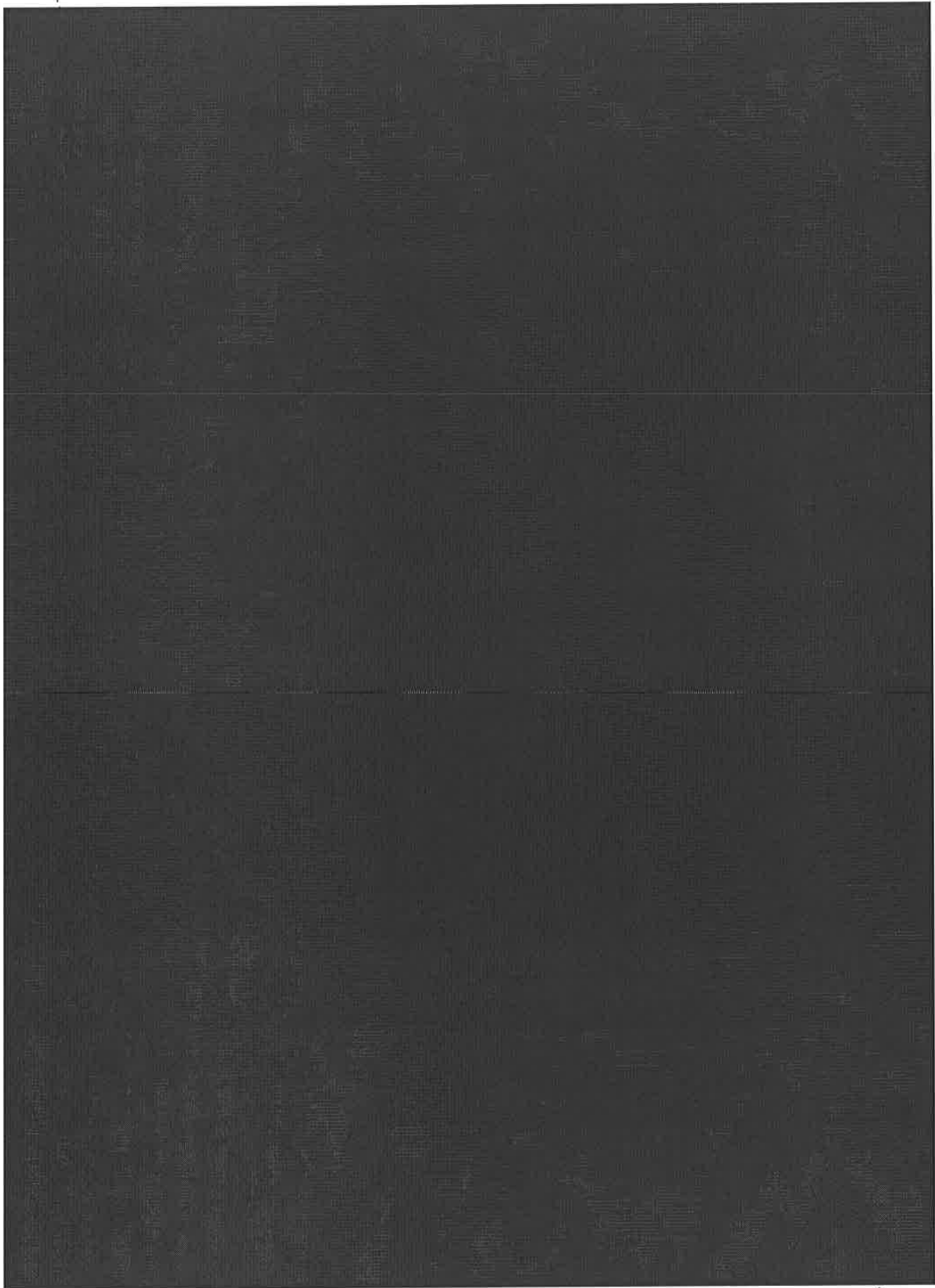
dated October 25, 1993

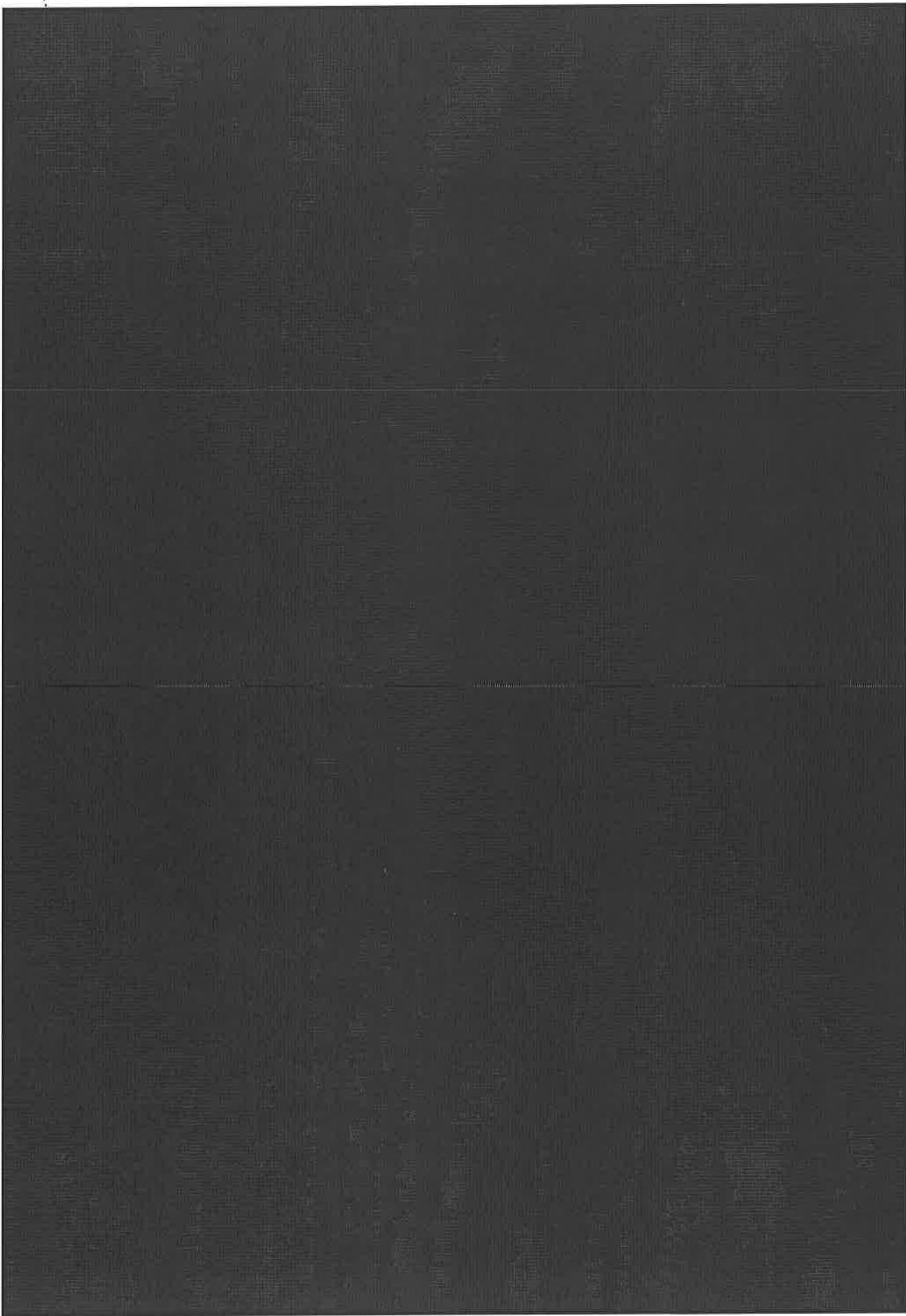


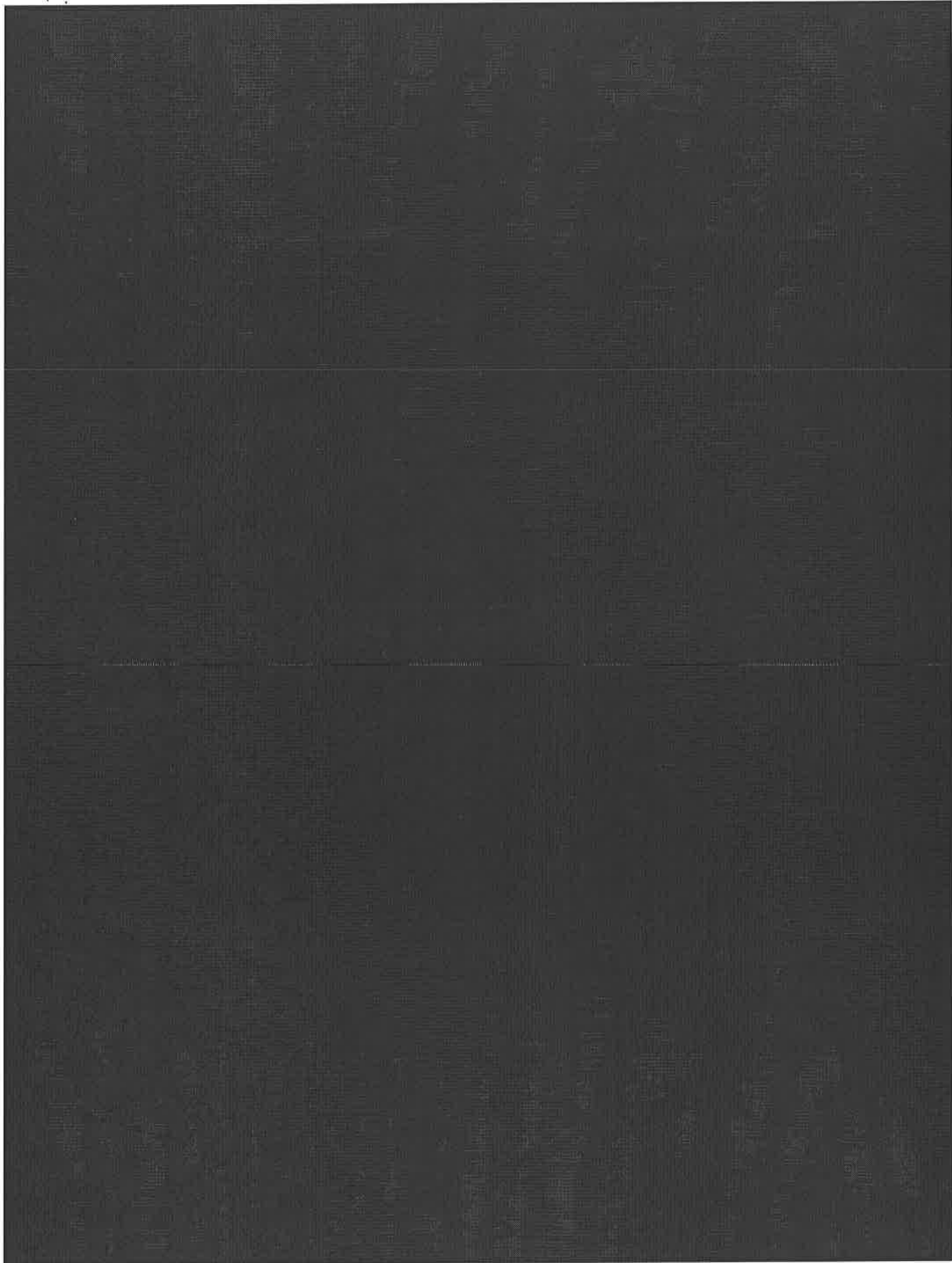
C

C

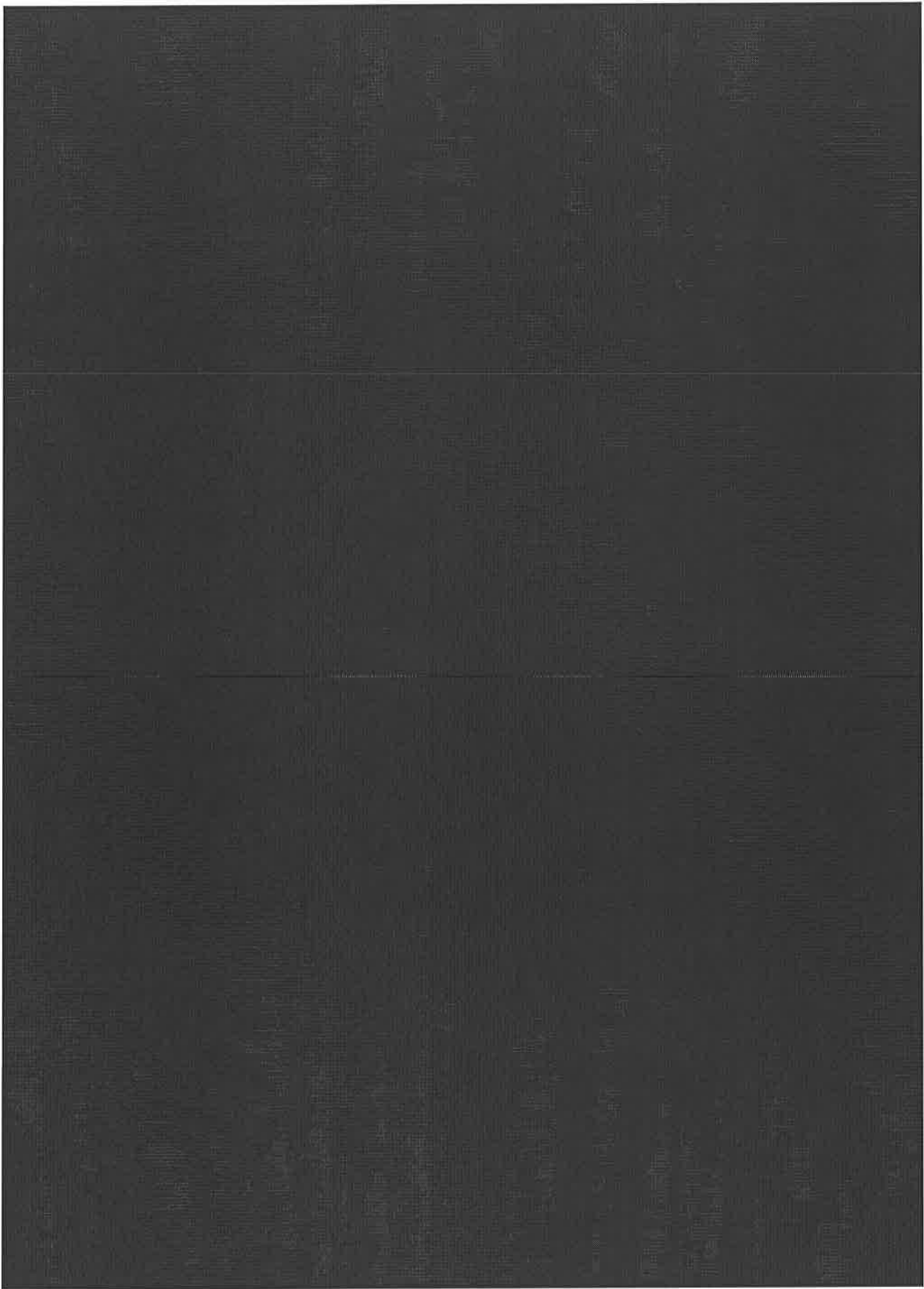
C

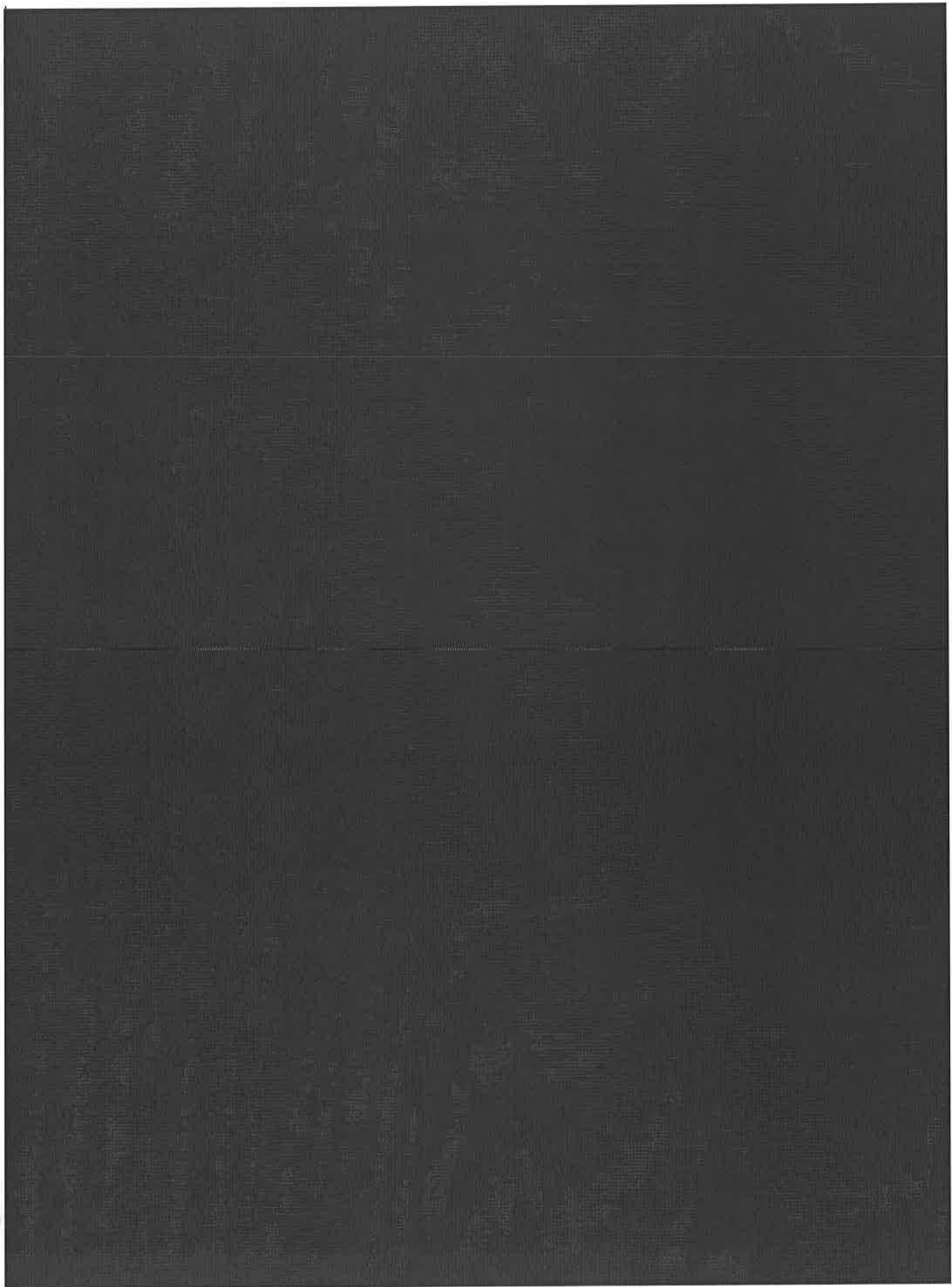


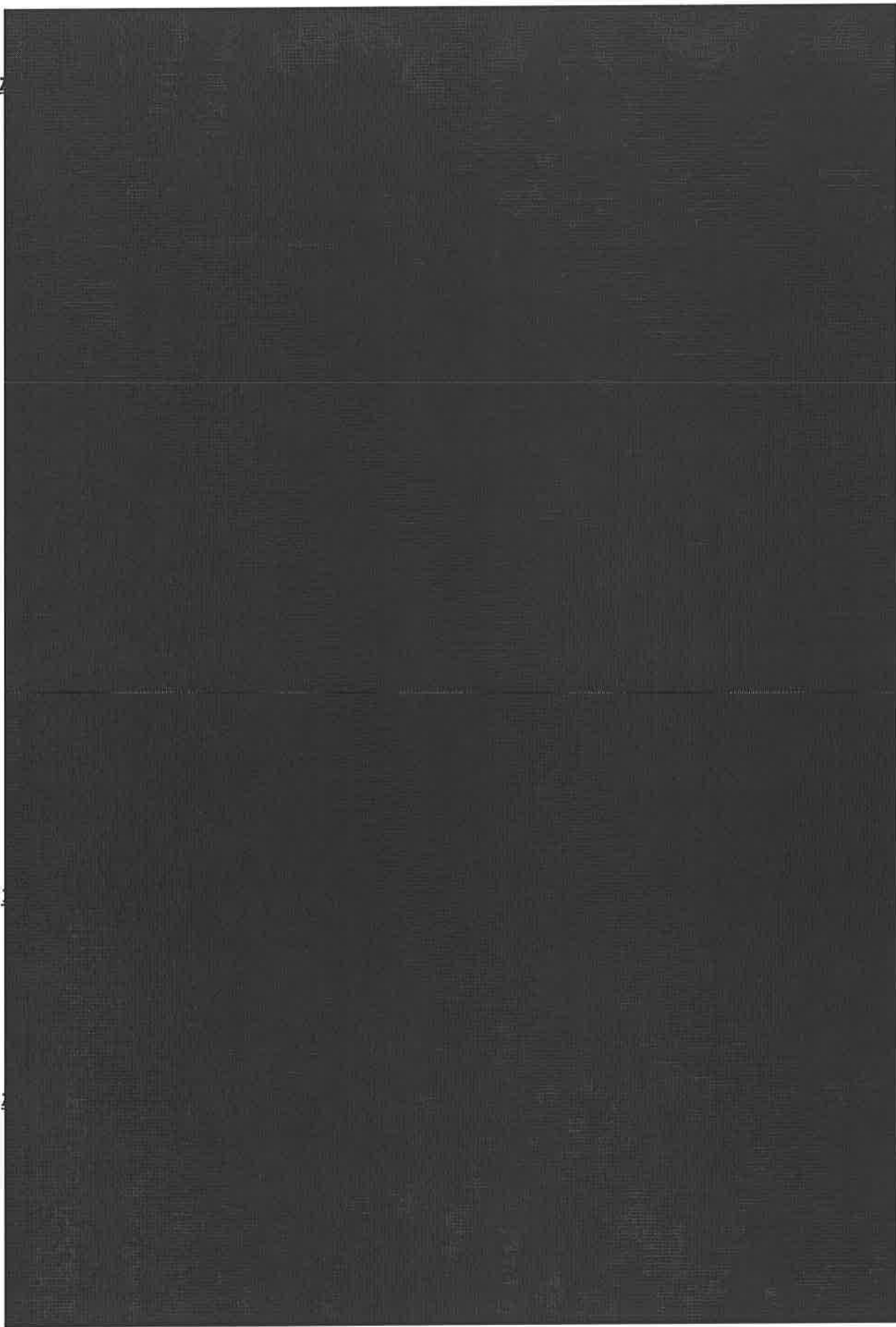


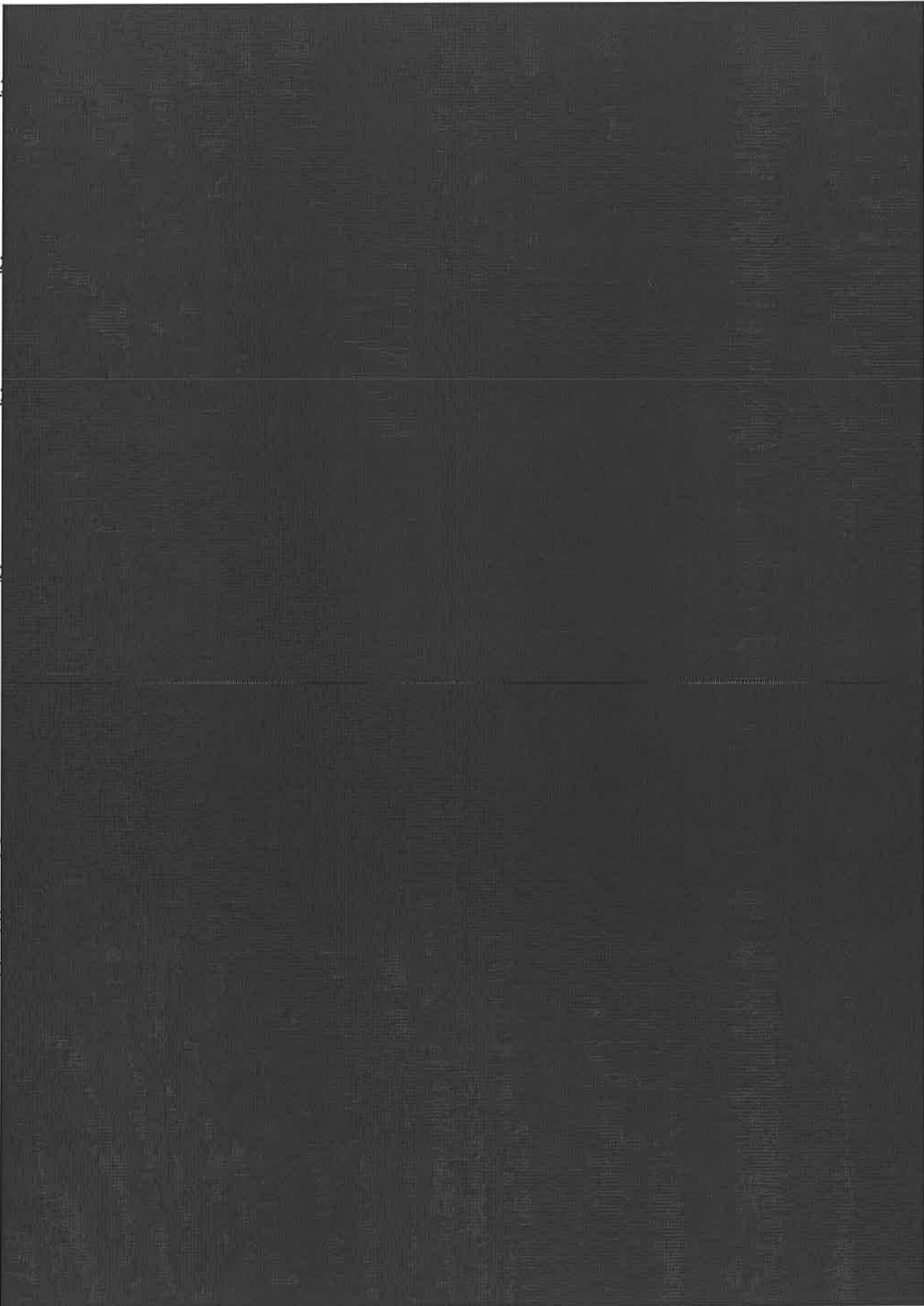


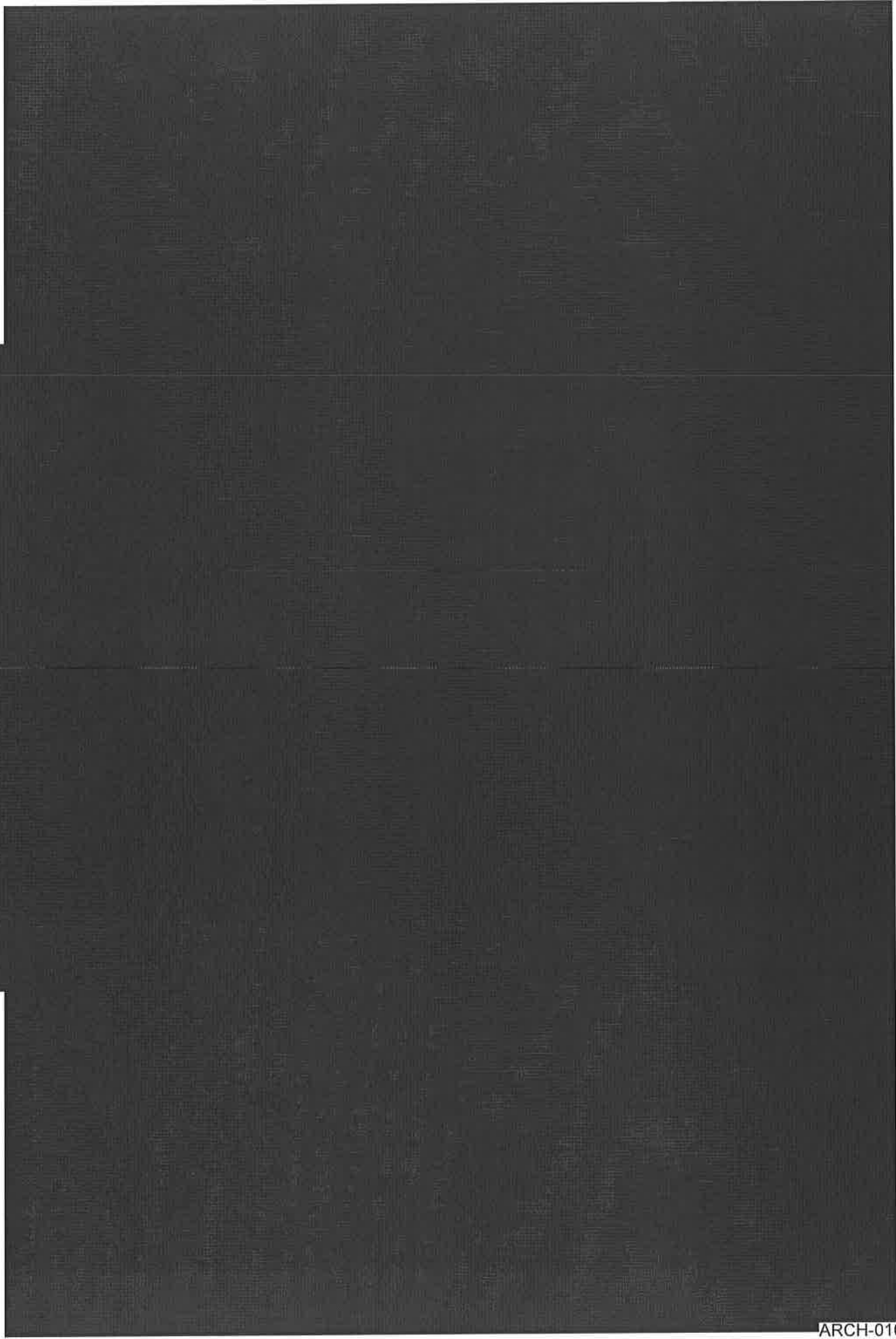


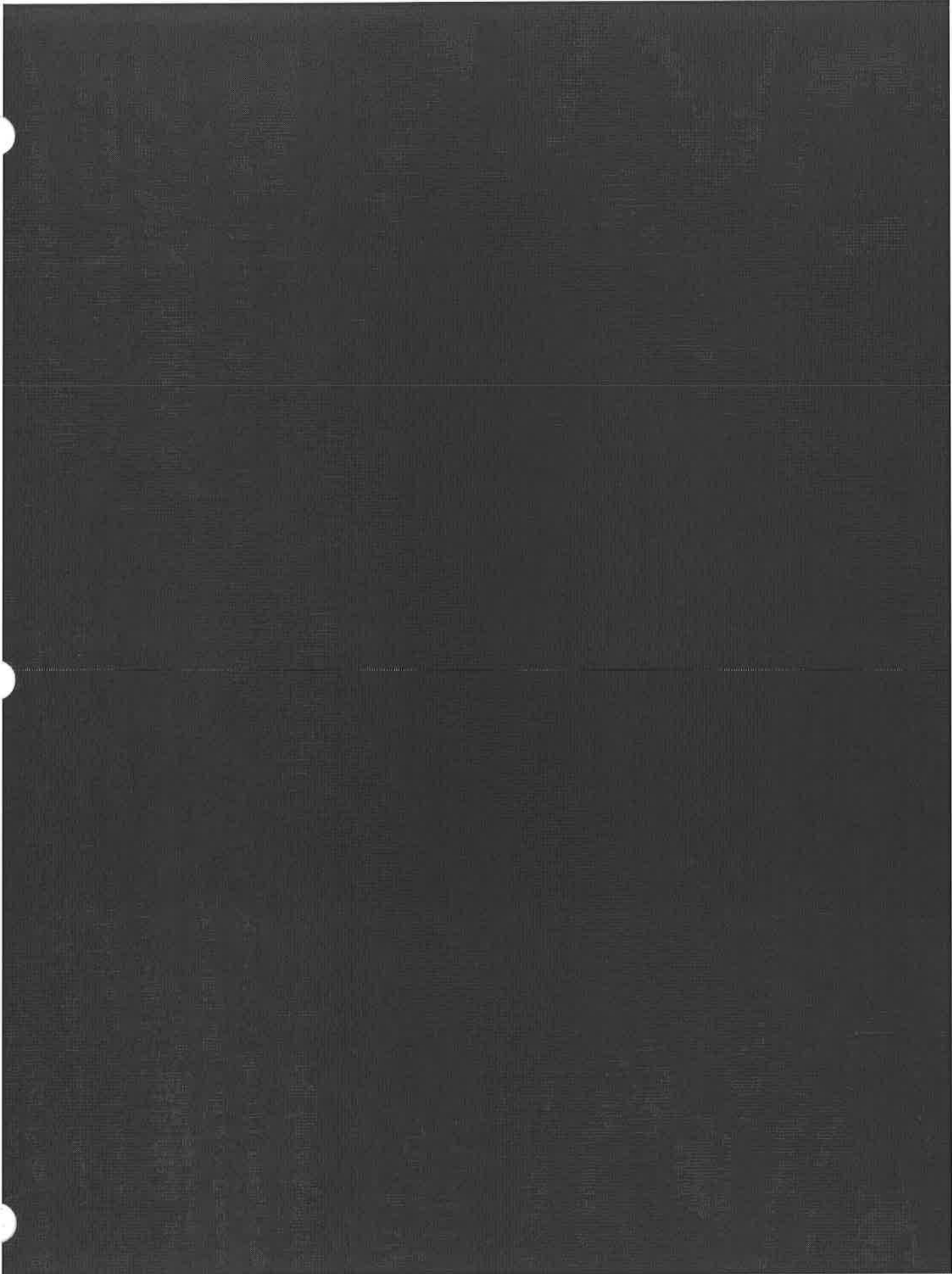


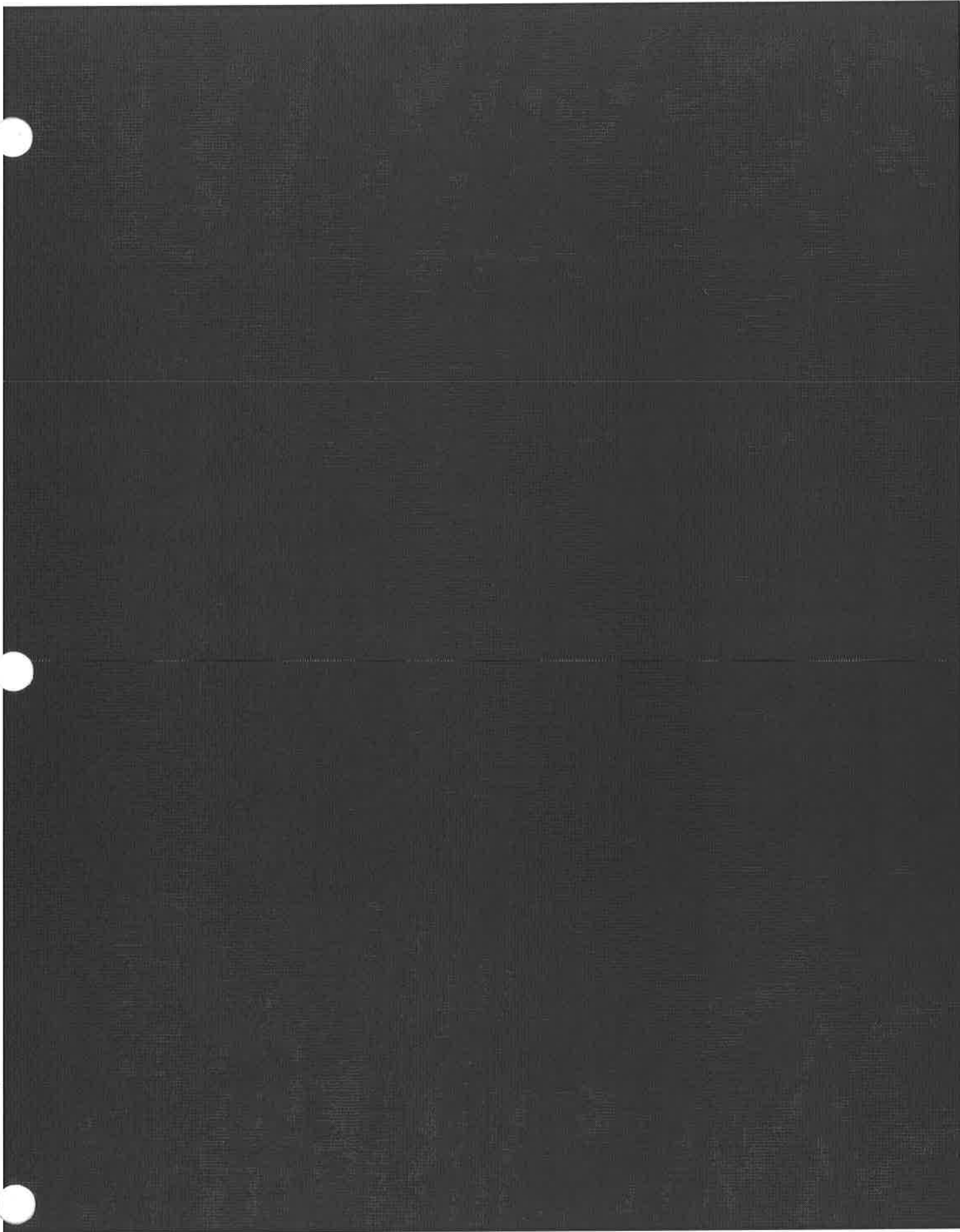






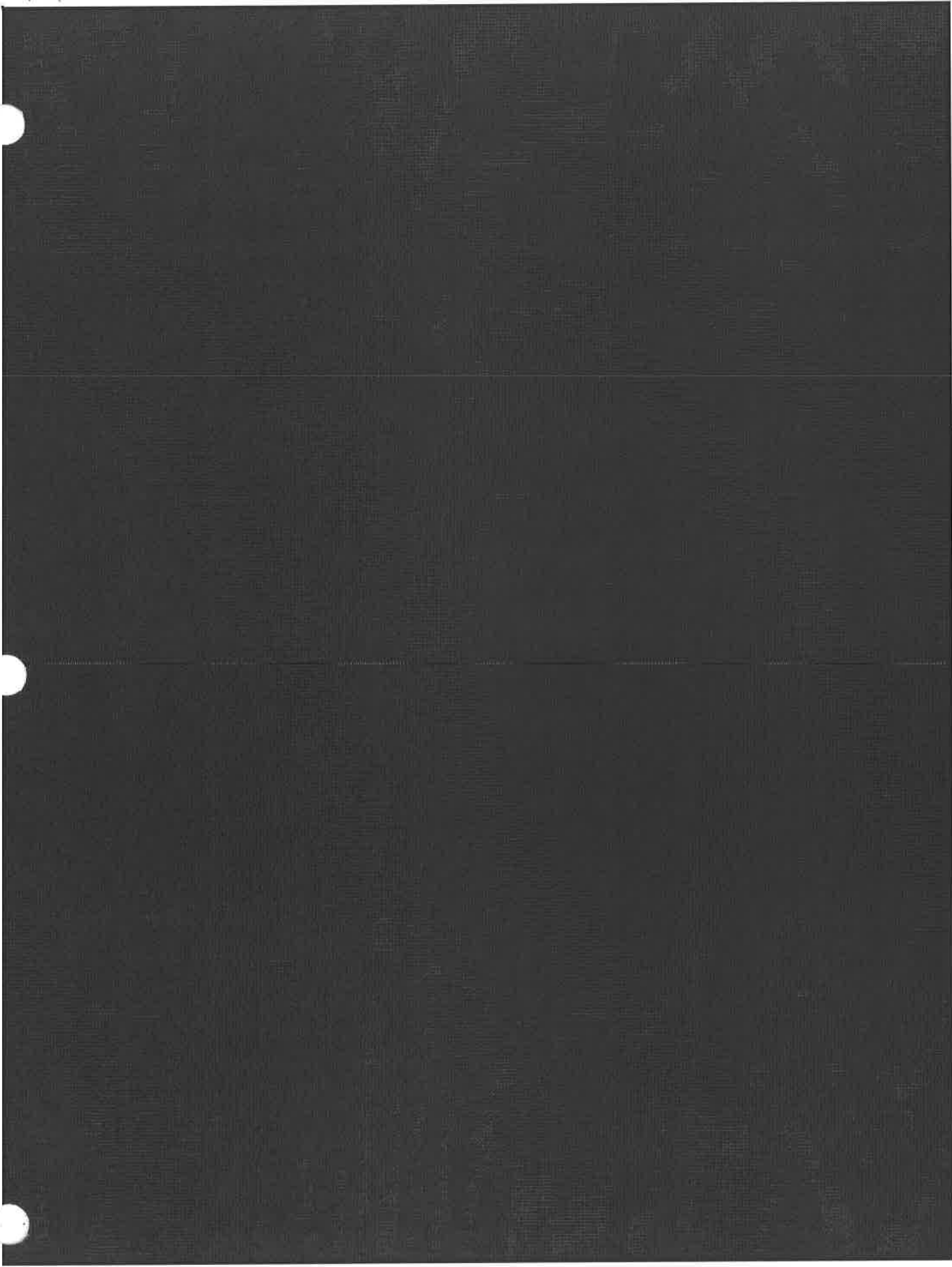


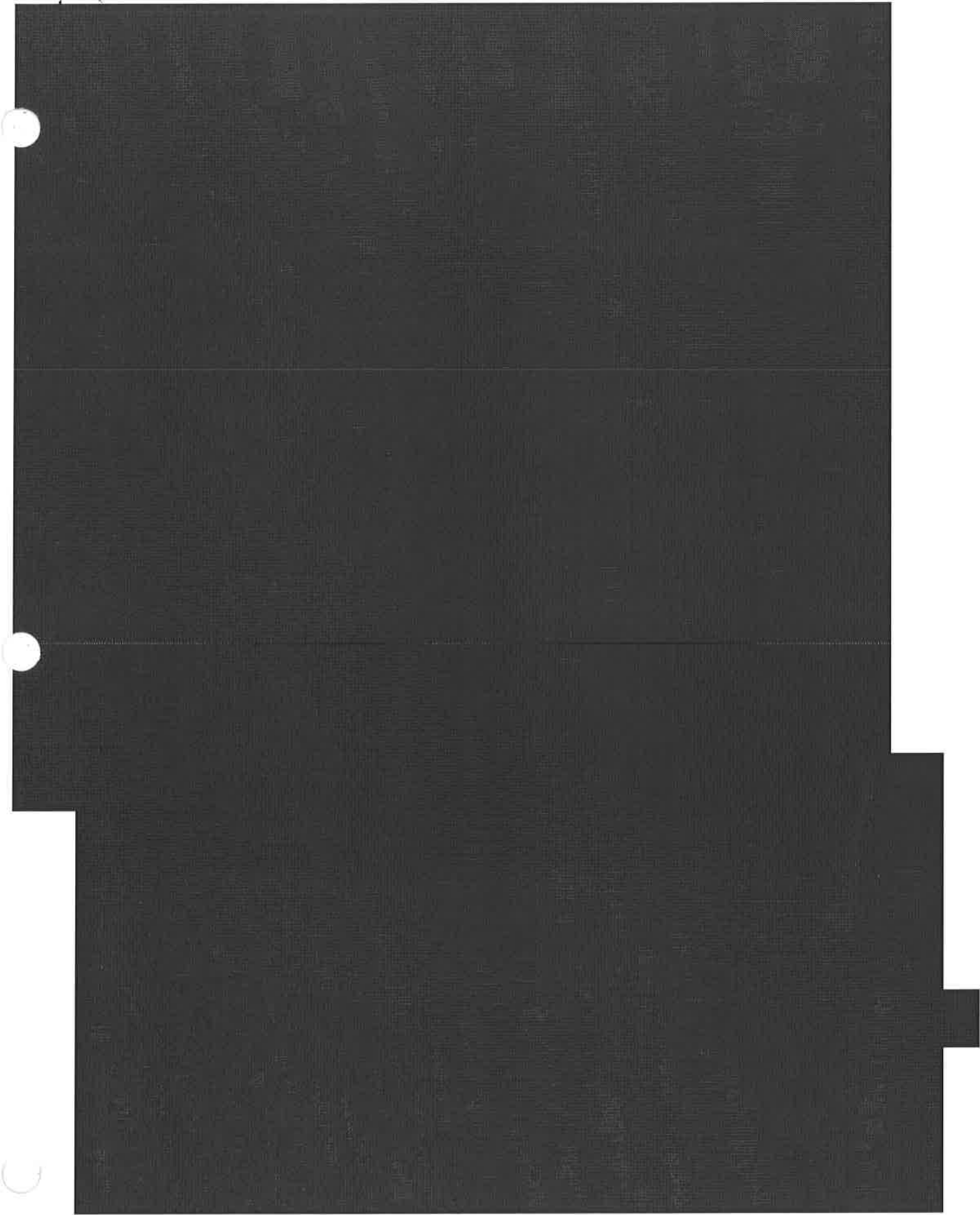












PRIVILEGED
ATTORNEY-CLIENT LETTER

from James T. Martin

to Michael Van Grunsvan, Martin Berger and Charles Josephes

dated October 26, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser
to James T. Martin
dated November 5, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

From Thomas Wieser
to Rev. Kevin McDonough
dated November 15, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser
to Rev. Thomas Hunstiger
dated November 23, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser

to Daniel Haws and James T. Martin

dated November 23, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser

to Daniel Haws and James T. Martin

dated November 23, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser
to Rev. Thomas Hunstiger
dated November 23, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

From Thomas Wieser
to Rev. Kevin McDonough
dated December 1, 1993

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: 11

John SSS Doe,

**RESPONSE TO REQUEST
FOR ADMISSIONS**

Plaintiff,

vs.

The Archdiocese of St. Paul and
Minneapolis, St. Elizabeth Ann Seaton
Church, f/k/a Guardian Angels
Church in Hastings, Minnesota,

Defendants.

Court File No.: _____

TO: Defendant Archdiocese of St. Paul and Minneapolis and its attorney, James T. Martin,
7600 Parklawn Avenue South, Edina, Minnesota 55435

1. That you have no evidence and no facts indicating or tending to indicate that the defendant had any knowledge of any conduct of Father Stitts constituting sexual abuse of or any other inappropriate conduct towards children prior to July 1969.

RESPONSE:

Deny.

2. That you have no knowledge of any evidence or facts indicating or tending to indicate that the defendant Archdiocese failed to use reasonable care in its supervision of Father Stitts at any time prior to July, 1969.

RESPONSE:

Deny.

3. That you know of no evidence or facts indicating or tending to indicate that defendant Guardian Angels Church had any knowledge prior to July, 1969 of any conduct or acts on the part of Father Stitts constituting sexual abuse of or other inappropriate behavior towards children.

RESPONSE:

Deny.

4. That you have no knowledge of any evidence or of fact, indicating or tending to indicate that defendant Guardian Angels Church was negligent in connection with its supervision of Father Stitts at any, time prior to July, 1969.

RESPONSE:

Deny.

5. That you know of no evidence or facts indicating or tending to indicate that defendant Archdiocese was negligent in hiring and/or assigning Father Stitts for any priestly duties at any church prior to July, 1969.

RESPONSE:

Deny.

6. That you have no knowledge of evidence or facts indicating or tending to indicate that defendant Guardian Angels Church was negligent prior to July, 1969, in respect to its employment of Father Stitts.

RESPONSE:

Deny.

7. That you know of no evidence or facts indicating or tending to indicate that either the Archdiocese or Guardian Angels Church received notice in any form from any source prior to July, 1969, of any propensity on the part of Father Stitts towards sexual abuse of children or other acts of pedophilia.

RESPONSE:

Deny.

8. That you know of no evidence or facts indicating or tending to indicate that Father Stitts had sexually abused any persons other than plaintiff herein at any time up through July 1969.

RESPONSE:

Deny.

9. That you did not make any report or complaint of having been sexually abused by, Father Stitts to any employee or agent of the Archdiocese or Guardian Angels Church prior to September 1992.

RESPONSE:

Admit.

Dated: Dec. 8, 1993

REINHARDT AND ANDERSON



By: Jeffrey R. Anderson, #2057
Mark A. Wendorf, #173484
David S. Burleson, #215776
Attorneys for Plaintiffs
E-1400 First National Bank Bldg.
332 Minnesota Street
St. Paul, Minnesota 55101
(612) 227-9990

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: 11

John SSS Doe,

Plaintiff,

**ANSWERS TO INTERROGATORIES
IN RESPONSE TO DEFENDANT
ARCHDIOCESE'S REQUEST
FOR ADMISSIONS**

vs.

The Archdiocese of St. Paul and
Minneapolis, St. Elizabeth Ann Seaton
Church, f/k/a Guardian Angels
Church in Hastings, Minnesota,

Defendants.

Court File No.: _____

TO: Defendant Archdiocese of St. Paul and Minneapolis and its attorney, James T. Martin,
7600 Parklawn Avenue South, Edina, Minnesota 55435

Plaintiff, for his Answers to Defendant Archdiocese of St. Paul and Minneapolis' Interrogatories on its Request for Admissions, states under oath as follows:

1. As to each and every statement set forth above for which you have refused to give an unqualified admission state the following:
 - a. All of the facts or evidence known to you which prevents you from giving an unqualified admission;
 - b. The name and address of any other person claimed by you to have knowledge of facts which prevents you from giving an unqualified admission.

REPLY:

1.
 - a) Altar boys and other young male parishioners and students of Guardian Angels Church in Hastings, MN, commonly and frequently referred to Father Stitts as "Father Patty Nuts," prior to and continuing throughout the period of abuse.

The sexual abuse of the Plaintiff occurred on the premises of Defendant Guardian Angels Church, a church located within the geographical confines of Defendant Archdiocese. Father Stitts had a compulsive disorder involving the sexual molestation of parish youth. The pattern of Father Stitts' compulsive disorder was so evident that young parishioners of Guardian Angels had nick-named him with a name which clearly refers to his propensities.

In addition, Father Stitts sexually molested another parishioner under like circumstances in the case of John RRR Doe vs. The Archdiocese of St. Paul and Minneapolis and St. Leos Church in Highland Park, Minnesota. The sexual abuse of the plaintiff in that case occurred in approximately 1973. Direct reports of the abuse were made to Archbishop Byrne, then Archbishop of Defendant Archdiocese. Rather than reporting Father Stitts' criminal conduct to local law enforcement authorities, commencing liacization proceedings or canonically removing Father Stitts' faculties to operate as a Roman Catholic priest, Archbishop Byrne clandestinely reassigned Father Stitts as pastor of St. George Parish in Long Lake, MN, where he would have access to other parish youth. The Archbishop's response to the direct reports involving Father Stitts is evidence of the routine practice of this Defendant in failing to use reasonable care in its supervision of Father Stitts.

The type of conduct perpetrated by Father Stitts, amounts to a compulsive disorder which should have been discovered by Defendants had the Defendants provided proper supervision of Father Stitts and the altar boys entrusted to his care. The sexual abuse of Plaintiff also took place during the counseling of Plaintiff and during extra curricular activities in which Father Stitts supervised under the direction and control of Defendants.

b) Plaintiff

John RRR Doe and witnesses identified in that litigation, presently in possession of this requesting Defendant.

St. Paul and Minneapolis Archdiocesan officials

2.

- a) In addition to Answer #1 above, through deposition testimony of Diocesan officials in other unrelated but similar cases, the Archdiocese failed to conduct reasonable psychological testing, assessment, and evaluation of their candidates ordained into priesthood. The Archdiocese's seminary officials did not properly train candidates for the priesthood in dealing with celibacy and interaction with parish youth with whom they were counseling. Father Stitts' conduct amounts to compulsive disorder which should have been discovered had the Archdiocese conducted reasonable psychological testing and assessment or could have been prevented by proper training.
- b) Please see Answer #1(b) above.

3.

Plaintiff objects to the extent that this requesting Defendant does not have standing to submit discovery on behalf of Defendant Elizabeth Ann Seaton Church. Without waiving the same, please see Answer #1 & #2 above.

4.

Plaintiff objects to the extent that this requesting Defendant does not have standing to submit discovery on behalf of Defendant Elizabeth Ann Seaton Church. Without waiving the same, please see Answer #1 & #2 above.

5.

Please see Answer to #1 & #2 above.

6.

Plaintiff objects to the extent that this requesting Defendant does not have standing to submit discovery on behalf of Defendant Elizabeth Ann Seaton Church. Without waiving the same, please see Answer #1 & #2 above.

7.

Plaintiff objects to the extent that this requesting Defendant does not have standing to submit discovery on behalf of Defendant Elizabeth Ann Seaton Church. Without waiving the same, please see Answer #1 & #2 above.

8.

Please see Answer to #1 & #2 above.

RESPONSE:

Deny.

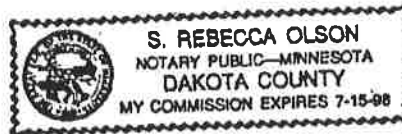
9. That you did not make any report or complaint of having been sexually abused by, Father Stitts to any employee or agent of the Archdiocese or Guardian Angels Church prior to September 1992.

RESPONSE:

Admit.

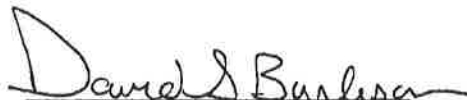
Subscribed and sworn to before me this
16th day of December, 1993.


Notary Public



Dated: Dec 8th, 1993

REINHARDT AND ANDERSON



By: Jeffrey R. Anderson, #2057
Mark A. Wendorf, #173484
David S. Burleson, #215776
Attorneys for Plaintiffs
E-1400 First National Bank Bldg.
332 Minnesota Street
St. Paul, Minnesota 55101
(612) 227-9990

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: 11

John SSS Doe,

Plaintiff,

**ANSWERS TO INTERROGATORIES
IN RESPONSE TO DEFENDANT
ARCHDIOCESE'S REQUEST
FOR ADMISSIONS**

vs.

The Archdiocese of St. Paul and
Minneapolis, St. Elizabeth Ann Seaton
Church, f/k/a Guardian Angels
Church in Hastings, Minnesota,

Defendants.

Court File No.: _____

TO: Defendant Archdiocese of St. Paul and Minneapolis and its attorney, James T. Martin,
7600 Parklawn Avenue South, Edina, Minnesota 55435

Plaintiff, for his Answers to Defendant Archdiocese of St. Paul and Minneapolis' Interrogatories on its Request for Admissions, states under oath as follows:

1. As to each and every statement set forth above for which you have refused to give an unqualified admission state the following:
 - a. All of the facts or evidence known to you which prevents you from giving an unqualified admission;
 - b. The name and address of any other person claimed by you to have knowledge of facts which prevents you from giving an unqualified admission.

REPLY:

1.
 - a) Altar boys and other young male parishioners and students of Guardian Angels Church in Hastings, MN, commonly and frequently referred to Father Stitts as "Father Patty Nuts," prior to and continuing throughout the period of abuse.

29318

ARCH-010581

The sexual abuse of the Plaintiff occurred on the premises of Defendant Guardian Angels Church, a church located within the geographical confines of Defendant Archdiocese. Father Stitts had a compulsive disorder involving the sexual molestation of parish youth. The pattern of Father Stitts' compulsive disorder was so evident that young parishioners of Guardian Angels had nick-named him with a name which clearly refers to his propensities.

In addition, Father Stitts sexually molested another parishioner under like circumstances in the case of John RRR Doe vs. The Archdiocese of St. Paul and Minneapolis and St. Leos Church in Highland Park, Minnesota. The sexual abuse of the plaintiff in that case occurred in approximately 1973. Direct reports of the abuse were made to Archbishop Byrne, then Archbishop of Defendant Archdiocese. Rather than reporting Father Stitts' criminal conduct to local law enforcement authorities, commencing liacization proceedings or canonically removing Father Stitts' faculties to operate as a Roman Catholic priest, Archbishop Byrne clandestinely reassigned Father Stitts as pastor of St. George Parish in Long Lake, MN, where he would have access to other parish youth. The Archbishop's response to the direct reports involving Father Stitts is evidence of the routine practice of this Defendant in failing to use reasonable care in its supervision of Father Stitts.

The type of conduct perpetrated by Father Stitts, amounts to a compulsive disorder which should have been discovered by Defendants had the Defendants provided proper supervision of Father Stitts and the altar boys entrusted to his care. The sexual abuse of Plaintiff also took place during the counseling of Plaintiff and during extra curricular activities in which Father Stitts supervised under the direction and control of Defendants.

b) Plaintiff

John RRR Doe and witnesses identified in that litigation, presently in possession of this requesting Defendant.

St. Paul and Minneapolis Archdiocesan officials

2.

a) In addition to Answer #1 above, through deposition testimony of Diocesan officials in other unrelated but similar cases, the Archdiocese failed to conduct reasonable psychological testing, assessment, and evaluation of their candidates ordained into priesthood. The Archdiocese's seminary officials did not properly train candidates for the priesthood in dealing with celibacy and interaction with parish youth with whom they were counseling. Father Stitts' conduct amounts to compulsive disorder which should have been discovered had the Archdiocese conducted reasonable psychological testing and assessment or could have been prevented by proper training.

b) Please see Answer #1(b) above.

3.

Plaintiff objects to the extent that this requesting Defendant does not have standing to submit discovery on behalf of Defendant Elizabeth Ann Seaton Church. Without waiving the same, please see Answer #1 & #2 above.

4.

Plaintiff objects to the extent that this requesting Defendant does not have standing to submit discovery on behalf of Defendant Elizabeth Ann Seaton Church. Without waiving the same, please see Answer #1 & #2 above.

5.

Please see Answer to #1 & #2 above.

6.

Plaintiff objects to the extent that this requesting Defendant does not have standing to submit discovery on behalf of Defendant Elizabeth Ann Seaton Church. Without waiving the same, please see Answer #1 & #2 above.

7.

Plaintiff objects to the extent that this requesting Defendant does not have standing to submit discovery on behalf of Defendant Elizabeth Ann Seaton Church. Without waiving the same, please see Answer #1 & #2 above.

8.

Please see Answer to #1 & #2 above.

RESPONSE:

Deny.

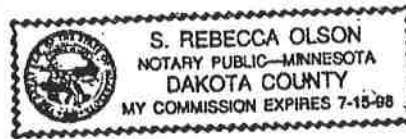
9. That you did not make any report or complaint of having been sexually abused by, Father Stitts to any employee or agent of the Archdiocese or Guardian Angels Church prior to September 1992.

RESPONSE:

Admit.

Subscribed and sworn to before me this
16th day of December, 1993.


Notary Public



Dated: Dec 8th, 1993

REINHARDT AND ANDERSON



By: Jeffrey R. Anderson, #2057
Mark A. Wendorf, #173484
David S. Burleson, #215776
Attorneys for Plaintiffs
E-1400 First National Bank Bldg.
332 Minnesota Street
St. Paul, Minnesota 55101
(612) 227-9990

R.E.A.T.E. INC.
1911 PLEASANT AVENUE
MINNEAPOLIS, MN. 55403

Dear Friend,

Thank you for your inquiry about R.E.A.T.E., Inc.. I am happy to tell you about the various programs we have for people with problems related to their use of chemicals. R.E.A.T.E. (Community Resources for Education, Alternative Treatments and Evaluation) started in June of 1975 as an ALTERNATIVE to what is now called the MINNESOTA MODEL or as a choice for people who did not feel comfortable with that model of treatment for chemical problems.

R.E.A.T.E.'s History and Philosophy

When we opened our doors in 1975, Minnesota had more treatment beds available than the other forty-nine states combined. At that time, all of the treatment facilities were using the Alcoholics Anonymous approach. There was no help for people uncomfortable with that approach. A.A. was believed to be the ONLY way to help people having problems with chemical use.

The A.A. model is an offshoot of the Oxford religion developed by men who were desperate for help and were not getting it from the medical community. These men found a common trait in each other and found that they could better reach each other via self help. When you think about it, this model works fairly well for people similar to those who founded it; white, middle class, males who have families, jobs and other traditional things that can motivate them to stop drinking. But there are people for whom this approach does not prove effective. Women, adolescents, people using other chemicals, people of other races, gays and lesbians, those who do not subscribe to a Judeo Christian philosophy and persons who are not motivated to change are a few populations which have very low recovery rates when applying the Minnesota Model of treatment.

Another facet of the traditional, medical model of treatment for Chemical Dependency is the whole concept that this problem is an insidious disease that is therefore not within a person's control. This concept proves to be quite confusing as people are told that they are powerless over chemicals because it is a disease and soon are told that if they use chemicals while in treatment, they will be discharged because they obviously don't want help. This double bind treatment of people is endemic not only in treatment centers but in our legal systems response to people who commit crimes related to chemicals. We are all, I believe, at a loss as to when to ask for retribution, restitution or rehabilitation.

When we began R.E.A.T.E., we were operating under a naive assumption that we would be welcomed into the delivery system as a model that would expand the continuum of care for those experiencing chemicality problems. That did not immediately happen as we were not adept at articulating our philosophy and managed to alienate those who thought we were trying to teach alcoholics to drink.

To this day, some people still hold on to that erroneous belief that **ℰ.R.E.A.T.E.** is a **RESPONSIBLE DRINKING** rather than a **RESPONSIBLE DECISIONS** program.

In the eighteen years since **ℰ.R.E.A.T.E.** opened its doors, the agency has grown in it's ability to articulate a difference between our approach and the traditional medical model. We coined the **CHEMICAL HEALTH** model and refine it daily.

Another word coined by **ℰ.R.E.A.T.E.** is "**CHEMICALITY**";
a person's state or condition in relationship to chemicals.

CHEMICALITY encompasses all the states or conditions a person can have related to chemical use. For example, a diabetic can be chemically healthy only if (s)he stays on insulin. One can be chemically dependent and chemically healthy at the same time. A person on **ANTABUSE** is dependent on that chemical in order to avoid consequences of using alcohol. **ANTABUSE** is assisting him in staying **CHEMICALLY HEALTHY**.

Just as one can explore sexuality, so can one explore **CHEMICALITY**. Just as one can place oneself on a sexuality continuum so can one look at relations to chemicals on a continuum. And just as we all move on the mentality continuum as we experience various levels of stress and life challenges, one also moves on a **CHEMICALITY CONTINUUM**. There is no need to label someone **DEPENDENT** in order to assist in understanding and recovering from problems related to **CHEMICALITY**.

ℰ.R.E.A.T.E.'s approach and Chemical Health philosophy can best be described by comparing and contrasting it to other approaches and philosophies.

Rather than talking **DISEASE** and **DEPENDENCY** with our clients we talk **HEALTH** and **CHOICES**.

Rather than using a conversion process, memorization and slogans, clients write goals and negotiate methods for achieving those goals.

We avoid shame based or confrontation styles and encourage clients to confront themselves with their personal truths.

ℰ.R.E.A.T.E. clients are not necessarily (though over ninety seven percent do) required to **ABSTAIN** as a condition of remaining in treatment.

In point of fact, each client is encouraged to decide what **CHEMICAL HEALTH** means in reference to chemical use. Our clients will discuss use in it's many facets rather than spend time reminiscing about past use. If a client uses chemicals when in our treatment, it is a chance to look at the whys and wherefores of that decision to use and to explore the immediate consequences.

We aim to assist our clients in deciding what best describes RESPONSIBLE DECISION MAKING in reference to CHEMICAL USE. As a result, many clients decide that abstaining is their most responsible decision. Some make this a life goal and some keep it as a goal for a time while they are resolving other problems.

E. R.E.A.T.E., Inc. operates in four locations;

1. Corporate offices, treatment and education: 1911 Pleasant Ave. South in Minneapolis
2. Branch treatment and education offices at 15025 Glazier, Suite 240 in Apple Valley
3. Jail-based treatment : Hennepin County Adult Correctional Facility in Plymouth
4. Scott County Jail Annex in Jordan

PROGRAMS AND SERVICES

As you peruse these programs, please keep in mind that we are an ever-changing agency. Our programs are fluid and very adaptable to the changing needs of our clients. Though we have programs which are set in length, we do individual counseling if a clients profile isn't fitting with the population we are serving.

Assessment. The assessment is a two session (2 to 4 hours) interview between the client and a counselor where the clients relationship to chemicals is explored in reference to his problems. That is to say, a client describes problems he is having , the chemicals he is or has used and finally how often the use of chemicals coincides with the problems.

Psychological and computer assisted testing is often used to detect depression and other pathological patterns the client may be having. Collateral's are called with the clients permission in order to discuss a clients use-related behavior. After gathering all of this information and meeting with the treatment team to discuss the case, the counselor and client meet for a follow up interview. This last visit is to go over recommendations and begin forming a treatment plan if the client is being referred to further services.. The written summary of the counselor's impressions can be used as in court or as a professional Assessment summary for the Department of Public Safety.

Intake is a short form of the assessment which can be done for no charge if the referrer has supplied sufficient information for the counselor to save interview time gathering data and the referral is deemed appropriate by the manager of the clinic when the data is sent to *E. R.E.A.T.E.*.

Services offered at Minneapolis and Apple Valley Locations include two Educational Programs designed for DWI or other chemical use offenders;

"C.T.D.D." (Chalk Talks for the Drinking Driver) is an eight hour class designed for a first time DWI offender. People are referred via the courts as a part of their sentence, call and schedule a class, pay the \$55 fee and attend. Once someone has attended, a certificate is sent to the court. This class is often the first contact a person has with a helping professional and therefore can be a tense time. We attempt to make this a non-confrontive, non-judgemental time by avoiding lectures and absolutes when we talk. We are quite practical in our content as we assist the client in deciding how he would stop a friend from driving after drinking, supply a self assessment tool for him/her to fill out, have the group ascertain the cost of the DWI and give out biological, physical and legal information about drinking and its effects on these systems.

"At Risk" is a fourteen hour, two session class designed for the person who has had multiple DWIs but who is not presently exhibiting active chemical abuse problems. This class was developed to fill the gap created when parts (courts or Department of Public Safety) of the referral system would require treatment but the client isn't exhibiting symptoms of a chemical use problem to the degree where it would be **MEDICALLY NECESSARY** and therefore paid for by third party insurance or other funds.

"At Risk" was developed as the program to use when these differences arise. The staff watch for evidence that a clients problem is severe enough to supply documentation needed by the assessor to warrant treatment. The class is held on two sessions (every other Saturday) The final afternoon session is for the client and a companion. There are required assignments to be completed such as a self assessment, a feedback letter from a friend, attendance at a support group, a food diary, goal writing etc.

R.E.A.T.E. has four, Licensed OUTPATIENT Treatment Programs. Two in County Jails, one at our Minneapolis offices and one in our Apple Valley offices.

Minneapolis and Apple Valley Programs range in length from two and a half weeks to ten weeks. Programs are conducted either as group or on an individual basis.

"OPTIONS" is a seven session program conducted in small groups over two weeks. During these sessions, each person is asked to explore his chemical use situations, develop a **SELF PROTECTION** plan and finally to formulate at least two goals addressing their relationship to **RESPONSIBLE DECISIONS** about **CHEMICALS**. A workbook is provided to assist the client in following along with the structure of the sessions and to provide reading and homework exercises.

"CHEC" (Chemical Health Evaluative Counseling) and **"CHEC/ANEW" (a shorter version of "CHEC")** are the longest of our programs. Clients attend two sessions per week for six to ten weeks. They begin by exploring their past chemical related and go on to devise a series of goals for **CHEMICAL HEALTH**. Relapse Prevention is a primary focus in "CHEC". Clients describe and act out situations where they are most at risk of returning to problem use of chemicals. The situations are reframed with the client so he can practice more appropriate chemical use behavior.

"Aftercare CHEMICALITY" groups are available for graduates of any program though most are *E.R.E.A.T.E.* graduates.. We find that our clients prefer aftercare here because other groups focus again on DISEASE when we focus on BEHAVIOR. We present pragmatic discussions of the RISKY situations each client is facing since leaving treatment and assist them in avoiding RELAPSE..

INDIVIDUAL "OPTIONS" "CHEC" and "CHEC/ANEW"; As mentioned, we can tailor our programs to individual needs if necessary. One may complete a program individually with staff when a scheduling conflict arises or someone is too intimidated or vulnerable to operate well in a group setting.

WHEN and WHERE :

"At Risk" and "CTDD" are offered in Minneapolis, Apple Valley, Bloomington, Brooklyn Center and Minnetonka. "CTDD" is held on Saturdays and one Monday and Tuesday evening a month. "At Risk" is held on two staggered Saturdays from 9 to 4 p.m. or on three Thursdays from 6 p.m. to 10 p.m.. "OPTIONS" and "CHEC/ANEW" are held evenings and days.

Fees are charged for all programs. Most Managed Care facilities will require that they authorize care before it is provided. Fees are paid in one of many ways; directly by clients, through insurance, through the Minnesota Consolidated Treatment Fund or through timed payments.

OTHER *E.R.E.A.T.E.* programs offered at two County Jails

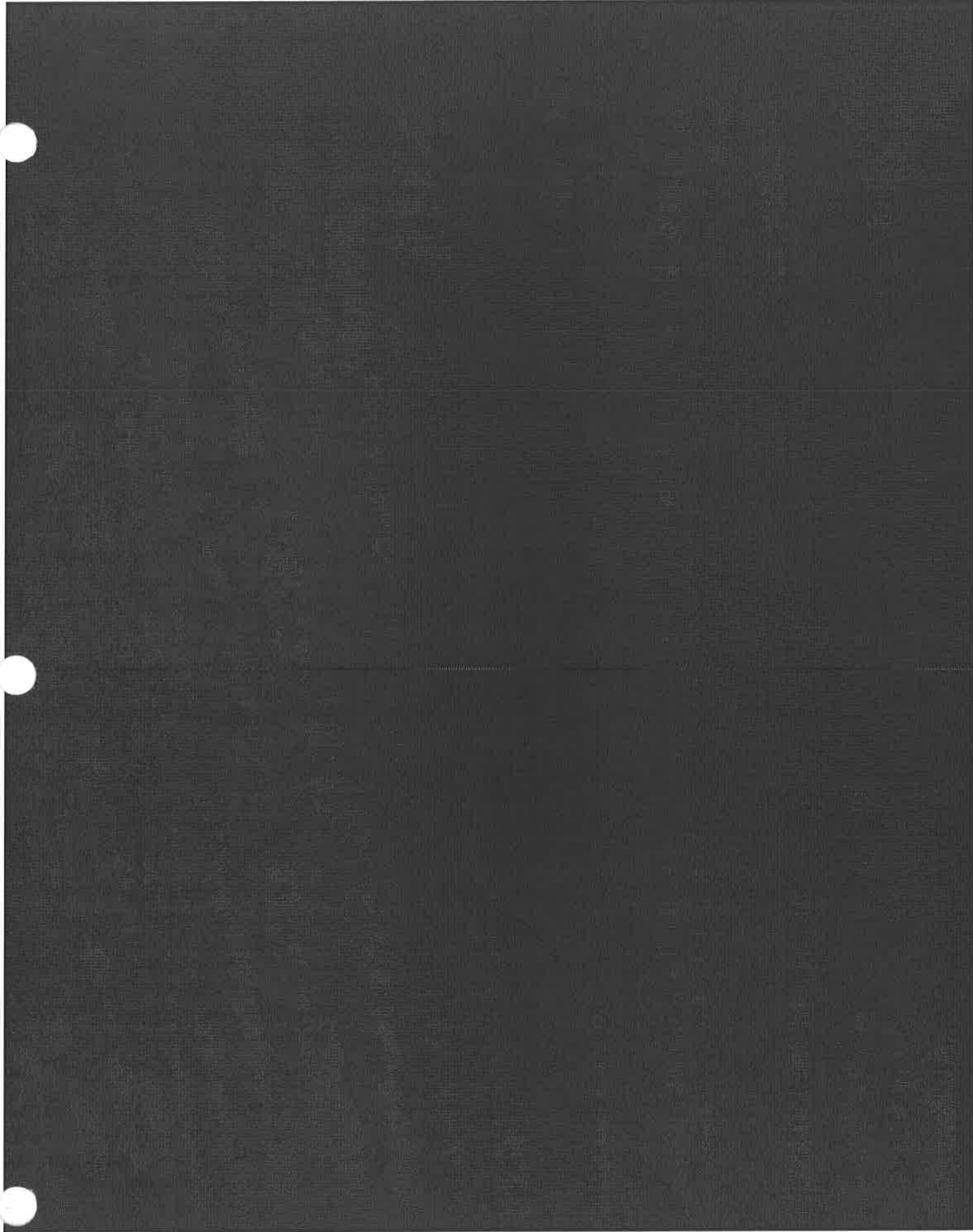
In cooperation with the Hennepin County Community Corrections Department, *E.R.E.A.T.E.* employs four full time staff at the Correctional Facility to do assessments for the courts and conduct treatment and support groups for inmates deemed as amenable to treatment. Our Workhouse staff also do rather extensive placement and aftercare preparation for inmates who are being conditionally released.

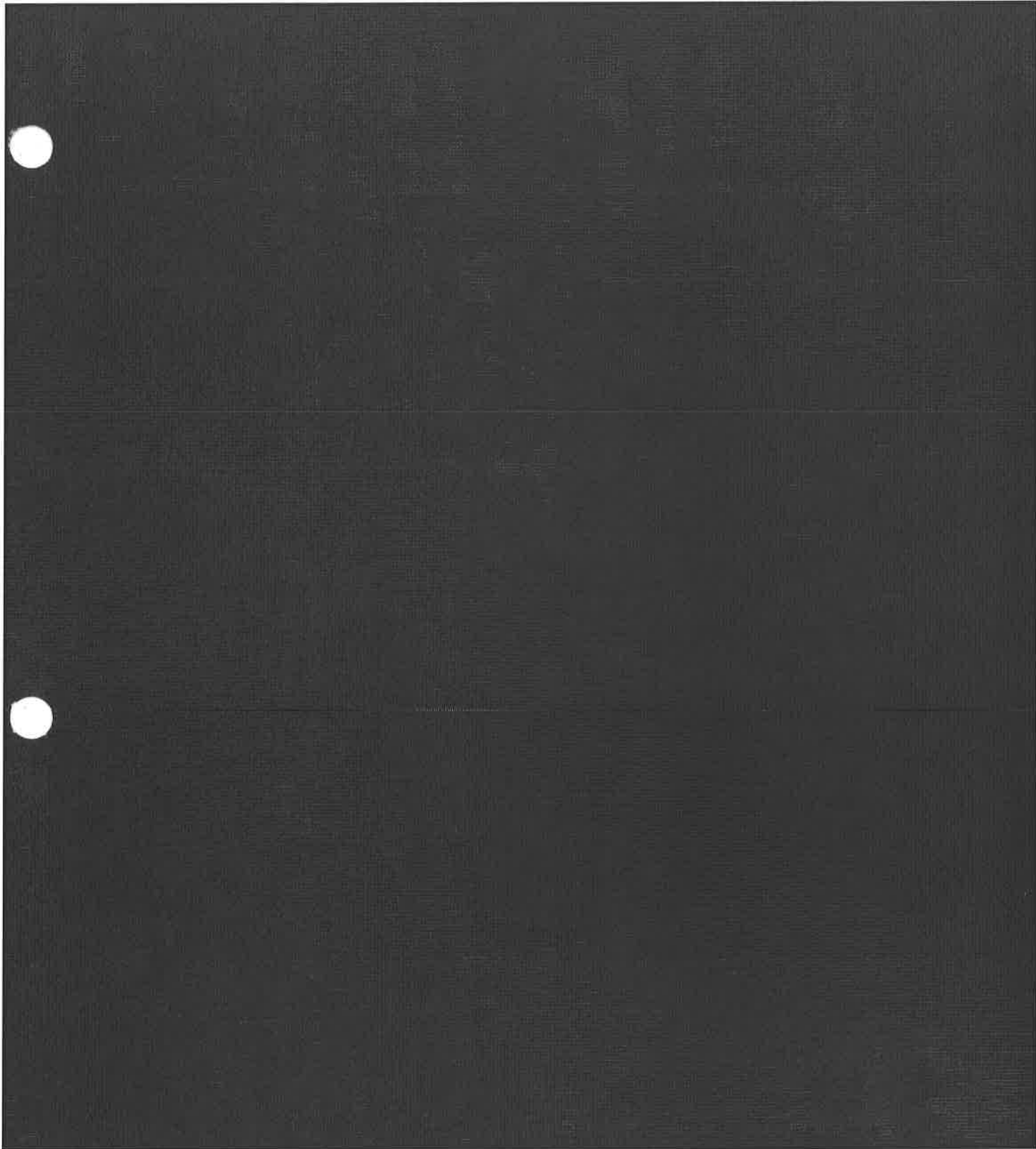
"TELESIS", *E.R.E.A.T.E.*'s Jail-based outpatient treatment was opened in both Hennepin and Scott County Jails to handle those people who were incarcerated and in need of care. "TELESIS" is run by staff on three to four evenings and Saturdays. Men and women who are incarcerated for as little as three months can receive and complete their treatment while they are in jail. This program utilizes a neo-cognitive style of therapy as it spends most of the time assisting clients in learning to view their behavior and reframe responses. *E.R.E.A.T.E.* has an aftercare group especially for these clients that operates in our home office weekly.

If you want to chat or I have missed something you had a question about, feel free to call *E.R.E.A.T.E.* (612)874-9811.

Sincerely,


Judi M. Gordon, R.N., CCDP
Executive Director





STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: 11

John SSS Doe,

**RESPONSE TO REQUEST
FOR ADMISSIONS**

Plaintiff,

vs.

The Archdiocese of St. Paul and
Minneapolis, St. Elizabeth Ann Seaton
Church, f/k/a Guardian Angels
Church in Hastings, Minnesota,

Defendants.

Court File No.: _____

TO: Defendant Archdiocese of St. Paul and Minneapolis and its attorney, James T. Martin,
7600 Parklawn Avenue South, Edina, Minnesota 55435

1. That you have no evidence and no facts indicating or tending to indicate that the defendant had any knowledge of any conduct of Father Stitts constituting sexual abuse of or any other inappropriate conduct towards children prior to July 1969.

RESPONSE:

Deny.

2. That you have no knowledge of any evidence or facts indicating or tending to indicate that the defendant Archdiocese failed to use reasonable care in its supervision of Father Stitts at any time prior to July, 1969.

RESPONSE:

Deny.

3. That you know of no evidence or facts indicating or tending to indicate that defendant Guardian Angels Church had any knowledge prior to July, 1969 of any conduct or acts on the part of Father Stitts constituting sexual abuse of or other inappropriate behavior towards children.

RESPONSE:

Deny.

4. That you have no knowledge of any evidence or of fact, indicating or tending to indicate that defendant Guardian Angels Church was negligent in connection with its supervision of Father Stitts at any, time prior to July, 1969.

RESPONSE:

Deny.

5. That you know of no evidence or facts indicating or tending to indicate that defendant Archdiocese was negligent in hiring and/or assigning Father Stitts for any priestly duties at any church prior to July, 1969.

RESPONSE:

Deny.

6. That you have no knowledge of evidence or facts indicating or tending to indicate that defendant Guardian Angels Church was negligent prior to July, 1969, in respect to its employment of Father Stitts.

RESPONSE:

Deny.

7. That you know of no evidence or facts indicating or tending to indicate that either the Archdiocese or Guardian Angels Church received notice in any form from any source prior to July, 1969, of any propensity on the part of Father Stitts towards sexual abuse of children or other acts of pedophilia.

RESPONSE:

Deny.

8. That you know of no evidence or facts indicating or tending to indicate that Father Stitts had sexually abused any persons other than plaintiff herein at any time up through July 1969.

RESPONSE:

Deny.

9. That you did not make any report or complaint of having been sexually abused by, Father Stitts to any employee or agent of the Archdiocese or Guardian Angels Church prior to September 1992.

RESPONSE:

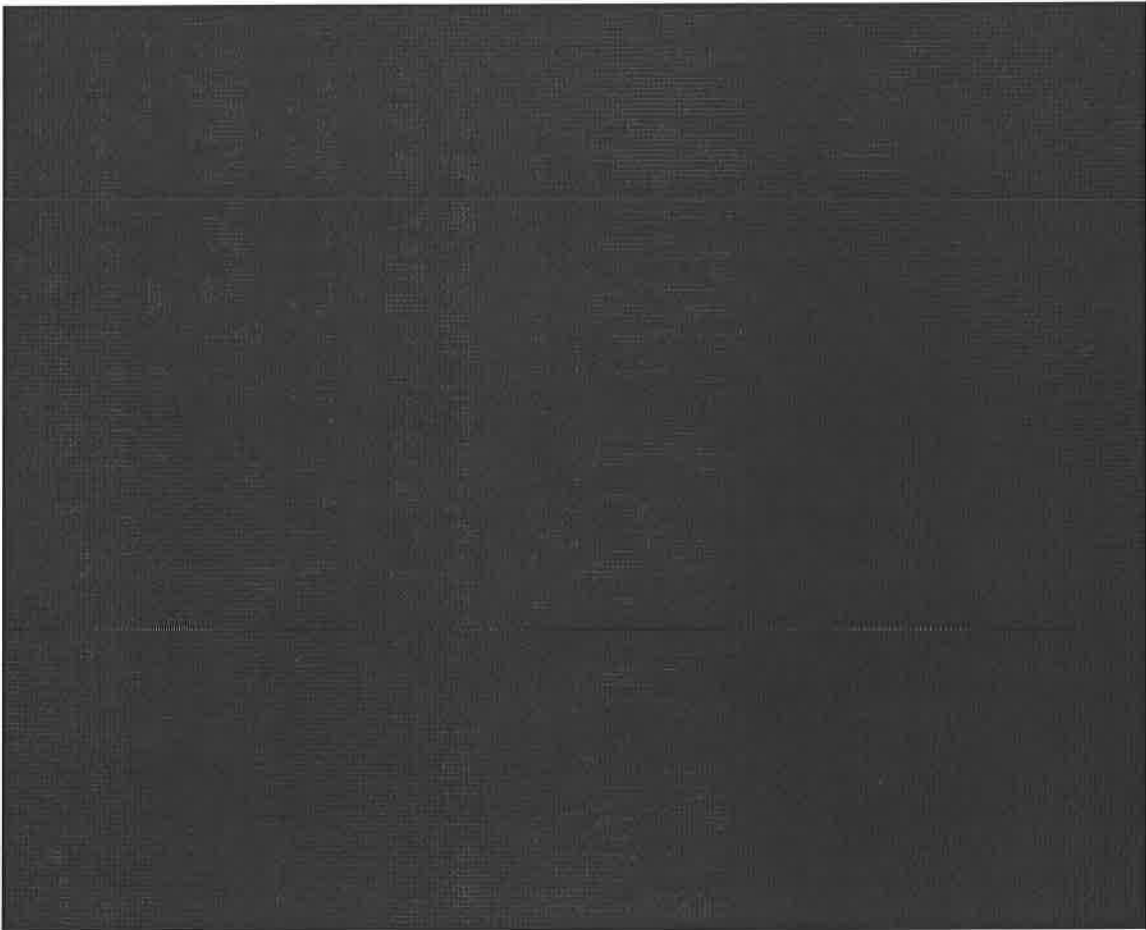
Admit.

Dated: Dec. 8, 1993

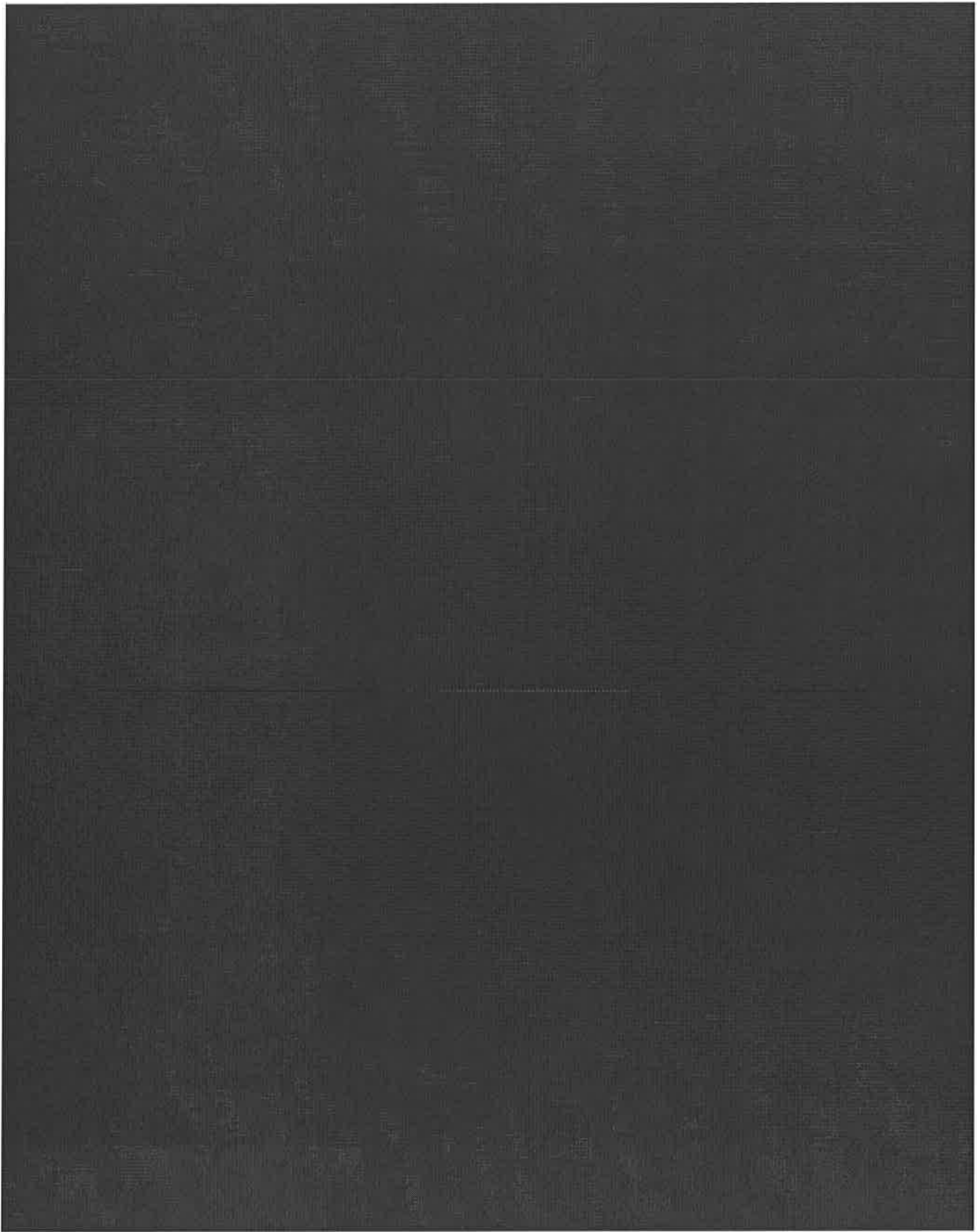
REINHARDT AND ANDERSON



By: Jeffrey R. Anderson, #2057
Mark A. Wendorf, #173484
David S. Burleson, #215776
Attorneys for Plaintiffs
E-1400 First National Bank Bldg.
332 Minnesota Street
St. Paul, Minnesota 55101
(612) 227-9990







PRIVILEGED
ATTORNEY-CLIENT/WORK PRODUCT

from James T. Martin

to Richard Jensen

dated December 14, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser

to William Fallon

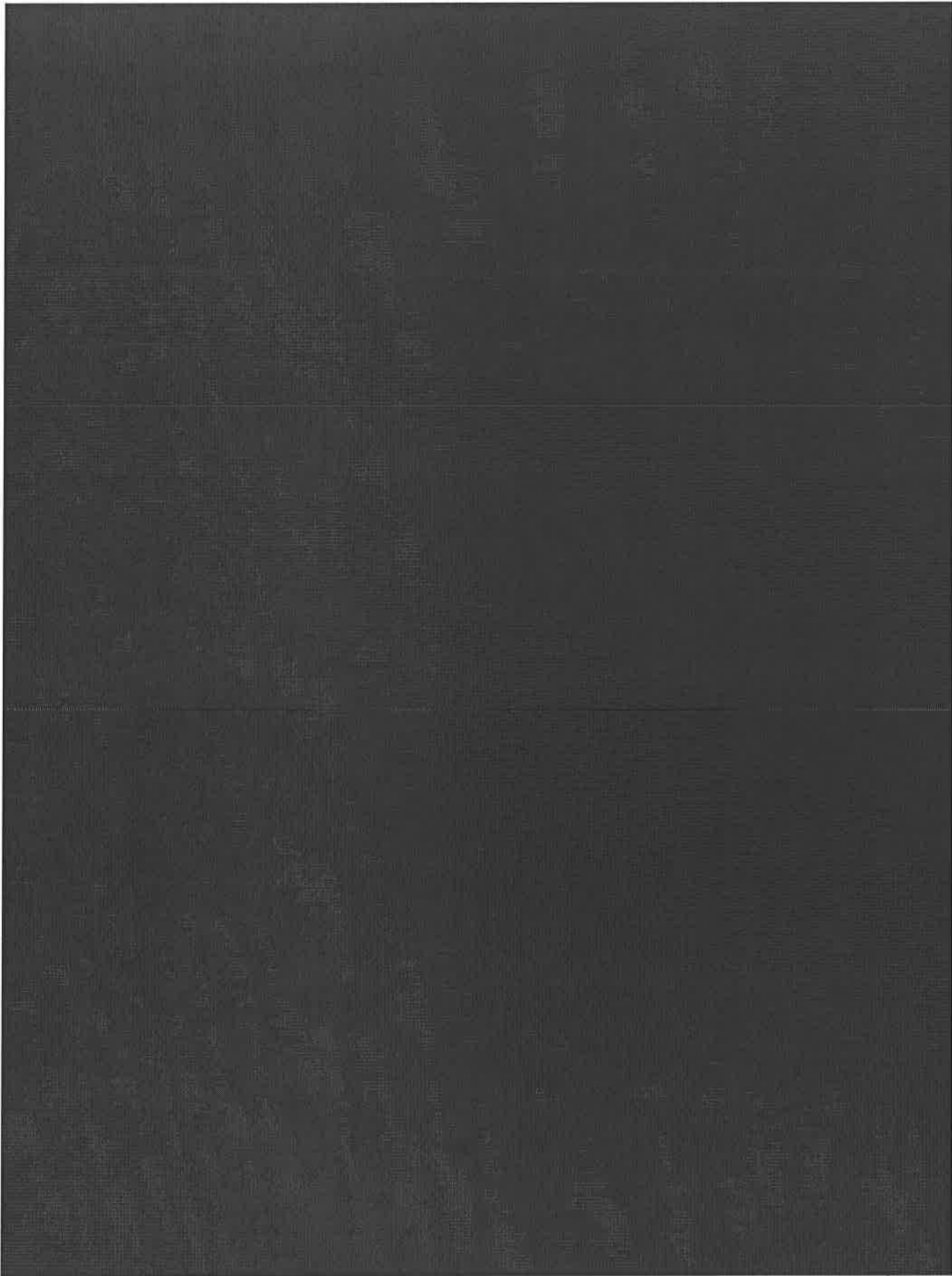
dated December 22, 1993

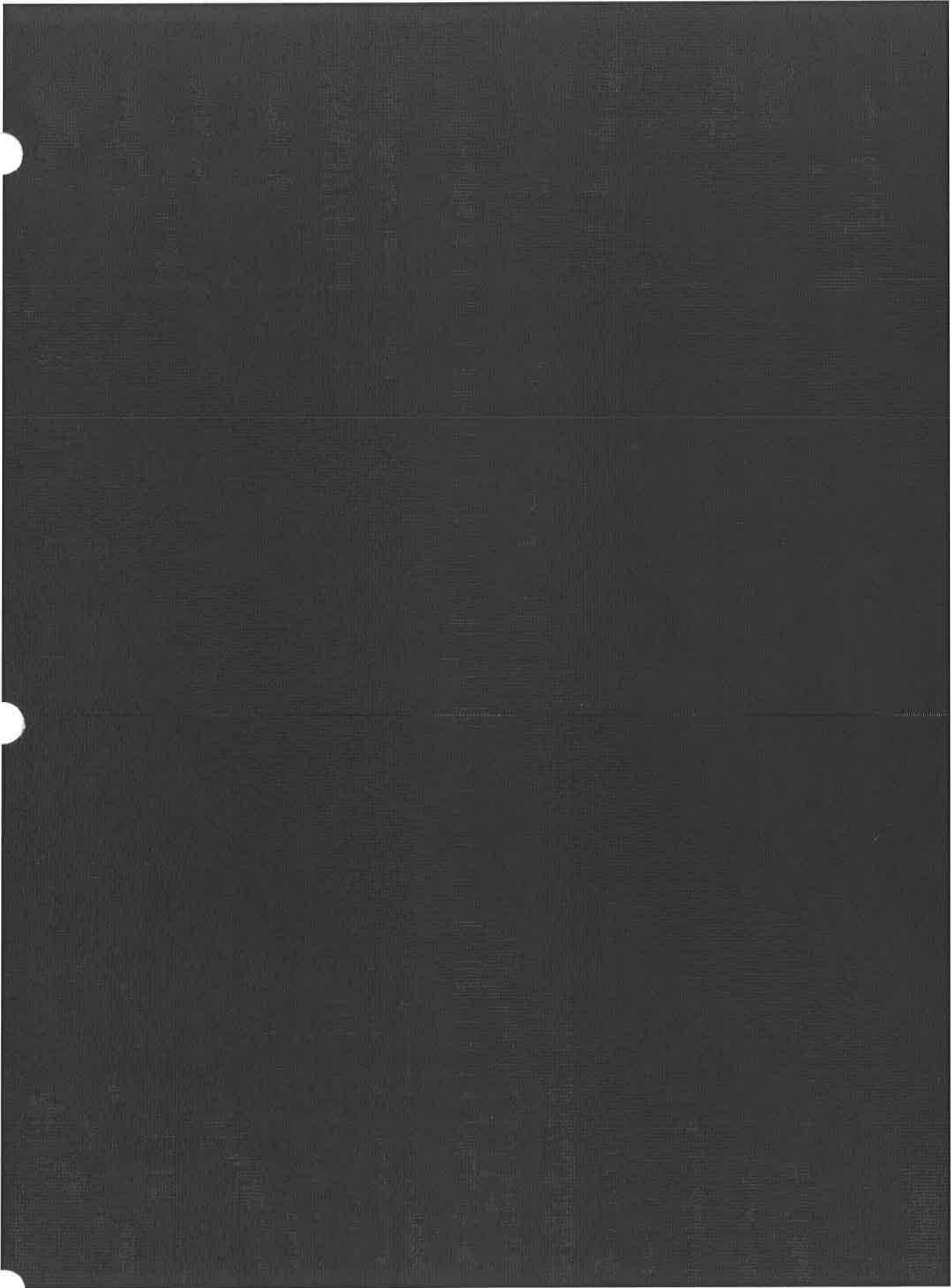
PRIVILEGED
ATTORNEY-CLIENT LETTER

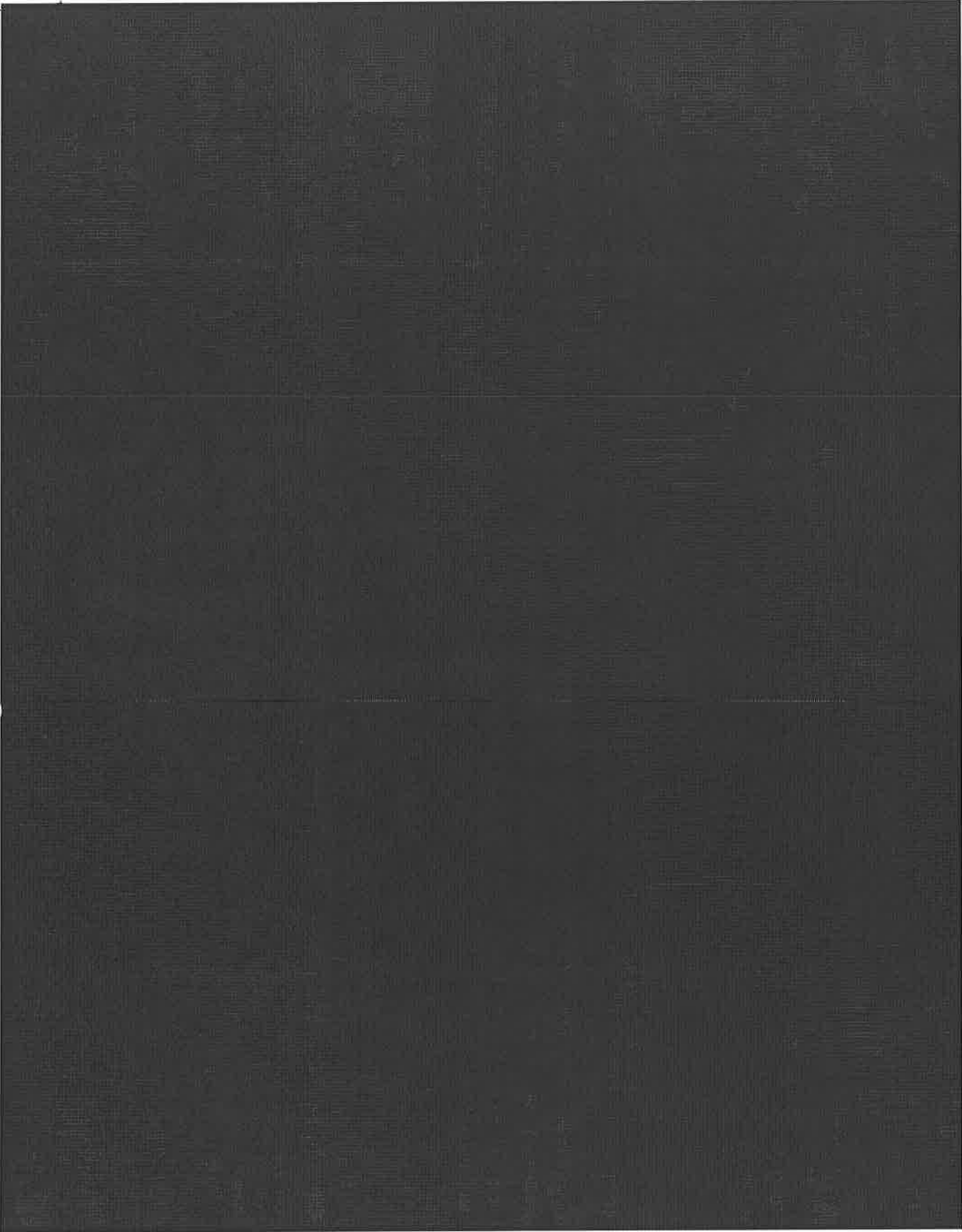
from Thomas Wieser

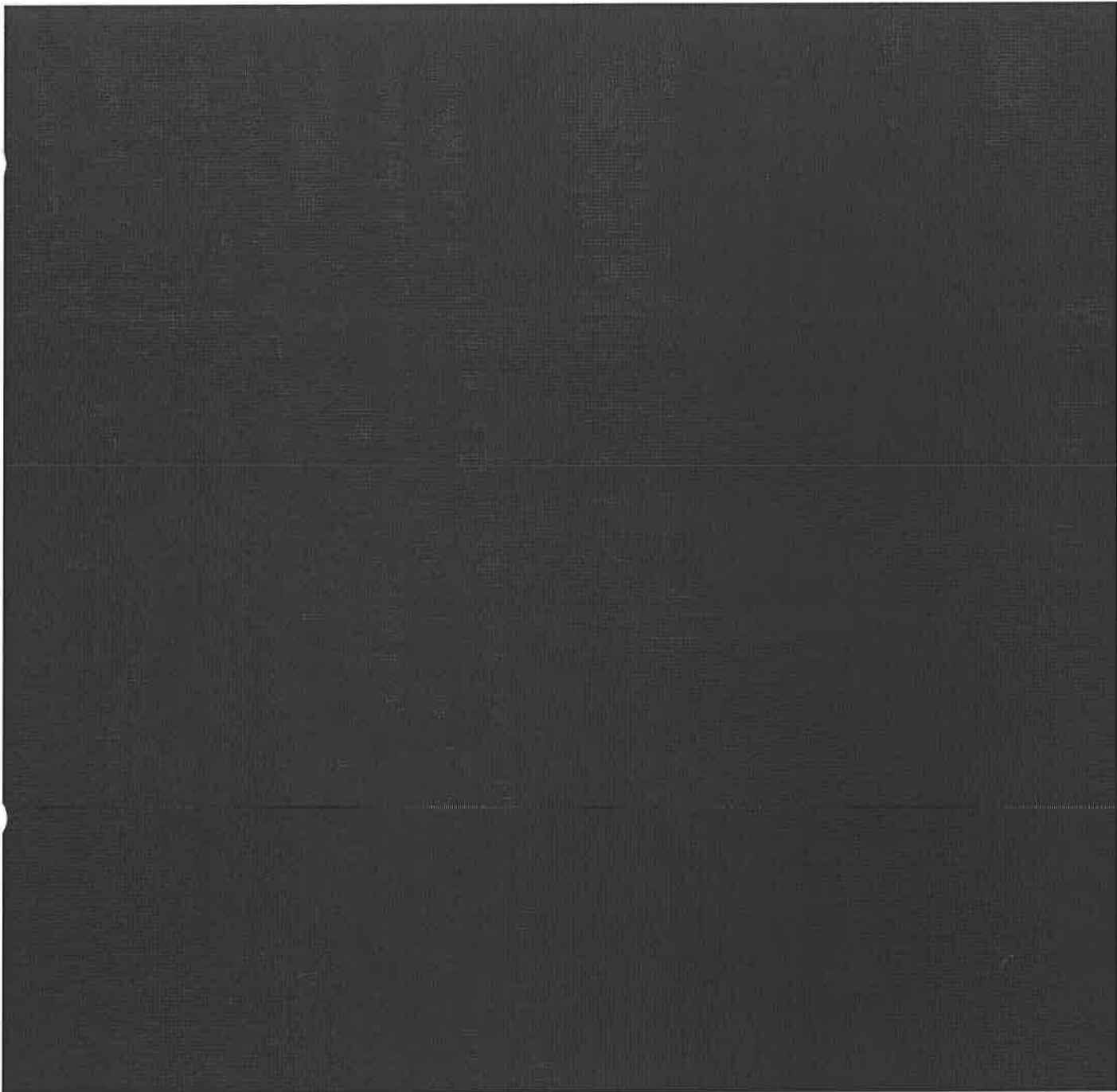
to William Fallon

dated December 22, 1993









PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser

to Thomas Peterson

dated December 29, 1993

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser
to Thomas Peterson
dated December 29, 1993

PRIVILEGED

ATTORNEY WORK PRODUCT

Draft Reservation of Rights & Loan Receipt Agreement

dated 1994

PRIVILEGED
ATTORNEY WORK PRODUCT

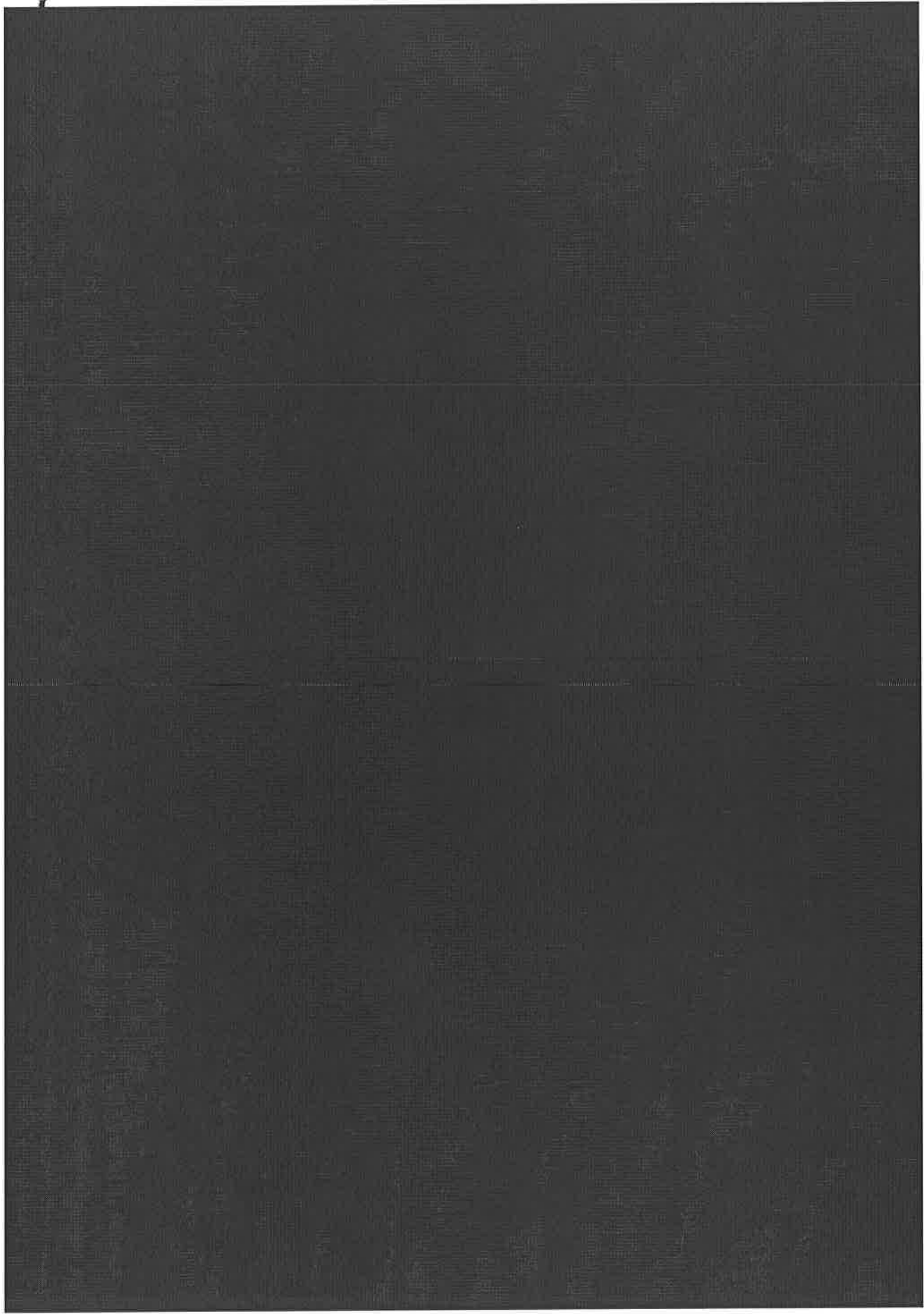
Draft Reservation of Rights & Loan Receipt Agreement
dated 1994

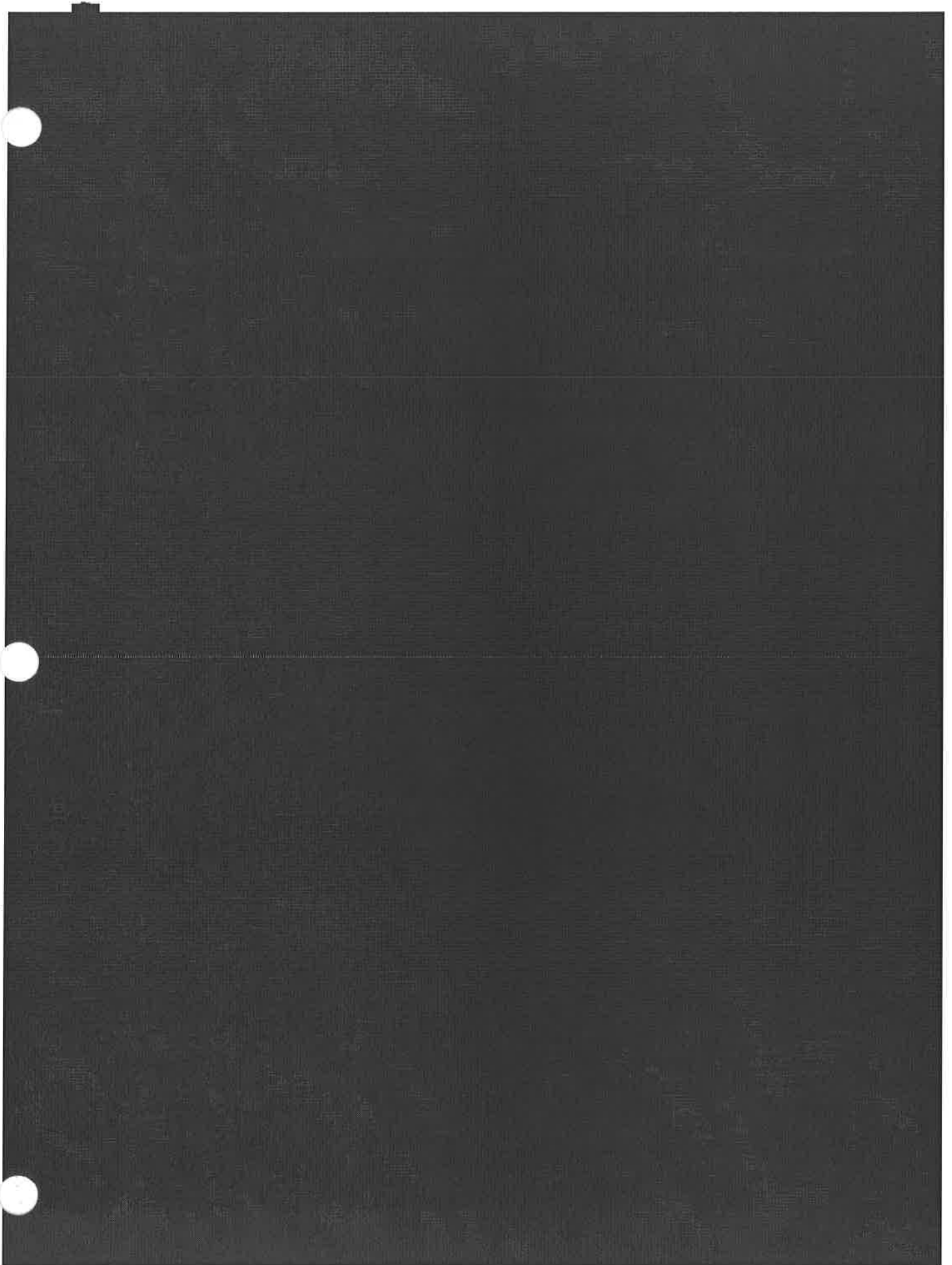
PRIVILEGED
ATTORNEY-CLIENT/WORK PRODUCT

from Thomas Wieser

to William Fallon

dated January 20, 1994





PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser

to Thomas Peterson

dated January 20, 1994

PRIVILEGED
ATTORNEY-CLIENT/WORK PRODUCT

from Thomas Wieser
to William Fallon
dated January 21, 1994

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser

to Archbishop John Roach, William Fallon, Kevin McDonough
and Rev. Austin Ward

dated April 5, 1994

PRIVILEGED
ATTORNEY-CLIENT/WORK PRODUCT

from Thomas Wieser

to Archbishop John Roach, William Fallon, Rev. Kevin McDonough
and Rev. Austin T. Ward

dated April 5, 1994

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser
to Rev. Florian Muggli
dated May 11, 1994

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser
to Rev. Florian Muggli
dated July 11, 1994

ARCHDIOCESE OF SAINT PAUL AND MINNEAPOLIS

226 Summit Avenue
Saint Paul, Minnesota 55102-2197

The Chancery

July 19,1985

FUNERAL PLANS: Thomas Stitts

The basic direction of the wake and funeral should be parish centered. Because of the nature of St. John's an evening funeral is the only viable option. The parish has been part of the illness and would like to rally at the time of the death.

MORTICIAN: (Possibly) OHalloran and Murphy
Coffin: Simple wood Clothing: suit (not ritual vesture)

WILL: St. John's Parish safety deposit box cf. Peter D'Heilly
First State Bank of New Brighton

CONTACT: Ruth Shriver 822-4197 Home
330-6286 Work
Ruth will be the liaison with the family and chancery

PRINCIPAL PRESIDER: Pat Casey - *Pat Casey*

CONCELEBRANTS: John Parkos Dick Wolter
John Mitchell Tim Wozniak
Bill Kinney Kevin Clinton
Dick Rice Bill Mertaugh
Bob Nygaard George Schroeder

PREACHER chosen from
Parkos
Kenny (Bill)
Dick Rice
Bob Nygaard

PALL BEARERS At this point it doesn't seem necessary, although changes in plans may warrant the discussion.

ARCHDIOCESE OF SAINT PAUL AND MINNEAPOLIS

226 Summit Avenue
Saint Paul, Minnesota 55102-2197

The Chancery

WAKE: In the late afternoon and early evening the body will be in the church, received there, and placed in the context of prayer.

The classic vigil style consisting of readings, psalms and songs possibly done on the half hour.

There should also be hospitality available for people as they vigil with the body.

The social values should not be overlooked in planning the wake.

FUNERAL: The wake can naturally move into the funeral. The liturgy should be coordinated through the staff person including the choir (if possible) and Pat Jorrison.

The basic character of the liturgy should be up-beat focusing on service, the values of community, the call and responsive character of the priesthood. The sense of resurrection should also be a strong part of the celebration.

MUSIC (not exclusively funeral but wake burial also)

Only a Shadow
Beethoven Ode to Joy
Be not Afraid
Isaiah 49
Like a Shepherd
Though the Mountains may fall
Yahweh you are Near
(open to other selections as well)

READINGS

Isaiah 55:
Ephesians 1:3 ff
I Thess 4.13-17
Gospel: (See personal file)

PARISH CELEBRATION:

There should be a parish celebration after the liturgy including beer and food. It should not be just for family and friends but all those who have come to celebrate his life.

ARCHDIOCESE OF SAINT PAUL AND MINNEAPOLIS

226 Summit Avenue
Saint Paul, Minnesota 55102-2197

The Chancery

BURIAL: Presider: Pat Casey
 Catholic Cemetery: Litchfield MN
 Next to parents grave-lot.

TO BE CHOSEN Readers for wake

 funeral
 readers
 gift bearers
 general intercession people
 a spokesperson

 burial
 reader

Information taken by James Notebaart

GISLASON, MARTIN & VARPNESS, P. A.
ATTORNEYS AND COUNSELORS AT LAW

JAMES T. MARTIN*
JOHN E. VARPNESS*
PATRICK M. CONLIN
DAN T. RYERSON

*CERTIFIED CIVIL TRIAL SPECIALIST
BY THE NATIONAL BOARD OF
TRIAL ADVOCACY

*ALSO ADMITTED TO PRACTICE
IN WISCONSIN

RETIRED
ROBERT W. GISLASON

7600 PARKLAWN AVENUE SOUTH
SUITE 444
MINNEAPOLIS, MINNESOTA 55435

TELEPHONE 612/831-5793
FAX 612/831-7358

LEGAL ASSISTANTS
GLORIA DEEB
JUDY THYREN

September 12, 1994

Mr. David S. Burluson
Attorney at Law
E-1000 First National Bank Bldg.
332 Minnesota Street
St. Paul, MN 55101

RE: [REDACTED] *v. Archdiocese, et al*

Dear David:

This file has not been active for the past several months. I have had inquiries from one or more involved insurance carriers concerning the possibility of a quick settlement on a very, very modest basis. Why don't you take a look at your file, confer with your client, and then get back to me with a settlement proposal. I wish to stress that the defendants do believe that the plaintiff's claims have marginal value, at best. The respondeat superior claim, of course, is not available to the plaintiff in this instance. Moreover, I think that you will be hard pressed to survive a directed verdict motion on the issue of negligence. We have not been given any expert witness disclosures that would support the theories that you have articulated in your answers to my recent interrogatories concerning the duties of the Archdiocese in respect to pre-ordination psychological testing, etc. Moreover, I do not think that such a theory is tenable from a separation of church/state standpoint. Finally, and most importantly, the deposition of your client reveals a whole host of problems which may account for some or all of his claimed emotional distress and none of these factors have anything to do with the defendants in this case.

I look forward to hearing from you in the very near future.

Very truly yours,


James T. Martin

JTM/aa

GISLASON, MARTIN & VARPNESS, P. A.
ATTORNEYS AND COUNSELORS AT LAW

JAMES T. MARTIN*
JOHN E. VARPNESS*
PATRICK M. CONLIN
DAN T. RYERSON

*CERTIFIED CIVIL TRIAL SPECIALIST
BY THE NATIONAL BOARD OF
TRIAL ADVOCACY
*ALSO ADMITTED TO PRACTICE
IN WISCONSIN

RETIRED
ROBERT W. GISLASON

7600 PARKLAWN AVENUE SOUTH
SUITE 444
MINNEAPOLIS, MINNESOTA 55435

TELEPHONE 612/831-5793
FAX 612/831-7358

LEGAL ASSISTANTS
GLORIA DEEB
JUDY THYREN

September 12, 1994

Mr. David S. Burleson
Attorney at Law
E-1000 First National Bank Bldg.
332 Minnesota Street
St. Paul, MN 55101

RE: [REDACTED] v. *Archdiocese, et al*

Dear David:

This file has not been active for the past several months. I have had inquiries from one or more involved insurance carriers concerning the possibility of a quick settlement on a very, very modest basis. Why don't you take a look at your file, confer with your client, and then get back to me with a settlement proposal. I wish to stress that the defendants do believe that the plaintiff's claims have marginal value, at best. The respondeat superior claim, of course, is not available to the plaintiff in this instance. Moreover, I think that you will be hard pressed to survive a directed verdict motion on the issue of negligence. We have not been given any expert witness disclosures that would support the theories that you have articulated in your answers to my recent interrogatories concerning the duties of the Archdiocese in respect to pre-ordination psychological testing, etc. Moreover, I do not think that such a theory is tenable from a separation of church/state standpoint. Finally, and most importantly, the deposition of your client reveals a whole host of problems which may account for some or all of his claimed emotional distress and none of these factors have anything to do with the defendants in this case.

I look forward to hearing from you in the very near future.

Very truly yours,


James T. Martin

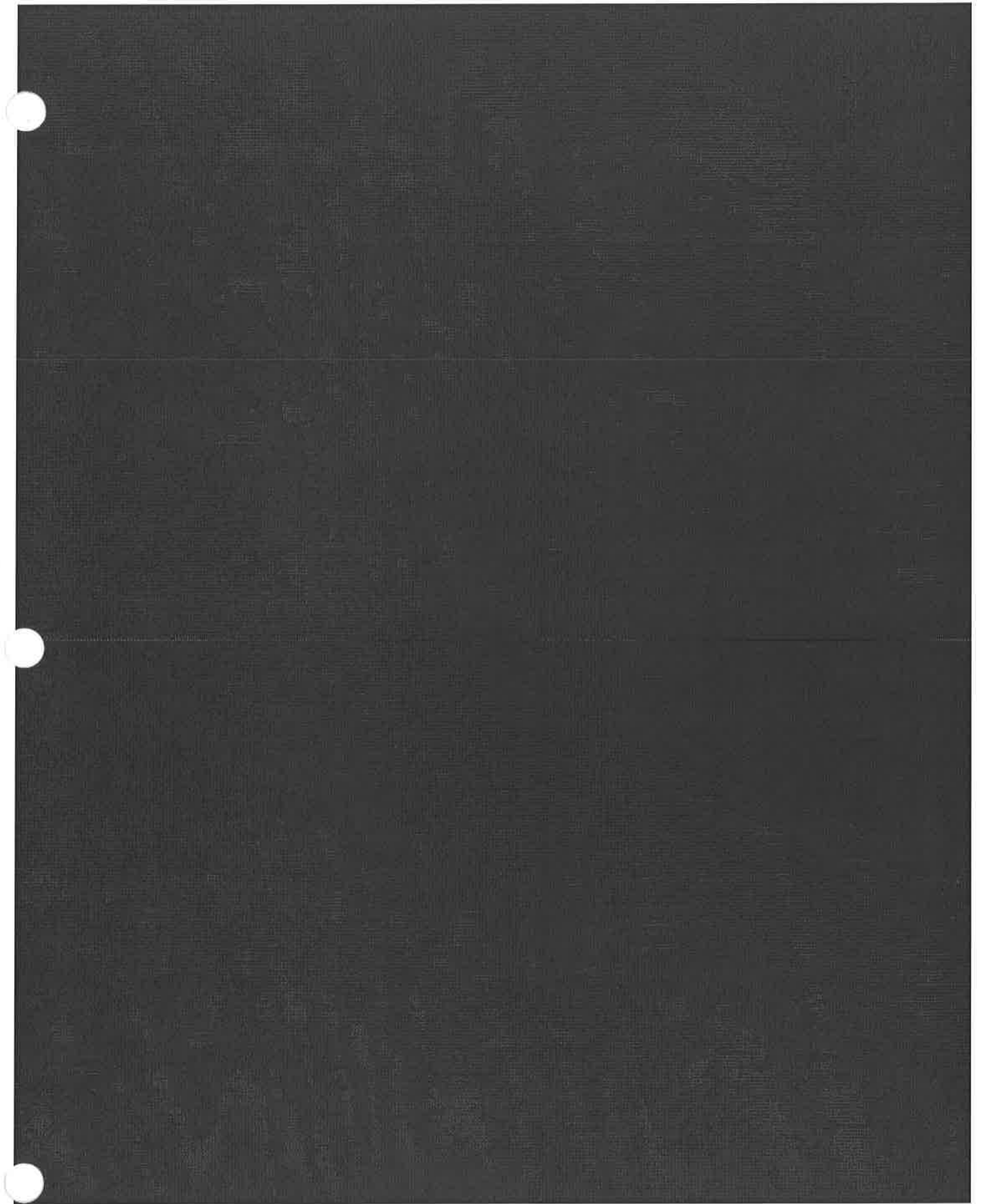
JTM/aa

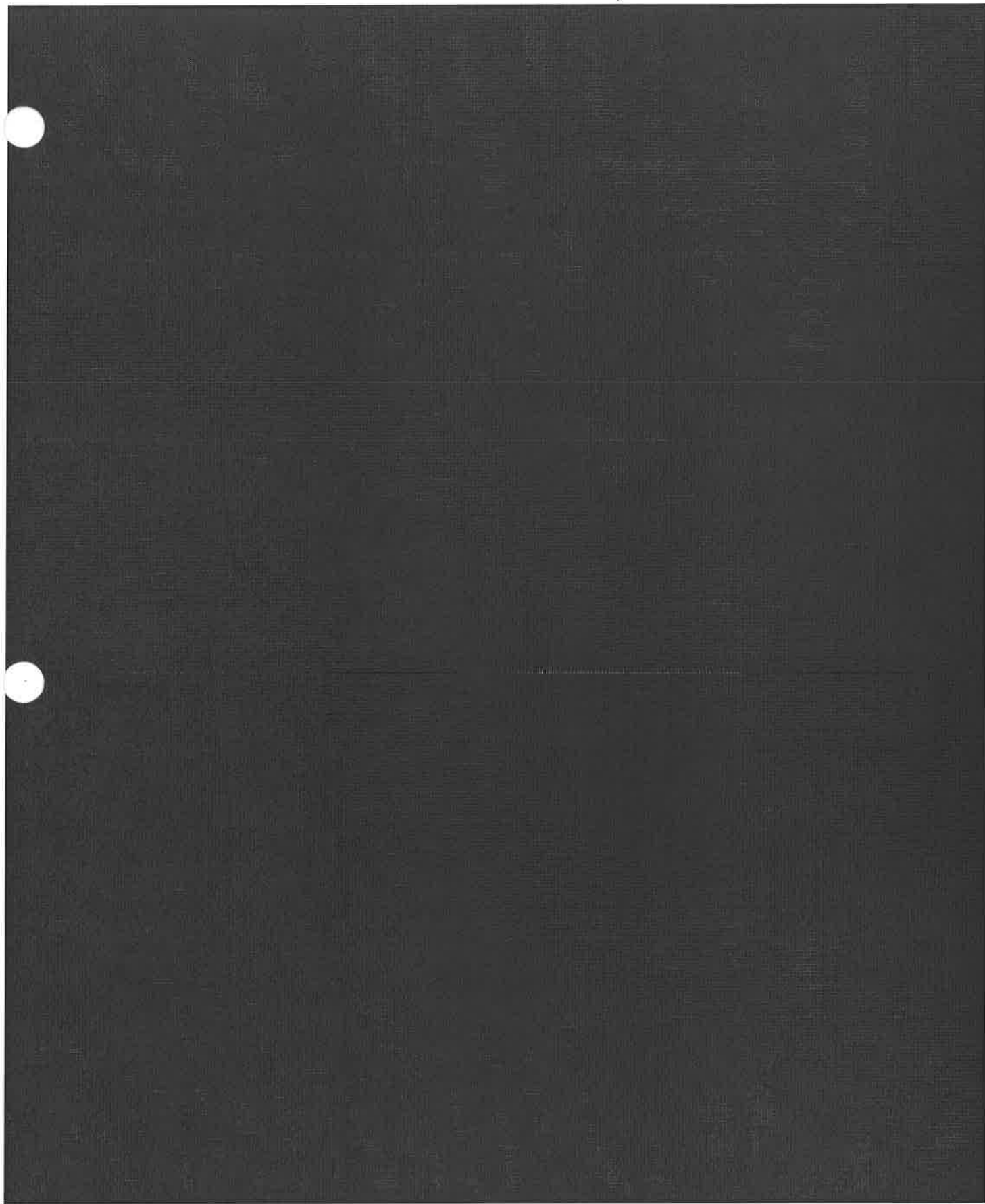
C
O
P
Y

Chase Wilson

625-3073-W

ARCH-010577





PRIVILEGED
ATTORNEY-CLIENT/WORK PRODUCT

from James T. Martin

to Michael Van Grunsven and Phillip Hruska

dated September 12, 1994

PRIVILEGED
ATTORNEY-CLIENT LETTER

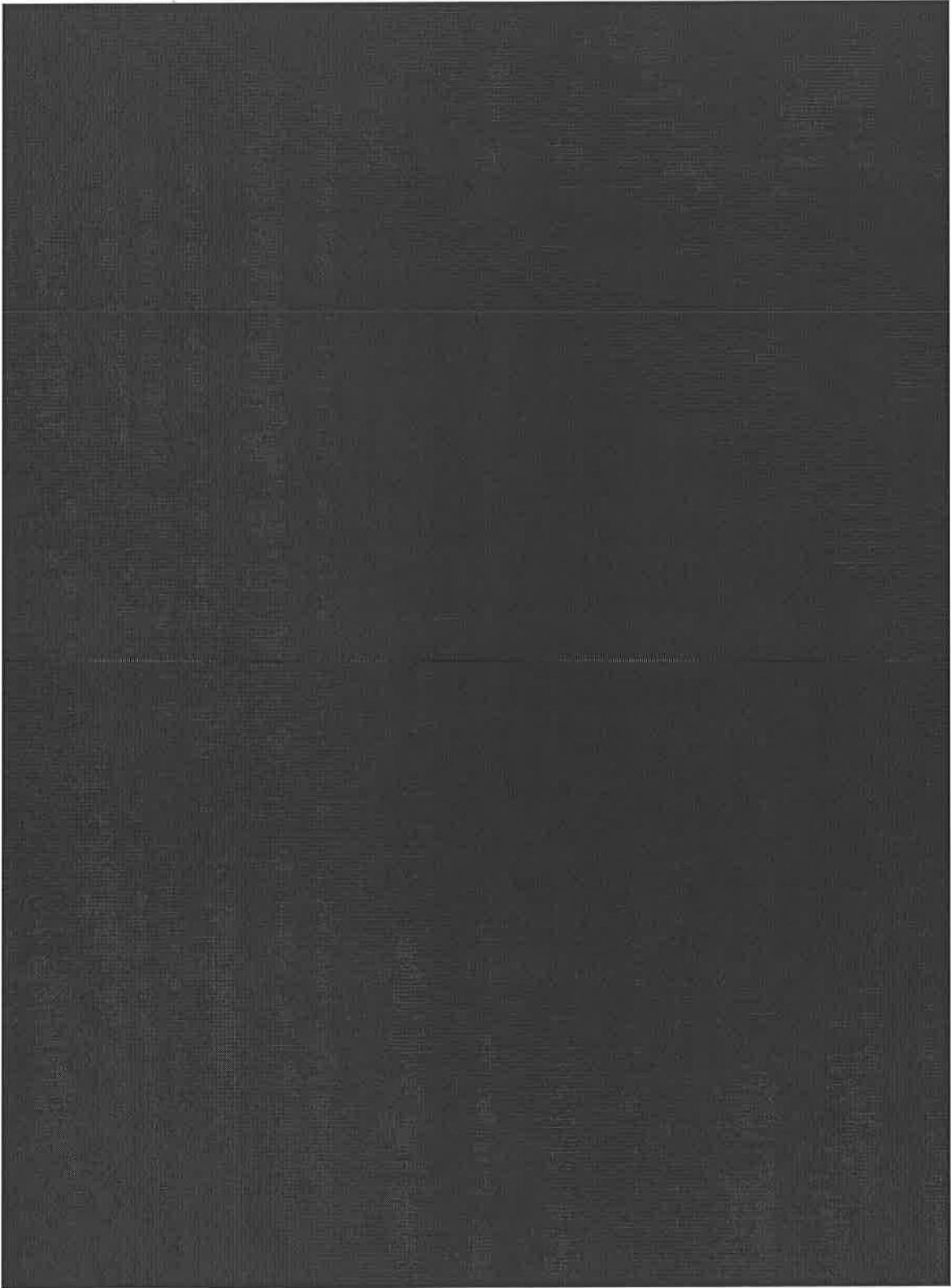
from James T. Martin
to Michael Van Grunsven
dated October 10, 1994

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser
to Rev. Kevin McDonough and William Fallon
dated December 19, 1994

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser
to Rev. Kevin McDonough and William Fallon
dated December 19, 1994



STRICTLY CONFIDENTIAL

January 4, 1995

Reverend Thomas P. Hunstiger
Church of Saint Leo
2055 Bohland Avenue
St. Paul, Minnesota 55116

Reverend Florian Muggli, O.S.B.
Church of St. Elizabeth Ann Seton
2035 West 15th Street
Hastings, Minnesota 55033

Dear Fathers Hunstiger and Muggli,

You will recall that about two years ago we received notice that two men were accusing Father Thomas Stitts, now deceased of having abused them when they were teenagers. One man claimed that this happened while Father Stitts was at Guardian Angels Parish in Hastings in the 1960s and the other claimed that it happened at St. Leo's Parish in Saint Paul in the early 1970s. ~~We had no word of these complaints about Father Stitts until they were brought to us in the form of lawsuits.~~

The attorney for our insurer in one of the cases, the one involving St. Leo's, has informed us of his intention to ask a judge to summarily dismiss that case on one or more legal bases. I am writing to you first of all to let you know this. Second, I want to alert you to the possibility that this legal step may result in some public disclosure of the existence of one or both of the lawsuits.

Because of this possibility of public disclosure, I want to raise with you the question of who should know about this ahead of time and how. Since Father Stitts has been gone from both of your parishes for nearly a quarter of a century, it is Archbishop Roach's opinion that a lot of public discussion in the parish is not necessary. On the other hand, he believes that at least your trustees and perhaps Parish Council members ought to know of the existence of these suits. Furthermore, he would like your opinion and theirs about whether some broader disclosure ought to take place as well.

Fathers Thomas Hunstiger and Florian Muggli, OSB
Page 2

Legally, this matter most directly affects St. Leo's parish. Obviously, however, news that would become public in Saint Paul would also have reverberations in Hastings, and vice versa. Therefore, we would like to coordinate what we do in one parish with what happens in the other.

I am also sending copies of this letter to Father Grieman in New Brighton and Father Mahoney in Long Lake. These are the two parishes where Father Stitts served as pastor. While neither parish has any legal connection to these complaints, Archbishop Roach wants to be attentive to the spiritual and emotional impact of public information in this regard in both of those parishes. I want to ask Fathers Mahoney and Grieman to give this some consideration, speak with your trustees, and let me know what you are thinking.

Finally, because of the shared responsibilities in the Highland parishes, I am sending a copy of this to Msgr. Berntson as well. I would appreciate his thoughts on all of this, particularly as it might affect the broader Highland area pastoral care.

I want to thank all of you for your consideration of this matter. I would be open to having all of the affected pastors sit down together and discuss implications and possibilities. Please let me know what you think. In the meantime, I wish you well in the New Year.

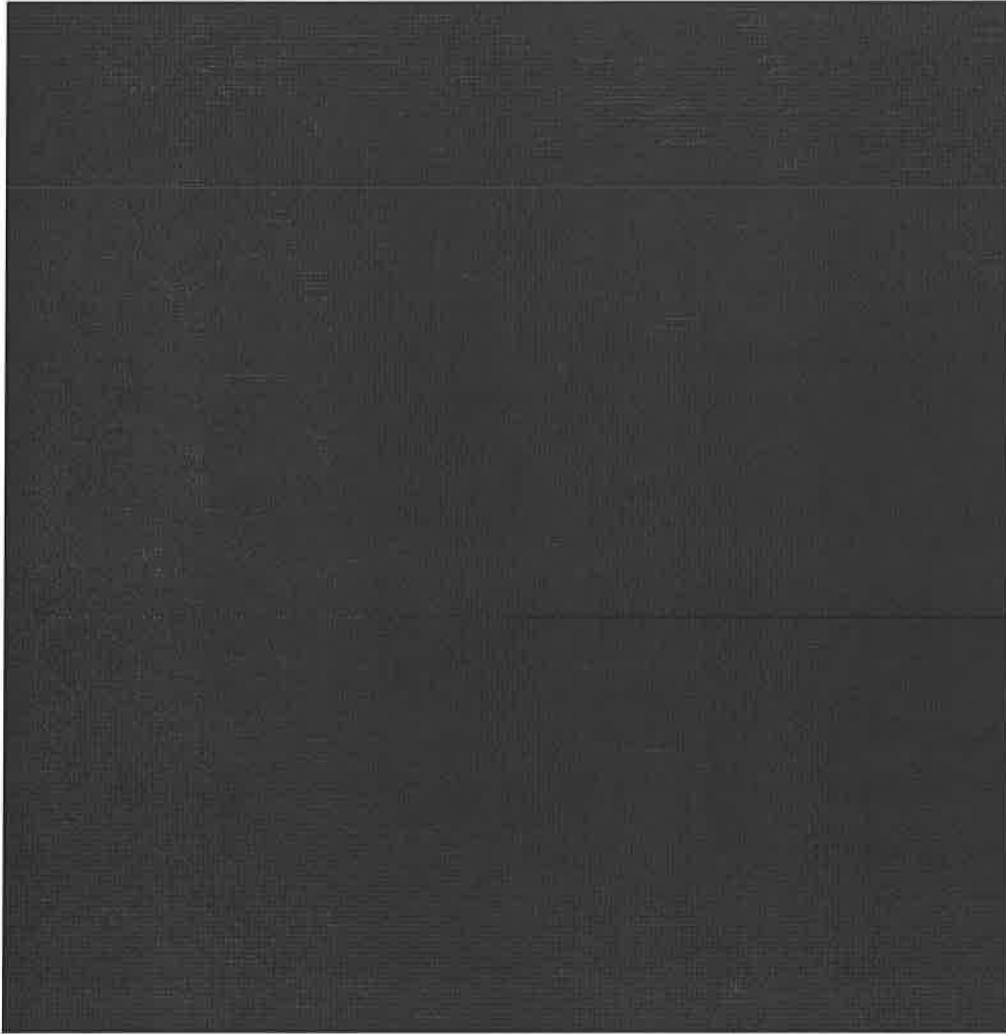
Sincerely yours in Christ,

Reverend Kevin M. McDonough
Vicar General
Moderator of the Curia

KMM:md

cc: Archbishop Roach, Archbishop Flynn, Bishop Welsh
Father Mahoney, Father Grieman, Msgr. Berntson
~~Joan Bernet~~, William Fallon

ARCH-010920



File

STRICTLY CONFIDENTIAL

January 4, 1995

Reverend Thomas P. Hunstiger
Church of Saint Leo
2055 Bohland Avenue
St. Paul, Minnesota 55116

Reverend Florian Muggli, O.S.B.
Church of St. Elizabeth Ann Seton
2035 West 15th Street
Hastings, Minnesota 55033

Dear Fathers Hunstiger and Muggli,

You will recall that about two years ago we received notice that two men were accusing Father Thomas Stitts, now deceased of having abused them when they were teenagers. One man claimed that this happened while Father Stitts was at [REDACTED] and the other claimed that it happened at [REDACTED]. We had no word of these complaints about Father Stitts until they were brought to us in the form of lawsuits.

[REDACTED]

Because of this possibility of public disclosure, I want to raise with you the question of who should know about this ahead of time and how. Since Father Stitts has been gone from both of your parishes for nearly a quarter of a century, it is Archbishop Roach's opinion that a lot of public discussion in the parish is not necessary. On the other hand, he believes that at least your trustees and perhaps Parish Council members ought to know of the existence of these suits. Furthermore, he would like your opinion and theirs about whether some broader disclosure ought to take place as well.

Fathers Thomas Hunstiger and Florian Muggli, OSB
Page 2

Legally, this matter most directly affects St. Leo's parish. Obviously, however, news that would become public in Saint Paul would also have reverberations in Hastings, and vice versa. Therefore, we would like to coordinate what we do in one parish with what happens in the other.

I am also sending copies of this letter to Father Grieman in New Brighton and Father Mahoney in Long Lake. These are the two parishes where Father Stitts served as pastor. While neither parish has any legal connection to these complaints, Archbishop Roach wants to be attentive to the spiritual and emotional impact of public information in this regard in both of those parishes. I want to ask Fathers Mahoney and Grieman to give this some consideration, speak with your trustees, and let me know what you are thinking.

Finally, because of the shared responsibilities in the Highland parishes, I am sending a copy of this to Msgr. Berntson as well. I would appreciate his thoughts on all of this, particularly as it might affect the broader Highland area pastoral care.

I want to thank all of you for your consideration of this matter. I would be open to having all of the affected pastors sit down together and discuss implications and possibilities. Please let me know what you think. In the meantime, I wish you well in the New Year.

Sincerely yours in Christ,

Reverend Kevin M. McDonough
Vicar General
Moderator of the Curia

KMM:md

cc: Archbishop Roach, Archbishop Flynn, Bishop Welsh
Father Mahoney, Father Grieman, Msgr. Berntson
Joan Bernet, William Fallon

STRICTLY CONFIDENTIAL

January 4, 1995

Reverend Thomas P. Hunstiger
Church of Saint Leo
2055 Bohland Avenue
St. Paul, Minnesota 55116

Reverend Florian Muggli, O.S.B.
Church of St. Elizabeth Ann Seton
2035 West 15th Street
Hastings, Minnesota 55033

Dear Fathers Hunstiger and Muggli,

You will recall that about two years ago we received notice that two men were accusing Father Thomas Stitts, now deceased of having abused them when they were teenagers. One man claimed that this happened while Father Stitts was at [REDACTED] and the other claimed that it happened at [REDACTED]. We had no word of these complaints about Father Stitts until they were brought to us in the form of lawsuits.

[REDACTED]

Because of this possibility of public disclosure, I want to raise with you the question of who should know about this ahead of time and how. Since Father Stitts has been gone from both of your parishes for nearly a quarter of a century, it is Archbishop Roach's opinion that a lot of public discussion in the parish is not necessary. On the other hand, he believes that at least your trustees and perhaps Parish Council members ought to know of the existence of these suits. Furthermore, he would like your opinion and theirs about whether some broader disclosure ought to take place as well.

Fathers Thomas Hunstiger and Florian Muggli, OSB
Page 2

Legally, this matter most directly affects St. Leo's parish. Obviously, however, news that would become public in Saint Paul would also have reverberations in Hastings, and vice versa. Therefore, we would like to coordinate what we do in one parish with what happens in the other.

I am also sending copies of this letter to Father Grieman in New Brighton and Father Mahoney in Long Lake. These are the two parishes where Father Stitts served as pastor. While neither parish has any legal connection to these complaints, Archbishop Roach wants to be attentive to the spiritual and emotional impact of public information in this regard in both of those parishes. I want to ask Fathers Mahoney and Grieman to give this some consideration, speak with your trustees, and let me know what you are thinking.

Finally, because of the shared responsibilities in the Highland parishes, I am sending a copy of this to Msgr. Berntson as well. I would appreciate his thoughts on all of this, particularly as it might affect the broader Highland area pastoral care.

I want to thank all of you for your consideration of this matter. I would be open to having all of the affected pastors sit down together and discuss implications and possibilities. Please let me know what you think. In the meantime, I wish you well in the New Year.

Sincerely yours in Christ,

Reverend Kevin M. McDonough
Vicar General
Moderator of the Curia

KMM:md

cc: Archbishop Roach, Archbishop Flynn, Bishop Welsh
Father Mahoney, Father Grieman, Msgr. Berntson
Joan Bernet, ~~William Fallon~~

DAVE AND RUTH SHRIVER

4732 1st Ave. So.

Mpls., MN. 55409

1-612-822-4197 Home

1-612-597-2652 Lake

Dave Office

1-612-330-~~5864~~

8533

Ruth Office

1-612-822-4197

ARCH-049475

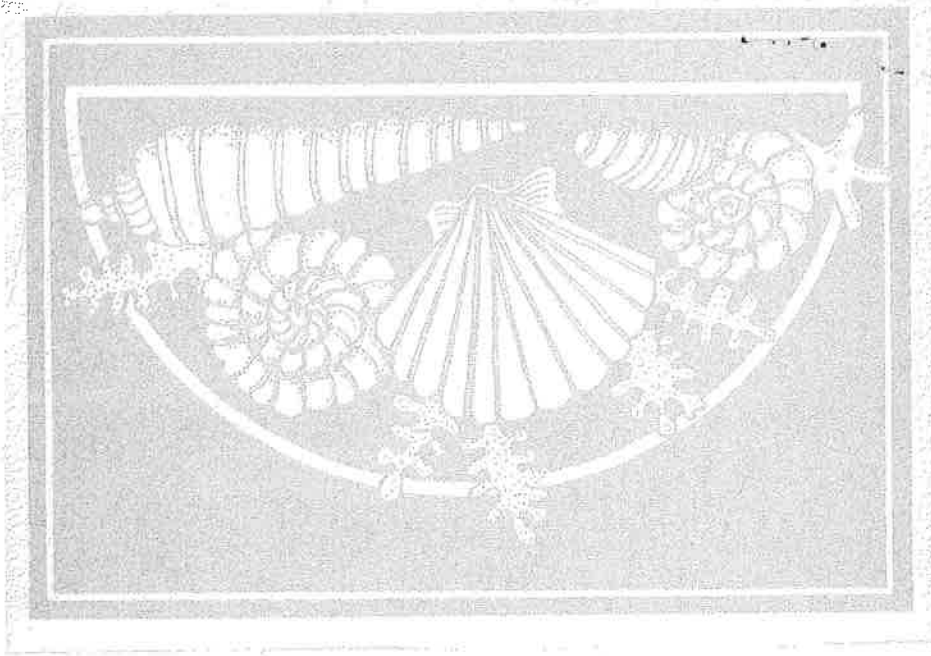
K M STITTS
file,
Council call
FOR YOUR INFORMATION
WILLIAM S. FALLON

Dear Bill,

Just a note to thank you for your time and returning my phone call on Fri., Jan. 27. I appreciate your attention in this matter.

We were able to meet with Tom Weiser and get a lot of questions answered, but of course, that brings up other questions.

As I stated to you on the phone, there are two separate issues: 1- how the family of a priest is treated and 2- the accusations against Tom. I would be happy to talk with you or whoever you think best, if it would do any good.



Regarding Tom, I am convinced he did not abuse these boys. That was just not in his character. And after hearing the specific charges and description of the alleged acts it confirmed my belief of his innocence. I don't know what we can do, but I feel strongly that we will do something to try to prove his innocence. Thank you. Will Striver

Staffs file, please

January 24, 1995

Reverend Florian Muggli, OSB
Church of St. Elizabeth Ann Seton
520 Ramsey Street
Hastings, MN 55033-1999

Also to Father Tom Hunstiger
Church of St. Leo
St. Paul, MN

Dear Father Muggli,

As you probably saw in the St. Paul paper on Tuesday morning, Jeffrey Anderson has now filed the Summons and Complaint in his lawsuit against Father Thomas Stitts, the Archdiocese and your parish. It is my understanding that these papers were served upon you nearly two years ago and that Father McDonough has talked to you concerning the need for communication to your parishioners.

As was stated in the news story, we had no indication of any kind prior to the occurrence of the events alleged in the complaint of any inappropriate conduct on the part of Father Stitts. Accordingly, we feel that from a legal standpoint, both your parish and the Archdiocese should be exonerated.

I also wish to advise you that we continue to hold ourselves available to assist you and your staff in responding to any inquiries concerning this case, communicating with your parishioners or in any other capacity that you may wish to avail yourselves of. Please contact either Father McDonough or Bill Fallon for such assistance.

Sincerely yours in Christ,

Most Reverend John R. Roach, D.D.
Archbishop of Saint Paul and Minneapolis

January 24, 1995

Reverend Thomas Hunstiger
Church of St. Leo the Great
2055 Bohland Avenue
St. Paul, MN 55116-1997

and Father Florian Muggli

Dear Father Hunstiger,

Dear As you probably saw in the St. Paul paper on Tuesday morning, Jeffrey Anderson has now filed the Summons and Complaint in his lawsuit against Father Thomas Stitts, the Archdiocese and your parish. It is my understanding that these papers were served upon you nearly two years ago and that Father McDonough has talked to you concerning the need for communication to your parishioners.

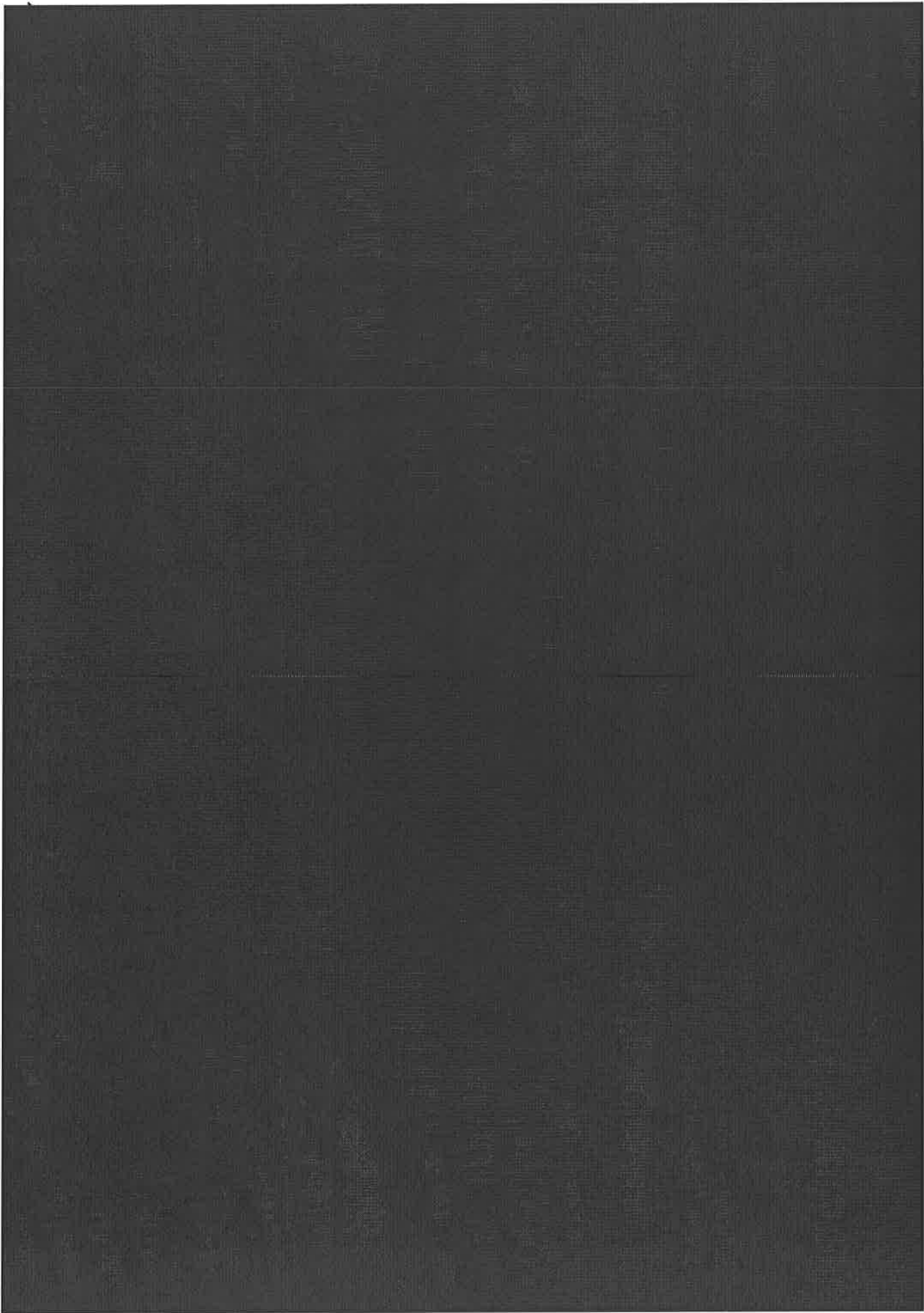
As was stated in the news story, we had no indication of any kind prior to the occurrence of the events alleged in the complaint of any inappropriate conduct on the part of Father Stitts. Accordingly, we feel that from a legal standpoint, both your parish and the Archdiocese should be exonerated.

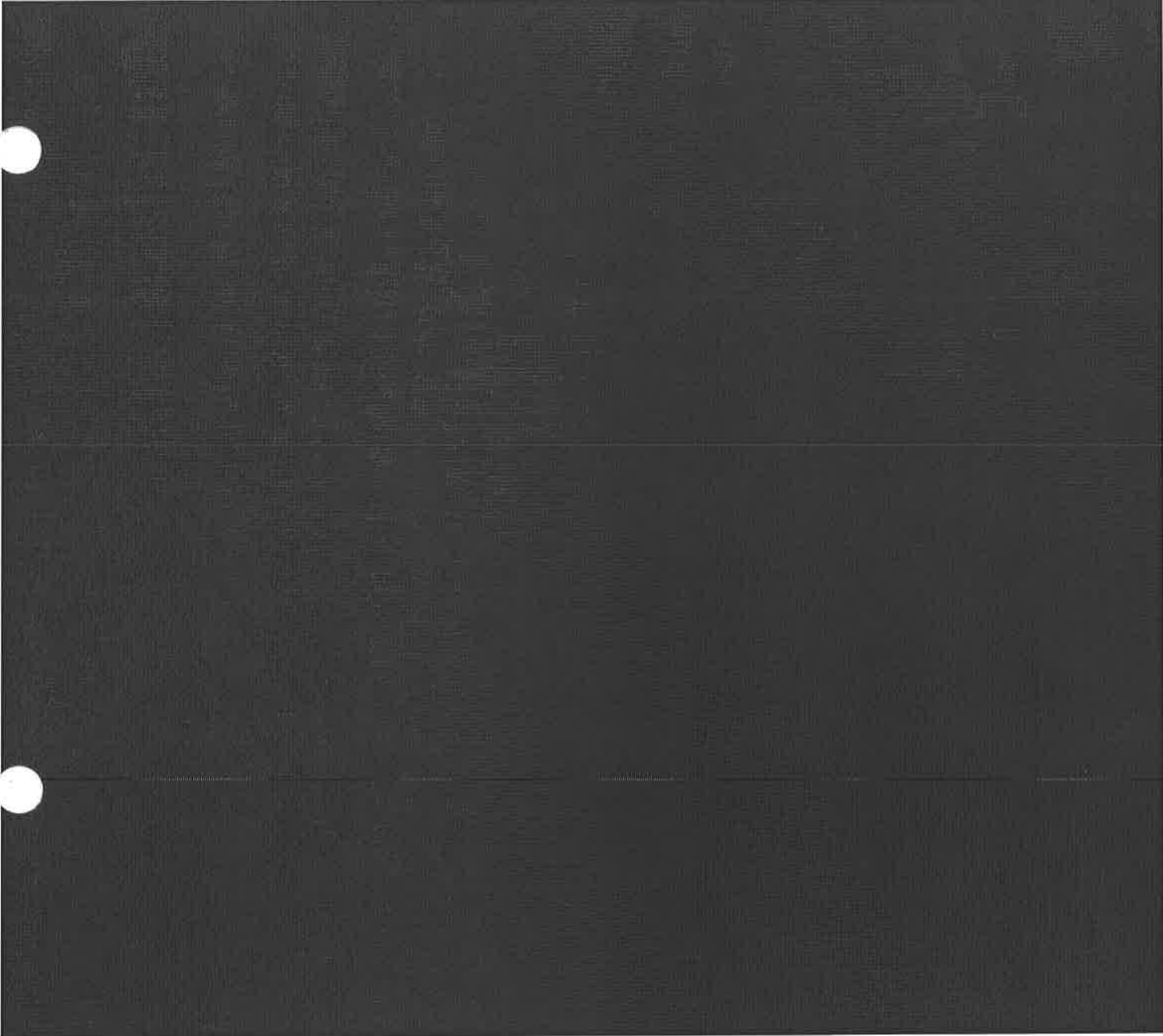
I also wish to advise you that we continue to hold ourselves available to assist you and your staff in responding to any inquiries concerning this case, communicating with your parishioners or in any other capacity that you may wish to avail yourselves of. Please contact either Father McDonough or Bill Fallon for such assistance.

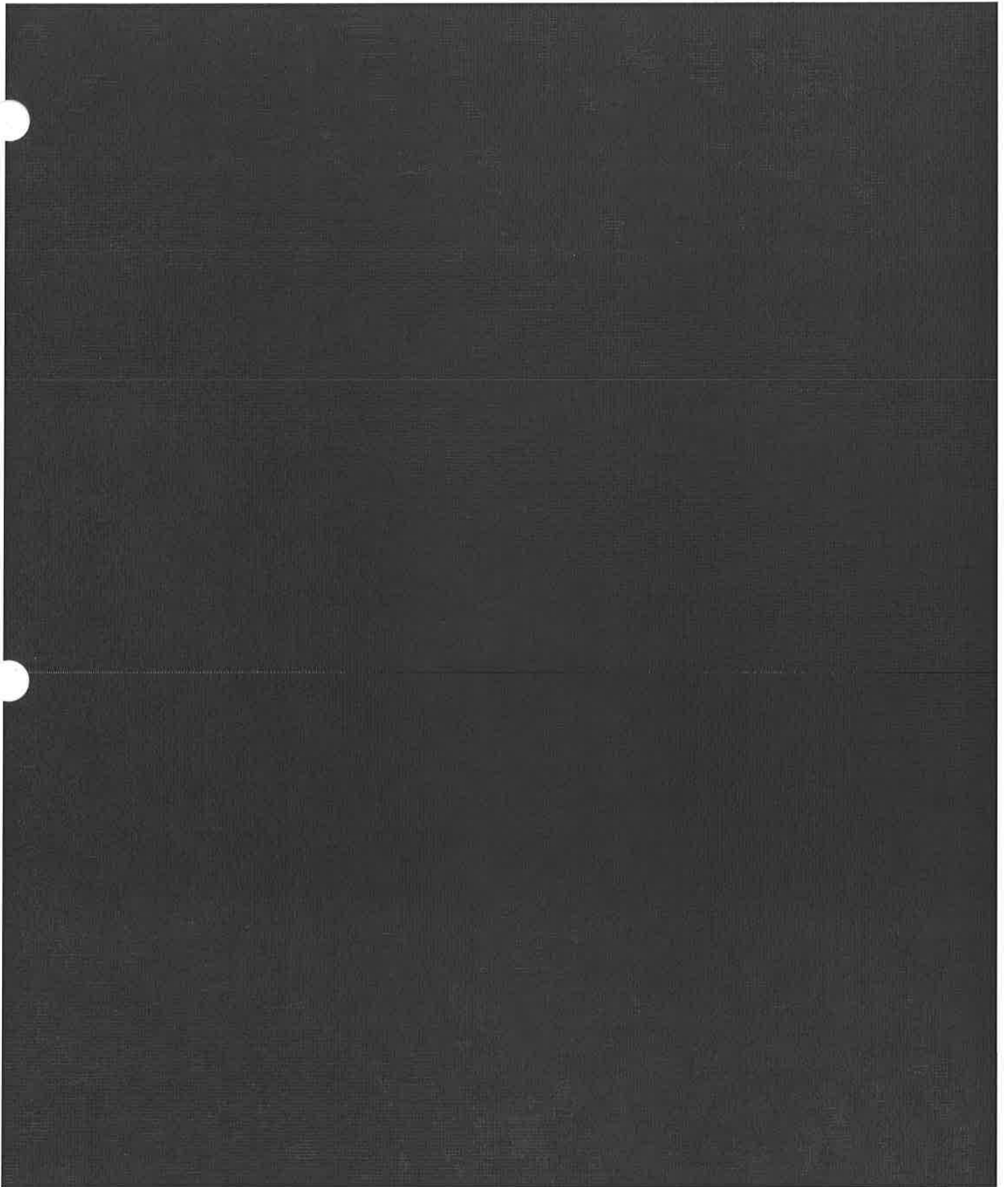
Sincerely yours in Christ,

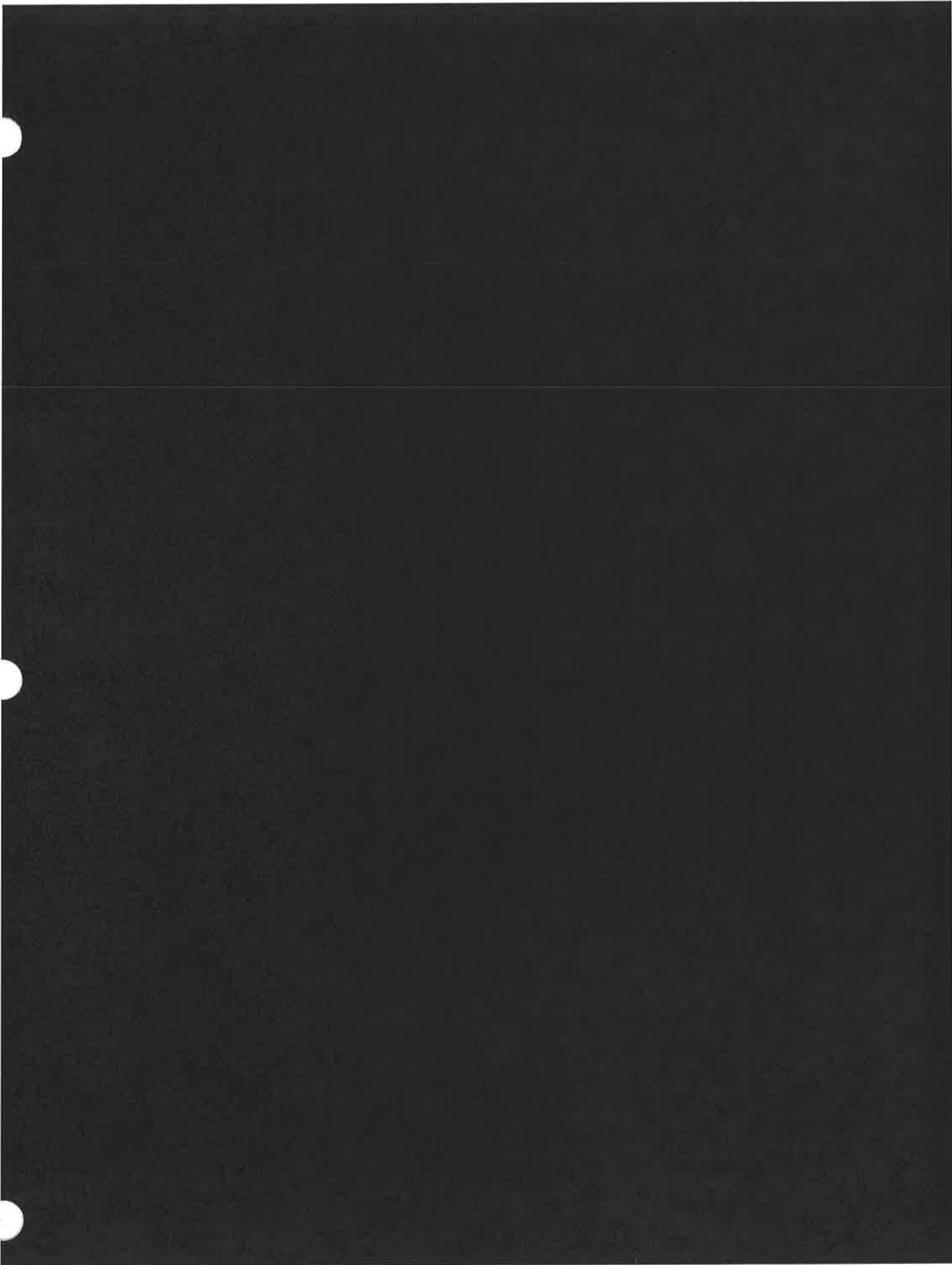
Most Reverend John R. Roach, D.D.
Archbishop of Saint Paul and Minneapolis

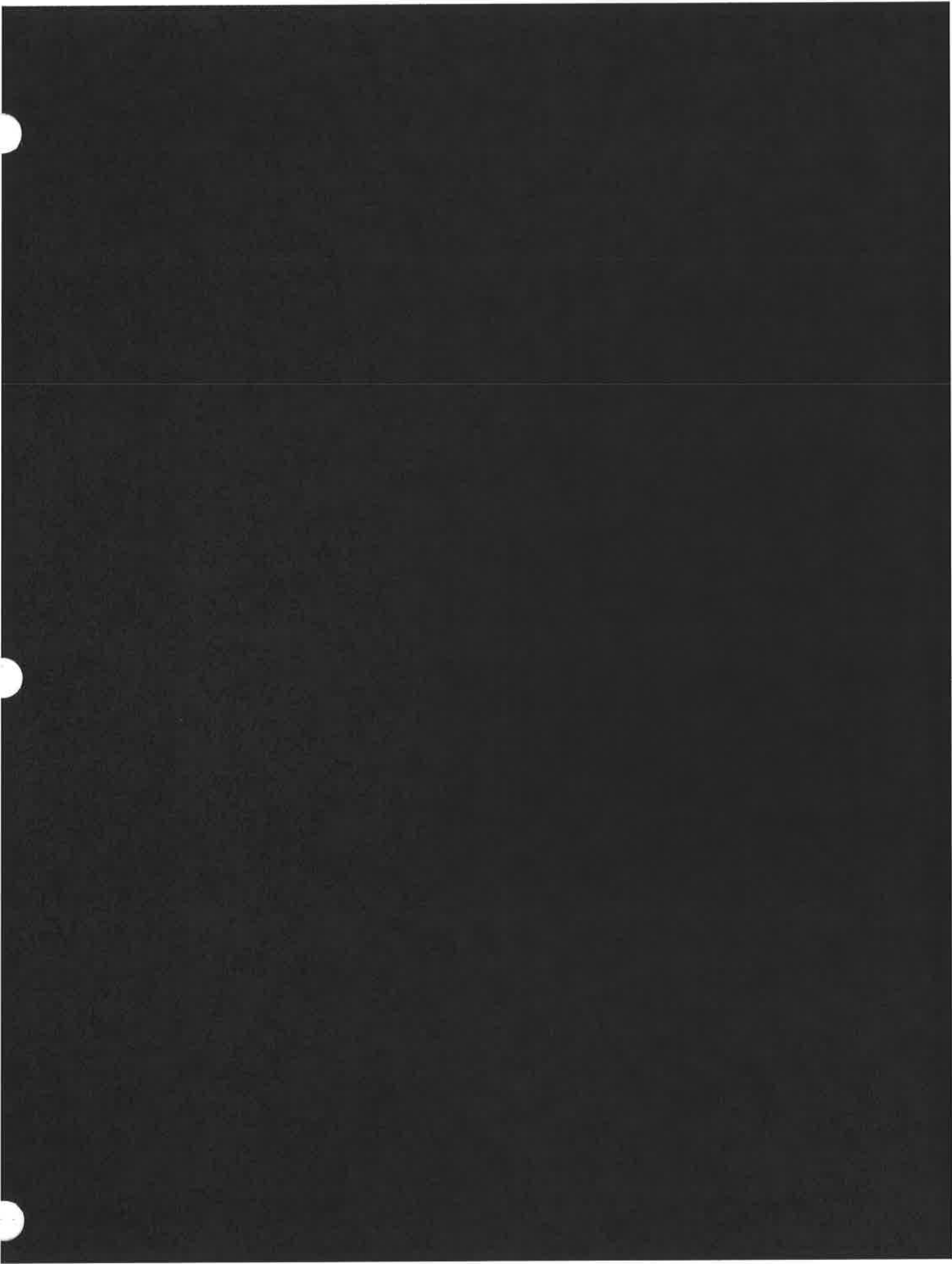
bcc- Fr. McDonough

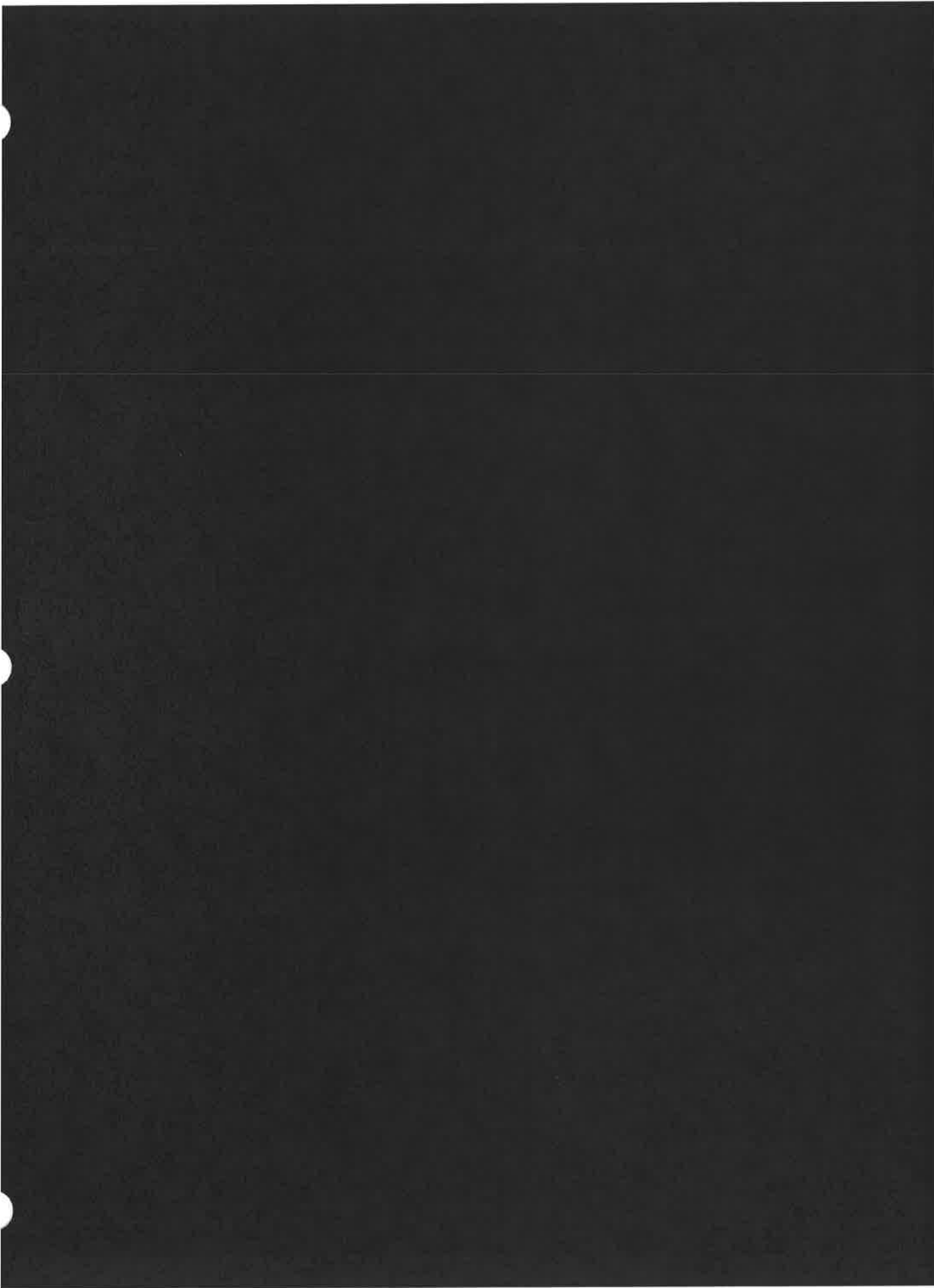


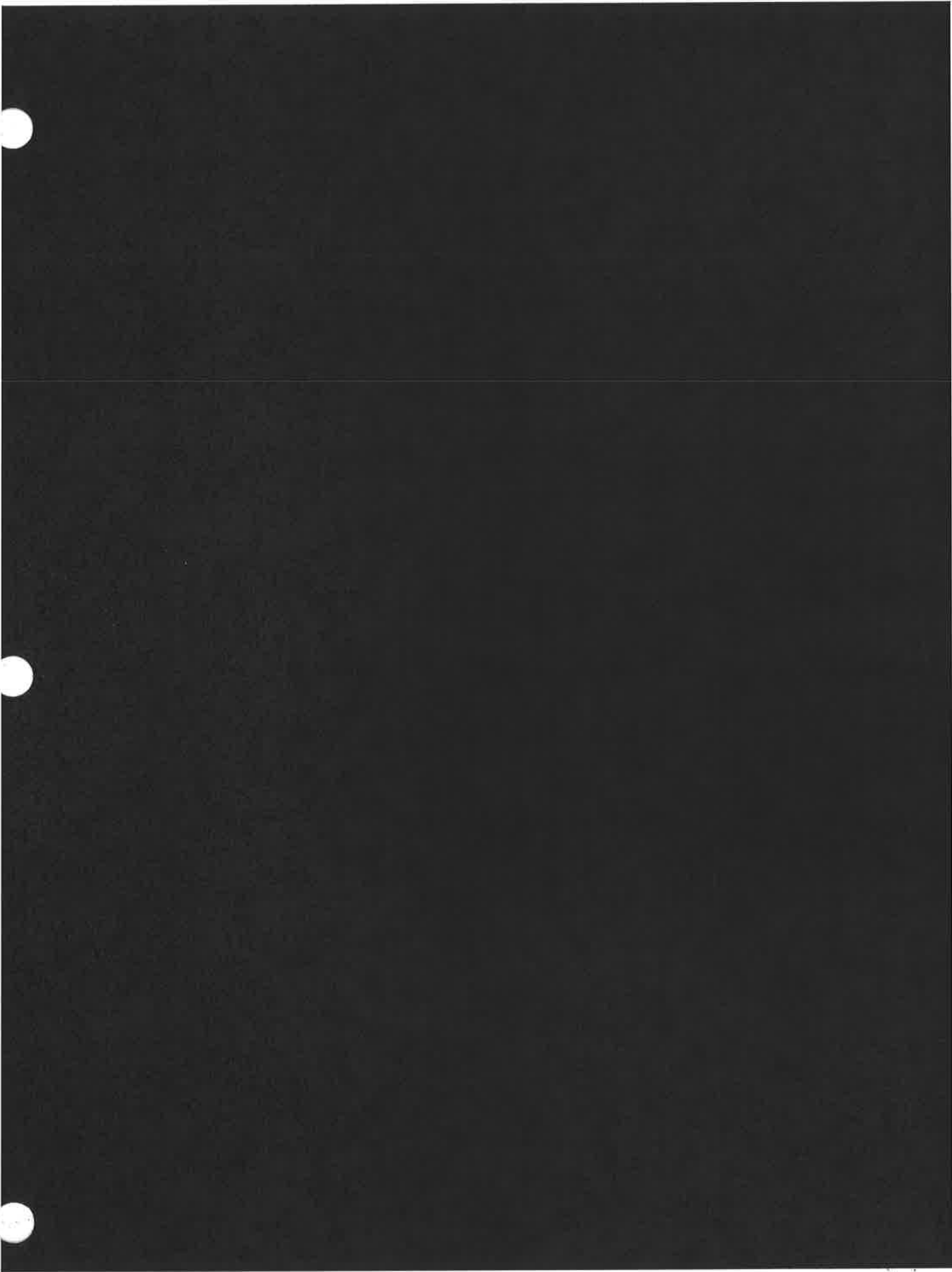


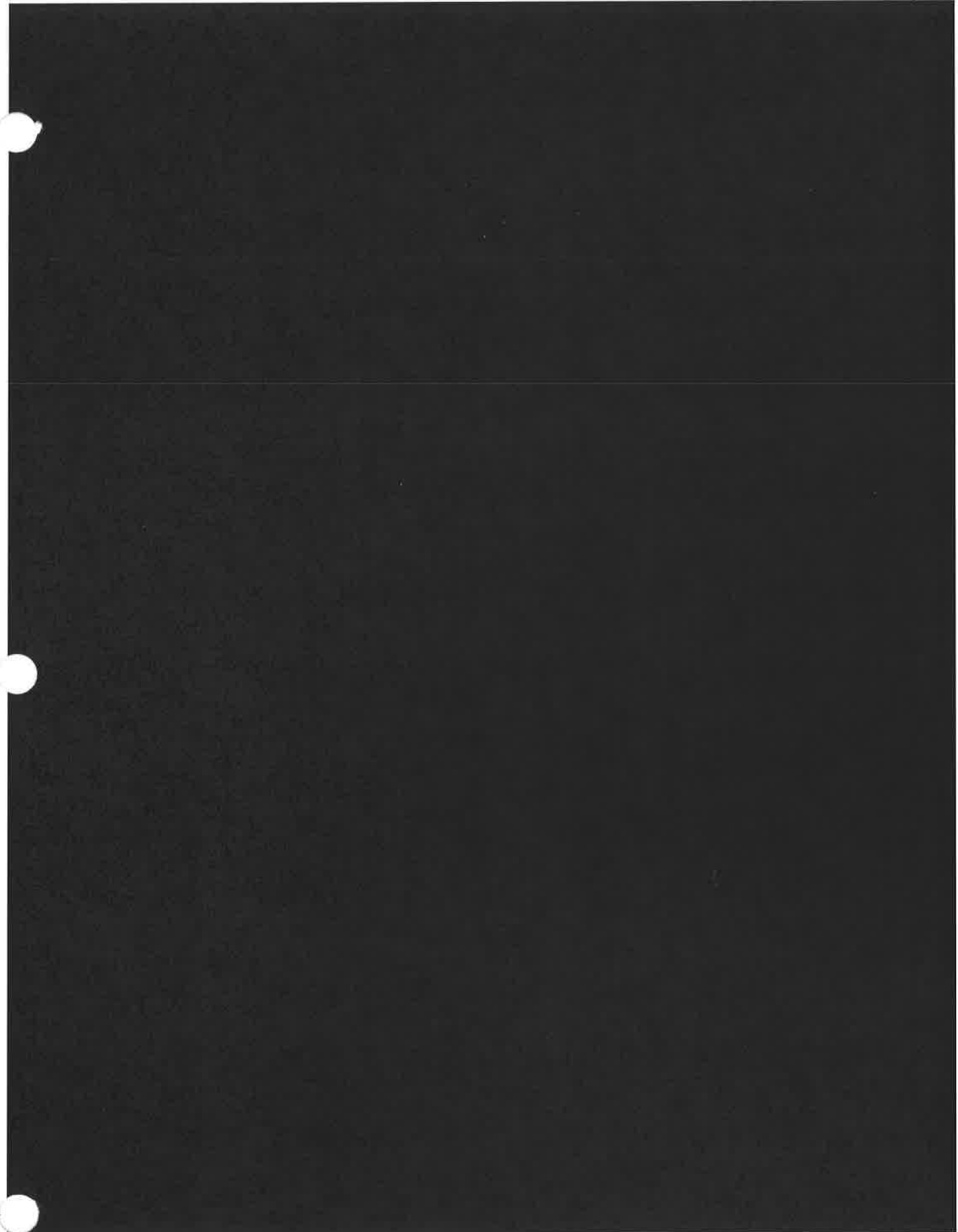


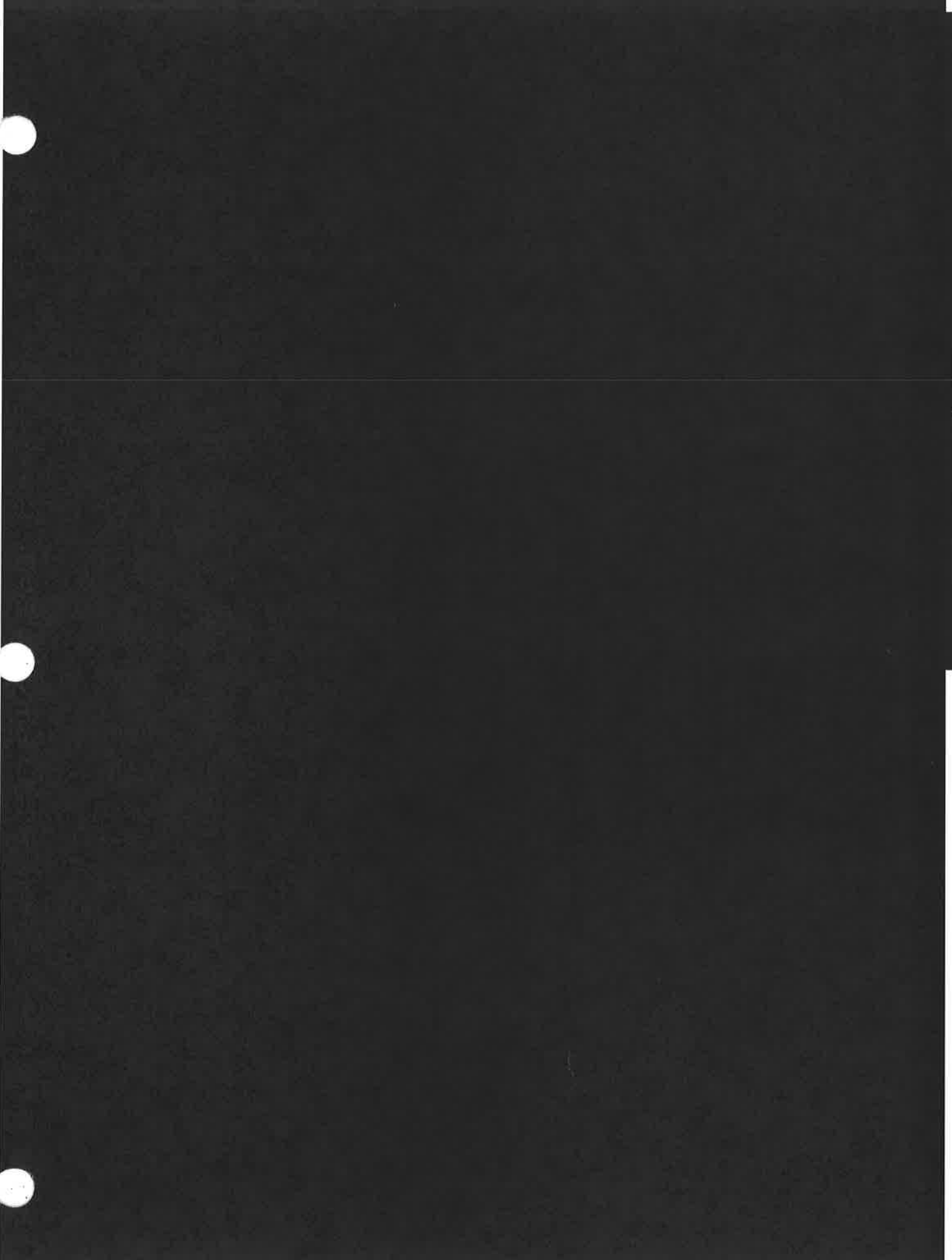












January 24, 1995

Reverend Thomas Hunstiger
Church of St. Leo the Great
2055 Bohland Avenue
St. Paul, MN 55116-1997

and

Reverend FLorian Muggli
Church of St. Elizabeth Ann Seton

Dear Father Hunstiger,

As you probably saw in the St. Paul paper on Tuesday morning, Jeffrey Anderson has now filed the Summons and Complaint in his lawsuit against Father Thomas Stitts, the Archdiocese and your parish. It is my understanding that these papers were served upon you nearly two years ago and that Father McDonough has talked to you concerning the need for communication to your parishioners.

As was stated in the news story, we had no indication of any kind prior to the occurrence of the events alleged in the complaint of any inappropriate conduct on the part of Father Stitts. Accordingly, we feel that from a legal standpoint, both your parish and the Archdiocese should be exonerated.

I also wish to advise you that we continue to hold ourselves available to assist you and your staff in responding to any inquiries concerning this case, communicating with your parishioners or in any other capacity that you may wish to avail yourselves of. Please contact either Father McDonough or Bill Fallon for such assistance.

Sincerely yours in Christ,

Most Reverend John R. Roach, D.D.
Archbishop of Saint Paul and Minneapolis

cnh

PRIVILEGED
ATTORNEY-CLIENT MEMO

from William Fallon

to Archbishop Roach, Archbishop Flynn and Rev. Kevin McDonough

dated January 27, 1995

PRIVILEGED

ATTORNEY-CLIENT MEMO

from William Fallon

to Rev. Kevin McDonough, Archbishop Roach and Archbishop Flynn

dated February 2, 1995

PRIVILEGED
ATTORNEY-CLIENT LETTER

from William Fallon
to Thomas Wieser and Andrew Eisenzimmer
dated February 3, 1995

PRIVILEGED
ATTORNEY-CLIENT MEMO

from William Fallon
to Andrew Eisenzimmer
dated February 7, 1995

PRIVILEGED
ATTORNEY-CLIENT MEMO

from William Fallon

to Thomas Wieser

dated February 7, 1995

PRIVILEGED
ATTORNEY-CLIENT LETTER

from William Fallon
to Rev. Robert Altier
dated February 15, 1995

PRIVILEGED
ATTORNEY-CLIENT LETTER

from William Fallon
to Andrew Eisenzimmer
dated February 15, 1995

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: 11

John RRR Doe,

Plaintiff,

vs.

RULE 63.03 NOTICE TO REMOVE

The Archdiocese of St. Paul and
Minneapolis and St. Leo's Church in
Highland Park, Minnesota,

Defendants.

Court File No.: C3-95-624

TO: Defendant Archdiocese of St. Paul and Minneapolis and its attorney, Thomas B. Wieser,
Suite 2200, North Central Life Tower, 445 Minnesota Street, St. Paul, Minnesota 55101.

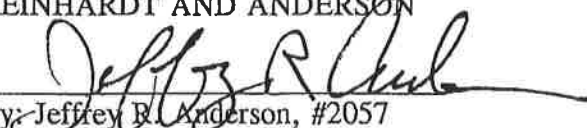
Defendant Archdiocese of St. Paul and Minneapolis and its attorney, Daniel A. Haws,
Murnane, Conlin, White & Bradt, 1800 Meritor Tower, 444 Cedar Street, St. Paul,
Minnesota 55101.

Defendant St. Leo's Church in Highland Park, Minnesota and its attorney, James L.
Haigh, 600 Travelers Express Tower, 1550 Utica Avenue South, Minneapolis, Minnesota
55416.

Please be advised that the undersigned, on behalf of Plaintiff John RRR Doe, hereby
gives notice to remove the Honorable John M. Sands, Judge of District Court, from the above-
captioned matter, pursuant to Minn. R. Civ. P. 63.03.

Dated: 6/13/95

REINHARDT AND ANDERSON


By: Jeffrey R. Anderson, #2057

Mark A. Wendorf, #173484

David S. Burleson, #215776

Attorneys for Plaintiffs

E-1000 First National Bank Bldg.

332 Minnesota Street

St. Paul, Minnesota 55101

(612)227-9990

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Jean L. Raway, being first duly sworn, deposes and says that on June 13, 1995, she served the attached document(s):

Rule 63.03 Notice to Remove Judge

upon the following attorneys for defendants by placing a true and correct copy thereof in an envelope addressed as follows:

Thomas B. Wieser
MEIER, KENNEDY & QUINN
Suite 2200
North Central Life Tower
445 Minnesota Street
St. Paul, Minnesota 55101

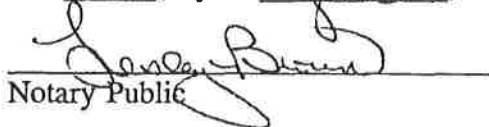
Daniel A. Haws
Murnane, Conlin, White & Bradt
1800 Piper Jaffray Tower
444 Cedar Street
St. Paul, Minnesota 55101

James L. Haigh
Attorney at Law
600 Travelers Express Tower
1550 Utica Avenue South
Minneapolis, MN 55416

(which is the last known address of said attorneys) and depositing the same, with postage prepaid, in the United States Mail at St. Paul, Minnesota.



Subscribed and sworn to before me
this 13th day of June, 1995.


Notary Public



STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: 11

John RRR Doe,

Plaintiff,

vs.

RULE 63.03 NOTICE TO REMOVE

The Archdiocese of St. Paul and
Minneapolis and St. Leo's Church in
Highland Park, Minnesota,

Defendants.

Court File No.: C3-95-624

TO: Defendant Archdiocese of St. Paul and Minneapolis and its attorney, Thomas B. Wieser,
Suite 2200, North Central Life Tower, 445 Minnesota Street, St. Paul, Minnesota 55101.

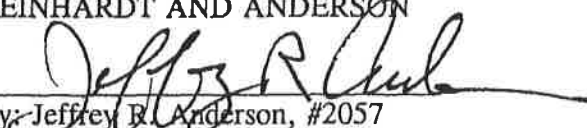
Defendant Archdiocese of St. Paul and Minneapolis and its attorney, Daniel A. Haws,
Murnane, Conlin, White & Bradt, 1800 Meritor Tower, 444 Cedar Street, St. Paul,
Minnesota 55101.

Defendant St. Leo's Church in Highland Park, Minnesota and its attorney, James L.
Haigh, 600 Travelers Express Tower, 1550 Utica Avenue South, Minneapolis, Minnesota
55416.

Please be advised that the undersigned, on behalf of Plaintiff John RRR Doe, hereby
gives notice to remove the Honorable John M. Sands, Judge of District Court, from the above-
captioned matter, pursuant to Minn. R. Civ. P. 63.03.

Dated: 6/13/95

REINHARDT AND ANDERSON


By: Jeffrey R. Anderson, #2057

Mark A. Wendorf, #173484

David S. Burleson, #215776

Attorneys for Plaintiffs

E-1000 First National Bank Bldg.

332 Minnesota Street

St. Paul, Minnesota 55101

(612)227-9990

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Jean L. Raway, being first duly sworn, deposes and says that on June 13, 1995, she served the attached document(s):

Rule 63.03 Notice to Remove Judge

upon the following attorneys for defendants by placing a true and correct copy thereof in an envelope addressed as follows:

Thomas B. Wieser
MEIER, KENNEDY & QUINN
Suite 2200
North Central Life Tower
445 Minnesota Street
St. Paul, Minnesota 55101

Daniel A. Haws
Murnane, Conlin, White & Bradt
1800 Piper Jaffray Tower
444 Cedar Street
St. Paul, Minnesota 55101

James L. Haigh
Attorney at Law
600 Travelers Express Tower
1550 Utica Avenue South
Minneapolis, MN 55416

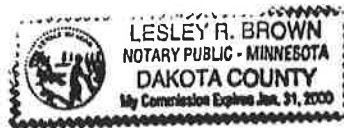
(which is the last known address of said attorneys) and depositing the same, with postage prepaid, in the United States Mail at St. Paul, Minnesota.

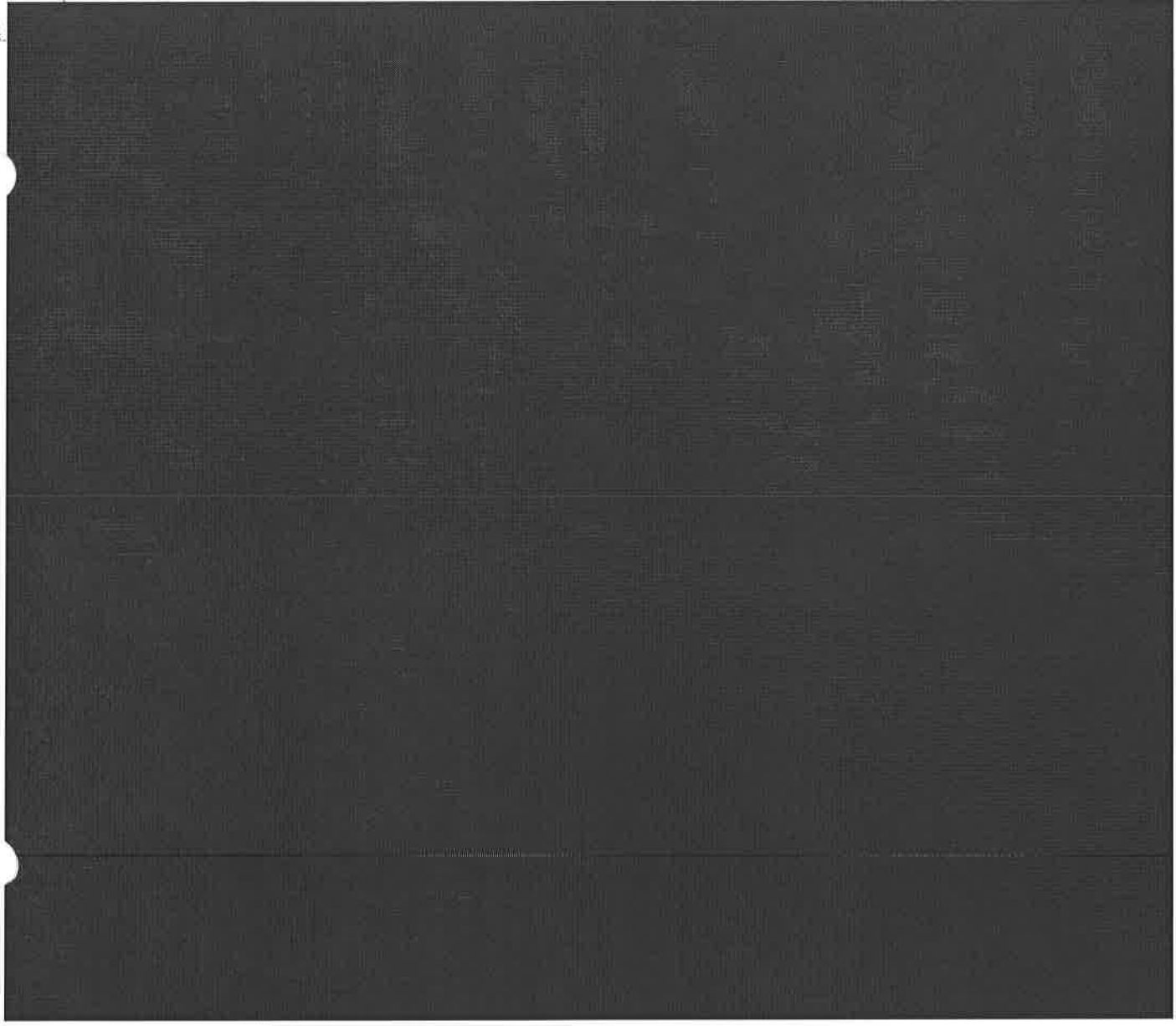


Subscribed and sworn to before me
this 13th day of June, 1995.

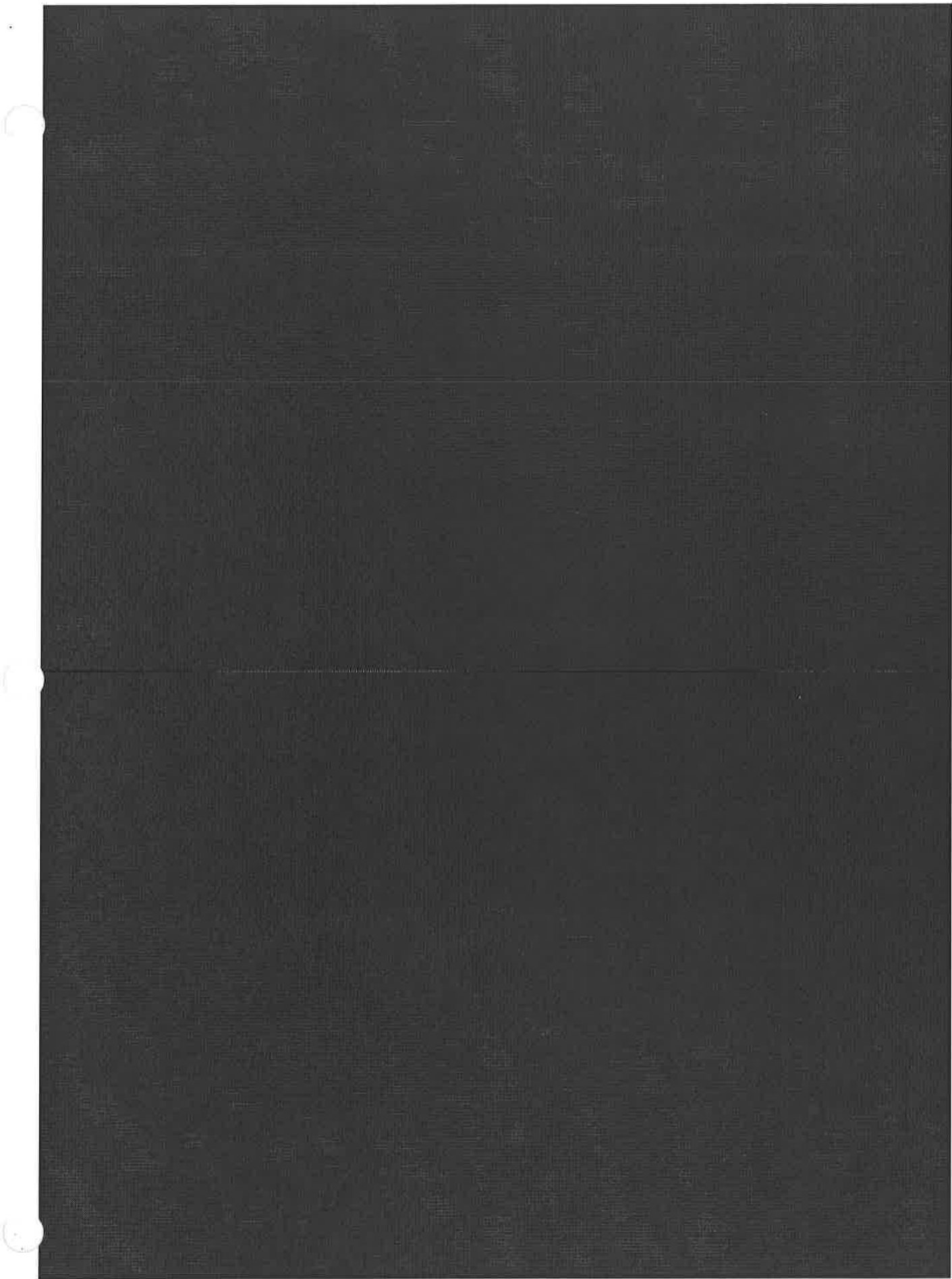


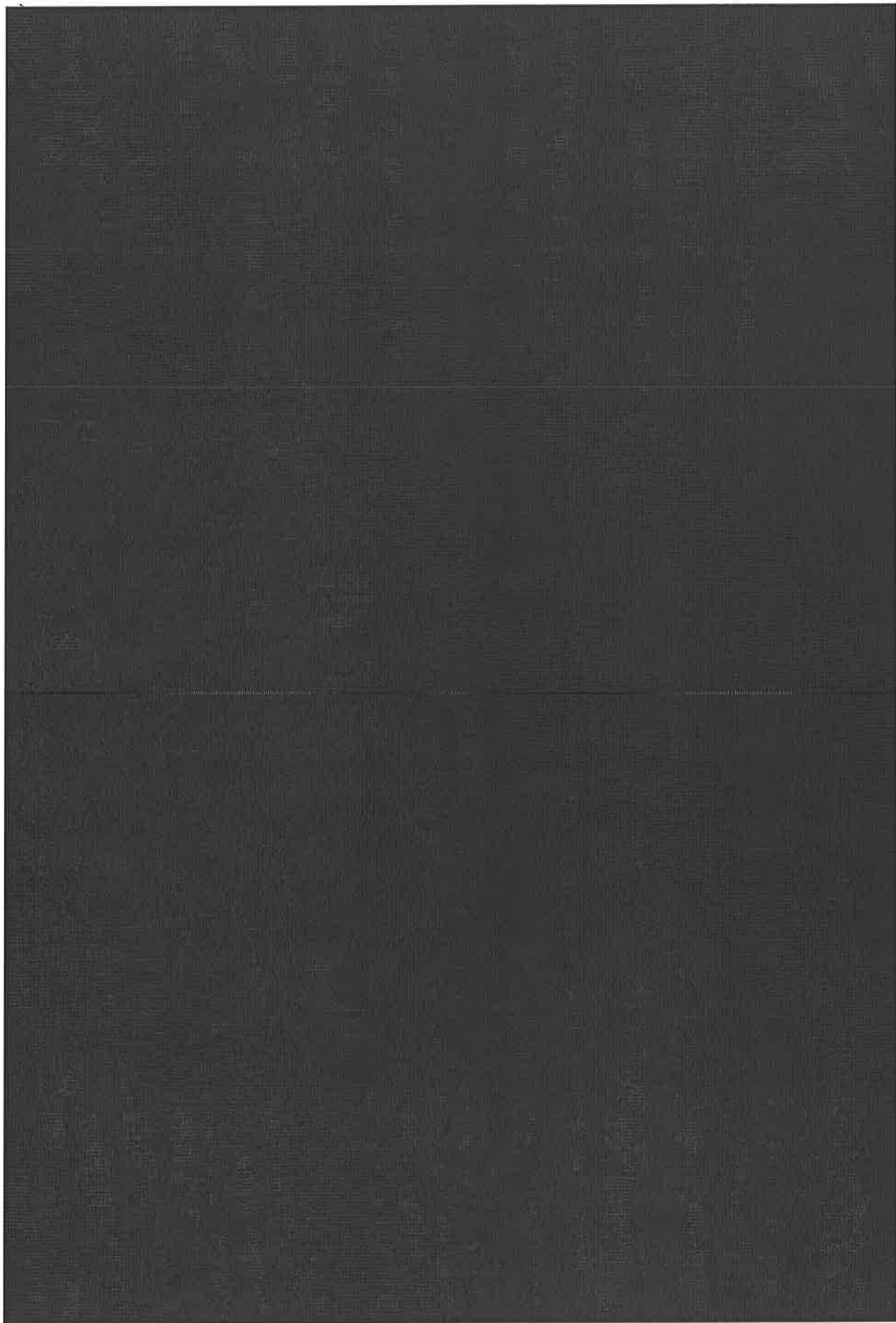
Notary Public



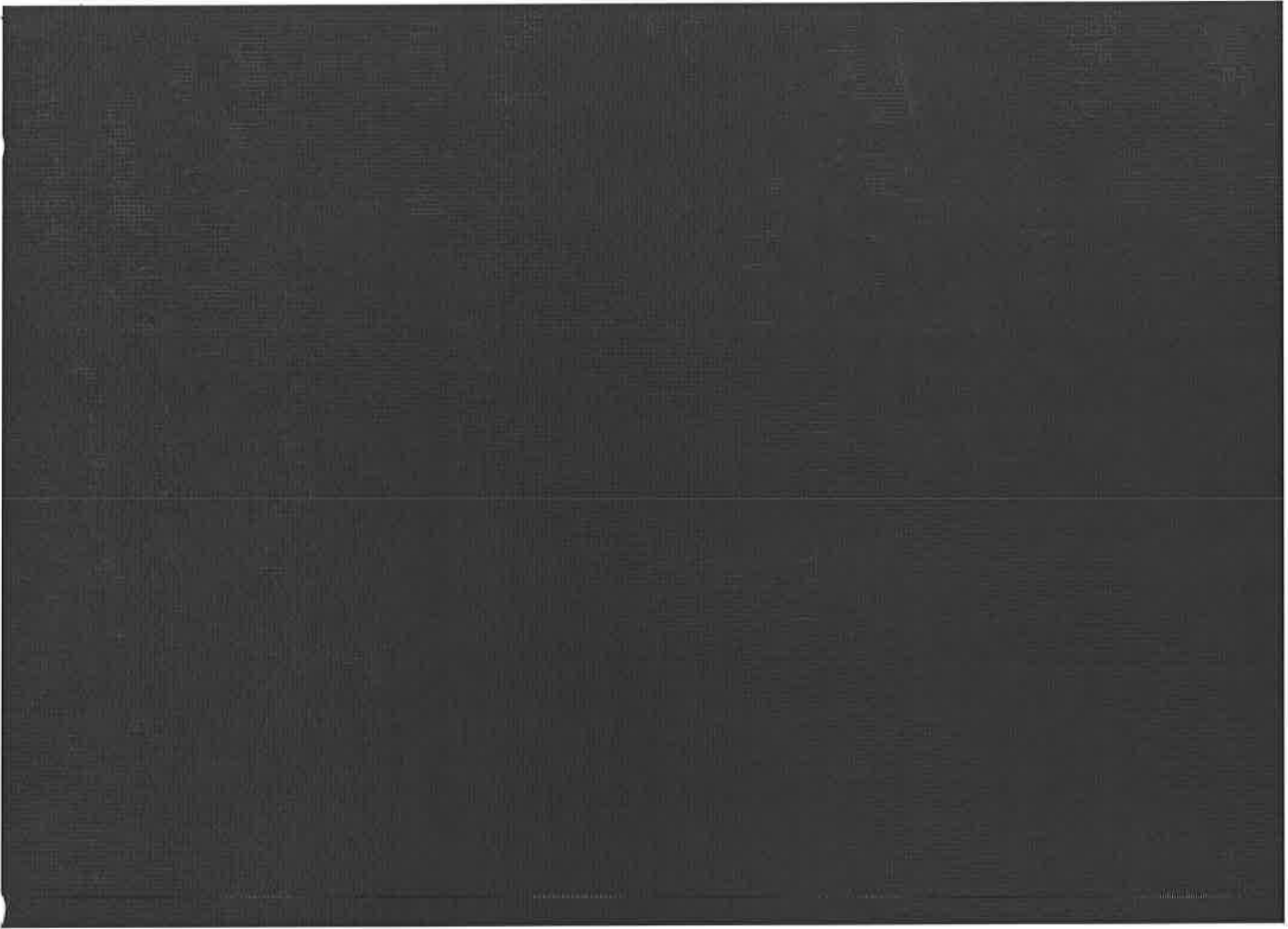


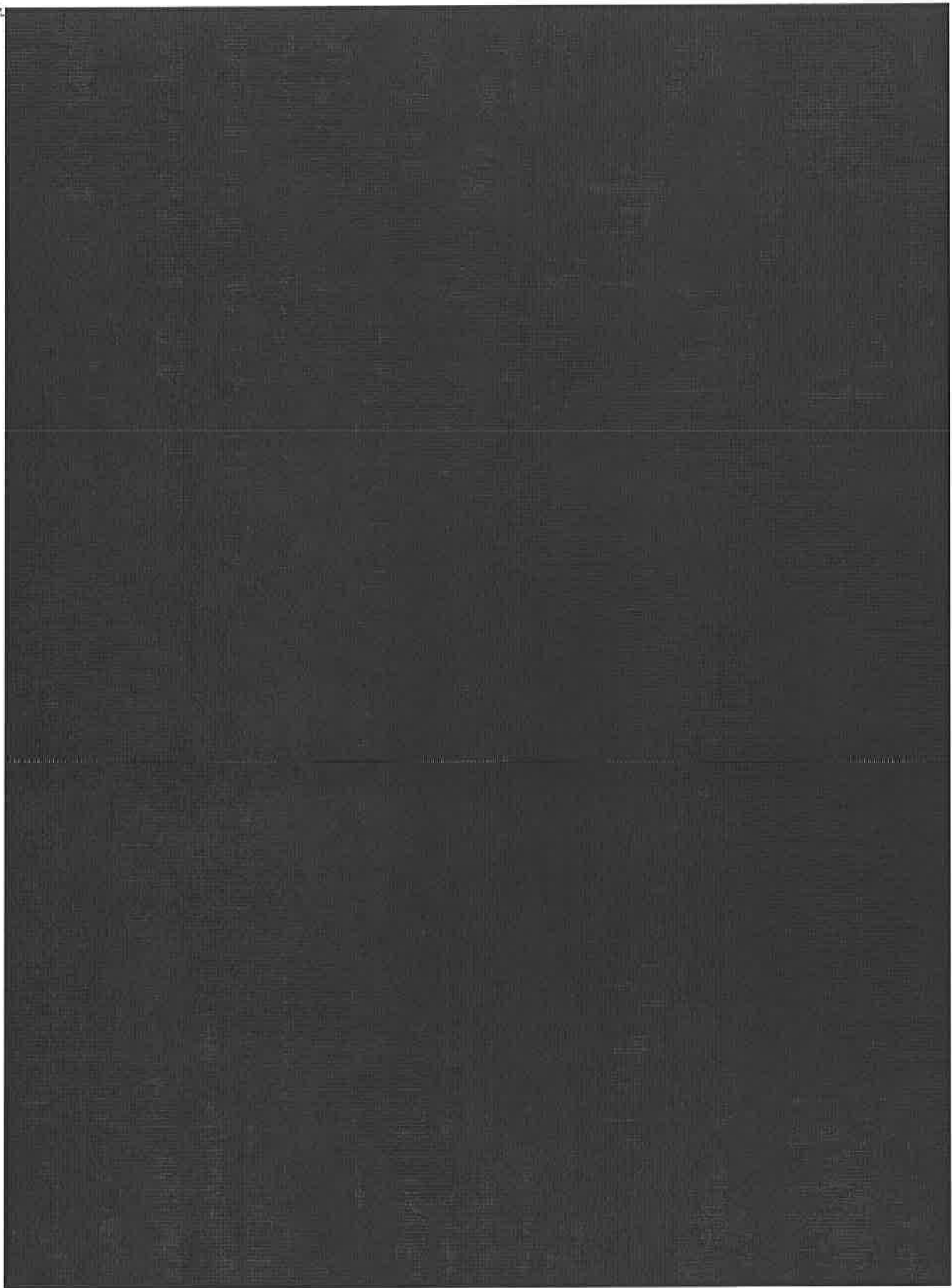
AN
LE
TH
JO
CH











STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: 11

John SSS Doe,

Plaintiff,

vs.

RULE 63.03 NOTICE TO REMOVE

The Archdiocese of St. Paul and
Minneapolis, St. Elizabeth Ann Seton
Church, f/k/a Guardian Angels
Church in Hastings, Minnesota,

Defendants.

Court File No.: C5-95-625

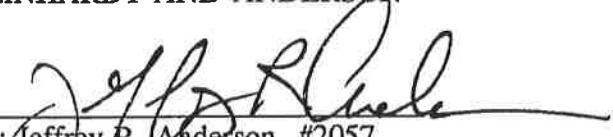
TO: Defendant Archdiocese of St. Paul and Minneapolis, and its attorney, James T. Martin,
7600 Parklawn Avenue South, Edina, Minnesota 55435

Defendant St. Elizabeth Ann Seton Church, f/k/a Guardian Angels Church in Hastings,
Minnesota, and its attorney, James T. Martin, Gislason, Martin & Varpness, P.A., 760-0
Parklawn Avenue S., Suite 444, Minneapolis, Minnesota 55435.

Please be advised that the undersigned, on behalf of Plaintiff John SSS doe, hereby gives
notice to remove the Honorable John M. Sands, Judge of District Court, from the above-
captioned matter, pursuant to Minn. R. Civ. P. 63.03.

Dated: 6/13/95

REINHARDT AND ANDERSON


By: Jeffrey R. Anderson, #2057

Mark A. Wendorf, #173484

David S. Burleson, #215776

Attorneys for Plaintiffs

E-1000 First National Bank Bldg.

332 Minnesota Street

St. Paul, Minnesota 55101

(612)227-9990

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Jean L. Raway, being first duly sworn, deposes and says that on June 13, 1995, she served the attached document(s):

Rule 63.03 Notice to Remove Judge

upon the following attorneys for defendants by placing a true and correct copy thereof in an envelope addressed as follows:

Thomas B. Wieser
Meier, Kennedy & Quinn
Suite 2200
North Central Life Tower
445 Minnesota Street
St. Paul, MN 55101

James Martin
Gislason, Martin & Varpness, P.A.
7600 Parklawn Avenue S., Suite 444
Minneapolis, MN 55435

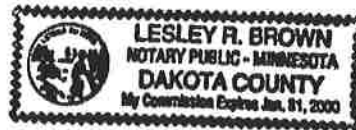
(which is the last known address of said attorneys) and depositing the same, with postage prepaid, in the United States Mail at St. Paul, Minnesota.

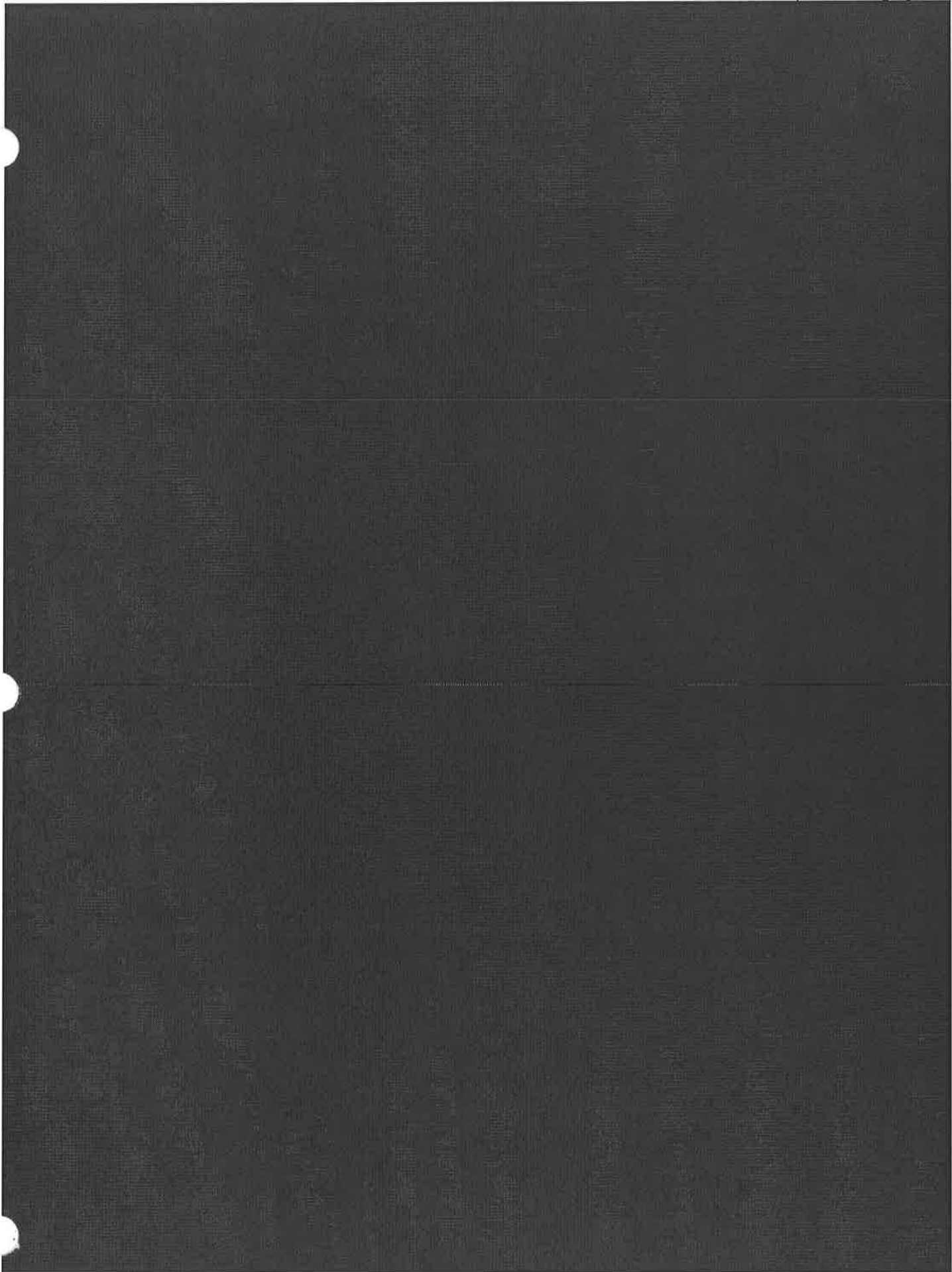
Jean L. Raway

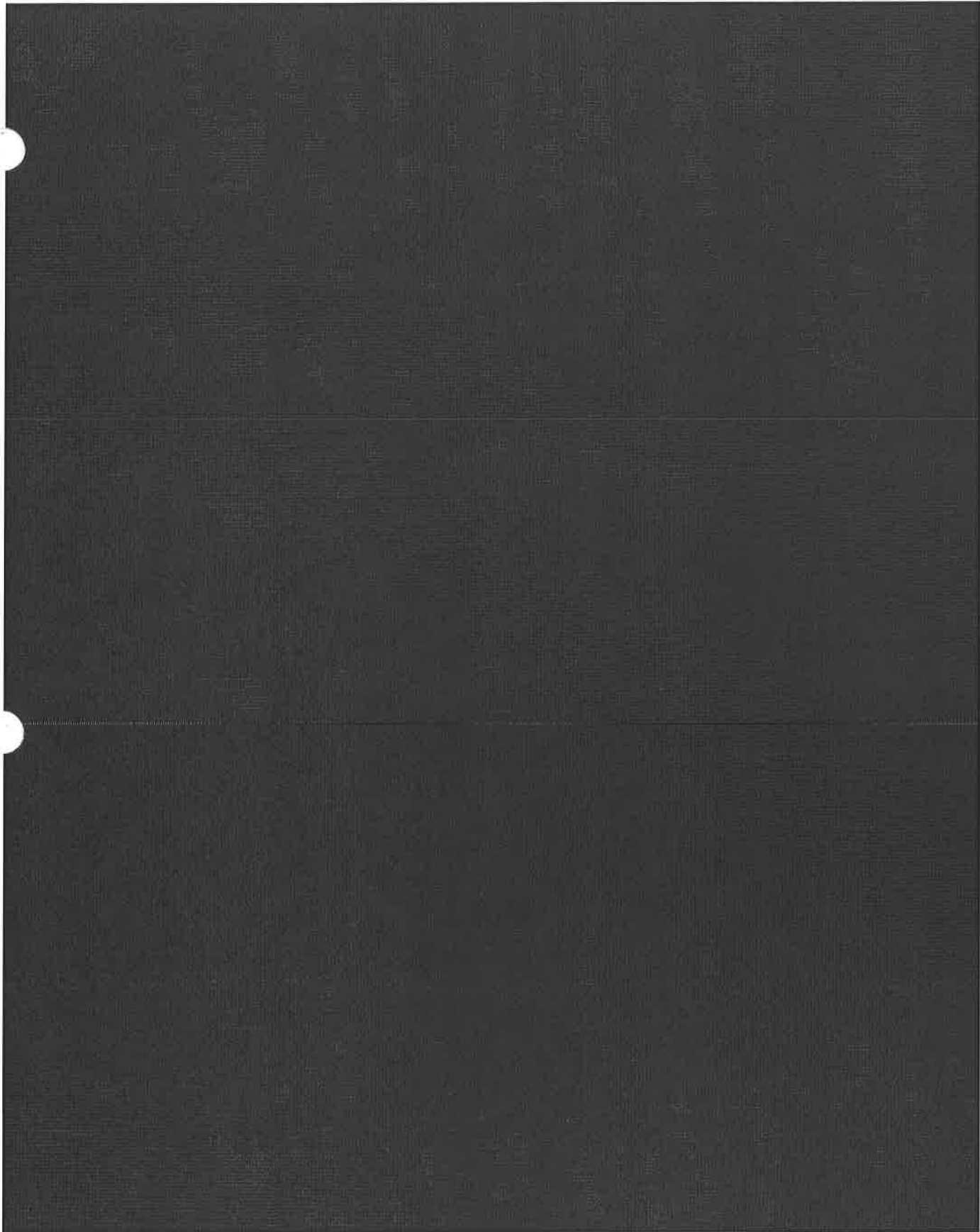
Subscribed and sworn to before me
this 13th day of June, 1995.

Lesley R. Brown

Notary Public







STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: 11

John SSS Doe,

Plaintiff,

vs.

RULE 63.03 NOTICE TO REMOVE

The Archdiocese of St. Paul and
Minneapolis, St. Elizabeth Ann Seton
Church, f/k/a Guardian Angels
Church in Hastings, Minnesota,

Defendants.

Court File No.: C5-95-625

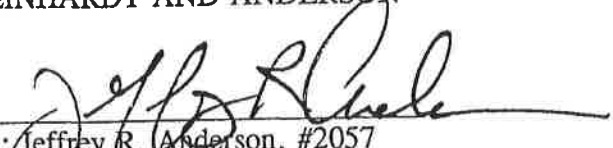
TO: Defendant Archdiocese of St. Paul and Minneapolis, and its attorney, James T. Martin,
7600 Parklawn Avenue South, Edina, Minnesota 55435

Defendant St. Elizabeth Ann Seton Church, f/k/a Guardian Angels Church in Hastings,
Minnesota, and its attorney, James T. Martin, Gislason, Martin & Varpness, P.A., 760-0
Parklawn Avenue S., Suite 444, Minneapolis, Minnesota 55435.

Please be advised that the undersigned, on behalf of Plaintiff John SSS doe, hereby gives
notice to remove the Honorable John M. Sands, Judge of District Court, from the above-
captioned matter, pursuant to Minn. R. Civ. P. 63.03.

Dated: 6/13/95

REINHARDT AND ANDERSON



By: Jeffrey R. Anderson, #2057

Mark A. Wendorf, #173484

David S. Burleson, #215776

Attorneys for Plaintiffs

E-1000 First National Bank Bldg.

332 Minnesota Street

St. Paul, Minnesota 55101

(612)227-9990

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Jean L. Raway, being first duly sworn, deposes and says that on June 13, 1995, she served the attached document(s):

Rule 63.03 Notice to Remove Judge

upon the following attorneys for defendants by placing a true and correct copy thereof in an envelope addressed as follows:

Thomas B. Wieser
Meier, Kennedy & Quinn
Suite 2200
North Central Life Tower
445 Minnesota Street
St. Paul, MN 55101

James Martin
Gislason, Martin & Varpness, P.A.
7600 Parklawn Avenue S., Suite 444
Minneapolis, MN 55435

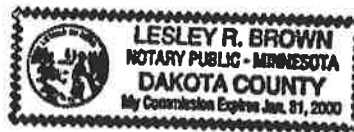
(which is the last known address of said attorneys) and depositing the same, with postage prepaid, in the United States Mail at St. Paul, Minnesota.

Jean L. Raway

Subscribed and sworn to before me
this 13th day of June, 1995.

Lesley R. Brown

Notary Public



STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: 11

John RRR Doe,

Plaintiff,

vs.

RULE 63.03 NOTICE TO REMOVE

The Archdiocese of St. Paul and
Minneapolis and St. Leo's Church in
Highland Park, Minnesota,

Defendants.

Court File No.: C3-95-624

TO: Defendant Archdiocese of St. Paul and Minneapolis and its attorney, Thomas B. Wieser,
Suite 2200, North Central Life Tower, 445 Minnesota Street, St. Paul, Minnesota 55101.

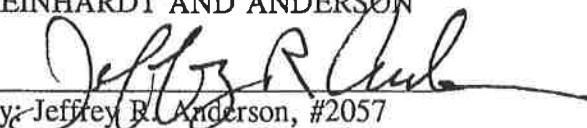
Defendant Archdiocese of St. Paul and Minneapolis and its attorney, Daniel A. Haws,
Murnane, Conlin, White & Bradt, 1800 Meritor Tower, 444 Cedar Street, St. Paul,
Minnesota 55101.

Defendant St. Leo's Church in Highland Park, Minnesota and its attorney, James L.
Haigh, 600 Travelers Express Tower, 1550 Utica Avenue South, Minneapolis, Minnesota
55416.

Please be advised that the undersigned, on behalf of Plaintiff John RRR Doe, hereby
gives notice to remove the Honorable John M. Sands, Judge of District Court, from the above-
captioned matter, pursuant to Minn. R. Civ. P. 63.03.

Dated: 6/13/95

REINHARDT AND ANDERSON


By: Jeffrey R. Anderson, #2057

Mark A. Wendorf, #173484

David S. Burleson, #215776

Attorneys for Plaintiffs

E-1000 First National Bank Bldg.

332 Minnesota Street

St. Paul, Minnesota 55101

(612)227-9990

ARCH-010182

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Jean L. Raway, being first duly sworn, deposes and says that on June 13, 1995, she served the attached document(s):

Rule 63.03 Notice to Remove Judge

upon the following attorneys for defendants by placing a true and correct copy thereof in an envelope addressed as follows:

Thomas B. Wieser
MEIER, KENNEDY & QUINN
Suite 2200
North Central Life Tower
445 Minnesota Street
St. Paul, Minnesota 55101

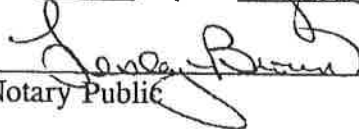
Daniel A. Haws
Murnane, Conlin, White & Bradt
1800 Piper Jaffray Tower
444 Cedar Street
St. Paul, Minnesota 55101

James L. Haigh
Attorney at Law
600 Travelers Express Tower
1550 Utica Avenue South
Minneapolis, MN 55416

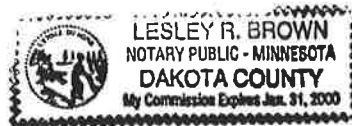
(which is the last known address of said attorneys) and depositing the same, with postage prepaid, in the United States Mail at St. Paul, Minnesota.



Subscribed and sworn to before me
this 13th day of June, 1995.



Notary Public



Thomas Stitts

from the desk of William S. Fallon

ARCH-010184

PRIVILEGED
ATTORNEY-CLIENT/WORK PRODUCT

from Thomas Wieser

to Archbishop John Roach, William Fallon, Rev. Kevin McDonough
and Rev. Florian Muggli

dated June 14, 1995

PRIVILEGED
ATTORNEY-CLIENT/WORK PRODUCT

from Thomas Wieser

to Rev. Kevin McDonough and William Fallon

dated June 14, 1995

June 18, 1985

C
Ms. Sandy Fetyko, Pastoral Minister
Church of St. John the Baptist
835 2nd Avenue Northwest
New Brighton, MN 55112

Dear Ms. Fetyko,

O
Thank you for your sincere, caring letter about Father Tom Stitts. It is good to know that Father Stitts has had such a strong, positive influence on your life. I am sure that influence will be his gift to you throughout your lifetime.

P
Father Stitts' faith, courage and devotion to his priesthood have been a source of inspiration to all of us. We are concerned about him and about the parish community of St. John the Baptist. Through his illness, he has been able to reach many of the parishioners there. It is our prayer that all of you will grow in God's love and concern for one another through this very pain-filled experience.

Y
I ask you to join me in prayer for Father Stitts and that you will continue to support him both personally and professionally.

Sincerely yours in Christ,

Most Reverend John R. Roach, D. D.
Archbishop of Saint Paul and Minneapolis

ATW:ck

alp

INTEROFFICE MEMO
from
ARCHBISHOP JOHN R. ROACH

TO:

- | | |
|---|--|
| <input type="checkbox"/> Bp. Bullock | <input type="checkbox"/> Fr. Wagner |
| <input type="checkbox"/> Bp. Carlson | <input checked="" type="checkbox"/> Fr. Ward |
| <input type="checkbox"/> Bp. Ham | <input type="checkbox"/> Deacon Baskfield |
| <input type="checkbox"/> Msgr. Boxleitner | <input type="checkbox"/> Deacon D'Heilly |
| <input type="checkbox"/> Msgr. Gilligan | <input type="checkbox"/> Deacon Hathaway |
| <input type="checkbox"/> Msgr. Kneal | <input type="checkbox"/> Sr. Rauenhorst |
| <input type="checkbox"/> Msgr. Murphy | <input type="checkbox"/> Sr. Rockers |
| <input type="checkbox"/> Msgr. Pates | <input type="checkbox"/> Bro. Champine |
| <input type="checkbox"/> Fr. Bowers | <input type="checkbox"/> Ms. Bernet |
| <input type="checkbox"/> Fr. Comber | <input type="checkbox"/> Ms. Hesse |
| <input type="checkbox"/> Fr. Esty | <input type="checkbox"/> Ms. Krocheski |
| <input type="checkbox"/> Fr. Froehle | <input type="checkbox"/> Ms. Rodriguez/
Sr. Covarrubias |
| <input type="checkbox"/> Fr. Gilbert | <input type="checkbox"/> Ms. Ruhme |
| <input type="checkbox"/> Fr. Hitpas | <input type="checkbox"/> Mr. Baker |
| <input type="checkbox"/> Fr. Kenney | <input type="checkbox"/> Mr. Burke |
| <input type="checkbox"/> Fr. Kolar | <input type="checkbox"/> Mr. Errigo |
| <input type="checkbox"/> Fr. McDonough | <input type="checkbox"/> Mr. Knaff |
| <input type="checkbox"/> Fr. Notebaart | <input type="checkbox"/> Mr. Lassonde |
| <input type="checkbox"/> Fr. O'Connell | <input type="checkbox"/> Mr. Scholtz |
| <input type="checkbox"/> Fr. Piche | <input type="checkbox"/> Mr. Tierney |
| <input type="checkbox"/> Fr. Ryan | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Fr. Sauber | |

- | | |
|--|---|
| <input checked="" type="checkbox"/> action | <input type="checkbox"/> recommendation |
| <input type="checkbox"/> see me | <input type="checkbox"/> prepare draft |
| <input type="checkbox"/> prepare reply | <input type="checkbox"/> note & return |
| <input type="checkbox"/> your signature | <input type="checkbox"/> read & file |
| <input checked="" type="checkbox"/> my signature | <input type="checkbox"/> information |
| <input type="checkbox"/> comment | <input type="checkbox"/> as requested |
| <input type="checkbox"/> _____ | <input type="checkbox"/> per conversation |

REMARKS:

DATE: 6/13

PRIVILEGED
ATTORNEY-CLIENT/WORK PRODUCT

from James T. Martin
to Michael Van Grunsven
dated June 20, 1995

MEIER, KENNEDY & QUINN

CHARTERED

ATTORNEYS AT LAW

SUITE 2200, NORTH CENTRAL LIFE TOWER
445 MINNESOTA STREET
SAINT PAUL, MINNESOTA 55101-2100
TELEPHONE (612) 228-1911
FACSIMILE (612) 223-5483

ANDREW J. EISENZIMMER
LEO H. DEHLER
THOMAS B. WIESER
JOHN C. GUNDERSON
CHARLES M. BICHLER

WILLIAM C. MEIER
(1920-1981)
TIMOTHY P. QUINN
(1921-1991)
ALOIS D. KENNEDY, JR.
(RETIRED)

file, please

June 22, 1995

C
O
P
Y

Ramsey County Courthouse
ATTN: Civil Division
600 Courthouse
15 Kellogg Boulevard West
St. Paul, MN 55102

Re: John SSS Doe [REDACTED] v. Archdiocese of Saint Paul and Minneapolis and
Church of Elizabeth Ann Seaton
Our File No.: 3842.577

Dear Sir or Madam:

Enclosed for filing in connection with the above-referenced matter please find the following:

1. Notice of Motion and Motion for Summary Judgement;
2. St. Elizabeth Ann Seaton Church's Memorandum in Support of Motion for Summary Judgment;
3. Affidavit of John C. Gunderson; and
4. Proposed Order.

Thank you.

Best regards,

MEIER, KENNEDY & QUINN, CHARTERED

John C. Gunderson

JCG:dmb
Enclosures



MEIER, KENNEDY & QUINN

CHARTERED
ATTORNEYS AT LAW

ANDREW J. EISENZIMMER
LEO H. DEHLER
THOMAS B. WIESER
JOHN C. GUNDERSON
CHARLES M. BICHLER

SUITE 2200, NORTH CENTRAL LIFE TOWER
445 MINNESOTA STREET
SAINT PAUL, MINNESOTA 55101-2100
TELEPHONE (612) 228-1911
FACSIMILE (612) 223-5483

WILLIAM C. MEIER
(1920-1981)
TIMOTHY P. QUINN
(1921-1991)
ALOIS D. KENNEDY, JR.
(RETIRED)

June 22, 1995

C
O
P
Y

Mr. Jeffrey R. Anderson
Mr. Mark Wendorf
Reinhardt & Anderson
Attorneys at Law
1000 East First National Bank Building
332 Minnesota Street
St. Paul, MN 55101

Mr. James T. Martin
Mr. Dan Ryerson
Gislason, Martin & Varpness, P.A.
Attorneys at Law
7600 Parklawn Avenue South
Suite 444
Minneapolis, MN 55435

Re: John SSS Doe [REDACTED] v. Archdiocese of Saint Paul and Minneapolis and
Church of Elizabeth Ann Seaton
Our File No.: 3842.577

Dear Gentlemen:

Enclosed and served upon you by U.S. Mail please find the following in connection with the above-referenced matter:

1. Notice of Motion and Motion for Summary Judgment;
2. St. Elizabeth Ann Seaton Church's Memorandum in Support of Motion for Summary Judgment;
3. Affidavit of John C. Gunderson; and
4. Proposed Order.

Thank you.

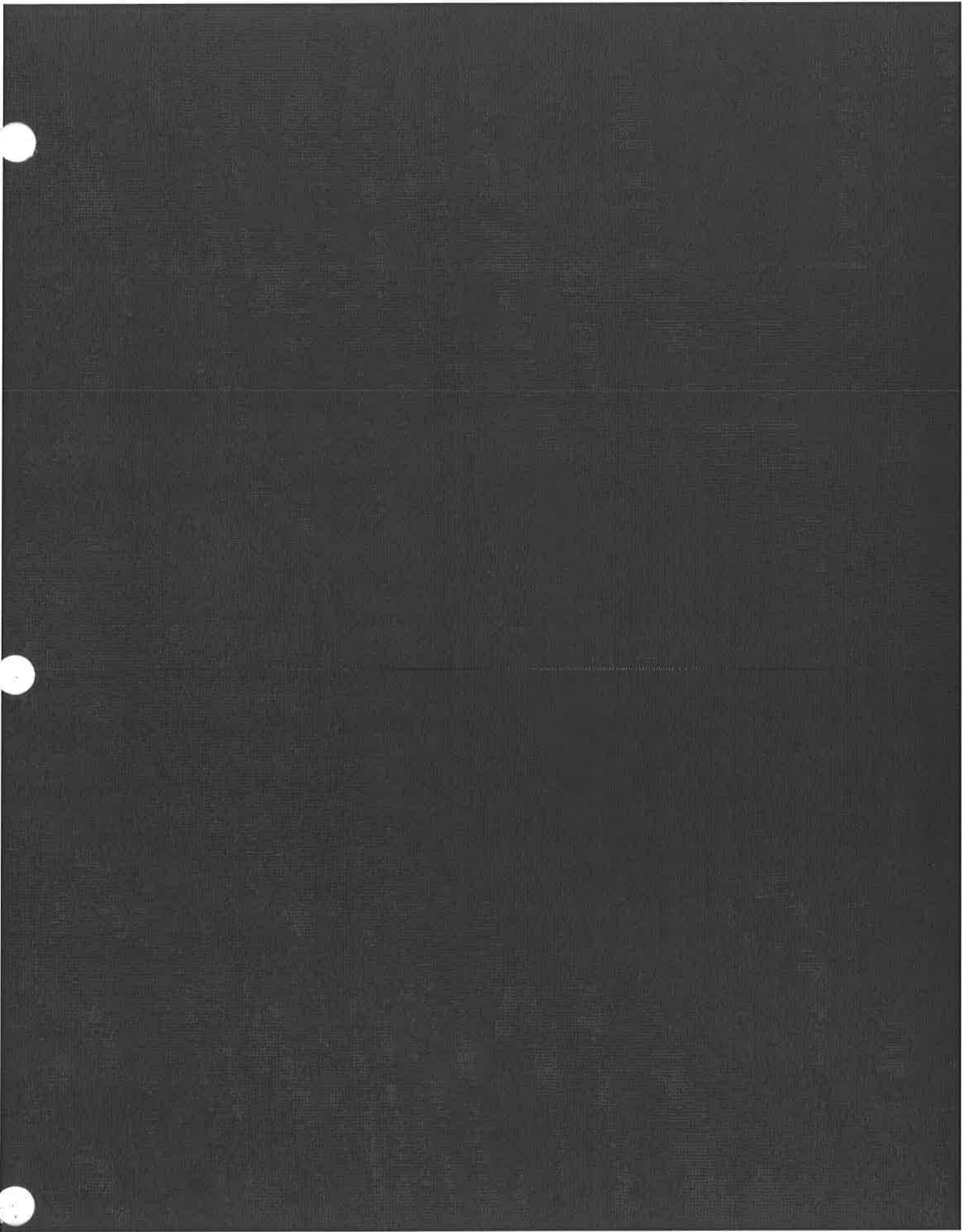
Best regards,

MEIER, KENNEDY & QUINN, CHARTERED

John C. Gunderson

JCG:dmb
Enclosures





STATE OF MINNESOTA

COUNTY OF RAMSEY

DISTRICT COURT

SECOND JUDICIAL DISTRICT

Case Type: 11

John SSS Doe,

Plaintiff,

vs.

The Archdiocese of St. Paul and
Minneapolis, St. Elizabeth Ann
Seton Church, f/k/a Guardian
Angels Church in Hastings,
Minnesota,

Defendants.

Court File No. C5-95-625

**ST. ELIZABETH ANN SETON
CHURCH'S MEMORANDUM
IN SUPPORT OF MOTION FOR
SUMMARY JUDGMENT**

INTRODUCTION

Plaintiff alleges in this case that he was sexually abused by his parish priest almost 30 years ago. Plaintiff did not file suit until February 8, 1993. In his Complaint, Plaintiff made claims for vicarious liability (respondeat superior) and "negligent employment and/or supervision". St. Elizabeth Ann Seton Church f/k/a Guardian Angels Church in Hastings, Minnesota, (the "Church") brings this motion for summary judgment to dismiss all of Plaintiff's claims against it.

The vicarious liability claim is barred by the two-year statute of limitations, Minn. Stat. § 541.07, Subd. 1. The Minnesota Court of Appeals has concluded that the six year "discovery" statute does not apply.

The negligence claims must be dismissed because there is no evidence to support a negligence claim against the Church. In the alternative, the negligence claim is barred by

the statute of limitations for sexual abuse claims, Minn. Stat. § 541.073, Subd. 2, because there is conclusive evidence that Plaintiff knew or had reason to know more than six years before he filed suit that his injuries were caused by the sexual abuse.

STATEMENT OF ISSUES

1. **The Minnesota Court of Appeals has held that the statute of limitations applicable to vicarious liability claims is the two-year statute that applies to the underlying battery claim, not the six-year statute applicable to certain sexual abuse claims. In light of this holding, should Plaintiff's vicarious liability claims from 1967 be summarily dismissed?**
2. **There is no evidence that the church was negligent when it hired Father Stitts as a priest, no evidence that Stitts was unfit and no evidence that it was negligent in its supervision of Father Stitts. Should Plaintiff's negligence claims be dismissed because he has not alleged a prima facie case of negligence?**
3. **The objective test in Minn. Stat. § 541.073, Subd. 2, bars claims for sexual abuse six years after a plaintiff knew or had reason to know that his injuries were caused by the sexual abuse. Plaintiff knew he was abused, he knew the sexual conduct was wrong, and he knew the abuse caused his injuries, including promiscuity and marital problems. He was glad when he heard that Father Stitts died in 1985. Should Plaintiff's claims be dismissed because there is conclusive evidence that he knew or had reason to know that his injuries were caused by the abuse before 1987?**

DOCUMENTS RELIED UPON

1. Affidavit of John C. Gunderson
 - A. Complaint;
 - B. Acceptance of Service;
 - C. Dr. Walter Bera Therapy Records;
 - D. Deposition of Plaintiff (relevant pages); and
 - E. Answers to Request for Admissions.

STATEMENT OF UNDISPUTED FACTS

Plaintiff alleges that sometime between 1967 and 1970 he was sexually abused by Father Thomas Stitts while Stitts was assistant pastor at Guardian Angles Church in Hastings, Minnesota. (Exhibit A, Complaint, paragraph 11). There is no evidence to support any claims for negligent hiring, retention, or supervision. There is no evidence that Defendants knew or had reason to know that Stitts had dangerous propensities, or posed a threat of injury to others; no evidence that Defendants became aware that Stitts was unfit and failed to take action; and no evidence that Defendants failed to supervise and prevent foreseeable misconduct of Stitts. Plaintiff took no depositions in this case. Father Stitts died in 1985.

Plaintiff clearly remembers that Stitts engaged in sexual contact with him. It included kissing his head and fondling his genitals on several occasions. (Exhibit C, Bera Notes, Bates No. 147).

Plaintiff did not start this lawsuit until February 8, 1993. (Exhibit B, Acceptance of Service).

Plaintiff claims that Stitts sexually abused him beginning in approximately 1967 when he was in the sixth or seventh grade. At the time of the abuse, he felt uncomfortable, ashamed, and guilty. He immediately left the church after each incident. (Exhibit D, Plaintiff Deposition, p. 81-82). Plaintiff remembered the abuse by Stitts in the years after the incidents and continued to feel guilty and ashamed about it. When asked if he would have remembered if asked in later years that Stitts had sexually fondled him, Plaintiff admitted that he would have remembered the abuse and that he would have felt guilty and ashamed. (Exhibit D, Plaintiff Deposition, p. 128, 129).

At the time of the incidents, Plaintiff told his neighbor and fellow parishioner at Guardian Angles, [REDACTED] that Stitts was a "fag" and that Stitts likes to kiss boys and tries to "feel them up". He remembers that he was embarrassed about talking to Ms. [REDACTED] about the abuse. His school-mate, [REDACTED] may have been present when he spoke with M [REDACTED] (Exhibit D, Plaintiff Deposition, p. 49-53).

When Plaintiff was in the sixth grade, around the time of the abuse, he experienced the worst year of his life. Plaintiff recalls that "[t]he abuse had started with Stitts". He then got into a lot of trouble, especially with a teacher by the name of Sister Agnus Paul. (Exhibit D, Plaintiff Deposition, p. 81). He became increasingly defiant and started skipping out of church. (Exhibit C, Bera Notes, Bates No. 152).

In addition to the sexual contact with Stitts, Plaintiff was involved in sexual activity with his brothers and sisters and other boys during the time of the abuse by Stitts and into his high school years. When Plaintiff was in the sixth or seventh grade, he and one of his older sisters exposed themselves to each other. He always remembered these incidents. (Exhibit D, Plaintiff Deposition, p. 138; Exhibit C, Bera Notes, Bates No. 152).

Plaintiff was also involved in sexual activity with his older brother. This occurred about the same time as the incidents with Stitts. He always remembered the incidents with his brother and he felt ashamed and guilty about the sexual contact. (Exhibit D, Plaintiff Deposition, p. 134, 135, 137).

When he was in 9th or 10th grade (approximately age 14 or 15), Plaintiff engaged in sexual activity with his younger sister several times. His sister was about 10 years younger than him. This contact involved his sister fondling his genitals. He always remembered the incidents. He remembers thinking how wrong this was, so they did not do it any more; he knew it was wrong for the same reasons that it was wrong that Stitts abused him. He knew

that the abuse would make his sister feel the same way he felt as a result of the abuse from Stitts. (Exhibit D, Plaintiff Deposition, p. 36, 138, 139; Exhibit B, Bera Notes, Bates No. 153).

When Plaintiff was in the 9th grade, he touched another one of his sister's breasts while she was sleeping. He has always remembered the incident and he knew it was wrong when he did it. (Exhibit D, Plaintiff Deposition, p. 30-31, 140).

Plaintiff had a homosexual experience with another boy his age when he was in 9th or 10th grade. That incident was traumatic for him; he was embarrassed and disturbed by it and felt dirty, ashamed, and guilty about it. He did not forget the incident. He would have recalled the incident if asked about it years later. (Exhibit D, Plaintiff Deposition, p. 71-72, 130).

During the same time period as the abuse by Stitts, Plaintiff was involved in two sexually abusive incidents with some neighbor boys. Plaintiff and his cousin were forced to masturbate the boys. Plaintiff always remembered these incidents; he felt scared, uncomfortable, and dirty. (Exhibit D, Plaintiff Deposition, p. 141-145).

Plaintiff seeks damages because he has been promiscuous and lacks intimacy in his marriage. He claims that the sexual abuse by Stitts caused him to be promiscuous, and he was afraid that he was homosexual. He feels that he ran from being called "a queer" for 20 years. (Exhibit C, Bera Notes, Bates No. 161). To prove to himself and others that he was not, he had sex with many women. He sought women for sex, not intimacy. As a result of his promiscuity, he was not emotionally prepared for his marriage in 1985. This led to marital problems. (Exhibit D, Plaintiff Deposition, p. 92, 93). He was involved in marital counseling in Hastings "quite a few years ago". (Exhibit D, Plaintiff Deposition, p. 20).

Plaintiff did not have fond memories of Father Stitts. His reaction to Stitts' death in 1985 was "[t]hat he was probably better off dead. . . . I remember seeing it on T.V. and thinking, I wonder if he died of AIDS, and that, you know, I am glad he is dead. . . . " (Exhibit D, Plaintiff Deposition, p. 104).

DISCUSSION

Summary judgment is appropriate where there is no genuine issue as to any material fact. Minn. Rule Civ. Pro. 56.03. Rule 56 mandates the entry of summary judgment against the party who fails to make a sufficient showing to establish the existence of an essential element to that party's case, and on which that party will bear the burden of proof at trial. In that event, there can be no genuine issue as to any material fact, since a complete failure of proof concerning an essential element of the non-moving party's case necessarily renders all other facts immaterial. Carlisle v. City of Minneapolis, 437 N.W.2d 712 (Minn. Ct. App. 1989) (citing Celotex Corp. v. Catrett, 477 U.S. 317 (1986)).

The summary judgment standard is the same standard as the standard for a directed verdict under Rule 50.01; the trial judge must direct a verdict if, under the governing law, there can be but one reasonable conclusion as to the verdict. See Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 250 (1986).

When the moving party makes out a prima facie case, the burden of producing facts that raise a genuine issue shifts to the opposing party. Thiele v. Strich, 425 N.W.2d 580, 583 (Minn. 1988) (citations omitted). When the moving party has met its threshold burden, a non-moving party cannot successfully resist a motion for summary judgment by simply showing that there is some "metaphysical doubt" as to the material facts. Rather, the burden on one resisting summary judgment is to "provide the court with specific facts indicating that

there is a genuine issue of fact." Hunt v. IBM Mid America Employees Federal Credit Union, 384 N.W.2d 853, 855 (Minn. 1986).

I. Plaintiff's vicarious liability claims are barred by the two-year statute of limitations

The Minnesota Court of Appeals has recently held that the statute of limitations applicable to certain sexual abuse claims, Minn. Stat. § 541.073, does not apply to sexual abuse claims based upon the doctrine of respondeat superior. Oelschlager v. Magnuson, et al., 528 N.W.2d 895 (Minn. Ct. App. 1995), pet. for rev. denied (Minn. April 27, 1995). See also, M.L. v. Magnuson, et al., 531 N.W.2d 849 (Minn. Ct. App. 1995).

The statute of limitations for Plaintiff's respondeat superior claims in this case is the two-year statute of limitations for the underlying claim that Stitts sexually battered Plaintiff. See, Kaiser v. Memorial Blood Ctr., 486 N.W.2d 762, 767 (Minn. 1992). Plaintiff's cause of action arose sometime between 1967 and 1970. Accordingly, Plaintiff's respondeat superior claims are barred by the two-year limitation period for battery actions, Minn. Stat. § 541.07, Subd. 1.

II. Plaintiff's negligence claims must be dismissed because there is no evidence of negligence.

In his Complaint, Plaintiff alleges "negligent employment and/or supervision" but he has no evidence to support any negligence claims against the church. Minnesota recognizes three distinct causes of action where a claimant sues an employer in negligence for injuries caused by one of its employees: negligent hiring, negligent retention, and negligent supervision. M.L. 531 N.W.2d 849 (Minn. Ct. App. 1995).

Negligent hiring is

the negligence of an employer in placing a person with know propensities, or propensities which should have been discovered by reasonable investigation, in an employment position in which, because of the circumstances of

employment, it should have been foreseeable that the hired individual posed a threat of injury to others.

M.L. 531 N.W.2d 849 (Minn. Ct. App. 1995) (citing Ponticas v. K.M.S. Investments, 331 N.W.2d 907, 911 (Minn. 1983)).

Negligent retention, although similar to negligent hiring, arises "when, during the course of employment, the employer becomes aware or should have become aware of problems with an employee that indicated his unfitness, and the employer fails to take further action such as investigating, discharge, or reassignment." M.L. 531 N.W.2d 849 (Minn. Ct. App. 1995) (citing Yunker v. Honeywell Inc., 496 N.W.2d 419, 422 (Minn. Ct. App. 1993), pet. for rev. denied (Minn. Apr. 20, 1993) (further citations omitted)).

Negligent supervision is "the failure of the employer to exercise ordinary care in supervising the employment relationship, so as to prevent the foreseeable misconduct of an employee from causing harm to other employees or third persons." M.L. 531 N.W.2d 849 (Minn. Ct. App. 1995) (citing Cook v. Greyhound Lines, Inc., 847 F.Supp. 725, 732 (D.Minn. 1994)).

There is no evidence in the record to support any of these causes of action against the Church. The alleged abuse occurred sometime between the years 1967 and 1970. There is nothing in the record that shows that the Church had any knowledge or notice or opportunity to discover any misconduct on the part of Father Stitts at that time. Plaintiff has not taken any depositions of church officials, supervisors or employees because there is no suggestion that any church representatives had notice or knew or should have known of any misconduct. Likewise, Plaintiff has offered no statements or documents to support his claim. His negligence claim rests entirely on specious statements made in response to Request for Admissions. (Exhibit E).

First, Plaintiff points out that he recalls a nick-name for Stitts: "Father Patty Nuts". This fact is somehow supposed to support a negligence claim. Plaintiff ignores the undisputed fact that there is no evidence that any church representative was aware of any nick-names or any other information that would make it reasonably foreseeable that Stitts was a problem.

Second, Plaintiff makes reference to another claim against Father Stitts arising in 1973, when he was no longer pastor at Guardian Angels, three years after the incidents in this case. Plaintiff fails to explain how a subsequent allegation can provide the basis for a claim against Guardian Angels that it was negligent or had notice or knowledge of misconduct in prior years.

Finally, Plaintiff repeatedly asserts that Stitts had a "compulsive disorder". Plaintiff has not provided any evidence that Father Stitts had a compulsive disorder or that anyone knew or should have known of any such condition. Stitts died in 1985, eight years before these lawsuits were filed. There is no evidence at any time, let alone 1967 to 1970, that gave the church reason to believe that Stitts had any psychological condition that required attention. At a minimum, Plaintiff has to demonstrate, with specific facts, that a church representative knew or had reason to know of a problem. See e.g., John W. Doe v. Redeemer Lutheran Church, et al, 531 N.W.2d 897 (Minn. Ct. App. 1995) (jury's finding of negligence supported by evidence that church trustee saw pastor kissing boy, then told other trustees but no action taken). Plaintiff has not alleged any specific facts to support his claims, therefore, Plaintiff's negligence claims must be dismissed as a matter of law.

III. Plaintiff's negligence claims are barred by Minnesota Statute section 541.073 because he knew or had reason to know more six years before he filed suit that his injuries were caused by the sexual abuse.

An alternative grounds for summary dismissal of Plaintiff's negligence claims is that they are barred by the statute of limitations. The applicable statute of limitations is a "discovery" statute: "An action for damages based on personal injury caused by sexual abuse must be commenced within six years of the time the Plaintiff knew or had reason to know that the injury was caused by the sexual abuse." Minn. Stat. § 541.073, Subd. 2.

The purpose of statutes of limitation are to "protect defendants and the court from litigating stale claims in which the search for truth may be seriously impaired by the loss of evidence, the death or disappearance of witnesses, fading memory, and the disappearance of documents." H.D. v. White, 483 N.W.2d 501, 503 (Minn. Ct. App. 1992). Plaintiff has the burden of proof to show that the statute of limitations should be tolled. Bartlett v. Miller and Schroeder Mpls. Inc., 355 N.W.2d 435, 441 (Minn. Ct. App. 1984).

The Minnesota Court of Appeals has consistently interpreted section 541.073, Subd. 2, using an objective "reasonable person" standard. If the undisputed evidence shows that a plaintiff knew or had reason to know that his injuries were caused by the sexual abuse more than six years before he filed suit, his claims must be dismissed under section 541.073, Subd. 2. ABC & XYZ v. The Archdiocese of Saint Paul and Minneapolis, et al., 513 N.W.2d 482 (Minn. Ct. App. 1994); Roe v. The Archdiocese of Saint Paul and Minneapolis, et al., 518 N.W.2d 629 (Minn. Ct. App. 1994), pet. for rev. denied (Minn. August 24, 1994). The reasonable person standard means that the statute begins to run when Plaintiff, by the exercise of reasonable diligence, should have discovered that he has suffered injury. Dalton v. Dow Chemical, 280 Minn. 147, 158 N.W.2d 580 (1968). The statute begins to run when

Plaintiff has notice from any source that he was injured. Jones v. Thermo King, 461 N.W.2d 915 (Minn. 1990).

Furthermore, subjective claims by the Plaintiff or his experts about his own mental and emotional state should not be considered by the court in applying the objective standard. ABC, 513 N.W.2d at 486; Roe, 518 N.W.2d at 632.

In ABC, the court held that the plaintiff's claims should be dismissed under section 541.073, Subd. 2, because there was objective evidence that the plaintiff engaged in a relationship with a priest even though she was aware that priests were unable to marry and should remain celibate, she kept the relationship secret, she was upset and struggling with the situation, she discussed the relationship with others, she lost faith in the Catholic church after the relationship ended, and she suffered from anxiety and depression due to the relationship. ABC, 513 at p. 486, 487. The court held that the plaintiff's subjective assertions do not save her claim: "ABC's inability to comprehend that her situation had been abusive does not toll the statute of limitations." Id. at 486.

In Roe, the plaintiff began counselling with her parish priest. Her relationship with the priest eventually became sexual. Like ABC, there was objective evidence in the record that the plaintiff was uncomfortable about the relationship, she disclosed her relationship to a close friend, she lost faith in the church, she stopped attending church, and she suffered from anxiety and depression as a result of the relationship. Roe, 518 N.W.2d at 632. The court in Roe followed the ruling in ABC and dismissed the plaintiff's claims as a matter of law. Id.

The Minnesota Court of Appeals has also recently held that where the evidence shows that the plaintiff did not repress memories of the sexual abuse and there is evidence of a strong causal connection between the abuse and the injuries, the plaintiff's claims are

not tolled under section 541.073, Subd. 2. Green v. Sawdey, 529 N.W.2d 520 (Minn. Ct. App. 1995).

In this case there is significant evidence that Plaintiff knew or had reason to know before 1987 that his injuries were caused by the sexual abuse:

1. He did not keep the abuse secret. At the time of the abuse he told his neighbor that Stitts was a "fag" and that Stitts liked to kiss boys and fondle them. His friend [REDACTED] may also have been there.

2. He knew the abuse was wrong. He felt uncomfortable, ashamed and guilty and quickly left the church after each incident.

3. As he grew older, he still knew the abuse was wrong. Years later into his high school years, he continued to feel guilty and ashamed about the abuse by Stitts. If someone would have asked him years later if Stitts abused him, he would have remembered it.

4. He was involved in other sexual activity that he also knew was wrong. During the time of the abuse and into his high school years, he engaged in sexual activity with his brother, his sisters, other neighbor boys and a classmate. Like the abuse by Stitts, he felt dirty, guilty and ashamed about it. He did not forget about these incidents.

5. He knew the sexual contact with his sister was wrong and it reminded him of the abuse by Stitts. He knew it would cause his sister to feel the same way that he felt when Stitts abused him.

6. He knew long before 1987 that the abuse caused the injuries he alleges now. It caused him to fear that he was homosexual. It caused him to be very

promiscuous for years after the abuse. It caused marital problems because of his inability to form a close relationship with his wife.

7. In 1985, when he learned that Father Stitts had died, he was "glad" and thought Stitts died of AIDS.

These facts distinguish this case from Blackowiak v. Kemp, 528 N.W.2d 247 (Minn. App. 1995). In Blackowiak, the court held that there was a factual dispute whether the Plaintiff knew or had reason to know that the sexual abuse caused his injuries because he did not discuss the abuse with anyone and there was no evidence that he ever acknowledged that he was abused. Furthermore, there was no evidence that he had any clear reason to see a causal connection between the abuse and his psychological problems, which were not easily traced to the abuse. Id. at 251-253.

In this case it is undisputed that Plaintiff told at least one other person about the abuse, that he knew he was abused, and that his other sexual activity reminded him of the abuse. Furthermore, the injuries that Plaintiff alleges in this lawsuit are the same injuries he experienced more than six years before he filed suit. These problems can be directly traced to the abuse. Finally, the fact that in 1985 Plaintiff was glad when he learned that Stitts was dead leaves no doubt that almost eight years before Plaintiff filed his claim, he understood that there was a causal connection between the sexual abuse and his problems.

Accordingly, there is conclusive evidence that Plaintiff knew or had reason to know more than six years before he filed suit that his injuries were caused by the sexual abuse. Therefore, Plaintiff's claims are barred by the statute of limitations.

CONCLUSION


Recent Minnesota Court of Appeals decisions dictate that Plaintiff's vicarious liability claims are barred by the two-year statute of limitations.

Plaintiff has no evidence to support his claims that the church was negligent. Furthermore, the evidence conclusively shows that Plaintiff knew or had reason to know that his injuries were caused by the sexual abuse more than six years before he filed suit. Therefore, Plaintiff's negligence claims must be dismissed as a matter of law.

Respectfully Submitted.

MEIER, KENNEDY & QUINN, CHARTERED

Dated: June 22, 1995



Thomas B. Wieser, #122841
John C. Gunderson, #210833
Attorneys for Defendant St. Elizabeth Ann Seton
Church
2200 North Central Life Tower
445 Minnesota Street
St. Paul, Minnesota 55101-2100
Telephone: (612) 228-1911

STATE OF MINNESOTA

COUNTY OF RAMSEY

DISTRICT COURT

SECOND JUDICIAL DISTRICT

Case Type: 11

John SSS Doe,

Plaintiff,

vs.

The Archdiocese of St. Paul and
Minneapolis, St. Elizabeth Ann
Seton Church, f/k/a Guardian
Angels Church in Hastings,
Minnesota,

Defendants.

Court File No. C5-95-625

**ST. ELIZABETH ANN SETON
CHURCH'S MEMORANDUM
IN SUPPORT OF MOTION FOR
SUMMARY JUDGMENT**

INTRODUCTION

Plaintiff alleges in this case that he was sexually abused by his parish priest almost 30 years ago. Plaintiff did not file suit until February 8, 1993. In his Complaint, Plaintiff made claims for vicarious liability (respondeat superior) and "negligent employment and/or supervision". St. Elizabeth Ann Seton Church f/k/a Guardian Angels Church in Hastings, Minnesota, (the "Church") brings this motion for summary judgment to dismiss all of Plaintiff's claims against it.

The vicarious liability claim is barred by the two-year statute of limitations, Minn. Stat. § 541.07, Subd. 1. The Minnesota Court of Appeals has concluded that the six year "discovery" statute does not apply.

The negligence claims must be dismissed because there is no evidence to support a negligence claim against the Church. In the alternative, the negligence claim is barred by

the statute of limitations for sexual abuse claims, Minn. Stat. § 541.073, Subd. 2, because there is conclusive evidence that Plaintiff knew or had reason to know more than six years before he filed suit that his injuries were caused by the sexual abuse.

STATEMENT OF ISSUES

1. **The Minnesota Court of Appeals has held that the statute of limitations applicable to vicarious liability claims is the two-year statute that applies to the underlying battery claim, not the six-year statute applicable to certain sexual abuse claims. In light of this holding, should Plaintiff's vicarious liability claims from 1967 be summarily dismissed?**
2. **There is no evidence that the church was negligent when it hired Father Stitts as a priest, no evidence that Stitts was unfit and no evidence that it was negligent in its supervision of Father Stitts. Should Plaintiff's negligence claims be dismissed because he has not alleged a prima facie case of negligence?**
3. **The objective test in Minn. Stat. § 541.073, Subd. 2, bars claims for sexual abuse six years after a plaintiff knew or had reason to know that his injuries were caused by the sexual abuse. Plaintiff knew he was abused, he knew the sexual conduct was wrong, and he knew the abuse caused his injuries, including promiscuity and marital problems. He was glad when he heard that Father Stitts died in 1985. Should Plaintiff's claims be dismissed because there is conclusive evidence that he knew or had reason to know that his injuries were caused by the abuse before 1987?**

DOCUMENTS RELIED UPON

1. Affidavit of John C. Gunderson
 - A. Complaint;
 - B. Acceptance of Service;
 - C. Dr. Walter Bera Therapy Records;
 - D. Deposition of Plaintiff (relevant pages); and
 - E. Answers to Request for Admissions.

STATEMENT OF UNDISPUTED FACTS

Plaintiff alleges that sometime between 1967 and 1970 he was sexually abused by Father Thomas Stitts while Stitts was assistant pastor at Guardian Angles Church in Hastings, Minnesota. (Exhibit A, Complaint, paragraph 11). There is no evidence to support any claims for negligent hiring, retention, or supervision. There is no evidence that Defendants knew or had reason to know that Stitts had dangerous propensities, or posed a threat of injury to others; no evidence that Defendants became aware that Stitts was unfit and failed to take action; and no evidence that Defendants failed to supervise and prevent foreseeable misconduct of Stitts. Plaintiff took no depositions in this case. Father Stitts died in 1985.

Plaintiff clearly remembers that Stitts engaged in sexual contact with him. It included kissing his head and fondling his genitals on several occasions. (Exhibit C, Bera Notes, Bates No. 147).

Plaintiff did not start this lawsuit until February 8, 1993. (Exhibit B, Acceptance of Service).

Plaintiff claims that Stitts sexually abused him beginning in approximately 1967 when he was in the sixth or seventh grade. At the time of the abuse, he felt uncomfortable, ashamed, and guilty. He immediately left the church after each incident. (Exhibit D, Plaintiff Deposition, p. 81-82). Plaintiff remembered the abuse by Stitts in the years after the incidents and continued to feel guilty and ashamed about it. When asked if he would have remembered if asked in later years that Stitts had sexually fondled him, Plaintiff admitted that he would have remembered the abuse and that he would have felt guilty and ashamed. (Exhibit D, Plaintiff Deposition, p. 128, 129).

At the time of the incidents, Plaintiff told his neighbor and fellow parishioner at Guardian Angles, [REDACTED] that Stitts was a "fag" and that Stitts likes to kiss boys and tries to "feel them up". He remembers that he was embarrassed about talking to Ms. [REDACTED] about the abuse. His [REDACTED] may have been present when he spoke with [REDACTED] (Exhibit D, Plaintiff Deposition, p. 49-53).

When Plaintiff was in the sixth grade, around the time of the abuse, he experienced the worst year of his life. Plaintiff recalls that "[t]he abuse had started with Stitts". He then got into a lot of trouble, especially with a teacher by the name of Sister Agnus Paul. (Exhibit D, Plaintiff Deposition, p. 81). He became increasingly defiant and started skipping out of church. (Exhibit C, Bera Notes, Bates No. 152).

In addition to the sexual contact with Stitts, Plaintiff was involved in sexual activity with his brothers and sisters and other boys during the time of the abuse by Stitts and into his high school years. When Plaintiff was in the sixth or seventh grade, he and one of his older sisters exposed themselves to each other. He always remembered these incidents. (Exhibit D, Plaintiff Deposition, p. 138; Exhibit C, Bera Notes, Bates No. 152).

Plaintiff was also involved in sexual activity with his older brother. This occurred about the same time as the incidents with Stitts. He always remembered the incidents with his brother and he felt ashamed and guilty about the sexual contact. (Exhibit D, Plaintiff Deposition, p. 134, 135, 137).

When he was in 9th or 10th grade (approximately age 14 or 15), Plaintiff engaged in sexual activity with his younger sister several times. His sister was about 10 years younger than him. This contact involved his sister fondling his genitals. He always remembered the incidents. He remembers thinking how wrong this was, so they did not do it any more; he knew it was wrong for the same reasons that it was wrong that Stitts abused him. He knew

that the abuse would make his sister feel the same way he felt as a result of the abuse from Stitts. (Exhibit D, Plaintiff Deposition, p. 36, 138, 139; Exhibit B, Bera Notes, Bates No. 153).

When Plaintiff was in the 9th grade, he touched another one of his sister's breasts while she was sleeping. He has always remembered the incident and he knew it was wrong when he did it. (Exhibit D, Plaintiff Deposition, p. 30-31, 140).

Plaintiff had a homosexual experience with another boy his age when he was in 9th or 10th grade. That incident was traumatic for him; he was embarrassed and disturbed by it and felt dirty, ashamed, and guilty about it. He did not forget the incident. He would have recalled the incident if asked about it years later. (Exhibit D, Plaintiff Deposition, p. 71-72, 130).

During the same time period as the abuse by Stitts, Plaintiff was involved in two sexually abusive incidents with some neighbor boys. Plaintiff and his cousin were forced to masturbate the boys. Plaintiff always remembered these incidents; he felt scared, uncomfortable, and dirty. (Exhibit D, Plaintiff Deposition, p. 141-145).

Plaintiff seeks damages because he has been promiscuous and lacks intimacy in his marriage. He claims that the sexual abuse by Stitts caused him to be promiscuous, and he was afraid that he was homosexual. He feels that he ran from being called "a queer" for 20 years. (Exhibit C, Bera Notes, Bates No. 161). To prove to himself and others that he was not, he had sex with many women. He sought women for sex, not intimacy. As a result of his promiscuity, he was not emotionally prepared for his marriage in 1985. This led to marital problems. (Exhibit D, Plaintiff Deposition, p. 92, 93). He was involved in marital counseling in Hastings "quite a few years ago". (Exhibit D, Plaintiff Deposition, p. 20).

Plaintiff did not have fond memories of Father Stitts. His reaction to Stitts' death in 1985 was "[t]hat he was probably better off dead. . . . I remember seeing it on T.V. and thinking, I wonder if he died of AIDS, and that, you know, I am glad he is dead. . . . "

(Exhibit D, Plaintiff Deposition, p. 104).

DISCUSSION

Summary judgment is appropriate where there is no genuine issue as to any material fact. Minn. Rule Civ. Pro. 56.03. Rule 56 mandates the entry of summary judgment against the party who fails to make a sufficient showing to establish the existence of an essential element to that party's case, and on which that party will bear the burden of proof at trial. In that event, there can be no genuine issue as to any material fact, since a complete failure of proof concerning an essential element of the non-moving party's case necessarily renders all other facts immaterial. Carlisle v. City of Minneapolis, 437 N.W.2d 712 (Minn. Ct. App. 1989) (citing Celotex Corp. v. Catrett, 477 U.S. 317 (1986)).

The summary judgment standard is the same standard as the standard for a directed verdict under Rule 50.01; the trial judge must direct a verdict if, under the governing law, there can be but one reasonable conclusion as to the verdict. See Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 250 (1986).

When the moving party makes out a prima facie case, the burden of producing facts that raise a genuine issue shifts to the opposing party. Thiele v. Strich, 425 N.W.2d 580, 583 (Minn. 1988) (citations omitted). When the moving party has met its threshold burden, a non-moving party cannot successfully resist a motion for summary judgment by simply showing that there is some "metaphysical doubt" as to the material facts. Rather, the burden on one resisting summary judgment is to "provide the court with specific facts indicating that

there is a genuine issue of fact." Hunt v. IBM Mid America Employees Federal Credit Union, 384 N.W.2d 853, 855 (Minn. 1986).

I. Plaintiff's vicarious liability claims are barred by the two-year statute of limitations

The Minnesota Court of Appeals has recently held that the statute of limitations applicable to certain sexual abuse claims, Minn. Stat. § 541.073, does not apply to sexual abuse claims based upon the doctrine of respondeat superior. Oelschlager v. Magnuson, et al., 528 N.W.2d 895 (Minn. Ct. App. 1995), pet. for rev. denied (Minn. April 27, 1995). See also, M.L. v. Magnuson, et al., 531 N.W.2d 849 (Minn. Ct. App. 1995).

The statute of limitations for Plaintiff's respondeat superior claims in this case is the two-year statute of limitations for the underlying claim that Stitts sexually battered Plaintiff. See, Kaiser v. Memorial Blood Ctr., 486 N.W.2d 762, 767 (Minn. 1992). Plaintiff's cause of action arose sometime between 1967 and 1970. Accordingly, Plaintiff's respondeat superior claims are barred by the two-year limitation period for battery actions, Minn. Stat. § 541.07, Subd. 1.

II. Plaintiff's negligence claims must be dismissed because there is no evidence of negligence.

In his Complaint, Plaintiff alleges "negligent employment and/or supervision" but he has no evidence to support any negligence claims against the church. Minnesota recognizes three distinct causes of action where a claimant sues an employer in negligence for injuries caused by one of its employees: negligent hiring, negligent retention, and negligent supervision. M.L. 531 N.W.2d 849 (Minn. Ct. App. 1995).

Negligent hiring is

the negligence of an employer in placing a person with know propensities, or propensities which should have been discovered by reasonable investigation, in an employment position in which, because of the circumstances of

employment, it should have been foreseeable that the hired individual posed a threat of injury to others.

M.L. 531 N.W.2d 849 (Minn. Ct. App. 1995) (citing Ponticas v. K.M.S. Investments, 331 N.W.2d 907, 911 (Minn. 1983)).

Negligent retention, although similar to negligent hiring, arises "when, during the course of employment, the employer becomes aware or should have become aware of problems with an employee that indicated his unfitness, and the employer fails to take further action such as investigating, discharge, or reassignment." M.L. 531 N.W.2d 849 (Minn. Ct. App. 1995) (citing Yunker v. Honeywell Inc., 496 N.W.2d 419, 422 (Minn. Ct. App. 1993), pet. for rev. denied (Minn. Apr. 20, 1993) (further citations omitted)).

Negligent supervision is "the failure of the employer to exercise ordinary care in supervising the employment relationship, so as to prevent the foreseeable misconduct of an employee from causing harm to other employees or third persons." M.L. 531 N.W.2d 849 (Minn. Ct. App. 1995) (citing Cook v. Greyhound Lines, Inc., 847 F.Supp. 725, 732 (D.Minn. 1994)).

There is no evidence in the record to support any of these causes of action against the Church. The alleged abuse occurred sometime between the years 1967 and 1970. There is nothing in the record that shows that the Church had any knowledge or notice or opportunity to discover any misconduct on the part of Father Stitts at that time. Plaintiff has not taken any depositions of church officials, supervisors or employees because there is no suggestion that any church representatives had notice or knew or should have known of any misconduct. Likewise, Plaintiff has offered no statements or documents to support his claim. His negligence claim rests entirely on specious statements made in response to Request for Admissions. (Exhibit E).

First, Plaintiff points out that he recalls a nick-name for Stitts: "Father Patty Nuts". This fact is somehow supposed to support a negligence claim. Plaintiff ignores the undisputed fact that there is no evidence that any church representative was aware of any nick-names or any other information that would make it reasonably foreseeable that Stitts was a problem.

Second, Plaintiff makes reference to another claim against Father Stitts arising in 1973, when he was no longer pastor at Guardian Angels, three years after the incidents in this case. Plaintiff fails to explain how a subsequent allegation can provide the basis for a claim against Guardian Angels that it was negligent or had notice or knowledge of misconduct in prior years.

Finally, Plaintiff repeatedly asserts that Stitts had a "compulsive disorder". Plaintiff has not provided any evidence that Father Stitts had a compulsive disorder or that anyone knew or should have known of any such condition. Stitts died in 1985, eight years before these lawsuits were filed. There is no evidence at any time, let alone 1967 to 1970, that gave the church reason to believe that Stitts had any psychological condition that required attention. At a minimum, Plaintiff has to demonstrate, with specific facts, that a church representative knew or had reason to know of a problem. See e.g., John W. Doe v. Redeemer Lutheran Church, et al. 531 N.W.2d 897 (Minn. Ct. App. 1995) (jury's finding of negligence supported by evidence that church trustee saw pastor kissing boy, then told other trustees but no action taken). Plaintiff has not alleged any specific facts to support his claims, therefore, Plaintiff's negligence claims must be dismissed as a matter of law.

III. Plaintiff's negligence claims are barred by Minnesota Statute section 541.073 because he knew or had reason to know more six years before he filed suit that his injuries were caused by the sexual abuse.

An alternative grounds for summary dismissal of Plaintiff's negligence claims is that they are barred by the statute of limitations. The applicable statute of limitations is a "discovery" statute: "An action for damages based on personal injury caused by sexual abuse must be commenced within six years of the time the Plaintiff knew or had reason to know that the injury was caused by the sexual abuse." Minn. Stat. § 541.073, Subd. 2.

The purpose of statutes of limitation are to "protect defendants and the court from litigating stale claims in which the search for truth may be seriously impaired by the loss of evidence, the death or disappearance of witnesses, fading memory, and the disappearance of documents." H.D. v. White, 483 N.W.2d 501, 503 (Minn. Ct. App. 1992). Plaintiff has the burden of proof to show that the statute of limitations should be tolled. Bartlett v. Miller and Schroeder Mpls. Inc., 355 N.W.2d 435, 441 (Minn. Ct. App. 1984).

The Minnesota Court of Appeals has consistently interpreted section 541.073, Subd. 2, using an objective "reasonable person" standard. If the undisputed evidence shows that a plaintiff knew or had reason to know that his injuries were caused by the sexual abuse more than six years before he filed suit, his claims must be dismissed under section 541.073, Subd. 2. ABC & XYZ v. The Archdiocese of Saint Paul and Minneapolis, et al., 513 N.W.2d 482 (Minn. Ct. App. 1994); Roe v. The Archdiocese of Saint Paul and Minneapolis, et al., 518 N.W.2d 629 (Minn. Ct. App. 1994), pet. for rev. denied (Minn. August 24, 1994). The reasonable person standard means that the statute begins to run when Plaintiff, by the exercise of reasonable diligence, should have discovered that he has suffered injury. Dalton v. Dow Chemical, 280 Minn. 147, 158 N.W.2d 580 (1968). The statute begins to run when

Plaintiff has notice from any source that he was injured. Jones v. Thermo King, 461 N.W.2d 915 (Minn. 1990).

Furthermore, subjective claims by the Plaintiff or his experts about his own mental and emotional state should not be considered by the court in applying the objective standard. ABC, 513 N.W.2d at 486; Roe, 518 N.W.2d at 632.

In ABC, the court held that the plaintiff's claims should be dismissed under section 541.073, Subd. 2, because there was objective evidence that the plaintiff engaged in a relationship with a priest even though she was aware that priests were unable to marry and should remain celibate, she kept the relationship secret, she was upset and struggling with the situation, she discussed the relationship with others, she lost faith in the Catholic church after the relationship ended, and she suffered from anxiety and depression due to the relationship. ABC, 513 at p. 486, 487. The court held that the plaintiff's subjective assertions do not save her claim: "ABC's inability to comprehend that her situation had been abusive does not toll the statute of limitations." Id. at 486.

In Roe, the plaintiff began counselling with her parish priest. Her relationship with the priest eventually became sexual. Like ABC, there was objective evidence in the record that the plaintiff was uncomfortable about the relationship, she disclosed her relationship to a close friend, she lost faith in the church, she stopped attending church, and she suffered from anxiety and depression as a result of the relationship. Roe, 518 N.W.2d at 632. The court in Roe followed the ruling in ABC and dismissed the plaintiff's claims as a matter of law. Id.

The Minnesota Court of Appeals has also recently held that where the evidence shows that the plaintiff did not repress memories of the sexual abuse and there is evidence of a strong causal connection between the abuse and the injuries, the plaintiff's claims are

not tolled under section 541.073, Subd. 2. Green v. Sawdey, 529 N.W.2d 520 (Minn. Ct. App. 1995).

In this case there is significant evidence that Plaintiff knew or had reason to know before 1987 that his injuries were caused by the sexual abuse:

1. He did not keep the abuse secret. At the time of the abuse he told his neighbor that Stitts was a "fag" and that Stitts liked to kiss boys and fondle them. His friend [REDACTED] may also have been there.

2. He knew the abuse was wrong. He felt uncomfortable, ashamed and guilty and quickly left the church after each incident.

3. As he grew older, he still knew the abuse was wrong. Years later into his high school years, he continued to feel guilty and ashamed about the abuse by Stitts. If someone would have asked him years later if Stitts abused him, he would have remembered it.

4. He was involved in other sexual activity that he also knew was wrong. During the time of the abuse and into his high school years, he engaged in sexual activity with his brother, his sisters, other neighbor boys and a classmate. Like the abuse by Stitts, he felt dirty, guilty and ashamed about it. He did not forget about these incidents.

5. He knew the sexual contact with his sister was wrong and it reminded him of the abuse by Stitts. He knew it would cause his sister to feel the same way that he felt when Stitts abused him.

6. He knew long before 1987 that the abuse caused the injuries he alleges now. It caused him to fear that he was homosexual. It caused him to be very

promiscuous for years after the abuse. It caused marital problems because of his inability to form a close relationship with his wife.

7. In 1985, when he learned that Father Stitts had died, he was "glad" and thought Stitts died of AIDS.

These facts distinguish this case from Blackowiak v. Kemp, 528 N.W.2d 247 (Minn. App. 1995). In Blackowiak, the court held that there was a factual dispute whether the Plaintiff knew or had reason to know that the sexual abuse caused his injuries because he did not discuss the abuse with anyone and there was no evidence that he ever acknowledged that he was abused. Furthermore, there was no evidence that he had any clear reason to see a causal connection between the abuse and his psychological problems, which were not easily traced to the abuse. Id. at 251-253.

In this case it is undisputed that Plaintiff told at least one other person about the abuse, that he knew he was abused, and that his other sexual activity reminded him of the abuse. Furthermore, the injuries that Plaintiff alleges in this lawsuit are the same injuries he experienced more than six years before he filed suit. These problems can be directly traced to the abuse. Finally, the fact that in 1985 Plaintiff was glad when he learned that Stitts was dead leaves no doubt that almost eight years before Plaintiff filed his claim, he understood that there was a causal connection between the sexual abuse and his problems.

Accordingly, there is conclusive evidence that Plaintiff knew or had reason to know more than six years before he filed suit that his injuries were caused by the sexual abuse. Therefore, Plaintiff's claims are barred by the statute of limitations.

CONCLUSION


Recent Minnesota Court of Appeals decisions dictate that Plaintiff's vicarious liability claims are barred by the two-year statute of limitations.

Plaintiff has no evidence to support his claims that the church was negligent. Furthermore, the evidence conclusively shows that Plaintiff knew or had reason to know that his injuries were caused by the sexual abuse more than six years before he filed suit. Therefore, Plaintiff's negligence claims must be dismissed as a matter of law.

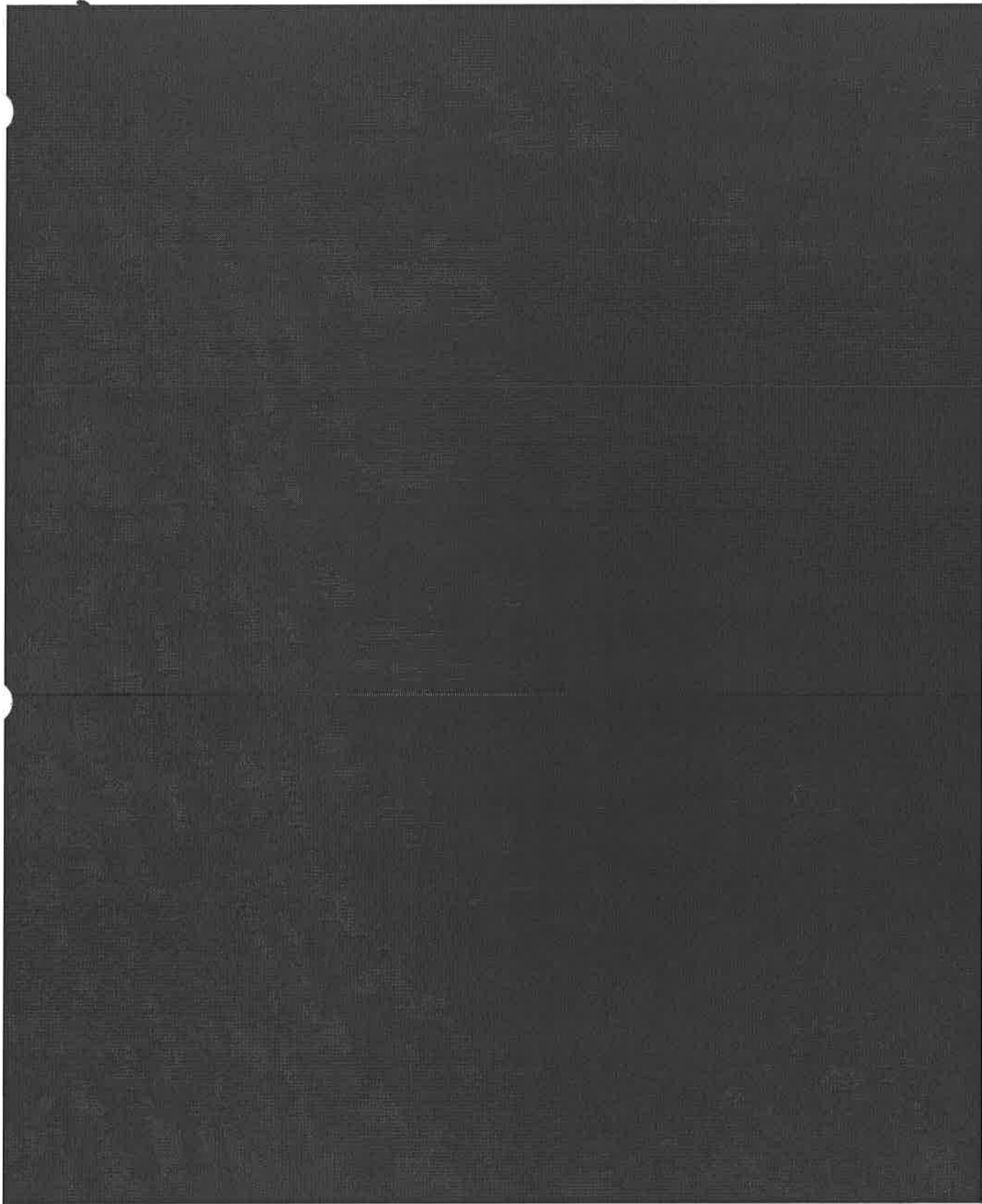
Respectfully Submitted.

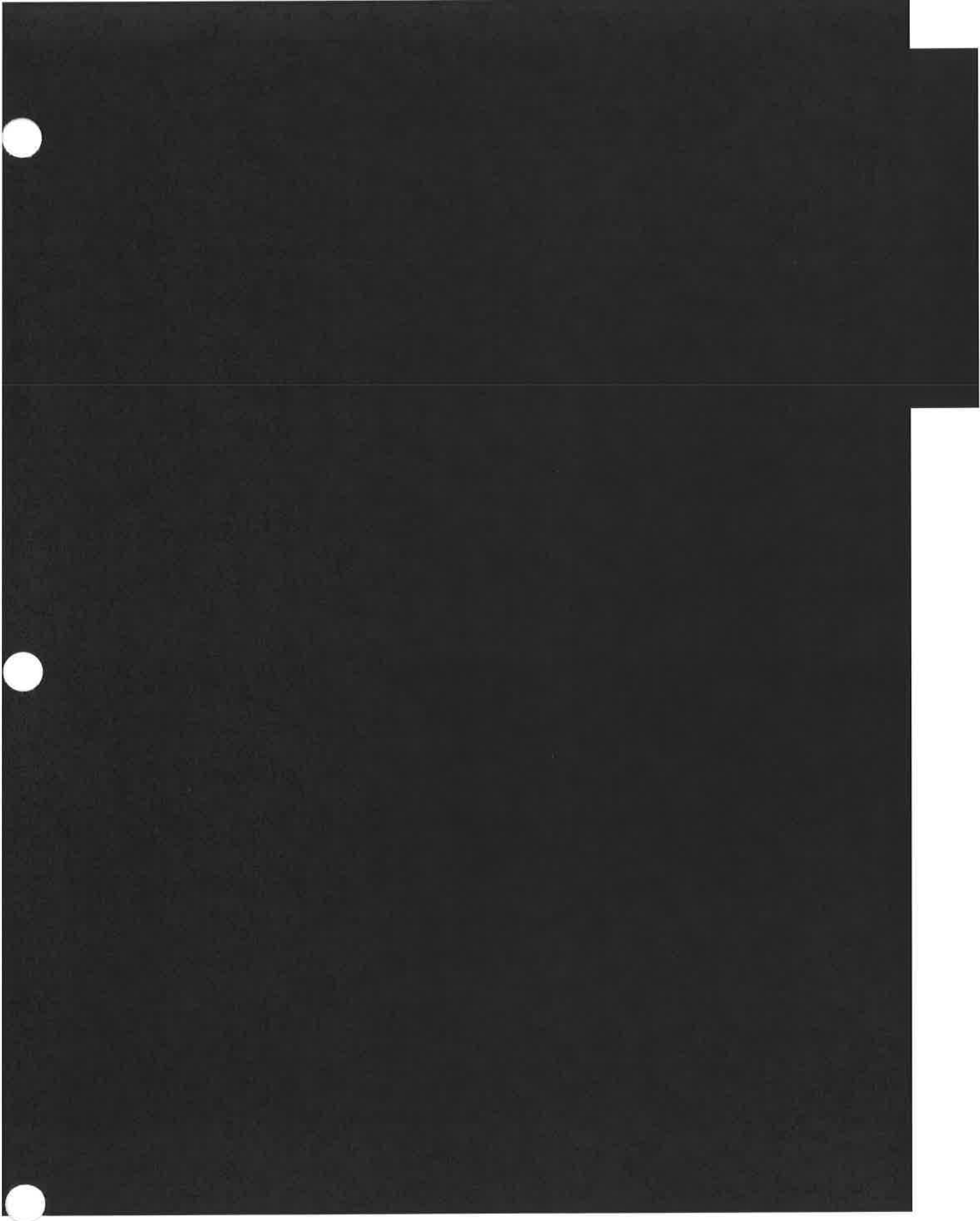
MEIER, KENNEDY & QUINN, CHARTERED

Dated: June 22, 1995



Thomas B. Wieser, #122841
John C. Gunderson, #210833
Attorneys for Defendant St. Elizabeth Ann Seton
Church
2200 North Central Life Tower
445 Minnesota Street
St. Paul, Minnesota 55101-2100
Telephone: (612) 228-1911





PRIVILEGED
ATTORNEY-CLIENT/WORK PRODUCT

from Thomas Wieser
to Rev. Kevin McDonough and William Fallon
dated July 12, 1995

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser

to Rev. Kevin McDonough and William Fallon

dated July 12, 1995

PRIVILEGED
ATTORNEY-CLIENT LETTER

from John Gunderson

to William Fallon

dated October 11, 1995

PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser

to Rev. Eugene McGlothlin and Eleanore S. Rosen

dated October 16, 1995

MEIER, KENNEDY & QUINN

CHARTERED

ATTORNEYS AT LAW

ANDREW J. EISENZIMMER
LEO H. DEHLER
THOMAS B. WIESER
JOHN C. GUNDERSON
CHARLES M. BICHLER

SUITE 2200, NORTH CENTRAL LIFE TOWER
445 MINNESOTA STREET
SAINT PAUL, MINNESOTA 55101-2100
TELEPHONE (612) 228-1911
FACSIMILE (612) 223-5483

WILLIAM C. MEIER
(1920-1981)
TIMOTHY P. QUINN
(1921-1991)
ALOIS D. KENNEDY, JR.
(RETIRED)

October 17, 1995

C
O
P
Y

Mr. Jeffrey R. Anderson
Reinhardt & Anderson
Attorney at Law
E-1000 First National Bank Building
332 Minnesota Street
St. Paul, MN 55101

Re: John SSS Doe v. The Archdiocese of Saint Paul and Minneapolis, et al.

Dear Mr. Anderson:

I have received your letter setting mediation in the above-matter for December 1, 1995. That mediation date was scheduled without discussing the matter with our office and even though you have not yet submitted a settlement demand. Setting a mediation date at this time is premature.

Please submit a settlement demand in this case as soon as possible. When doing so, please consider the strong legal arguments we have set forth in our summary judgment motion documents. Please also consider Judge Flinn's observations about the weaknesses in Plaintiff's claims. It will come as no surprise to learn that our client believes that the law and facts of this case support nothing more than nominal settlement value.

I want to be clear about the discovery and procedural status of this matter also. We were asked to determine the availability for deposition of certain potential witnesses. We have made the necessary inquiries and informed your office that depositions could be scheduled. We have undertaken the deposition scheduling and the other last minute discovery on an expedited basis to assist your office.

While it was our understanding that discovery had closed earlier, Judge Flinn indicated the discovery would remain open only until November 1, 1995. We are proceeding accordingly. Therefore, discovery will be closed on November 1, 1995, at which time your office has 10 days to submit any information it believes supports its negligence claims. Judge Flinn will

MEIER, KENNEDY & QUINN

Mr. Jeffrey R. Anderson
October 17, 1995
Page 2

then have a full record upon which to decide that issue, the respondeat superior issue and the issue of whether your clients knew or should have known more than 6 years before the suit was started that they had been abused and that the claimed damages resulted from the alleged abuse.

Very truly yours,

MEIER, KENNEDY & QUINN, CHARTERED

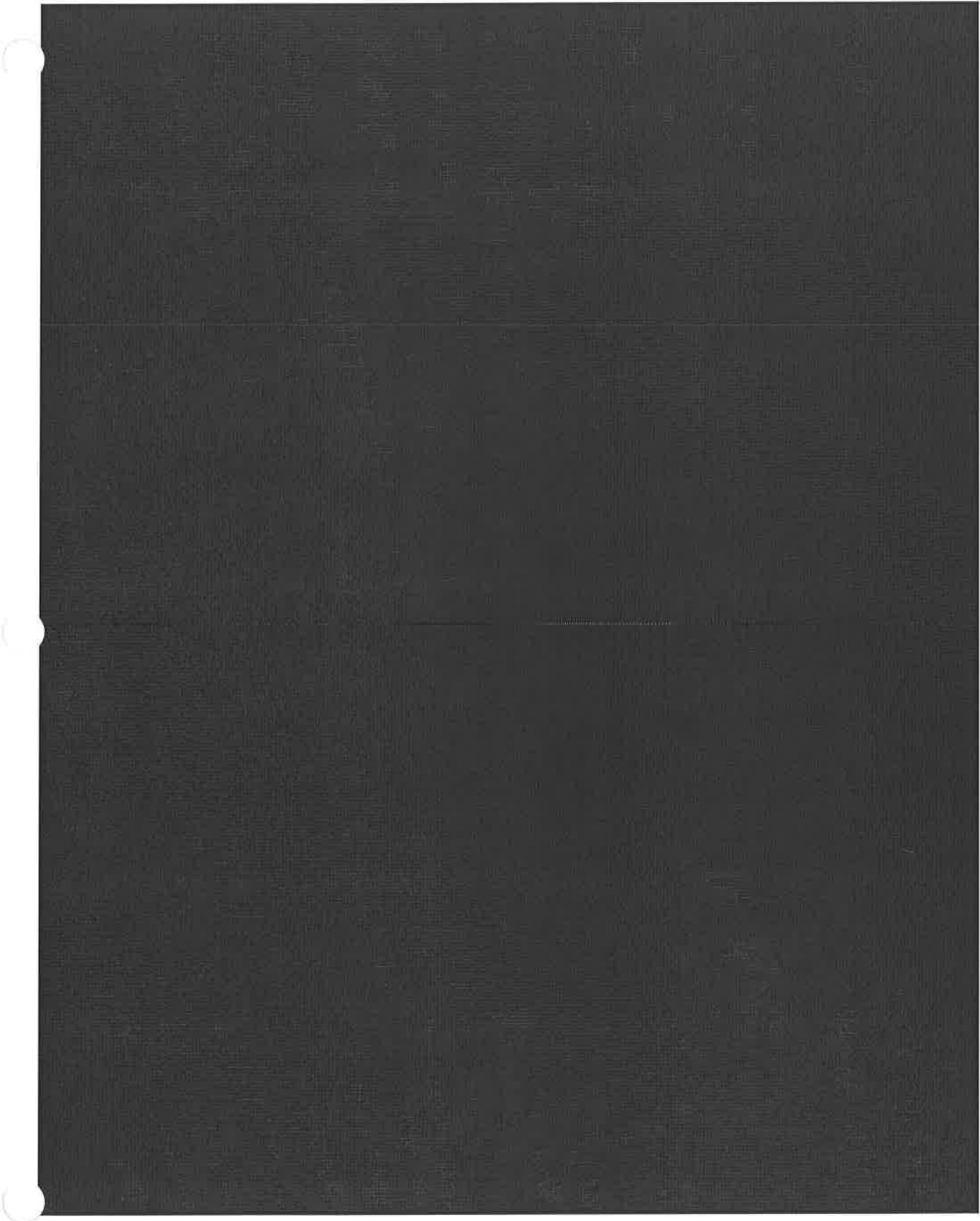
/s/ THOMAS B. WIESER

Thomas B. Wieser

TBW:sak

cc: The Honorable Charles Flinn
Mr. James Martin
Mr. Daniel Haws
Mr. Mark Gwin





PRIVILEGED
ATTORNEY-CLIENT LETTER

from William Fallon
to Rev. Patrick Casey
dated October 17, 1995

STATE OF MINNESOTA
DISTRICT COURT, SECOND DISTRICT
SAINT PAUL 55102



CHARLES A. FLINN, JR.
JUDGE
1210 COURTHOUSE
(612) 266-8349

OCT 13 1995

October 12, 1995

C
Jeffrey R. Anderson, Esq.
Mark A. Wendorf, Esq.
David S. Burleson, Esq.
Reinhardt & Anderson
E-1000 First Nat'l Bank Bldg
332 Minnesota Street
St. Paul, MN 55101

O
Dan T. Ryerson, Esq.
James T. Martin, Esq.
Gislason, Martin, Varpness
7600 Parklawn Avenue So., Ste. 444
Minneapolis, MN 55435

P
Y
John C. Gunderson, Esq.
Thomas B. Wieser, Esq.
Meirer, Kennedy & Quinn
2200 North Central Life Tower
445 Minnesota Street
St. Paul, MN 55101

Daniel A. Haws, Esq.
Murnane Conlin White & Brandt
444 Cedar Street
Suite 1800
St. Paul, MN 55101

James L. Haigh, Esq.
Mark A. Gwin, Esq.
Cousineau McGuire & Anderson
600 Travelers Express Tower
1550 Utica Avenue So.
Minneapolis, MN 55416

Re: John SSS Doe vs. The Archdiocese of St. Paul and Minneapolis, St. Elizabeth Ann
Seaton Church, f/k/a Guardian Angels Church in Hastings, Minnesota; District
Court File No. C5-95-625

John RRR Doe vs. The Archdiocese of St. Paul and Minneapolis and St. Leo's
Church in Highland Park, Minnesota; District Court File No. C3-95-624

Dear Counsel:

For some reason that remains a mystery, I just received copies of letters dated August 8, 1995, from David Burleson to Ms. Lynae Olson indicating that Sue Stingley has been chosen as the mediator for these cases. It is my understanding that mediation has not been scheduled as of this date.

It is my strong belief that you should attempt mediation before I issue a decision on the pending motions and, accordingly, I am requesting that you schedule that promptly with Ms. Stingley. If there is a problem in this regard, please advise me.

Yours very truly,

A handwritten signature in black ink, appearing to read "Charles A. Flinn, Jr.", written in a cursive style.

Charles A. Flinn, Jr.
Judge of District Court

CAF:cw

MEIER, KENNEDY & QUINN

CHARTERED
ATTORNEYS AT LAW

ANDREW J. EISENZIMMER
LEO H. DEHLER
THOMAS B. WIESER
JOHN C. GUNDERSON
CHARLES M. BICHLER

SUITE 2200, NORTH CENTRAL LIFE TOWER
445 MINNESOTA STREET
SAINT PAUL, MINNESOTA 55101-2100
TELEPHONE (612) 228-1911
FACSIMILE (612) 223-5483

WILLIAM C. MEIER
(1920-1981)
TIMOTHY P. QUINN
(1921-1991)
ALOIS D. KENNEDY, JR.
(RETIRED)

October 27, 1995

Mr. Jeffrey R. Anderson
Reinhardt & Anderson
Attorney at Law
E-1000 First National Bank Building
332 Minnesota Street
St. Paul, MN 55101

Re: John SSS Doe v. The Archdiocese of Saint Paul and Minneapolis, et al.
John RRR Doe v. The Archdiocese of Saint Paul and Minneapolis, et al.

Dear Mr. Anderson:

This letter confirms that the above-matters have been settled for the sum of \$4,000.00 each.

This letter further confirms that the Archdiocese will waive its claim to reimbursement of medical or psychological expenses paid to date. The Archdiocese will pay no further medical or psychological expenses whether they were previously submitted to the Archdiocese for payment or not and your clients will hold the Archdiocese harmless from any further obligation for such payments.

We will obtain the settlement funds and forward them to you, along with the release and dismissal documents soon.

Very truly yours,

MEIER, KENNEDY & QUINN, CHARTERED

/s/ THOMAS B. WIESER

Thomas B. Wieser

TBW:sak



PRIVILEGED
ATTORNEY-CLIENT LETTER

from Thomas Wieser

to Daniel Haws, Dan Ryerson and Mark Gwin

dated October 27, 1995

MEIER, KENNEDY & QUINN

CHARTERED
ATTORNEYS AT LAW

SUITE 2200, NORTH CENTRAL LIFE TOWER
445 MINNESOTA STREET
SAINT PAUL, MINNESOTA 55101-2100
TELEPHONE (612) 228-1911
FACSIMILE (612) 223-5483

ANDREW J. EISENZIMMER
LEO H. DEHLER
THOMAS B. WIESER
JOHN C. GUNDERSON
CHARLES M. BICHLER

file, please
Stitts, Tom

WILLIAM C. MEIER
(1920-1981)

TIMOTHY P. QUINN
(1921-1991)

ALOIS D. KENNEDY, JR.
(RETIRED)

November 17, 1995

**C
O
P
Y**

Mr. Jeffrey R. Anderson
Reinhardt & Anderson
Attorney at Law
E-1000 First National Bank Building
332 Minnesota Street
St. Paul, MN 55101

Re: John RRR Doe v. The Archdiocese of Saint Paul and Minneapolis, et al.
Court File No. C3-95-624

Dear Mr. Anderson:

Please find enclosed the original Settlement and Release Agreement, the Stipulation of Dismissal with Prejudice and three (3) checks with payments totalling the agreed upon settlement amount of \$4,000.00.

The payments are tendered in full and final settlement of your client's claims in the above matter. The payments are further tendered on the express condition that your client first execute and return the original Settlement and Release Agreement.

Please also sign and return the original Stipulation of Dismissal with Prejudice.

If you have any questions, please call me.

Very truly yours,

MEIER, KENNEDY & QUINN, CHARTERED

/s/ **THOMAS B. WIESER**

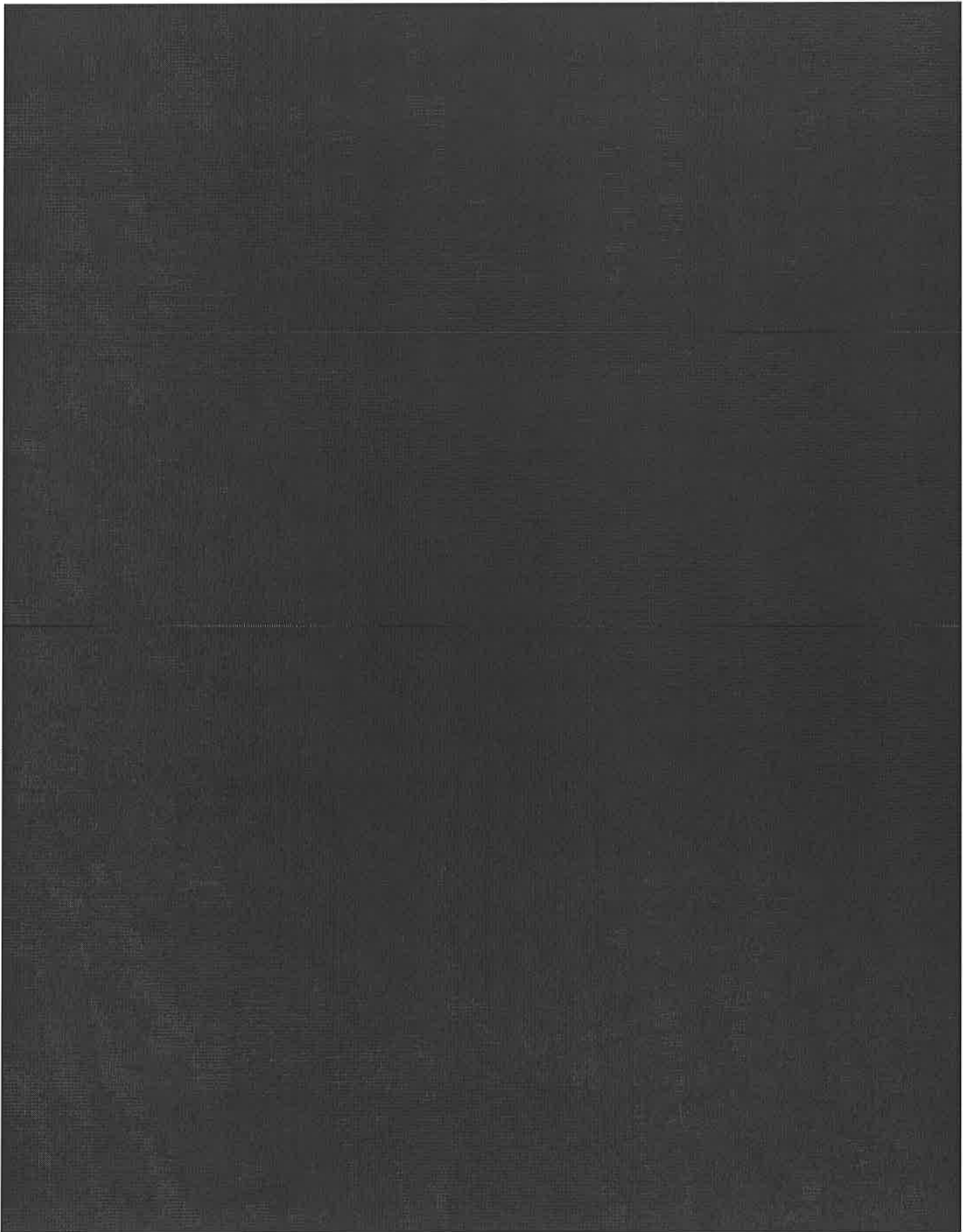
Thomas B. Wieser

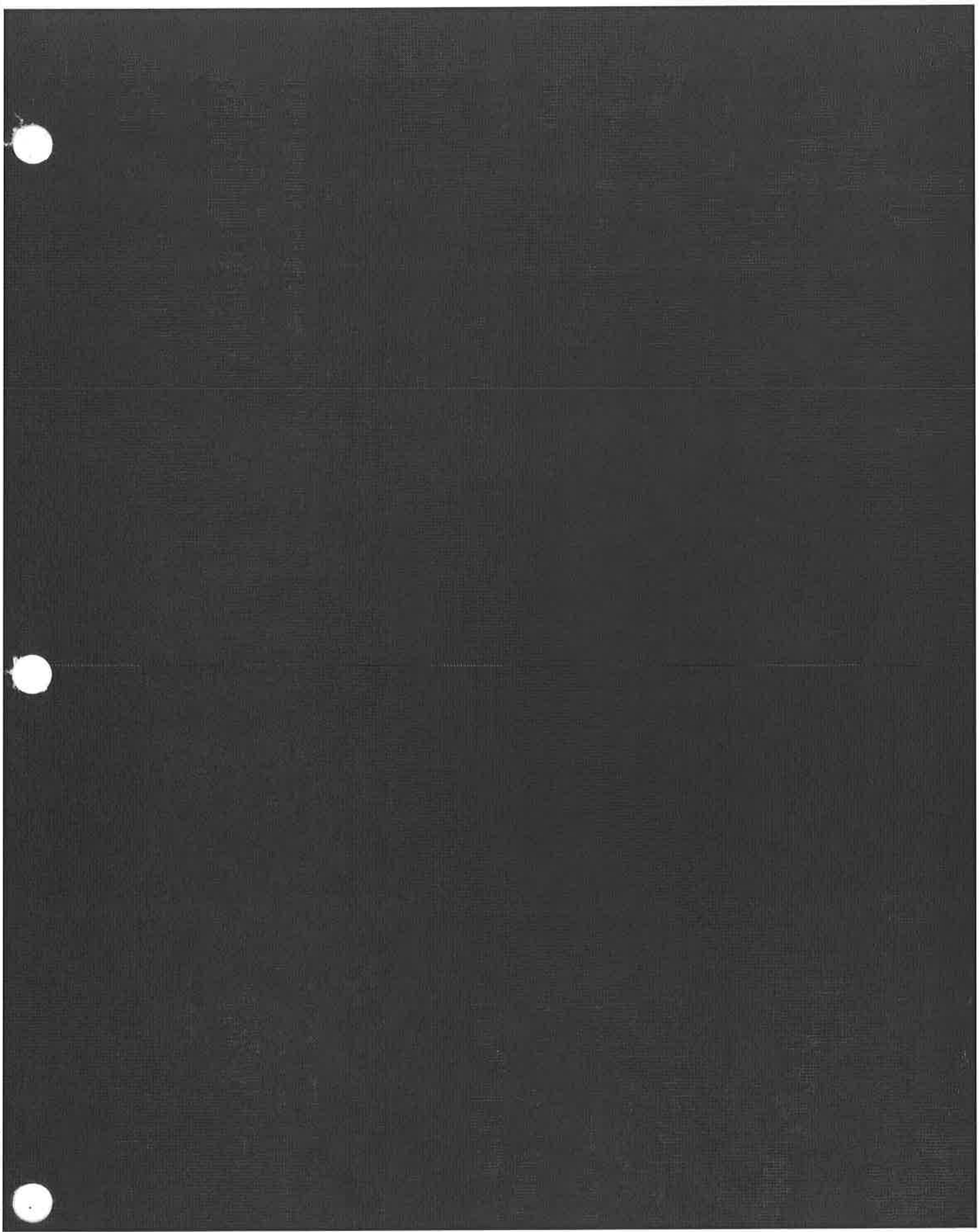
TBW:sak
Enclosures

1

2

3





MEIER, KENNEDY & QUINN

CHARTERED

ATTORNEYS AT LAW

ANDREW J. EISENZIMMER
LEO H. DEHLER
THOMAS B. WIESER
JOHN C. GUNDERSON
CHARLES M. BICHLER

SUITE 2200, NORTH CENTRAL LIFE TOWER
445 MINNESOTA STREET
SAINT PAUL, MINNESOTA 55101-2100
TELEPHONE (612) 228-1911
FACSIMILE (612) 223-5483

WILLIAM C. MEIER
(1920-1981)
TIMOTHY P. QUINN
(1921-1991)
ALOIS D. KENNEDY, JR.
(RETIRED)

November 20, 1995


C
O
P
Y

PERSONAL AND CONFIDENTIAL

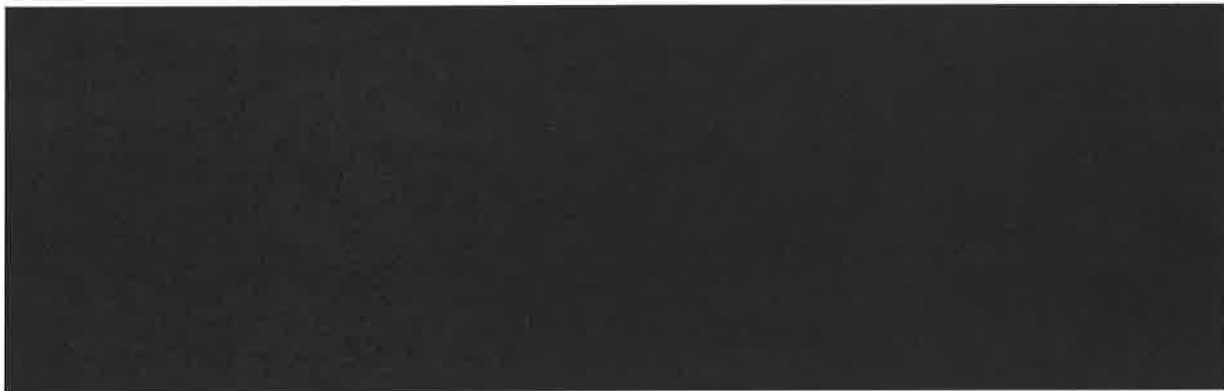
Ms. Ruth Shriver
4732 First Avenue South
Minneapolis, MN 55409-2604

Reverend Patrick L. Casey
Church of St. Aloysius
302 S. 10th Street
Olivia, MN 56277-1288

Mr. Greg Stitts
3660 Urbandale Lane North
Plymouth, MN 55447

RE: John SSS Doe v. The Archdiocese of St. Paul and Minneapolis, et al.
John RRR Doe v. The Archdiocese of St. Paul and Minneapolis, et al.


Dear Father Casey, Ms. Shriver and Mr. Stitts:



If you have any questions, please call me.

Very truly yours,

MEIER, KENNEDY & QUINN, CHARTERED

/s/ THOMAS B. WIESER

Thomas B. Wieser

TBW:sak


MEIER, KENNEDY & QUINN

CHARTERED
ATTORNEYS AT LAW

SUITE 2200, NORTH CENTRAL LIFE TOWER
445 MINNESOTA STREET
SAINT PAUL, MINNESOTA 55101-2100
TELEPHONE (612) 228-1911
FACSIMILE (612) 223-5483

file, please

ANDREW J. EISENZIMMER
LEO H. DEHLER
THOMAS B. WIESER
JOHN C. GUNDERSON
CHARLES M. BICHLER

WILLIAM C. MEIER
(1920-1981)
TIMOTHY P. QUINN
(1921-1991)
ALOIS D. KENNEDY, JR.
(RETIRED)

December 13, 1995

Mr. James T. Martin
Mr. Dan Ryerson
Attorneys at Law
Gilason, Martin & Varpness
7600 Parklawn Avenue South
Suite 444
Minneapolis, MN 55435

Mr. Jeff Anderson
Attorney at Law
Reinhardt & Anderson
E-1000 First National Bank Building
332 Minnesota Street
St. Paul, MN 55101

**C
O
P
Y**

RE: John SSS Doe v. St. Elizabeth Ann Seaton Church
Court File No. C5-95-625
Our File No's. 3842.577

Dear Counsel:

Please find enclosed a fully executed copy of the Settlement and Release Agreement in the above-matter.

Thank you.

Yours very truly,

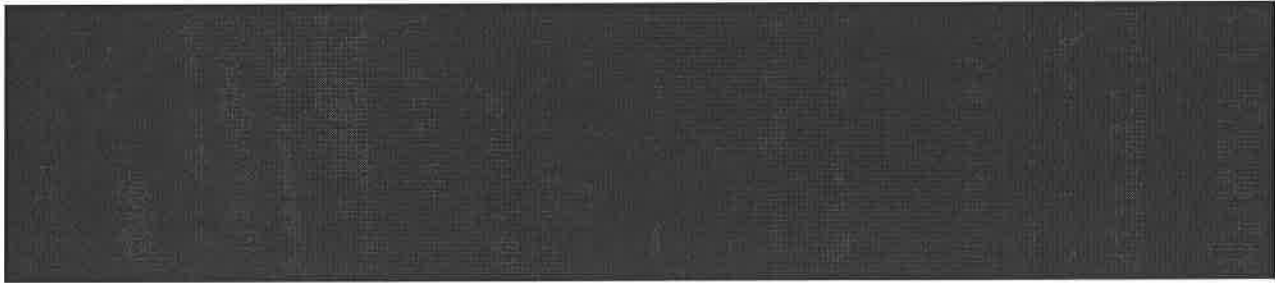
MEIER, KENNEDY & QUINN, CHARTERED

/s/ THOMAS B. WIESER

Thomas B. Wieser

TBW:sak

Enclosure



MEIER, KENNEDY & QUINN

CHARTERED
ATTORNEYS AT LAW

SUITE 2200, NORTH CENTRAL LIFE TOWER
445 MINNESOTA STREET
SAINT PAUL, MINNESOTA 55101-2100
TELEPHONE (612) 228-1911
FACSIMILE (612) 223-5483

file, please

ANDREW J. EISENZIMMER
LEO H. DEHLER
THOMAS B. WIESER
JOHN C. GUNDERSON
CHARLES M. BICHLER

WILLIAM C. MEIER
(1920-1981)
TIMOTHY P. QUINN
(1921-1991)
ALOIS D. KENNEDY, JR.
(RETIRED)

December 13, 1995

Mr. James T. Martin
Mr. Dan Ryerson
Attorneys at Law
Gilason, Martin & Varpness
7600 Parklawn Avenue South
Suite 444
Minneapolis, MN 55435

Mr. Jeff Anderson
Attorney at Law
Reinhardt & Anderson
E-1000 First National Bank Building
332 Minnesota Street
St. Paul, MN 55101

C
O
P
Y

RE: John SSS Doe v. St. Elizabeth Ann Seaton Church
Court File No. C5-95-625
Our File No's. 3842.577

Dear Counsel:

Please find enclosed a fully executed copy of the Settlement and Release Agreement in the above-matter.

Thank you.

Yours very truly,

MEIER, KENNEDY & QUINN, CHARTERED

/s/ THOMAS B. WIESER

Thomas B. Wieser

TBW:sak

Enclosure

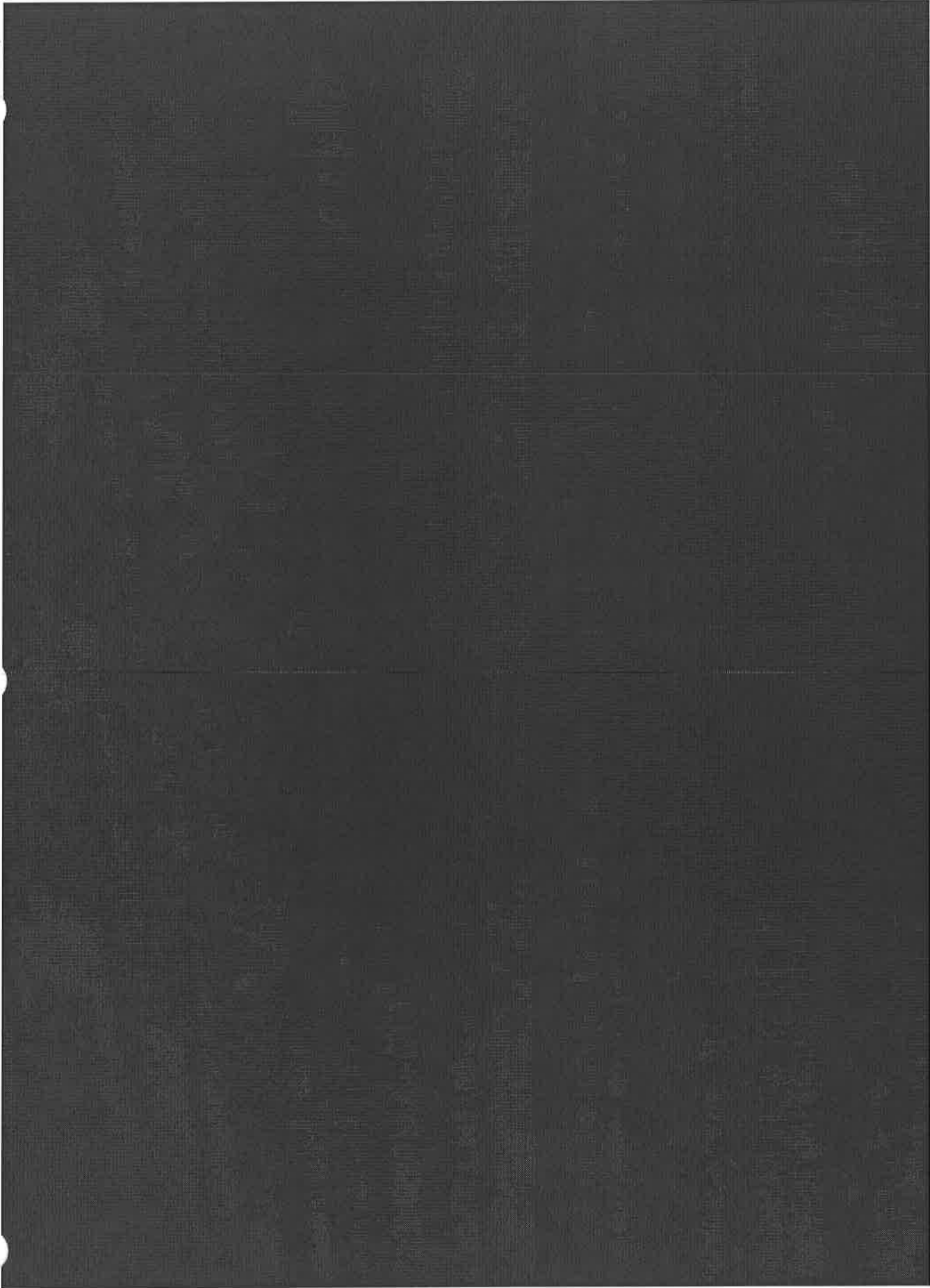
cc: The Most Reverend Harry Flynn w/Encl.
Reverend Kevin McDonough w/Encl.
Mr. William Fallon w/Encl.
Ms. Eleanore Rosen w/Encl.

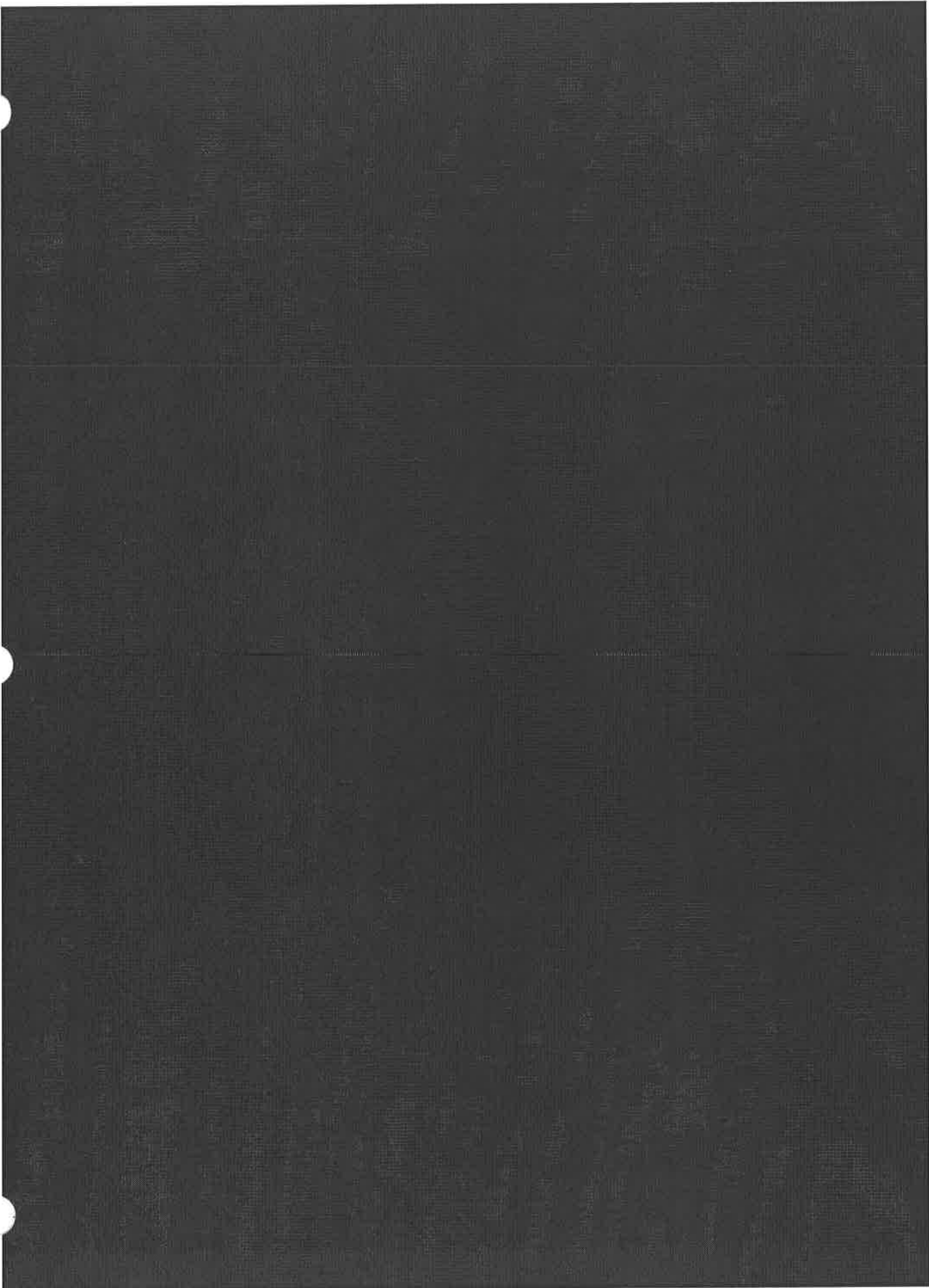
PRIVILEGED
ATTORNEY-CLIENT LETTER

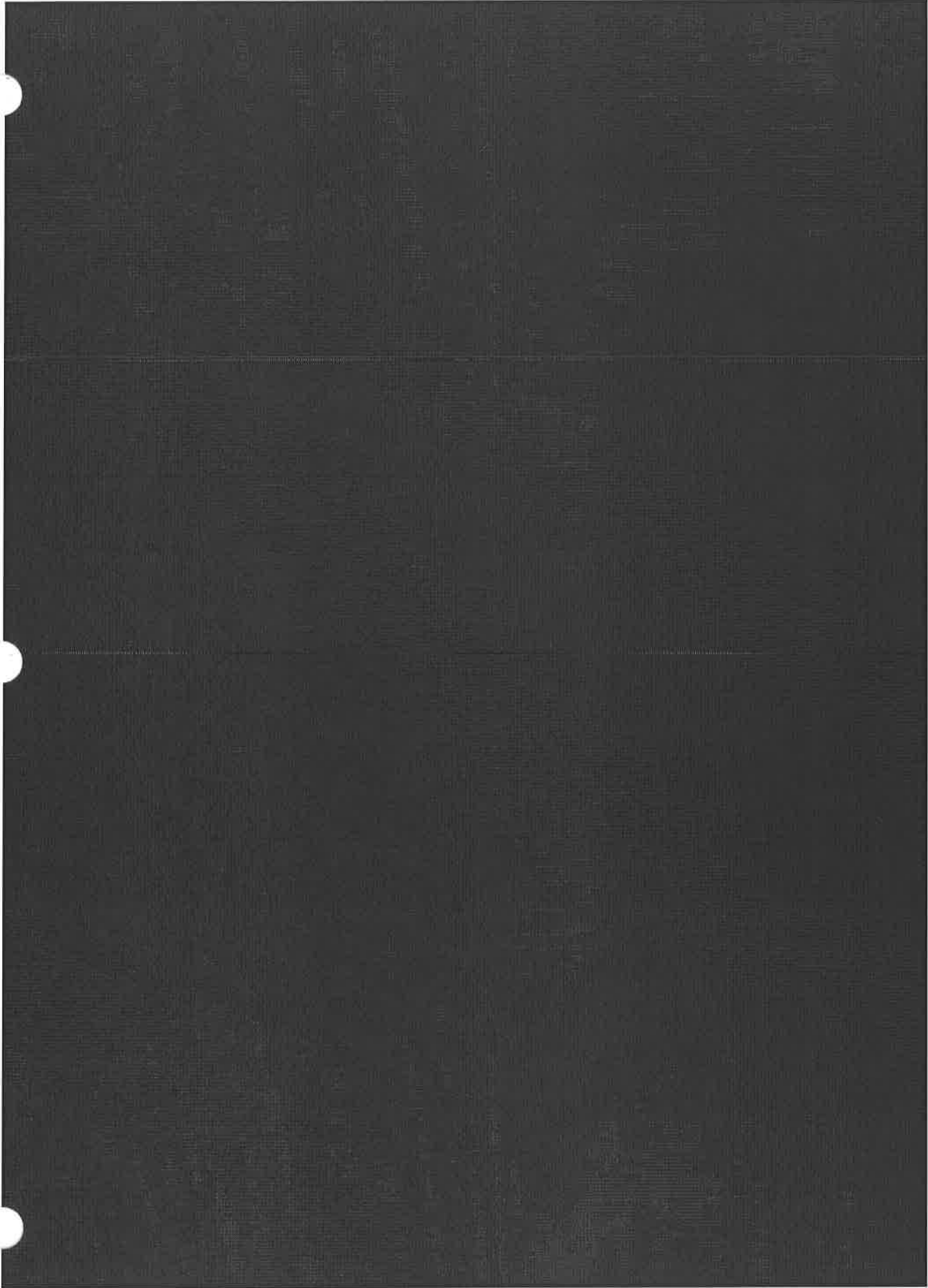
from Thomas Wieser

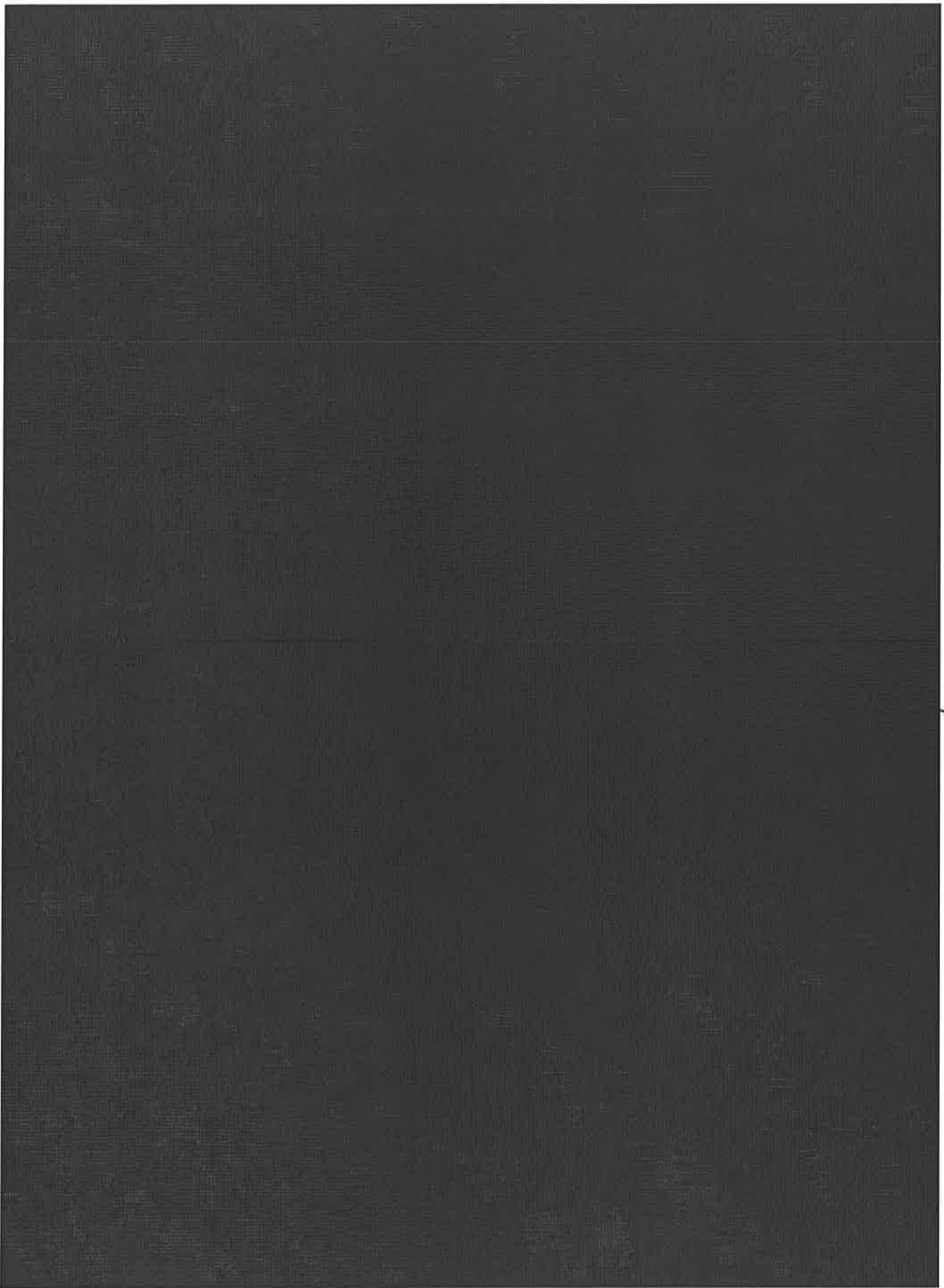
to William Fallon

dated January 2, 1996









Willerscheidt, Phyllis

From: [REDACTED]
Sent: Tuesday, November 05, 2002 4:45 AM
To: willerscheidtp@archspm.org
Cc: [REDACTED]
Subject: personal & confidential

Phyllis,
Hi my name is [REDACTED]
Right now I am a [REDACTED] working in [REDACTED]
I am writing for two reasons. First I would like Fr. Kevin's email address, You may also copy him on this email,
And second I must tell you of my family, myself included whom were abused by Fr. Tom Stitts.

I am writing today because [REDACTED] and came home to MN, He lives in [REDACTED] at this time. for support and to let us all know why [REDACTED] and what is currently happening to him. He has been having nightmares and flash backs as to the sexual abuse he suffered from and feels ashamed that he is even a victim.
We as a family have suffered by this tragedy in many ways, I have [REDACTED] and as far as I can remember [REDACTED] were abused by him. over a period of some years. I believe it is a tragic story of parents invited the parish priest over a relationship develops and he takes advantage of it.

[REDACTED]
[REDACTED]. I tell you this so as you know that I, My parents and my siblings do not think all priest are bad. but this one has been the cause of a lot of pain to my family.

Just writing this letter helps me I have always been vocal about what happened not to get sympathy but to help myself know that I am not the bad one or cause of this tragic incident.

[REDACTED] It hurts me to see [REDACTED] suffer from this and also to have to relive some of it my self. For I to suffer at time from the memory of the abuse. What I would like to happen or to come of this email is contact by the diocese in regards to help for [REDACTED] He needs [REDACTED] and I do not know if he can afford it or where to go. Maybe also a call by Fr. Kevin McDonough to my folks (I believe he knows how to get a hold of them) just to see if there is anything the diocese can do.


As for me continued prayers. And a responds from you all.

peace,
in Christ

11 December 2002

Dear 

Thank you for our recent meeting. The pain that you and your family have experienced and continue to undergo affected me deeply. I am pained by the betrayal of the trust that you placed in a priest, a trust that is precious to me. My anger and concern are deepened because that betrayal happened to a family I have known and respected for well over twenty years. I am profoundly sorry.

Permit me to say clearly in writing what I told you in person in my office. While I do not think that Archdiocesan leaders knew about Tom Stitts' abusive behavior while he was alive, I know that we have heard at least two very credible abuse reports since his death. Please know that I am prepared both to believe and to respond to any reports about Stitts from  or from any others who say they were abused by him. I believe that – in spite of how solid a priest many people saw him to be – Tom Stitts caused terrible harm to several young people. Again, I am profoundly sorry.

A part of that response is to see to it that your family – as individuals and as a group – would have access to counseling, retreats, and spiritual direction as you see fit. I would be happy to help you find resources, but I also know that you are capable of finding them yourselves. Please simply show this letter to the service provider of your choice and ask that billings be sent directly to my office and my attention. The address is above.

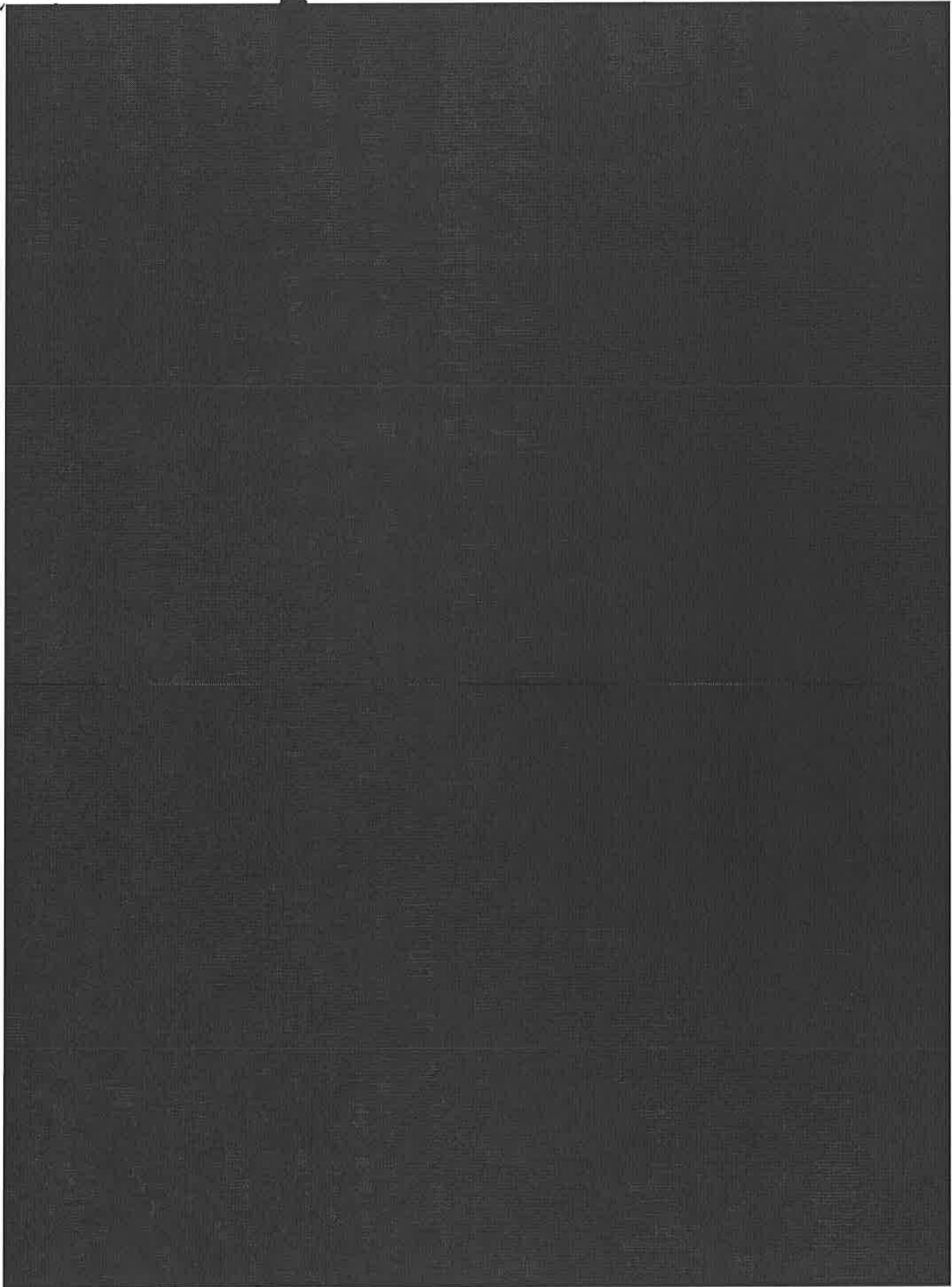
The Archdiocese does not require pre-approval of any provider, nor will we be checking regularly to see whether you are receiving the “right kind of help”. We recognize that you want to find peace as a family, and will make thoughtful choices about your care. I recommend that you talk with the counselor you work with to set out a plan that will address the issues you want to address. If I can be of any help, please let me know.

I am saddened that people I admire and love have to experience what you are experiencing. I pray healing and peace for all.

Sincerely yours in Christ,

Reverend Kevin M. McDonough
Vicar General and Moderator of the Curia





From: Willerscheidt, Phyllis
Sent: Monday, March 08, 2004 2:36 PM
To:
Subject: [REDACTED]

For Kevin:

-----Original Message-----

Sent: Sunday, February 29, 2004 2:44 AM
To: willerscheidtp@archspm.org

Phyllis,
 Would you please forward this onto Fr. Kevin and or please reply to my questions.
 I am also very pleased with the letter the Arch-Bishop wrote to his priests and would like to tell him, and I just did in a way.
 Thank you for your help in the adventure.
 Peace.

Fr. Kevin,
 Hi, how are things going for you? I hope well. We are doing well here in [REDACTED] and the kids have adapted well [REDACTED] are very involved with teaching computer skills to kids and young adults and being a family.
 That [REDACTED] you have to have the chit chat, but I am more of a to the point kind of a guy so that has been hard for me to learn.
 I am really writing to find out what you have or wrote about [REDACTED] s and Fr Tom? Do you have that card filled out about [REDACTED]
 Kevin I have been very grateful for what you have done for [REDACTED] I know it has been very hard on all of them and as you could image I am still putting closer to this again and probably always will, so that is where my question comes from.

Thank you for your attention to this concern of mine.
 Christ peace

[Home](#) | [About Us](#) | [Contacts](#) | [Products](#)



News Items:

Story of the day:

Headlines

News Briefs

Stories

Movies

Word To Life

Other Items:

Client Area

Links

CNS Stylebook

Archives:

Origins

Did You Know...

The whole CNS public Web site headlines, briefs stories, etc.

50YEARS-QUESTIONS Feb-26-2004 (630 words)
 Backgrounder. xxxn

Clergy sex abuse survey is about much more than numbers

By Jerry Filteau
 Catholic News Service

WASHINGTON (CNS) -- The national study of more than 50 years of sexual abuse of minors by U.S. Catholic clergy covers much more than the number and ages of victims, the number of allegedly abusive priests or deacons and the years the abuse occurred.

The researchers at the John Jay College of Criminal Justice -- which conducted the study with the cooperation of nearly all U.S. dioceses and most male religious orders -- also sought

represents less than one percent of the daily news report.

Get all the news!

If you would like more information about the Catholic News Service daily news report, please contact CNS at one of the following:
 cns@
 catholicnews.com
 or
 (202) 541-3250

Copyright:

The CNS news report may not be published, broadcast, rewritten or otherwise distributed, including but not limited to such means as framing or any other digital copying or distribution method, in whole or in part without the prior written authority of Catholic News Service.

Copyright
 (c) 2003
 Catholic News Service/U.S. Conference of Catholic Bishops.

to uncover how clerics first met their victims, what kind of abuse was inflicted, how often and how long it occurred.

They asked the age and gender of each victim, the number of victims accusing each alleged abuser, who first made the allegation, what church official was first contacted, and how the diocese or religious order responded.

They asked if the abuser had problems with alcohol or drugs or both and if he plied the victim with alcohol, drugs, pornography or other inducements.

Numerous other questions sought to draw out patterns of abuse and many other aspects to paint a thorough picture of the nature and scope of U.S. Catholic clerical sexual abuse of minors from 1950 through 2002.

Data from the survey will provide a rich field for researchers to delve into for years to come.

When the questionnaires were sent out to dioceses and religious orders last spring, they and the accompanying instructions on completing the survey were all labeled confidential. But within a few weeks paper and electronic copies were circulating among journalists and others and were posted on the Internet.

Each diocese and religious order was asked to fill out a separate questionnaire on each accused cleric and on each victim.

Questions sought to determine if the cleric gained access to the victim by cultivating friendship with the family, as a confessor or counselor, as a parish priest working with altar boys, through institutional contacts such as school, orphanage, choir group, youth groups, sports, youth camps, camping trips, day trips, weekend outings, or a variety of other ways.

Researchers asked if the victim had any siblings who were also abused and other questions about the victim's family and home circumstances that might offer clues as to common patterns of abuse.

They asked a number of questions on the nature of the abuse, ranging from sexual talk with no physical touching at one extreme to penile or other sexual penetration at the other.

They asked whether a cleric was referred for treatment after an allegation, what type of treatment was provided, where it was provided, how often he was treated and whether treatments were completed. They also asked whether he was suspended from ministry or laicized, what assignment or

assignments he received after treatment if any, whether his ministry was restricted, and whether he re-offended after treatment.

For each allegation they asked whether there was an internal investigation, how it concluded and who was notified of the results. They asked whether civil authorities were notified and, if so, whether that resulted in a police investigation, criminal charges, a conviction and, when there was a conviction, what kind of sentence.

It asked whether the victim received treatment or a financial settlement to compensate for the allegation of abuse and if so, what were the amounts and how much was covered by insurance and how much by church funds. Dioceses and orders were also asked to give an accounting of the attorney's fees paid out over the years to deal with allegations of clerical sexual abuse.

Each diocese also had to answer a brief questionnaire on the number of priests serving there since 1950 and other facts needed for a basic profile of the diocese. Religious orders faced a similar questionnaire, adapted to provide a profile of the order.

END

Copyright (c) 2004 Catholic News Service/U.S. Conference of Catholic Bishops. The CNS news report may not be published, broadcast, rewritten or otherwise distributed, including but not limited to such means as framing or any other digital copying or distribution method, in whole or in part without the prior written authority of Catholic News Service.

Questions about this Web site? Send to cns@catholicnews.com.
Copyright © 2003 Catholic News Service/U.S. Conference of Catholic Bishops
CNS • 3211 Fourth St NE • Washington DC 20017 • 202.541.3250

TOM STITTS

Delaney, Judy

From: Delaney, Judy
Sent: Tuesday, March 16, 2004 10:55 AM
To: [REDACTED]
Subject: Response from Fr. Kevin McDonough

[REDACTED]
Thank you for the good words about Archbishop and about me. It is a painful privilege to work with your family. In regard to your questions:

1. We have identified Tom Stitts as an abuser, and have passed that information on at parishes he worked in. The reports of his abuse in the media are old -- about seven or eight years, and we have not tried to revisit that with the newspapers or television. We are trying to use parish channels, however, to put people on notice.

2. [REDACTED] I did not have you specifically listed as a victim of Stitts' misconduct. I had only heard it directly about [REDACTED] but had not wanted to presume anything else. I hope you and I can talk in person about what happened to you when you are in town. Please let me know, however, if you want to communicate sooner and if so, what works best for you.

I hope the [REDACTED] experience continues to be a good one. I remember my "overseas" time as one of my best, and so do my family members who have been in service in Brazil, Belize, and Africa. Enjoy!

Fr. Kevin

Judy -

Please e-mail this text to [REDACTED]
(information attached) Thanks K

[REDACTED] Thank you for the good
works about Archbishop and about
me. It is a painful privilege
to work with your family.

In regard to your questions:

1. We have identified Tom Stitts as
an abuser, and have passed that
information on at parishes he
worked in. The reports of his abuse
in the media are old - about seven
or eight years and we have
not tried to revisit that with the
newspapers or television. We are
trying to use parish channels, however,
to put people on notice.

2 [REDACTED], I did not have you specifically
listed as a victim of Stitts' misconduct.
I had only heard it directly about
[REDACTED], but had not wanted
to presume anything else. I hope
you and I can talk in person
(Mooe)

about what happened to you,
when you are in town. Please
let me know, however, if you
want to communicate sooner and
if so, what works best for you!

I hope the [redacted] experience continues
to be a good one. I remember my
"overseas" time as one of my best,
and so do my family members who
have been in service in Brazil, Belize,
and Africa. Enjoy!

Memorandum

OFFICE OF THE CHANCELLOR FOR CIVIL AFFAIRS

Andrew J. Eisenzimmer: 651-291-4405; Kathleen Owen: 651- 291-4424

DATE: February 22, 2006
TO: Reverend Kevin McDonough
FROM: Andrew J. Eisenzimmer
SUBJECT: Possible Abuse Victim

We received contact by e-mail and telephone from a man named [REDACTED] who indicates that he was abused by Thomas Stitts when Stitts was assigned to St. Leo. (According to our records, that was from September 1970 to October 1973.) [REDACTED] would have been a minor at the time [REDACTED] now lives in [REDACTED]

[REDACTED] says that his "discovery" of the abuse was a long time ago. (Discovery was the word he used). In fact, his mother asked him about it at the time, but he denied it. His mother apparently reported something to a couple of priests at that time.

[REDACTED] has been in therapy since about 1990, after spending 8 years in the [REDACTED]. He is also active in 12 step recovery programs [REDACTED] consulted with attorney [REDACTED] in 2001. He said [REDACTED] presented him with a file on Stitts.

[REDACTED] says he is not out to sue the church or pursue this legally. He seemed to be saying that he only now had the courage to call and speak to someone in the Archdiocese and find out more about Stitts. I confirmed to him that Stitts died in 1985; I also told him that I lived in the parish that Stitts was at when he died. For some reason, [REDACTED] seemed to take some comfort in that.

I asked [REDACTED] a number of times if there was anything we could do to assist him. I offered some supportive encouragement. I also gave him Greta Sawyer's name and telephone number and informed him of her work as our Director of Advocacy. At this time, there is not anything [REDACTED] needs or wants us to do. He seemed emotional talking about this and I encouraged him to call me or Greta if there is anything he needs for support. He indicated he may do that in the future.

Let me know if there is anything further you would like me to do.

TwinCities.com

2 more men say former Hastings priest sexually abused them as kids

By Emily Gurnon
egurnon@pioneerpress.com

Updated: 06/29/2010 02:42:17 PM CDT

Two more men filed lawsuits today against the Archdiocese of St. Paul and Minneapolis, alleging a former Hastings priest sexually abused them when they were in grade school, their attorney said.

One boy told his ~~Guardian Angels~~ school principal in Hastings that the Rev. Thomas Stitts was abusing him, said Patrick Noaker of Jeff Anderson and Associates. He was about 10 at the time. It was about 1967.

"He was told that he should never say anything like that about the Father and if he did, there must be something wrong with him," Noaker said at a press conference this morning.

The other man was abused in 1966 or 1967 when he was 9 to 10 years old. The lawsuit alleges that Stitts "forcefully" touched the boy's genitals at the church and at the rectory.

The church later became St. Elizabeth Ann Seton.

Both boys came forward after hearing of a lawsuit filed by another alleged victim of Stitts in March, Noaker said. They had not known each other as children, he said. The attorney said others would also be filing suit.

Stitts died of cancer at age 50 in 1985 while he was pastor of St. John the Baptist Catholic Church in New Brighton.

Today's lawsuits allege that the archdiocese committed fraud by representing to the plaintiffs that Stitts was not a danger to children.

The March lawsuit involves four men who said Stitts abused them while he was a pastor at St. Leo's parish in the Highland Park neighborhood of St. Paul and the Church of St. George

in Long Lake, Minn. He was transferred from one church to another after reports of the abuse were disclosed, the suits allege.

Dennis McGrath, a spokesman for the archdiocese, said it denies the allegations of misrepresentation and fraud.

The first lawsuits involving Stitts was filed in 1995. Attorneys for those plaintiffs were "given full access to information about how the Archdiocese responded to claims of sexual abuse by Fr. Stitts prior to his death in 1985," he said in an earlier statement.

"It is unreasonable for these attorneys to now allege that information about Fr. Stitts was kept secret when it has been well known for over 25 years," McGrath said.

Advertisement

Own a new computer for just \$29.99* per week!



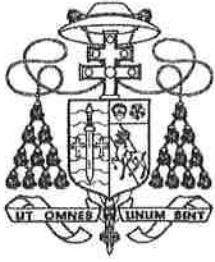
And improve your credit score at the same time!

Give us a call today!

1-877-294-3988

*Prices start at \$29.99 but may vary by model.

Print Powered By FormatDynamics



*Archdiocese of Saint Paul
and Minneapolis*

OFFICE OF THE ARCHBISHOP
MOST REVEREND JOHN C. NIENSTEDT

December 3, 2013

Ruth Shriver
7200 York Ave. S., Apt. 311
Minneapolis, MN 55435

Dear Ms. Shriver,

I am writing on behalf of the Archdiocese of Saint Paul and Minneapolis where your family member, Thomas Stitts, previously held assignments. The Archdiocese takes seriously all allegations it receives regarding any abuse of minors by its priests and is committed to transparency. Greater transparency will aid in the healing of victims and their loved ones who have been so harmed by acts of abuse, as well as contribute to creating a safe environment for minors today.

As part of our commitment to transparency, the Archdiocese intends to disclose the names of priests who have had assignments in the Archdiocese and against whom a substantiated claim of sexual abuse of a minor has been asserted in the past. A substantiated claim is a claim or allegation for which sufficient evidence exists to establish a reasonable basis to believe the reported abuse occurred.

We have reviewed the personnel file of your deceased relative, Thomas Stitts, and have determined that a substantiated claim against him exists. Our commitment to transparency requires that we disclose this determination. We are also sensitive to the challenges and pain that public disclosure may cause your family. Recognizing this fact, we want to provide you with advanced notice that the Archdiocese will be providing information to the public concerning the substantiated claim of abuse that has been asserted against Thomas Stitts.

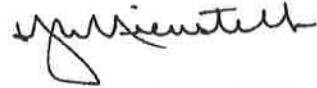
The Archdiocese will be providing this information on a website constructed specifically to be a source of information to the public. For each clergy member against whom a substantiated claim has been made, we will disclose the following information: (i) the cleric's year of birth and year of ordination; (ii) whether the cleric is alive or deceased; (iii) if deceased, the year of the cleric's death; (iv) the cleric's prior assignments; (v) the date of the cleric's permanent removal from ministry; and (vi) for clerics who are alive, their present status with the Church (*i.e.* retired, prohibited from ministry or dismissed from the clerical state) and the city and state in which they reside. A Ramsey County District Court judge has directed us to make these disclosures on or before December 17. In deference to the Court, we anticipate making this disclosure on December 5.

We respectfully request that you inform any other members of your family that we will be taking this action. I understand how difficult this may be for you and your family. Please be assured of my personal prayers for you as we work through this challenging time in pursuit of truth and justice, especially for victims of abuse.

If you have any questions, please contact our Chancellor for Civil Affairs, Joseph Kueppers, at kueppersj@archspm.org or 651-291-4405.

With a heartfelt remembrance in my daily prayer, I remain,

Sincerely Yours in Christ,

A handwritten signature in black ink, appearing to read "John C. Nienstedt". The signature is written in a cursive style with a large initial "J".

The Most Reverend John C. Nienstedt
Archbishop of Saint Paul and Minneapolis

5852425v1



*Archdiocese of Saint Paul
and Minneapolis*

OFFICE OF THE ARCHBISHOP
MOST REVEREND JOHN C. NIENSTEDT

December 3, 2013

Ruth Shriver
20255 Edgeview Rd.
Richmond, MN 56368

Dear Ms. Shriver,

I am writing on behalf of the Archdiocese of Saint Paul and Minneapolis where your family member, Thomas Stitts, previously held assignments. The Archdiocese takes seriously all allegations it receives regarding any abuse of minors by its priests and is committed to transparency. Greater transparency will aid in the healing of victims and their loved ones who have been so harmed by acts of abuse, as well as contribute to creating a safe environment for minors today.

As part of our commitment to transparency, the Archdiocese intends to disclose the names of priests who have had assignments in the Archdiocese and against whom a substantiated claim of sexual abuse of a minor has been asserted in the past. A substantiated claim is a claim or allegation for which sufficient evidence exists to establish a reasonable basis to believe the reported abuse occurred.

We have reviewed the personnel file of your deceased relative, Thomas Stitts, and have determined that a substantiated claim against him exists. Our commitment to transparency requires that we disclose this determination. We are also sensitive to the challenges and pain that public disclosure may cause your family. Recognizing this fact, we want to provide you with advanced notice that the Archdiocese will be providing information to the public concerning the substantiated claim of abuse that has been asserted against Thomas Stitts.

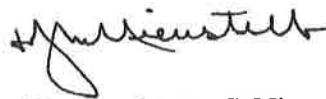
The Archdiocese will be providing this information on a website constructed specifically to be a source of information to the public. For each clergy member against whom a substantiated claim has been made, we will disclose the following information: (i) the cleric's year of birth and year of ordination; (ii) whether the cleric is alive or deceased; (iii) if deceased, the year of the cleric's death; (iv) the cleric's prior assignments; (v) the date of the cleric's permanent removal from ministry; and (vi) for clerics who are alive, their present status with the Church (*i.e.* retired, prohibited from ministry or dismissed from the clerical state) and the city and state in which they reside. A Ramsey County District Court judge has directed us to make these disclosures on or before December 17. In deference to the Court, we anticipate making this disclosure on December 5.

We respectfully request that you inform any other members of your family that we will be taking this action. I understand how difficult this may be for you and your family. Please be assured of my personal prayers for you as we work through this challenging time in pursuit of truth and justice, especially for victims of abuse.

If you have any questions, please contact our Chancellor for Civil Affairs, Joseph Kueppers, at kueppersj@archspm.org or 651-291-4405.

With a heartfelt remembrance in my daily prayer, I remain,

Sincerely Yours in Christ,

A handwritten signature in black ink, appearing to read "John C. Nienstedt". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke at the end.

The Most Reverend John C. Nienstedt
Archbishop of Saint Paul and Minneapolis

5852432v1

Fr. Tom Little

INTERNET



0-22