

1/1/1/1/1/1

**Exhibit
No. C**

**CARCIONE, CATTERMOLE, DOLINSKI,
OKIMOTO, STUCKY, UKSHINI,
MARKOWITZ & CARCIONE**

LIMITED LIABILITY PARTNERSHIP

JOSEPH W. CARCIONE, JR., P.C.
GREGORY C. CATTERMOLE
GARY W. DOLINSKI
GERALD K. OKIMOTO
ROGER W. STUCKY
JOSHUA S. MARKOWITZ
JOHN P. CARCIONE

DANIELLE UKSHINI
(1958-2005)

601 BREWSTER AVENUE
P.O. Box 3389
REDWOOD CITY, CA 94064
TELEPHONE (650) 367-6811
FACSIMILE (650) 367-0367

ROBERT U. BOKELMAN
AARON B. MARKOWITZ
NEAL A. MARKOWITZ
MARA W. FEIGER
HILLARY A. HERNING

MATTHEW J. McNAUGHTON
Of Counsel

July 11, 2007

BY TELECOPIER, ONLY [(213) 625-0248]

Michael L. Cypers, Esq.
Evan M. Wooten, Esq.
Mayer, Brown, Rowe & Maw LLP
350 South Grand Avenue, 25th Floor
Los Angeles, CA 90071-1503

Re: *Joaquin Mendez v. Cardinal Roger Mahony, et al.*
[Los Angeles County Superior Court No. BC358718]

Dear Counsel:

As you know, Plaintiff served 46 Special Interrogatories to Cardinal Rivera and 53 to the Diocese of Tehuacan. The Responses to each set stopped providing substantive answers after Interrogatory No. 35 in each set, and the remainder were objected to on the basis of the absence of declarations for additional discovery (beyond the statutory limit of 35).

We request that the Defendants answer the remaining interrogatories at this time, say, within 15 days, instead of the Plaintiff having to re-serve those interrogatories in 2 more sets together with the required declarations. In order to solve the declaration objection for the first 2 sets, two declarations are appended hereto.

Please advise us by noon on Friday, July 13, as to how you would like to proceed. I would just note that the attorneys for the California defendants in this case have served the Plaintiff with 215 interrogatories. They do not think the 35 limit will work in this case.

Sincerely,

CARCIONE, CATTERMOLE, DOLINSKI, ET AL.

By: 

Gary W. Dolinski, Esq.

7/11/07

GWD/hs
opeiu3-afl-cio(259)

Michael L. Cypers, Esq.
Evan M. Wooten, Esq.
Joaquin Mendez v. Cardinal Roger Mahony, et al.
July 11, 2007
Page 2

Attachments: Declarations for Additional Discovery (2).

- cc: Steven R. Selsberg, Esq.
Houston Attorney for Cardinal Rivera and Diocese of Tehuacan
(w/ attachments)
[by telecopier, only (712) 238-4888]
- cc: Laurence E. Drivon, Esq.
David E. Drivon, Esq.
Robert T. Waters, Esq.
Stockton Attorneys for Plaintiff
(w/ attachments)
[by telecopier, only (209) 463-7668]
- cc: Michael Finnegan, Esq.
St. Paul Attorney for Plaintiff
(w/ attachments)
[by telecopier, only (651) 297-6543]
- cc: Martin D. Gross, Esq.
Santa Monica Attorney for Plaintiff
(w/ attachments)
[by telecopier, only (310) 861-1359]

1/1/07

1 Lawrence E. Drivon, Esq. (State Bar No. 46660)
David E. Drivon, Esq. (State Bar No. 158369)
2 Robert T. Waters, Esq. (State Bar No. 196833)
The Drivon Law Firm
3 215 North San Joaquin Street
Stockton, CA 95202
4 Telephone: (209) 644-1234

5 Michael G. Finnegan, Esq. (State Bar No. 241091)
Jeff Anderson & Associates
6 E-1000 First National Bank Building
332 Minnesota Street
7 St. Paul, Minnesota 55101
Telephone: (651) 227-9990

8 Joseph W. Carcione, Jr., Esq. (State Bar No. 56693)
9 Gary W. Dolinski, Esq. (State Bar No. 107725)
Mara W. Feiger, Esq. (State Bar No. 143247)
10 CARCIONE, CATTERMOLE, DOLINSKI, OKIMOTO,
STUCKY, UKSHINI, MARKOWITZ & CARCIONE, LLP
11 601 Brewster Avenue
P.O. Box 3389
12 Redwood City, CA 94064
Telephone: (650) 367-6811

13 Attorneys for Plaintiff:
14 JOAQUIN AGUILAR MENDEZ

15
16 SUPERIOR COURT OF THE STATE OF CALIFORNIA
17 FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT
18

19 JOAQUIN AGUILAR MENDEZ,

Case No. BC358718

20 Plaintiff,

21 vs.

DECLARATION OF COUNSEL FOR
ADDITIONAL DISCOVERY re:
SPECIAL INTERROGATORIES, SET ONE,
TO CARDINAL NORBERTO RIVERA

22 CARDINAL ROGER MAHONEY, THE
ROMAN CATHOLIC ARCHBISHOP OF
LOS ANGELES, A CORPORATION
23 SOLE, CARDINAL NORBERTO
RIVERA, THE DIOCESE OF
24 TEHUACAN, FATHER NICHOLAS
AGUILAR DOES 1-100,

25 Defendants.
26 _____ /
27
28

DECLARATION OF COUNSEL

I, Gary W. Dolinski, on oath state:

(1) I am an attorney at law duly licensed to practice law before all the courts of the State of California and am a partner with the Law Offices of Carcione, Cattermole, Dolinski, Okimoto, Stucky, Ukshini, Markowitz & Carcione, L.L.P., one of the attorneys of record for the Plaintiff in this litigation.

(2) On March 30, 2007, Plaintiff propounding to CARDINAL NORBERTO RIVERA ["Defendant"] a First Set of Special Interrogatories.

(3) This set of Special Interrogatories caused the total number of requests propounded to the party to whom they are directed to exceed the number permitted by paragraph (1) of subdivision (c) of Section 2030 of the Code of Civil Procedure.

(4) Plaintiff had previously propounded no Special Interrogatories to this Defendant.

(5) This set of Special Interrogatories contained a total of forty-six (46) requests.

(6) I am familiar with the issues and the previous discovery conducted by all parties in this case.

(7) I have personally examined each of the requests in this set of Special Interrogatories.

(8) The number of Special Interrogatories was warranted under Section 2030.040, subdivision (a), of the Code of Civil Procedure. The number was warranted under C.C.P. § 2030.040(a)(1), because of the complexity of this litigation, and/or the quantity of the existing and potential issues. This case has the additional issue of the jurisdiction of this Court over this Defendant, and the factual and legal issues concerning "jurisdiction" are many. The number was also warranted under C.C.P. § 2030.040(a)(2), because the financial burden on the Plaintiff of obtaining all of this information by deposition is significant when some of the information can be obtained more cost effectively by interrogatory. The number was also warranted under C.C.P. § 2030.040(a)(3), because interrogatories can be the most expeditious manner of obtaining the relevant and accurate information when the Defendant conducts an

1 internal inquiry, investigation, or search of files or records to supply the information.

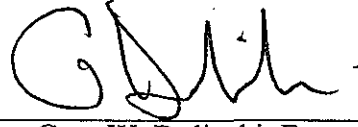
2 (9) None of the Special Interrogatories in this set were propounded for any
3 improper purpose, such as to harass the party, or attorney for the party, to whom it is directed,
4 or to cause unnecessary delay or needless increase in the cost of litigation.

5

6 I declare under penalty of perjury under the laws of the State of California that the
7 foregoing is true and correct.

8 Executed on this 11th day of July, 2007, at Redwood City, California.

9



10
11 _____
Gary W. Dolinski, Esq.

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1 Lawrence E. Drivon, Esq. (State Bar No. 46660)
David E. Drivon, Esq. (State Bar No. 158369)
2 Robert T. Waters, Esq. (State Bar No. 196833)
The Drivon Law Firm
3 215 North San Joaquin Street
Stockton, CA 95202
4 Telephone: (209) 644-1234

5 Michael G. Finnegan, Esq. (State Bar No. 241091)
Jeff Anderson & Associates
6 E-1000 First National Bank Building
332 Minnesota Street
7 St. Paul, Minnesota 55101
Telephone: (651) 227-9990

8 Joseph W. Carcione, Jr., Esq. (State Bar No. 56693)
9 Gary W. Dolinski, Esq. (State Bar No. 107725)
Mara W. Feiger, Esq. (State Bar No. 143247)
10 CARCIONE, CATTERMOLE, DOLINSKI, OKIMOTO,
STUCKY, UKSHINI, MARKOWITZ & CARCIONE, LLP
11 601 Brewster Avenue
P.O. Box 3389
12 Redwood City, CA 94064
Telephone: (650) 367-6811

13 Attorneys for Plaintiff:
14 JOAQUIN AGUILAR MENDEZ

15
16 SUPERIOR COURT OF THE STATE OF CALIFORNIA
17 FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT
18

19 JOAQUIN AGUILAR MENDEZ,
20 Plaintiff,
21 vs.
22 CARDINAL ROGER MAHONEY, THE
ROMAN CATHOLIC ARCHBISHOP OF
23 LOS ANGELES, A CORPORATION
SOLE, CARDINAL NORBERTO
24 RIVERA, THE DIOCESE OF
TEHUACAN, FATHER NICHOLAS
AGUILAR DOES 1-100,
25
26 Defendants.
27
28

Case No. BC358718

DECLARATION OF COUNSEL FOR
ADDITIONAL DISCOVERY re:
SPECIAL INTERROGATORIES, SET ONE,
TO THE DIOCESE OF TEHUACAN

DECLARATION OF COUNSEL

I, Gary W. Dolinski, on oath state:

(1) I am an attorney at law duly licensed to practice law before all the courts of the State of California and am a partner with the Law Offices of Carcione, Cattermole, Dolinski, Okimoto, Stucky, Ukshini, Markowitz & Carcione, L.L.P., one of the attorneys of record for the Plaintiff in this litigation.

(2) On March 30, 2007, Plaintiff propounding to THE DIOCESE OF TEHUACAN ["Defendant"] a First Set of Special Interrogatories.

(3) This set of Special Interrogatories caused the total number of requests propounded to the party to whom they are directed to exceed the number permitted by paragraph (1) of subdivision (c) of Section 2030 of the Code of Civil Procedure.

(4) Plaintiff had previously propounded no Special Interrogatories to this Defendant.

(5) This set of Special Interrogatories contained a total of Fifty-three (53) requests.

(6) I am familiar with the issues and the previous discovery conducted by all parties in this case.

(7) I have personally examined each of the requests in this set of Special Interrogatories.

(8) The number of Special Interrogatories was warranted under Section 2030.040, subdivision (a), of the Code of Civil Procedure. The number was warranted under C.C.P. § 2030.040(a)(1), because of the complexity of this litigation, and/or the quantity of the existing and potential issues. This case has the additional issue of the jurisdiction of this Court over this Defendant, and the factual and legal issues concerning "jurisdiction" are many. The number was also warranted under C.C.P. § 2030.040(a)(2), because the financial burden on the Plaintiff of obtaining all of this information by deposition is significant when some of the information can be obtained more cost effectively by interrogatory. The number was also warranted under C.C.P. § 2030.040(a)(3), because interrogatories can be the most expeditious manner of obtaining the relevant and accurate information when the Defendant conducts an

1 internal inquiry, investigation, or search of files or records to supply the information.

2 (9) None of the Special Interrogatories in this set were propounded for any
3 improper purpose, such as to harass the party, or attorney for the party, to whom it is directed,
4 or to cause unnecessary delay or needless increase in the cost of litigation.

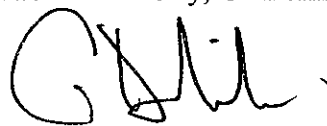
5

6 I declare under penalty of perjury under the laws of the State of California that the
7 foregoing is true and correct.

8 Executed on this 11th day of July, 2007, at Redwood City, California.

9

10



Gary W. Dolinski, Esq.

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

 *** MULTI TX/RX REPORT ***

TX/RX NO	2483
PGS.	8
TX/RX INCOMPLETE	-----
TRANSACTION OK	
	(1) 12136250248
	(3) 12094637668
	(4) 16512976543
	(5) 13108611359
ERROR INFORMATION	
	(2) 17122384888

**CARCIONE, CATTERMOLLE, DOLINSKI,
 OKIMOTO, STUCKY, UKSHINI,
 MARKOWITZ & CARCIONE**

LIMITED LIABILITY PARTNERSHIP

JOSEPH W. CARCIONE, JR., P.C.
 GREGORY C. CATTERMOLLE
 GARY W. DOLINSKI
 GERALD K. OKIMOTO
 ROGER W. STUCKY
 JOSHUA S. MARKOWITZ
 JOHN P. CARCIONE

DANIELLE UKSHINI
 (1956-2005)

801 BREWSTER AVENUE
 P.O. Box 3369
 REDWOOD CITY, CA 94084
 TELEPHONE (650) 367-6811
 FACSIMILE (650) 367-0367

ROBERT U. BOKELMAN
 AARON B. MARKOWITZ
 NEAL A. MARKOWITZ
 MARA W. FEIGER
 HILLARY A. HEARNING

MATTHEW J. McNAUGHTON
 Of Counsel

July 11, 2007

BY TELECOPIER, ONLY [(213) 625-0248]

Michael L. Cypers, Esq.
 Evan M. Wooten, Esq.
 Mayer, Brown, Rowe & Maw LLP
 350 South Grand Avenue, 25th Floor
 Los Angeles, CA 90071-1503

Re: *Joaquin Mendez v. Cardinal Roger Mahony, et al.*
Los Angeles County Superior Court No. BC358718

Dear Counsel:

As you know, Plaintiff served 46 Special Interrogatories to Cardinal Rivera and 53 to the Diocese of Tehuacan. The Responses to each set stopped providing substantive answers after Interrogatory No. 35 in each set, and the remainder were objected to on the basis of the absence of declarations for additional discovery (beyond the statutory limit of 35).

We request that the Defendants answer the remaining interrogatories at this time, say, within 15 days, instead of the Plaintiff having to re-serve those interrogatories in 2 more sets together with the required declarations. In order to solve the declaration objection for the first 2 sets, two declarations are appended hereto.

Please advise us by noon on Friday, July 13, as to how you would like to proceed. I would just note that the attorneys for the California defendants in this case have served the Plaintiff with 215 interrogatories. They do not think the 35 limit will work in this case.

*** ERROR TX REPORT ***

TX FUNCTION WAS NOT COMPLETED

TX/RX NO 2495
RECIPIENT ADDRESS 17122384888
DESTINATION ID
ST. TIME 07/12 10:54
TIME USE 00'35
PAGES SENT 0
RESULT NG #0018 BUSY/NO SIGNAL

**CARCIONE, CATTERMOLE, DOLINSKI,
OKIMOTO, STUCKY, UKSHINI,
MARKOWITZ & CARCIONE**

LIMITED LIABILITY PARTNERSHIP

JOSEPH W. CARCIONE, JR., P.C.
GREGORY C. CATTERMOLE
GARY W. DOLINSKI
GERALD K. OKIMOTO
ROGER W. STUCKY
JOSHUA S. MARKOWITZ
JOHN P. CARCIONE

DANIELLE UKSHINI
(1958-2005)

601 BREWSTER AVENUE
P.O. Box 3388
REDWOOD CITY, CA 94064
TELEPHONE (650) 367-6811
FACSIMILE (650) 367-0367



ROBERT U. BOKELMAN
AARON B. MARKOWITZ
NEAL A. MARKOWITZ
MARA W. FEIGER
HILLARY A. HERNING

MATTHEW J. McNAUGHTON
Of Counsel

July 11, 2007

BY TELECOPIER, ONLY [(213) 625-0248]

Michael L. Cypers, Esq.
Evan M. Wooten, Esq.
Mayer, Brown, Rowe & Maw LLP
350 South Grand Avenue, 25th Floor
Los Angeles, CA 90071-1503

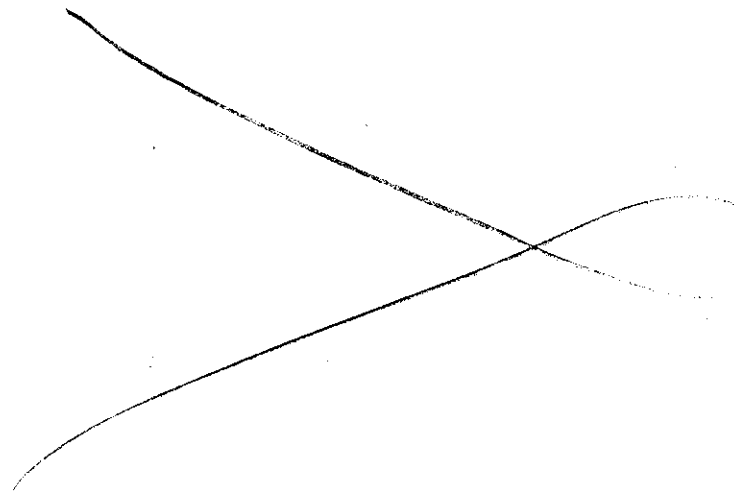
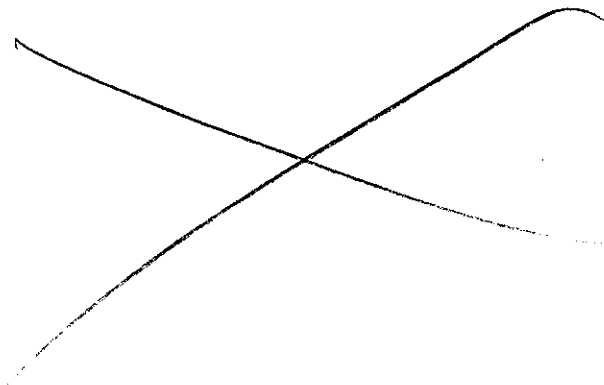
Re: *Joaquin Mendez v. Cardinal Roger Mahony, et al.*
[Los Angeles County Superior Court No. BC358718]

Dear Counsel:

As you know, Plaintiff served 46 Special Interrogatories to Cardinal Rivera and 53 to the Diocese of Tehuacan. The Responses to each set stopped providing substantive answers after Interrogatory No. 35 in each set, and the remainder were objected to on the basis of the absence of declarations for additional discovery (beyond the statutory limit of 35).

We request that the Defendants answer the remaining interrogatories at this time, say, within 15 days, instead of the Plaintiff having to re-serve those interrogatories in 2 more sets together with the required declarations. In order to solve the declaration objection for the first 2 sets, two declarations are appended hereto.

Please advise us by noon on Friday, July 13, as to how you would like to proceed. I would just note that the attorneys for the California defendants in this case have served the Plaintiff with 215 interrogatories. They do not think the 35 limit will work in this case.



40/11/11

**Exhibit
No. D**



July 13, 2007

BY FAX

Gary W. Dolinski, Esq.
Carcione, Cattermole, Dolinski, et al., LLP
601 Brewster Avenue
P.O. Box 3389
Redwood City, California 94064

Mayer, Brown, Rowe & Maw LLP
350 South Grand Avenue
25th Floor
Los Angeles, California 90071-1503

Main Tel (213) 229-9500
Main Fax (213) 625-0248
www.mayerbrownrowe.com

Evan M. Wooten
Direct Tel (213) 621-9450
Direct Fax (213) 625-0248
ewooten@mayerbrownrowe.com

Re: Joaquin Mendez v. Cardinal Roger Mahony, et al.
[Los Angeles County Sup. Ct. No. BC358718];
Response to Request to Supplement Interrogatory
Responses

Dear Mr. Dolinski:

This letter is in response to your request that Defendants Cardinal Norberto Rivera and the Diocese of Tehuacan answer those special interrogatories contained in Plaintiff's first sets of special interrogatories to which the Defendants did not substantively respond on the grounds that the interrogatories exceeded the statutory limit of thirty-five special interrogatories per party. In support of this request, you attached two declarations meant to demonstrate the propriety of the excess interrogatories.

The declarations state, first, that the excess in this case is warranted "because of the complexity of this litigation, and/or the quantity of the existing and potential issues," and you note in your letter that Counsel for Defendant Cardinal Roger Mahony served 215 special interrogatories in this case. Discovery, as it pertains to Cardinal Rivera and the Diocese, however, is limited to the issue of jurisdiction. The declarations refer to jurisdiction as an "additional issue;" yet, jurisdiction is the *only* issue on which the Court authorized discovery (indeed, it is the only issue for which Plaintiff's Counsel requested discovery at the March 21, 2007 hearing before Judge Berle).

We do not believe that the issue of jurisdiction is so complex as to warrant special interrogatories in excess of the statutorily prescribed limit of thirty-five. Already Cardinal Rivera and the Diocese have incurred the expense of propounding and responding to discovery requests and in scheduling and preparing for depositions, despite that the Defendants are not presently subject to the jurisdiction of the California courts. If the courts of California ultimately take jurisdiction over Cardinal Rivera and the Diocese, and discovery on the merits ensues, we will stipulate to additional interrogatories.

EXD

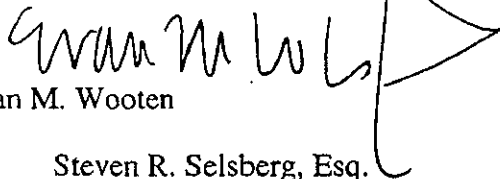
Mayer, Brown, Rowe & Maw LI

Gary W. Dolinski, Esq.
July 13, 2007
Page 2

The declarations also state that the excess in special interrogatories is warranted because interrogatories are more cost effective than depositions. We are making Cardinal Rivera and the head of the Diocese of Tehuacan available for deposition, however. If you would like to eliminate either of the depositions, or otherwise circumscribe the depositions in light of the special interrogatories, then we would be inclined to answer the remaining interrogatories.

In sum, we do not believe that additional interrogatories are warranted at this stage of the litigation, *i.e.*, prior to resolution of the jurisdiction issue. In light of our differing opinions, as well as the relatively short amounts of time between now and (i) the proposed depositions and (ii) the hearing on our motion to quash service, it seems wise that we discuss the matter in more detail. We are available at your convenience for such a discussion.

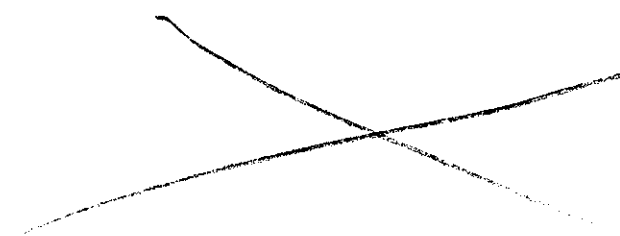
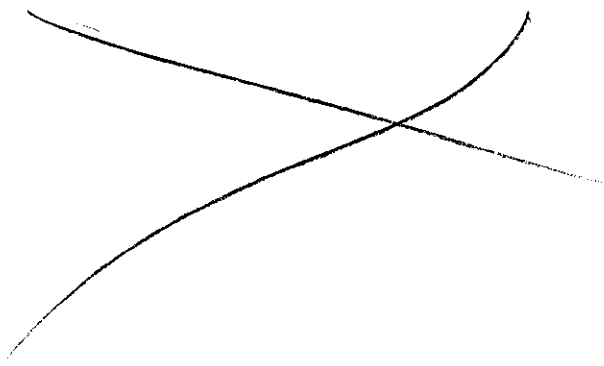
Sincerely,



Evan M. Wooten

cc: Steven R. Selsberg, Esq.
Michael Finnegan, Esq.
David E. Drivon, Esq.
Martin D. Gross, Esq.

7/13/07



14-00000

**Exhibit
No. E**

**CARCIONE, CATTERMOLE, DOLINSKI,
OKIMOTO, STUCKY, UKSHINI,
MARKOWITZ & CARCIONE**

LIMITED LIABILITY PARTNERSHIP

601 BREWSTER AVENUE
P.O. Box 3389
REDWOOD CITY, CA 94064
TELEPHONE (650) 367-6811
FACSIMILE (650) 367-0367



ROBERT U. BOKELMAN
AARON B. MARKOWITZ
NEAL A. MARKOWITZ
MARA W. FEIGER
HILLARY A. HERNING

MATTHEW J. McNAUGHTON
Of Counsel

JOSEPH W. CARCIONE, JR., P.C.
GREGORY C. CATTERMOLE
GARY W. DOLINSKI
GERALD K. OKIMOTO
ROGER W. STUCKY
JOSHUA S. MARKOWITZ
JOHN P. CARCIONE

DANIELLE UKSHINI
(1958-2005)

July 13, 2007

BY TELECOPIER, ONLY [(213) 625-0248]

Michael L. Cypers, Esq.
Evan M. Wooten, Esq.
Mayer, Brown, Rowe & Maw LLP
350 South Grand Avenue, 25th Floor
Los Angeles, CA 90071-1503

Re: *Joaquin Mendez v. Cardinal Roger Mahony, et al.*
[Los Angeles County Superior Court No. BC358718]

Dear Counsel:

Evan Wooten's offer of "a discussion" makes no sense. Your position that Cardinal Rivera will not answer 11 more special interrogatories, and the Diocese of Tehuacan will not answer 18 more special interrogatories, beyond the initial statutory 35, in the *first* sets of written discovery on the issue of "jurisdiction" in this case, is unreasonable and in bad faith.

Plaintiffs will proceed to motion practice.

Sincerely,

CARCIONE, CATTERMOLE, DOLINSKI, ET AL.

By: 

Gary W. Dolinski, Esq.

GWD/hs
cpeiu3-afl-cio(259)

cc: Steven R. Selsberg, Esq.
Houston Attorney for Cardinal Rivera and Diocese of Tehuacan
[by telecopier, only (712) 238-4888]

EX E

Michael L. Cypers, Esq.
Evan M. Wooten, Esq.
Joaquin Mendez v. Cardinal Roger Mahony, et al.
July 13, 2007
Page 2

- cc: Laurence E. Drivon, Esq.
David E. Drivon, Esq.
Robert T. Waters, Esq.
Stockton Attorneys for Plaintiff
[by telecopier, only (209) 463-7668]
- cc: Michael Finnegan, Esq.
St. Paul Attorney for Plaintiff
[by telecopier, only (651) 297-6543]
- cc: Martin D. Gross, Esq.
Santa Monica Attorney for Plaintiff
[by telecopier, only (310) 861-1359]

7/13/07

*** MULTI TX/RX REPORT ***

TX/RX NO	2516
PGS.	2
TX/RX INCOMPLETE	-----
TRANSACTION OK	
	(1) 12136250248
	(3) 12094637668
	(4) 16512976543
	(5) 13108611359
ERROR INFORMATION	
	(2) 17122384888

CARCIONE, CATTERMOLLE, DOLINSKI, OKIMOTO, STUCKY, UKSHINI, MARKOWITZ & CARCIONE

LIMITED LIABILITY PARTNERSHIP

JOSEPH W. CARCIONE, JR., P.C.
GREGORY C. CATTERMOLLE
GARY W. DOLINSKI
GERALD K. OKIMOTO
ROGER W. STUCKY
JOSHUA S. MARKOWITZ
JOHN P. CARCIONE

DANIELLE UKSHINI
(1958-2005)

601 BREWSTER AVENUE
P.O. Box 3389
REDWOOD CITY, CA 94064
TELEPHONE (650) 367-6811
FACSIMILE (650) 367-0367

ROBERT U. BOKELMAN
AARON B. MARKOWITZ
NEAL A. MARKOWITZ
MARA W. FEIGER
HILLARY A. HERNING

MATTHEW J. McNAUGHTON
Of Counsel

July 13, 2007

BY TELECOPIER, ONLY [(213) 625-0248]

Michael L. Cypers, Esq.
Evan M. Wooten, Esq.
Mayer, Brown, Rowe & Maw LLP
350 South Grand Avenue, 25th Floor
Los Angeles, CA 90071-1503

Re: *Joaquin Mendez v. Cardinal Roger Mahony, et al.*
Los Angeles County Superior Court No. BC358718

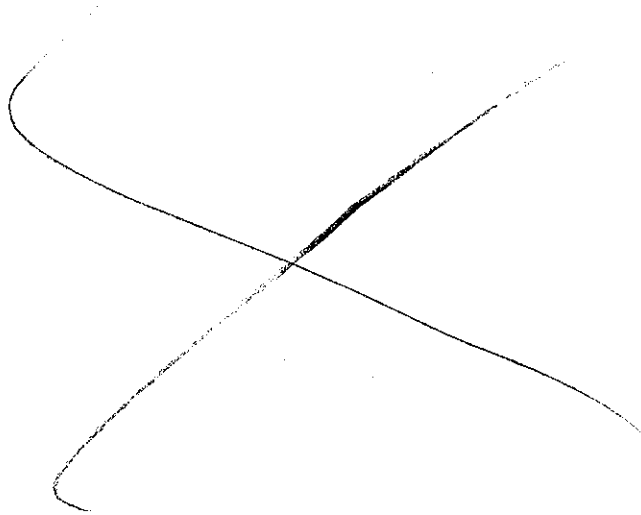
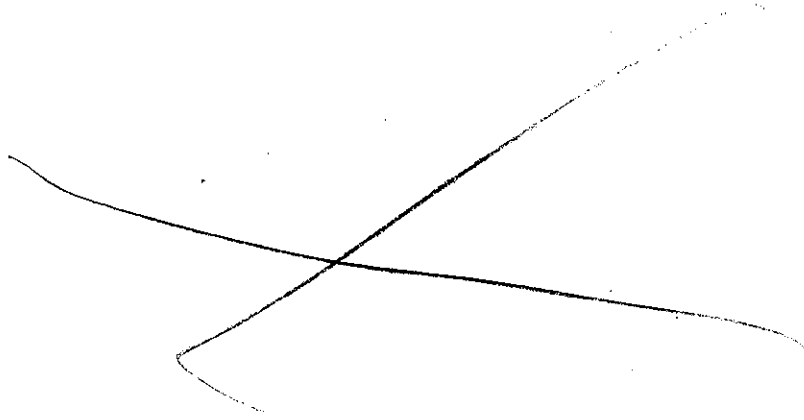
Dear Counsel:

Evan Wooten's offer of "a discussion" makes no sense. Your position that Cardinal Rivera will not answer 11 more special interrogatories, and the Diocese of Tehuacan will not answer 18 more special interrogatories, beyond the initial statutory 35, in the first sets of written discovery on the issue of "jurisdiction" in this case, is unreasonable and in bad faith.

Plaintiffs will proceed to motion practice.

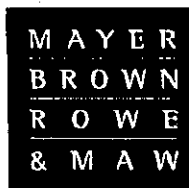
Sincerely,

CARCIONE, CATTERMOLLE, DOLINSKI, ET AL.



CONFIDENTIAL

**Exhibit
No. F**



July 13, 2007

BY FAX

Gary W. Dolinski, Esq.
Carcione, Cattermole, Dolinski, et al., LLP
601 Brewster Avenue
P.O. Box 3389
Redwood City, California 94064

Mayer, Brown, Rowe & Maw LLP
350 South Grand Avenue
25th Floor
Los Angeles, California 90071-1503

Main Tel (213) 229-9500
Main Fax (213) 625-0248
www.mayerbrownrowe.com

Evan M. Wooten
Direct Tel (213) 621-9450
Direct Fax (213) 625-0248
ewooten@mayerbrownrowe.com

Re: Joaquin Mendez v. Cardinal Roger Mahony, et al.
[Los Angeles County Sup. Ct. No. BC358718];
Response to Intent to File a Motion to Compel

Dear Mr. Dolinski:

In response to your most recent letter, we would like to point out that we did not state that we were unwilling to answer the remaining interrogatories. Rather, we stated that we did not believe that excessive interrogatories are warranted at the jurisdictional stage of the litigation and expressed our disagreement with the conclusions contained in your declarations. We are concerned that the declarations do not seem to distinguish between the jurisdictional discovery ordered by Judge Berle and full blown discovery on the merits. Your comparison to the interrogatories served by Counsel for Cardinal Mahony is unsettling, if that comparison implies that you might serve hundreds of special interrogatories on Cardinal Rivera and the Diocese before the jurisdictional issue is resolved.

Moreover, we are concerned by the prospect of additional discovery to the extent such discovery impacts the deposition schedule on which Michael Finnegan and I agreed, which schedule was obtained with some difficulty. Ideally, we would prefer that all jurisdictional discovery requests are served and answered, and that all jurisdictional documents are produced, prior to the depositions.

We understand, however, that our concerns may be groundless. If you do not intend to seek additional discovery prior to the depositions and/or to begin serving non-jurisdictional interrogatories prior to the September 11, 2007 hearing, then our concerns are largely mollified. Rather than exchange a series of emails on the subject, we chose to suggest a brief discussion. Previously, we have been able to resolve issues with Plaintiff's Counsel amicably over the telephone and we saw no reason why that could not be the case here as well. Indeed, we agreed with Mr. Drivon to extend the deadline within which you could bring the motion to compel that you now threaten (in the same conversation, I pointed out to Mr. Drivon that our primary concern in supplementing interrogatory responses would be to keep the deposition schedule intact). I would point out, also, that at no point prior to your two recent letters did you request

Berlin Brussels Charlotte Chicago Cologne Frankfurt Hong Kong Houston London Los Angeles New York Palo Alto Paris Washington, D.C.

Mayer, Brown, Rowe & Maw LLP operates in combination with our associated English limited liability partnership in the offices listed above.

EXF

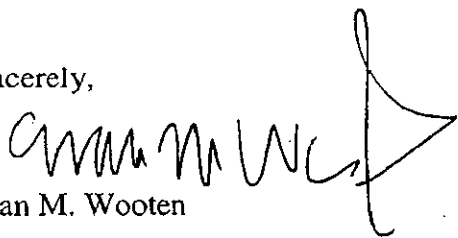
Mayer, Brown, Rowe & Maw LLP

Gary W. Dolinski, Esq.
July 13, 2007
Page 2

that we stipulate to interrogatories in excess of the statutory limit or otherwise initiate discussions on the subject.

If you wish to proceed in motion practice, that is your prerogative. We are still willing to discuss the issue, however, and, under the appropriate circumstances, to supplement our interrogatory responses. If you wish to engage in such discussion, please let us know or contact me at the information listed above.

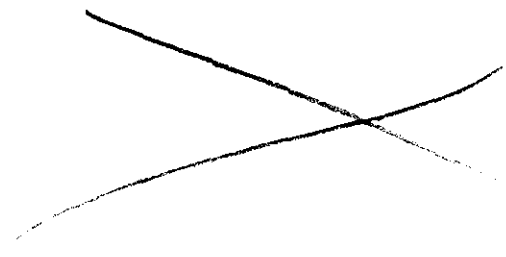
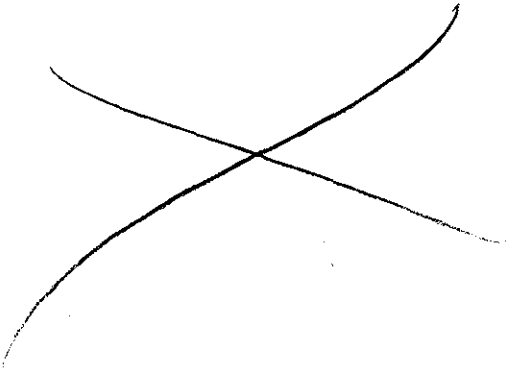
Sincerely,



Evan M. Wooten

cc: Steven R. Selsberg, Esq.
Michael Finnegan, Esq.
David E. Drivon, Esq.
Martin D. Gross, Esq.

7/13/07



2/11/07

**Exhibit
No. G**

**CARCIONE, CATTERMOLE, DOLINSKI,
OKIMOTO, STUCKY, UKSHINI,
MARKOWITZ & CARCIONE**

LIMITED LIABILITY PARTNERSHIP

JOSEPH W. CARCIONE, JR., P.C.
GREGORY C. CATTERMOLE
GARY W. DOLINSKI
GERALD K. OKIMOTO
ROGER W. STUCKY
JOSHUA S. MARKOWITZ
JOHN P. CARCIONE

DANIELLE UKSHINI
(1958-2005)

601 BREWSTER AVENUE
P.O. Box 3389
REDWOOD CITY, CA 94064
TELEPHONE (650) 367-6811
FACSIMILE (650) 367-0367

ROBERT U. BOKELMAN
AARON B. MARKOWITZ
NEAL A. MARKOWITZ
MARA W. FEIGER
HILLARY A. HERNING

MATTHEW J. McNAUGHTON
Of Counsel

July 16, 2007

BY TELECOPIER, ONLY [(213) 625-0248]

Michael L. Cypers, Esq.
Evan M. Wooten, Esq.
Mayer, Brown, Rowe & Maw LLP
350 South Grand Avenue, 25th Floor
Los Angeles, CA 90071-1503

Re: *Joaquin Mendez v. Cardinal Roger Mahony, et al.*
[Los Angeles County Superior Court No. BC358718]

Dear Counsel:

None of Evan Wooten's "concerns" expressed in his letter of July 13, telecopied Friday afternoon at 4:09 p.m., are of any significance to the only discovery issue in dispute. If Mr. Wooten's statement is accurate that you "did not state that we [you] were unwilling to answer the remaining interrogatories", that is great. We can avoid motion practice if Cardinal Rivera will answer the 11 previously unanswered special interrogatories, and the Diocese of Tehuacan will answer the 18 previously unanswered special interrogatories, from the first sets on "jurisdiction".

By noon tomorrow, please communicate your clients' commitments to answer the additional interrogatories from the first sets, and a date when we can expect receipt of same.

Sincerely,

CARCIONE, CATTERMOLE, DOLINSKI, ET AL.

By: 

Gary W. Dolinski, Esq.

7
2
5
7

GWD/hs
opeiu3-afl-cio(259)

Michael L. Cypers, Esq.
Evan M. Wooten, Esq.
Joaquin Mendez v. Cardinal Roger Mahony, et al.
July 16, 2007
Page 2

- cc: Laurence E. Drivon, Esq.
David E. Drivon, Esq.
Robert T. Waters, Esq.
Stockton Attorneys for Plaintiff
[by telecopier, only (209) 463-7668]
- cc: Michael Finnegan, Esq.
St. Paul Attorney for Plaintiff
[by telecopier, only (651) 297-6543]
- cc: Martin D. Gross, Esq.
Santa Monica Attorney for Plaintiff
[by telecopier, only (310) 861-1359]

7/16/07

 *** MULTI TX/RX REPORT ***

TX/RX NO	2547
PGS.	2
TX/RX INCOMPLETE	

TRANSACTION OK	
	(1) 12138250248
	(2) 12094837668
	(3) 16512976543
	(4) 13108611359
ERROR INFORMATION	

**CARCIONE, CATTERMOLE, DOLINSKI,
 OKIMOTO, STUCKY, UKSHINI,
 MARKOWITZ & CARCIONE**

LIMITED LIABILITY PARTNERSHIP

JOSEPH W. CARCIONE, JR., P.C.
 GREGORY C. CATTERMOLE
 GARY W. DOLINSKI
 GERALD K. OKIMOTO
 ROGER W. STUCKY
 JOSHUA S. MARKOWITZ
 JOHN P. CARCIONE

DANIELLE UKSHINI
 (1968-2005)

601 BREWSTER AVENUE
 P.O. Box 3389
 REDWOOD CITY, CA 94064
 TELEPHONE (650) 367-6811
 FACSIMILE (650) 367-0367

ROBERT U. BOKELMAN
 AARON B. MARKOWITZ
 NEAL A. MARKOWITZ
 MARA W. FEIGER
 HILLARY A. HERNING

MATTHEW J. McNAUGHTON
 Of Counsel

July 16, 2007

BY TELECOPIER ONLY [(213) 625-0248]

Michael L. Cypers, Esq.
 Evan M. Wooten, Esq.
 Mayer, Brown, Rowe & Maw LLP
 350 South Grand Avenue, 25th Floor
 Los Angeles, CA 90071-1503

Re: *Joaquin Mendez v. Cardinal Roger Mahony, et al.*
[Los Angeles County Superior Court No. BC358718]

Dear Counsel:

None of Evan Wooten's "concerns" expressed in his letter of July 13, telecopied Friday afternoon at 4:09 p.m., are of any significance to the only discovery issue in dispute. If Mr. Wooten's statement is accurate that you "did not state that we [you] were unwilling to answer the remaining interrogatories", that is great. We can avoid motion practice if Cardinal Rivera will answer the 11 previously unanswered special interrogatories, and the Diocese of Tehuacan will answer the 18 previously unanswered special interrogatories, from the first sets on "jurisdiction".

By noon tomorrow, please communicate your clients' commitments to answer the additional interrogatories from the first sets, and a date when we can expect receipt of same.

Sincerely,

CARCIONE, CATTERMOLE, DOLINSKI, ET AL.