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CARDINAL NORBERTO RIVERA AND THE
DIOCESE OF TEHUACAN

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF LOS ANGELES, CENTRAL DISTRICT
12

13 JOAQUIN AGUILAR MENDEZ,
14 Plaintiff,
15 v.

Case No. BC358718

DEFENDANT THE DIOCESE OF
TEHUACAN'S RESPONSES TO
PLAINTIFF'S INTERROGATORIES
REGARDING JURISDICTION

16 CARDINAL ROGER MAHONY, THE
ROMAN CATHOLIC ARCHBISHOP OF LOS
17 ANGELES, A CORPORATION SOLE,
CARDINAL NORBERTO RIVERA, THE
18 DIOCESE OF TEHUACAN, FATHER
NICHOLAS AGUILAR DOES 1-100,
19 Defendants.
20

21 PROPOUNDING PARTY: Plaintiff Joaquin Aguilar Mendez

22 RESPONDING PARTY: Defendant The Diocese of Tehuacan

23 SET NUMBER: One [Nos. 1 - 53]

24 Defendant the Diocese of Tehuacan (the "Diocese") hereby responds to Plaintiffs' First
25 Set of Special Interrogatories (collectively, the "Interrogatories," individually, an "Interrogatory")
26 as follows:

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40-511-10

EXHIBIT
DATE 7-29-01 WITNESS D. Martinez
DANA CHRISTENSEN, CSR 11257

THE DIOCESE OF TEHUACAN'S RESPONSES TO PLAINTIFF'S
INTERROGATORIES; CASE NO. BC358718

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1 PRELIMINARY STATEMENT

2 The Diocese's responses to the Interrogatories are made solely for the purpose of this
3 action. Each response is made subject to all objections as to competence, relevance, materiality,
4 propriety, admissibility, privilege, privacy, proprietary information, trade secrets and the like,
5 and any and all other objections on grounds that would require the exclusion of any response
6 herein if such were offered in Court, all of which objections and grounds are reserved and may
7 be interposed at anytime, including at the time of trial.

8 No incidental or implied admissions are intended in these responses. The Diocese's
9 response to any Interrogatory should not be taken as an admission that the Diocese accepts or
10 admits the existence of any fact(s) or any document(s) assumed by that Interrogatory or that such
11 response constitutes admissible evidence. The Diocese's response to any such Interrogatory is
12 not intended to be, and shall not be construed as, a waiver by the Diocese of any or all
13 objection(s) to the Interrogatory.

14 The Diocese has not completed its (a) investigation of the facts relating to this case, (b)
15 discovery in this action, or (c) preparation for trial. The following responses are based upon
16 information known at this time and are given without prejudice to the Diocese's right to amend,
17 supplement or revise these responses with any subsequently discovered information.

18 GENERAL OBJECTIONS

19 The Diocese makes and hereby incorporates by reference the following general
20 objections, whether or not separately set forth, in response to each Interrogatory:

21 1. The Diocese objects to each Interrogatory to the extent that it seeks information
22 protected by the attorney-client privilege, the work-product doctrine, a confidentiality agreement,
23 or information that is otherwise privileged, protected or confidential pursuant to any applicable
24 doctrine, statute or rule. Such responses as may hereafter be given shall not include any
25 information protected by such privileges, doctrines, statutes or rules, and any inadvertent
26 disclosure of such information shall not be deemed a waiver of any such privilege, protection or
27 confidentiality.
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1 2. The Diocese objects to the Interrogatories to the extent they seek information
2 unrelated to the issue of whether California courts may lawfully exercise jurisdiction over the
3 Diocese, for which purpose the Court granted limited discovery.

4 3. Notwithstanding the objection raised in Paragraph 2, the Diocese objects to each
5 Interrogatory to the extent it seeks information that is neither relevant to the subject matter
6 involved in this action nor reasonably calculated to lead to the discovery of admissible evidence.

7 4. The Diocese objects to each Interrogatory insofar as it assumes facts that are not in
8 evidence. The Diocese does not admit or agree with any explicit or implicit assumption made by
9 Plaintiffs in these Interrogatories.

10 5. The Diocese objects to each Interrogatory insofar as it seeks to impose upon the
11 Diocese obligations that exceed the requirements of the California Code of Civil Procedure. The
12 Diocese's responses will be in accordance with the Code's requirements. Specifically, but
13 without limitation, The Diocese objects to the attempted imposition of a continuing duty on the
14 part of the Diocese to amend or modify its responses to the Interrogatories. Such a continuing
15 duty is contrary to Section § 2030.060(g) of the California Code of Civil Procedure.

16 6. The Diocese objects to the definition of "YOU" and "YOUR" included in the
17 Interrogatories on the ground that it is overly broad, compound, unduly burdensome, oppressive,
18 vague and ambiguous. The Diocese further objects to this definition to the extent it implies an
19 agency or employment relationship where none exists in fact or in law. The Diocese further
20 objects to this definition to the extent it improperly seeks information regarding third parties.
21 The Diocese will respond on behalf of the Diocese of Tehuacan only.

22 In addition to the above-stated objections to all of the Interrogatories in general, the
23 Diocese also asserts objections to specific Interrogatories, as indicated and explained below.

24 **RESPONSES TO INTERROGATORIES**

25 **INTERROGATORY NO. 1:**

26 Identify all persons answering these interrogatories or who was consulted in order to
27 answer the question, the questions they answered or consulted on and their association and/or
28 position with The Diocese of Tehuacan.

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1 **RESPONSE TO INTERROGATORY NO. 1:**

2 The Diocese incorporates by reference its Preliminary Statement and General Objections
3 set forth above. The Diocese further objects to this Interrogatory because it is compound in
4 contravention of Section 2030.060(f) of the California Code of Civil Procedure. Subject to and
5 without waiving its objections, the Diocese responds as follows:

6 The following persons answered and/or consulted in answering the Interrogatories:
7 Rodrigo Aguilar Martinez, Bishop of the Diocese of Tehuacan; and Counsel for the Diocese of
8 Tehuacan.

9 **INTERROGATORY NO. 2:**

10 Has any person incardinated by The Diocese of Tehuacan ever been personally present in
11 California, United States of America?

12 **RESPONSE TO INTERROGATORY NO. 2:**

13 The Diocese incorporates by reference its Preliminary Statement and General Objections
14 set forth above. The Diocese further objects to the term "personally present" as vague,
15 ambiguous and misleading. The Diocese further objects to this Interrogatory because it is overly
16 broad, unduly burdensome and oppressive, and it imposes an unreasonable burden and expense
17 upon the Diocese. The Diocese further objects to this Interrogatory because it seeks information
18 that is neither relevant to the subject matter involved in this action nor reasonably calculated to
19 lead to the discovery of admissible evidence. The Diocese further objects to this Interrogatory to
20 the extent it requires the Diocese to maintain its regularly-generated reports or documents in a
21 manner different from its usual practice. Subject to and without waiving its objections, the
22 Diocese responds as follows:

23 No current employees of the Diocese of Tehuacan are currently present in California on
24 business for the Diocese. On information and belief, no current employees of the Diocese of
25 Tehuacan are currently physically present in California for any purpose. On information and
26 belief, Defendant Father Nicholas Aguilar ("Fr. Aguilar") was physically present in the State of
27 California during 1987 and 1988, subsequent to his irrevocable resignation from the Diocese on
28 January 27, 1987.

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1 **INTERROGATORY NO. 3:**

2 If a person incardinated by The Diocese of Tehuacan has been personally present in
3 California, United States of America, please state the dates that the incardinated person has been
4 personally present in California, United States of America.

5 **RESPONSE TO INTERROGATORY NO. 3:**

6 The Diocese incorporates by reference its Preliminary Statement and General Objections
7 set forth above. The Diocese further objects to the term "personally present" as vague,
8 ambiguous and misleading. The Diocese further objects to this Interrogatory because it is overly
9 broad, unduly burdensome and oppressive, and it imposes an unreasonable burden and expense
10 upon the Diocese. The Diocese further objects to this Interrogatory because it seeks information
11 that is neither relevant to the subject matter involved in this action nor reasonably calculated to
12 lead to the discovery of admissible evidence. The Diocese further objects to this Interrogatory to
13 the extent it requires the Diocese to maintain its regularly-generated reports or documents in a
14 manner different from its usual practice. Subject to and without waiving its objections, the
15 Diocese responds as follows:

16 No current employees of the Diocese of Tehuacan are currently present in California on
17 business for the Diocese. On information and belief, no current employees of the Diocese of
18 Tehuacan are currently physically present in California for any purpose. On information and
19 belief, Fr. Aguilar was physically present in the State of California during 1987 and 1988.

20 **INTERROGATORY NO. 4:**

21 If a person incardinated by The Diocese of Tehuacan has been personally present in
22 California, United States of America please state the location(s) where the incardinated person
23 was personally present.

24 **RESPONSE TO INTERROGATORY NO. 4:**

25 The Diocese incorporates by reference its Preliminary Statement and General Objections
26 set forth above. The Diocese further objects to the term "personally present" as vague,
27 ambiguous and misleading. The Diocese further objects to this Interrogatory because it is overly
28 broad, unduly burdensome and oppressive, and it imposes an unreasonable burden and expense

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1 upon the Diocese. The Diocese further objects to this Interrogatory because it seeks information
2 that is neither relevant to the subject matter involved in this action nor reasonably calculated to
3 lead to the discovery of admissible evidence. The Diocese further objects to this Interrogatory to
4 the extent it requires the Diocese to maintain its regularly-generated reports or documents in a
5 manner different from its usual practice. Subject to and without waiving its objections, the
6 Diocese responds as follows:

7 On information and belief, Fr. Aguilar was physically present in Los Angeles, California
8 during 1987 and 1988, subsequent to his irrevocable resignation from the Diocese on January 27,
9 1987. No current employees of the Diocese of Tehuacan are currently present in California on
10 business for the Diocese. On information and belief, no current employees of the Diocese of
11 Tehuacan are currently physically present in California for any purpose.

12 **INTERROGATORY NO. 5:**

13 If a person incardinated by The Diocese of Tehuacan has been personally present in
14 California, United States of America please state the purpose which brought the incardinated
15 person to California, United States of America.

16 **RESPONSE TO INTERROGATORY NO. 5:**

17 The Diocese incorporates by reference its Preliminary Statement and General Objections
18 set forth above. The Diocese further objects to the term "personally present" as vague,
19 ambiguous and misleading. The Diocese further objects to this Interrogatory because it is overly
20 broad, unduly burdensome and oppressive, and it imposes an unreasonable burden and expense
21 upon the Diocese. The Diocese further objects to this Interrogatory because it seeks information
22 that is neither relevant to the subject matter involved in this action nor reasonably calculated to
23 lead to the discovery of admissible evidence. The Diocese further objects to this Interrogatory to
24 the extent it requires the Diocese to maintain its regularly-generated reports or documents in a
25 manner different from its usual practice. Subject to and without waiving its objections, the
26 Diocese responds as follows:

27 On information and belief, Fr. Aguilar was physically present in the State of California
28 during 1987 and 1988, subsequent to his irrevocable resignation from the Diocese on January 27,

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1 1987. On information and belief, Fr. Aguilar resigned from the Diocese and went to California
2 for family and health reasons, as a result of a physical assault on Fr. Aguilar's person. No
3 current employees of the Diocese of Tehuacan are currently present in California on business for
4 the Diocese. On information and belief, no current employees of the Diocese of Tehuacan are
5 currently physically present in California for any purpose.

6 **INTERROGATORY NO. 6:**

7 If a person incardinated by The Diocese of Tehuacan has been personally present in
8 California, United States of America please state the name of the incardinated person.

9 **RESPONSE TO INTERROGATORY NO. 6:**

10 The Diocese incorporates by reference its Preliminary Statement and General Objections
11 set forth above. The Diocese further objects to the term "personally present" as vague,
12 ambiguous and misleading. The Diocese further objects to this Interrogatory because it is overly
13 broad, unduly burdensome and oppressive, and it imposes an unreasonable burden and expense
14 upon the Diocese. The Diocese further objects to this Interrogatory because it seeks information
15 that is neither relevant to the subject matter involved in this action nor reasonably calculated to
16 lead to the discovery of admissible evidence. The Diocese further objects to this Interrogatory to
17 the extent it requires the Diocese to maintain its regularly-generated reports or documents in a
18 manner different from its usual practice. Subject to and without waiving its objections, the
19 Diocese responds as follows:

20 On information and belief, Fr. Aguilar was physically present in the State of California
21 during 1987 and 1988, subsequent to his irrevocable resignation from the Diocese on January 27,
22 1987. No current employees of the Diocese of Tehuacan are currently present in California on
23 business for the Diocese. On information and belief, no current employees of the Diocese of
24 Tehuacan are currently physically present in California for any purpose.

25 **INTERROGATORY NO. 7:**

26 If a person incardinated by The Diocese of Tehuacan has been personally present in
27 California, United States of America please state the job title of the incardinated person.
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1 **RESPONSE TO INTERROGATORY NO. 7:**

2 The Diocese incorporates by reference its Preliminary Statement and General Objections
3 set forth above. The Diocese further objects to the term "personally present" as vague,
4 ambiguous and misleading. The Diocese further objects to this Interrogatory because it is overly
5 broad, unduly burdensome and oppressive, and it imposes an unreasonable burden and expense
6 upon the Diocese. The Diocese further objects to this Interrogatory because it seeks information
7 that is neither relevant to the subject matter involved in this action nor reasonably calculated to
8 lead to the discovery of admissible evidence. The Diocese further objects to this Interrogatory to
9 the extent it requires the Diocese to maintain its regularly-generated reports or documents in a
10 manner different from its usual practice. Subject to and without waiving its objections, the
11 Diocese responds as follows:

12 On information and belief, Fr. Aguilar was physically present in the State of California
13 during 1987 and 1988, subsequent to his irrevocable resignation from the Diocese on January 27,
14 1987. Prior to his resignation, Fr. Aguilar held the title of Presbyter of San Sebastian Martir
15 parish in Cuacnopalan, Puebla, Mexico in the Diocese of Tehuacan. No current employees of
16 the Diocese of Tehuacan are currently present in California on business for the Diocese. On
17 information and belief, no current employees of the Diocese of Tehuacan are currently physically
18 present in California for any purpose.

19 **INTERROGATORY NO. 8:**

20 If a person incardinated by The Diocese of Tehuacan has been personally present in
21 California, United States of America please describe every document which evidence his trip(s)
22 to California, including but not limited to itinerary(ies), travel documents, visa applications etc.

23 **RESPONSE TO INTERROGATORY NO. 8:**

24 The Diocese incorporates by reference its Preliminary Statement and General Objections
25 set forth above. The Diocese further objects to the term "personally present" as vague,
26 ambiguous and misleading. The Diocese further objects to this Interrogatory because it is overly
27 broad, unduly burdensome and oppressive, and it imposes an unreasonable burden and expense
28 upon the Diocese. The Diocese further objects to this Interrogatory because it seeks information

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1 that is neither relevant to the subject matter involved in this action nor reasonably calculated to
2 lead to the discovery of admissible evidence. The Diocese further objects to this Interrogatory to
3 the extent it requires the Diocese to maintain its regularly-generated reports or documents in a
4 manner different from its usual practice. Subject to and without waiving its objections, the
5 Diocese responds as follows:

6 No current employees of the Diocese of Tehuacan are currently present in California on
7 business for the Diocese. On information and belief, no current employees of the Diocese of
8 Tehuacan are currently physically present in California for any purpose. On information and
9 belief, the follow documents evidence Fr. Aguilar's trip to California during 1987 and 1988:

10 (a) Letter of January 27, 1987 from Cardinal Rivera to Cardinal Roger Mahony
11 indicating that, for reasons of family and health, Fr. Aguilar desired to work for one
12 year in Los Angeles.

13 (b) Letter of March 12, 1987 from Fr. Aguilar to Cardinal Rivera requesting, among
14 other things, that Cardinal Rivera correspond confidentially with Cardinal Mahony
15 and Vicar Thomas Curry regarding the reasons why Fr. Aguilar sought work in Los
16 Angeles.

17 (c) Confidential letter of March 23, 1987 from Cardinal Rivera to Cardinal Mahony and
18 Vicar Curry explaining that Fr. Aguilar's departure from the Diocese of Tehuacan
19 stemmed from a physical assault on Fr. Aguilar and that there were unproven
20 accusations of homosexuality against Fr. Aguilar.

21 (d) Letter of March 23, 1987 from Cardinal Rivera to Fr. Aguilar confirming that
22 Cardinal Rivera had sent the confidential letter of March 23, 1987.

23 (e) Letter of December 20, 1987 from Fr. Aguilar to Cardinal Rivera requesting
24 permission to work in the Los Angeles Archdiocese permanently.

25 (f) Letter of January 11, 1988 from Vicar Curry to Cardinal Rivera explaining that Fr.
26 Aguilar had been accused of acting inappropriately towards children and that, as a
27 result, his permission to serve in the Los Angeles Archdiocese had been withdrawn.

28 (g) Letter of February 23, 1988 from Vicar Curry to Cardinal Rivera enclosing a Los

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Angeles Times article pertaining to Fr. Aguilar and requesting that, if Cardinal Rivera knew of Fr. Aguilar's whereabouts, Cardinal Rivera urge Fr. Aguilar to return to California.

(h) Letter of March 4, 1988 from Cardinal Mahony to Cardinal Rivera requesting information as to Fr. Aguilar's relatives.

(i) Confidential letter of March 17, 1988 from Cardinal Rivera to Cardinal Mahony stating that Cardinal Rivera was unaware of Fr. Aguilar's whereabouts, providing information as to Fr. Aguilar's relatives and employment history, and referring Cardinal Mahony to the confidential letter of March 23, 1987.

(j) Letter of March 30, 1988 from Cardinal Mahony to Cardinal Rivera and stating that he had never received the confidential letter of March 23, 1987.

(k) Letter of May 20, 2004 from Cardinal Mahony to Mario Espinosa Contreras, then Bishop of the Diocese, requesting a copy of the confidential letter of March 23, 1987.

(l) Letter of June 11, 2004 from Bishop Espinosa Contreras to Cardinal Mahony enclosing a copy of the confidential letter of March 23, 1987 per the request of May 20, 2004.

INTERROGATORY NO. 9:

If a person incardinated by The Diocese of Tehuacan has been personally present in California, United States of America please identify each and every instrumentality of the Catholic Church with whom he had personal contact while in California, United States of America.

RESPONSE TO INTERROGATORY NO. 9:

The Diocese incorporates by reference its Preliminary Statement and General Objections set forth above. The Diocese further objects to the terms "personally present" and "instrumentality" as vague, ambiguous and misleading. The Diocese further objects to this Interrogatory because it is overly broad, unduly burdensome and oppressive, and it imposes an unreasonable burden and expense upon the Diocese. The Diocese further objects to this Interrogatory because it seeks information that is neither relevant to the subject matter involved

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1 in this action nor reasonably calculated to lead to the discovery of admissible evidence. The
2 Diocese further objects to this Interrogatory to the extent it requires the Diocese to maintain its
3 regularly-generated reports or documents in a manner different from its usual practice. Subject
4 to and without waiving its objections, the Diocese responds as follows:

5 No current employees of the Diocese of Tehuacan are currently present in California on
6 business for the Diocese. On information and belief, no current employees of the Diocese of
7 Tehuacan are currently physically present in California for any purpose. On information and
8 belief, Fr. Aguilar had personal contact with Vicar Thomas Curry of the Los Angeles
9 Archdiocese while in California in 1987 and 1988.

10 **INTERROGATORY NO. 10:**

11 If a person incardinated by The Diocese of Tehuacan has been personally present in
12 California, United States of America please identify each and every instrumentality of the
13 Catholic Church with whom he had personal contact while in California, United States of
14 America.

15 **RESPONSE TO INTERROGATORY NO. 10:**

16 The Diocese incorporates by reference its Preliminary Statement and General Objections
17 set forth above. The Diocese further objects to the terms "personally present" and
18 "instrumentality" as vague, ambiguous and misleading. The Diocese further objects to this
19 Interrogatory because it is overly broad, unduly burdensome and oppressive, and it imposes an
20 unreasonable burden and expense upon the Diocese. The Diocese further objects to this
21 Interrogatory because it seeks information that is neither relevant to the subject matter involved
22 in this action nor reasonably calculated to lead to the discovery of admissible evidence. The
23 Diocese further objects to this Interrogatory to the extent it requires the Diocese to maintain its
24 regularly-generated reports or documents in a manner different from its usual practice. The
25 Diocese further objects to this Request because it is harassing, burdensome and duplicative of
26 other Requests (e.g., Request No. 9). Subject to and without waiving its objections, the Diocese
27 responds as follows:

28 No current employees of the Diocese of Tehuacan are currently present in California on

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1 business for the Diocese. On information and belief, no current employees of the Diocese of
2 Tehuacan are currently physically present in California for any purpose. On information and
3 belief, Fr. Aguilar had personal contact with Vicar Thomas Curry of the Los Angeles
4 Archdiocese while in California in 1987 and 1988.

5 **INTERROGATORY NO. 11:**

6 If a person incardinated by The Diocese of Tehuacan has been personally present in
7 California, United States of America please describe each and every Activity associated with any
8 instrumentality of the Catholic Church in which the incardinated member participated while in
9 California, United States of America.

10 **RESPONSE TO INTERROGATORY NO. 11:**

11 The Diocese incorporates by reference its Preliminary Statement and General Objections
12 set forth above. The Diocese further objects to the terms "personally present," "Activity," and
13 "instrumentality" as vague, ambiguous and misleading. The Diocese further objects to this
14 Interrogatory because it is overly broad, unduly burdensome and oppressive, and it imposes an
15 unreasonable burden and expense upon the Diocese. The Diocese further objects to this
16 Interrogatory because it seeks information that is neither relevant to the subject matter involved
17 in this action nor reasonably calculated to lead to the discovery of admissible evidence. The
18 Diocese further objects to this Interrogatory to the extent it requires the Diocese to maintain its
19 regularly-generated reports or documents in a manner different from its usual practice. Subject
20 to and without waiving its objections, the Diocese responds as follows:

21 No current employees of the Diocese of Tehuacan are currently present in California on
22 business for the Diocese. On information and belief, no current employees of the Diocese of
23 Tehuacan are currently physically present in California for any purpose. The Diocese is not
24 aware of any specific functions or activities of the Los Angeles Archdiocese in which Fr. Aguilar
25 participated while in California in 1987 and 1988.

26 **INTERROGATORY NO. 12:**

27 Is The Diocese of Tehuacan aware that Nicholas Aguilar became associated with the
28 Roman Catholic Archbishop of Los Angeles, A Corporation Sole?

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1 **RESPONSE TO INTERROGATORY NO. 12:**

2 The Diocese incorporates by reference its Preliminary Statement and General Objections
3 set forth above. The Diocese further objects to the phrase "became associated with" as vague,
4 ambiguous and misleading. Subject to and without waiving its objections, the Diocese responds
5 as follows:

6 No current employee of the Diocese has personal knowledge of any supposed association
7 between Fr. Aguilar and the Roman Catholic Archbishop of Los Angeles, although the Diocese
8 is aware of the Complaint filed by Plaintiff Joaquin Aguilar Mendez in the Superior Court of Los
9 Angeles County on September 19, 2006. On information and belief, Fr. Aguilar interacted with
10 the Archdiocese of Los Angeles during 1987 and 1988. The Diocese is not aware whether Fr.
11 Aguilar interacted with Cardinal Roger Mahony during that time.

12 **INTERROGATORY NO. 13:**

13 If The Diocese of Tehuacan is aware that Nicholas Aguilar became associated with the
14 Roman Catholic Archbishop of Los Angeles, A Corporation Sole, please state when The Diocese
15 of Tehuacan first became aware of the association.

16 **RESPONSE TO INTERROGATORY NO. 13:**

17 The Diocese incorporates by reference its Preliminary Statement and General Objections
18 set forth above. The Diocese further objects to the phrase "became associated with" as vague,
19 ambiguous and misleading. Subject to and without waiving its objections, the Diocese responds
20 as follows:

21 No current employee of the Diocese has personal knowledge of any supposed association
22 between Fr. Aguilar and the Roman Catholic Archbishop of Los Angeles, although the Diocese
23 is aware of the Complaint filed by Plaintiff Joaquin Aguilar Mendez in the Superior Court of Los
24 Angeles County on September 19, 2006. On information and belief, the Diocese first became
25 aware that Fr. Aguilar interacted with the Archdiocese of Los Angeles sometime between March
26 12, 1987 – the date on which Cardinal Rivera, then Bishop of the Diocese, received a letter from
27 Fr. Aguilar requesting that Cardinal Rivera correspond confidentially with Cardinal Mahony and
28 Vicar Thomas Curry – and March 23, 1987 – the date on which Cardinal Rivera responded to Fr.

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1 Aguilar's March 12 letter and wrote confidentially to Cardinal Mahony and Vicar Curry.

2 **INTERROGATORY NO. 14:**

3 If The Diocese of Tehuacan is aware that Nicholas Aguilar became associated with the
4 Roman Catholic Archbishop of Los Angeles, A Corporation Sole, please state how The Diocese
5 of Tehuacan first became aware of the association.

6 **RESPONSE TO INTERROGATORY NO. 14:**

7 The Diocese incorporates by reference its Preliminary Statement and General Objections
8 set forth above. The Diocese further objects to the phrase "became associated with" as vague,
9 ambiguous and misleading. Subject to and without waiving its objections, the Diocese responds
10 as follows:

11 No current employee of the Diocese has personal knowledge of any supposed association
12 between Fr. Aguilar and the Roman Catholic Archbishop of Los Angeles, although the Diocese
13 is aware of the Complaint filed by Plaintiff Joaquin Aguilar Mendez in the Superior Court of Los
14 Angeles County on September 19, 2006. On information and belief, the Diocese first became
15 aware that Fr. Aguilar interacted with Vicar Thomas Curry of the Archdiocese of Los Angeles by
16 virtue of the March 12, 1987 letter from Fr. Aguilar to Cardinal Rivera. The Diocese is not
17 aware whether Fr. Aguilar interacted with Cardinal Roger Mahony during Fr. Aguilar's time in
18 California or at any other time.

19 **INTERROGATORY NO. 15:**

20 If The Diocese of Tehuacan is aware that Nicholas Aguilar became associated with the
21 Roman Catholic Archbishop of Los Angeles, A Corporation Sole, please identify the individual
22 who first informed The Diocese of Tehuacan of the association.

23 **RESPONSE TO INTERROGATORY NO. 15:**

24 The Diocese incorporates by reference its Preliminary Statement and General Objections
25 set forth above. The Diocese further objects to the phrase "became associated with" as vague,
26 ambiguous and misleading. Subject to and without waiving its objections, the Diocese responds
27 as follows:

28 No current employee of the Diocese has personal knowledge of any supposed association

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1 between Fr. Aguilar and the Roman Catholic Archbishop of Los Angeles, although the Diocese
2 is aware of the Complaint filed by Plaintiff Joaquin Aguilar Mendez in the Superior Court of Los
3 Angeles County on September 19, 2006. On information and belief, the Diocese first became
4 aware that Fr. Aguilar interacted with Vicar Thomas Curry of the Archdiocese of Los Angeles by
5 virtue of the March 12, 1987 letter from Fr. Aguilar to Cardinal Rivera. The Diocese is not
6 aware whether Fr. Aguilar interacted with Cardinal Roger Mahony during Fr. Aguilar's time in
7 California or at any other time.

8 **INTERROGATORY NO. 16:**

9 Has an officer, director, or managing agent of The Diocese of Tehuacan ever had a
10 conversation(s) with an officer, director or managing agent of the Roman Catholic Archbishop of
11 Los Angeles, A Corporation Sole, regarding Nicholas Aguilar?

12 **RESPONSE TO INTERROGATORY NO. 16:**

13 The Diocese incorporates by reference its Preliminary Statement and General Objections
14 set forth above. The Diocese further objects to this Interrogatory because it is overly broad,
15 unduly burdensome and oppressive, and it imposes an unreasonable burden and expense upon
16 the Diocese. The Diocese further objects to this Interrogatory because it seeks information that
17 is neither relevant to the subject matter involved in this action nor reasonably calculated to lead
18 to the discovery of admissible evidence. The Diocese further objects to this Interrogatory to the
19 extent it requires the Diocese to maintain its regularly-generated reports or documents in a
20 manner different from its usual practice. Subject to and without waiving its objections, the
21 Diocese responds as follows:

22 No current employee of the Diocese has personal knowledge of any supposed association
23 between Fr. Aguilar and the Roman Catholic Archbishop of Los Angeles, although the Diocese
24 is aware of the Complaint filed by Plaintiff Joaquin Aguilar Mendez in the Superior Court of Los
25 Angeles County on September 19, 2006. On information and belief, no officer, director or
26 managing agent of the Diocese ever had conversations with an officer, director or managing
27 agent of the Roman Catholic Archbishop of Los Angeles regarding Fr. Aguilar.

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1 **INTERROGATORY NO. 17:**

2 If an officer, director, or managing agent of The Diocese of Tehuacan ever have a
3 conversation(s) with an officer, director or managing agent of the Roman Catholic Archbishop of
4 Los Angeles, A Corporation Sole, regarding Nicholas Aguilar, please identify each officer,
5 director, or managing agent with whom he had the conversation(s).

6 **RESPONSE TO INTERROGATORY NO. 17:**

7 The Diocese incorporates by reference its Preliminary Statement and General Objections
8 set forth above. The Diocese further objects to this Interrogatory because it is overly broad,
9 unduly burdensome and oppressive, and it imposes an unreasonable burden and expense upon
10 the Diocese. The Diocese further objects to this Interrogatory because it seeks information that
11 is neither relevant to the subject matter involved in this action nor reasonably calculated to lead
12 to the discovery of admissible evidence. The Diocese further objects to this Interrogatory to the
13 extent it requires the Diocese to maintain its regularly-generated reports or documents in a
14 manner different from its usual practice. Subject to and without waiving its objections, the
15 Diocese responds as follows:

16 No current employee of the Diocese has personal knowledge of any supposed association
17 between Fr. Aguilar and the Roman Catholic Archbishop of Los Angeles, although the Diocese
18 is aware of the Complaint filed by Plaintiff Joaquin Aguilar Mendez in the Superior Court of Los
19 Angeles County on September 19, 2006. On information and belief, no officer, director or
20 managing agent of the Diocese ever had conversations with an officer, director or managing
21 agent of the Roman Catholic Archbishop of Los Angeles regarding Fr. Aguilar.

22 **INTERROGATORY NO. 18:**

23 If an officer, director, or managing agent of The Diocese of Tehuacan ever have a
24 conversation(s) with an officer, director or managing agent of the Roman Catholic Archbishop of
25 Los Angeles, A Corporation Sole, regarding Nicholas Aguilar, please describe what was
26 discussed in the conversation(s).

27 **RESPONSE TO INTERROGATORY NO. 18:**

28 The Diocese incorporates by reference its Preliminary Statement and General Objections

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1 set forth above. The Diocese further objects to this Interrogatory because it is overly broad,
2 unduly burdensome and oppressive, and it imposes an unreasonable burden and expense upon
3 the Diocese. The Diocese further objects to this Interrogatory because it seeks information that
4 is neither relevant to the subject matter involved in this action nor reasonably calculated to lead
5 to the discovery of admissible evidence. The Diocese further objects to this Interrogatory to the
6 extent it requires the Diocese to maintain its regularly-generated reports or documents in a
7 manner different from its usual practice. Subject to and without waiving its objections, the
8 Diocese responds as follows:

9 No current employee of the Diocese has personal knowledge of any supposed association
10 between Fr. Aguilar and the Roman Catholic Archbishop of Los Angeles, although the Diocese
11 is aware of the Complaint filed by Plaintiff Joaquin Aguilar Mendez in the Superior Court of Los
12 Angeles County on September 19, 2006. On information and belief, no officer, director or
13 managing agent of the Diocese ever had conversations with an officer, director or managing
14 agent of the Roman Catholic Archbishop of Los Angeles regarding Fr. Aguilar.

15 **INTERROGATORY NO. 19:**

16 Has an officer, director, or managing agent of The Diocese of Tehuacan ever had written
17 communication with The Roman Catholic Archbishop of Los Angeles, A Corporation Sole,
18 regarding Nicholas Aguilar?

19 **RESPONSE TO INTERROGATORY NO. 19:**

20 The Diocese incorporates by reference its Preliminary Statement and General Objections
21 set forth above. The Diocese further objects to this Interrogatory because it is overly broad,
22 unduly burdensome and oppressive, and it imposes an unreasonable burden and expense upon
23 the Diocese. The Diocese further objects to this Interrogatory because it seeks information that
24 is neither relevant to the subject matter involved in this action nor reasonably calculated to lead
25 to the discovery of admissible evidence. The Diocese further objects to this Interrogatory to the
26 extent it requires the Diocese to maintain its regularly-generated reports or documents in a
27 manner different from its usual practice. Subject to and without waiving its objections, the
28 Diocese responds as follows:

1 Cardinal Rivera and Mario Espinosa Contreras, each a former Bishop of the Diocese,
2 have had written communications with the Roman Catholic Archbishop of Los Angeles
3 regarding Fr. Aguilar.

4 **INTERROGATORY NO. 20:**

5 If an officer, director, or managing agent of The Diocese of Tehuacan ever had written
6 communication with The Roman Catholic Archbishop of Los Angeles, A Corporation Sole,
7 regarding Nicholas Aguilar, please identify the date(s) of the written communication(s).

8 **RESPONSE TO INTERROGATORY NO. 20:**

9 The Diocese incorporates by reference its Preliminary Statement and General Objections
10 set forth above. The Diocese further objects to this Interrogatory because it is overly broad,
11 unduly burdensome and oppressive, and it imposes an unreasonable burden and expense upon
12 the Diocese. The Diocese further objects to this Interrogatory because it seeks information that
13 is neither relevant to the subject matter involved in this action nor reasonably calculated to lead
14 to the discovery of admissible evidence. The Diocese further objects to this Interrogatory to the
15 extent it requires the Diocese to maintain its regularly-generated reports or documents in a
16 manner different from its usual practice. Subject to and without waiving its objections, the
17 Diocese responds as follows:

18 The Diocese has had the following written communications with the Archdiocese of Los
19 Angeles, on the following dates:

20 (a) Letter of January 27, 1987 from Cardinal Rivera to Cardinal Roger Mahony
21 indicating that, for reasons of family and health, Fr. Aguilar desired to work for one
22 year in Los Angeles.

23 (b) Confidential letter of March 23, 1987 from Cardinal Rivera to Cardinal Mahony and
24 Vicar Curry explaining that Fr. Aguilar's departure from the Diocese of Tehuacan
25 stemmed from a physical assault on Fr. Aguilar and that there were unproven
26 accusations of homosexuality against Fr. Aguilar.

27 (c) Letter of January 11, 1988 from Vicar Curry to Cardinal Rivera explaining that Fr.
28 Aguilar had been accused of acting inappropriately towards children and that, as a

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result, his permission to serve in the Los Angeles Archdiocese had been withdrawn.

(d) Letter of February 23, 1988 from Vicar Curry to Cardinal Rivera enclosing a Los Angeles Times article pertaining to Fr. Aguilar and requesting that, if Cardinal Rivera knew of Fr. Aguilar's whereabouts, Cardinal Rivera urge Fr. Aguilar to return to California.

(e) Letter of March 4, 1988 from Cardinal Mahony to Cardinal Rivera requesting information as to Fr. Aguilar's relatives.

(f) Confidential letter of March 17, 1988 from Cardinal Rivera to Cardinal Mahony stating that Cardinal Rivera was unaware of Fr. Aguilar's whereabouts, providing information as to Fr. Aguilar's relatives and employment history, and referring Cardinal Mahony to the confidential letter of March 23, 1987.

(g) Letter of March 30, 1988 from Cardinal Mahony to Cardinal Rivera and stating that he had never received the confidential letter of March 23, 1987.

(h) Letter of May 20, 2004 from Cardinal Mahony to Mario Espinosa Contreras, then Bishop of the Diocese, requesting a copy of the confidential letter of March 23, 1987.

(i) Letter of June 11, 2004 from Bishop Espinosa Contreras to Cardinal Mahony enclosing a copy of the confidential letter of March 23, 1987 per the request of May 20, 2004.

INTERROGATORY NO. 21:

If an officer, director, or managing agent of The Diocese of Tehuacan ever had written communication with The Roman Catholic Archbishop of Los Angeles, A Corporation Sole, regarding Nicholas Aguilar, please identify to whom the written communication(s) were directed.

RESPONSE TO INTERROGATORY NO. 21:

The Diocese incorporates by reference its Preliminary Statement and General Objections set forth above. The Diocese further objects to this Interrogatory because it is overly broad, unduly burdensome and oppressive, and it imposes an unreasonable burden and expense upon the Diocese. The Diocese further objects to this Interrogatory because it seeks information that

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1 is neither relevant to the subject matter involved in this action nor reasonably calculated to lead
2 to the discovery of admissible evidence. The Diocese further objects to this Interrogatory to the
3 extent it requires the Diocese to maintain its regularly-generated reports or documents in a
4 manner different from its usual practice. Subject to and without waiving its objections, the
5 Diocese responds as follows:

6 The Diocese has had the following written communications with the Archdiocese of Los
7 Angeles, with the following persons:

- 8 (a) Letter of January 27, 1987 from Cardinal Rivera to Cardinal Roger Mahony
9 indicating that, for reasons of family and health, Fr. Aguilar desired to work for one
10 year in Los Angeles.
- 11 (b) Confidential letter of March 23, 1987 from Cardinal Rivera to Cardinal Mahony and
12 Vicar Curry explaining that Fr. Aguilar's departure from the Diocese of Tehuacan
13 stemmed from a physical assault on Fr. Aguilar and that there were unproven
14 accusations of homosexuality against Fr. Aguilar.
- 15 (c) Letter of January 11, 1988 from Vicar Curry to Cardinal Rivera explaining that Fr.
16 Aguilar had been accused of acting inappropriately towards children and that, as a
17 result, his permission to serve in the Los Angeles Archdiocese had been withdrawn.
- 18 (d) Letter of February 23, 1988 from Vicar Curry to Cardinal Rivera enclosing a Los
19 Angeles Times article pertaining to Fr. Aguilar and requesting that, if Cardinal Rivera
20 knew of Fr. Aguilar's whereabouts, Cardinal Rivera urge Fr. Aguilar to return to
21 California.
- 22 (e) Letter of March 4, 1988 from Cardinal Mahony to Cardinal Rivera requesting
23 information as to Fr. Aguilar's relatives.
- 24 (f) Confidential letter of March 17, 1988 from Cardinal Rivera to Cardinal Mahony
25 stating that Cardinal Rivera was unaware of Fr. Aguilar's whereabouts, providing
26 information as to Fr. Aguilar's relatives and employment history, and referring
27 Cardinal Mahony to the confidential letter of March 23, 1987.
- 28 (g) Letter of March 30, 1988 from Cardinal Mahony to Cardinal Rivera and stating that