

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT

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| Coordination Proceeding Special |) | |
| Title (Rue 1550(b)) |) | |
| |) | CASE NUMBER: |
| In Re: |) | |
| |) | JCCP 4286 |
| THE CLERGY CASES I & III |) | |
| |) | JCCP 4359 |
| _____ |) | |

Videotaped deposition of VIRGIL CORDANO, OFM
CAP, taken at 10:18 a.m., Wednesday, April 6, 2005, at
1430 Chapala Street, Santa Barbara, California, before
Mark McClure, C.S.R. #12203, Certified Shorthand Reporter
in and for the State of California.

OUR FILE NO: 62054

REPORTED BY: MARK McCLURE, CSR #12203

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1 ALSO PRESENT:

2 CHAD FRANKS

3 PATRICK WALL

4 [REDACTED]

5 [REDACTED]

6 CHRISTIAN MARTINEZ, VIDEOGRAPHER

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4 FATHER VIRGIL CORDANO, OFM CAP

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| 5 | | BY MR. DE MARCO | 8 |
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9 E X H I B I T S

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| 10 | NO. | PAGE | DESCRIPTION |
| 11 | A | 28 | Postcard depicting the Old Mission and St. Anthony's Seminary |

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1 SANTA BARBARA, CALIFORNIA

2 WEDNESDAY, APRIL 6, 2005, 10:18 A.M.

3

4 VIDEOGRAPHER: Good morning.

5 This is the videotaped deposition of Father
6 Virgil Cordano in the matter of the Clergy Cases I
7 and III, case pending in the Superior Court of the
8 State of California, for the County of Los Angeles,
9 Central District. The case number is JCCP 4286 and
10 JCCP 4359.

11 Today's date is Wednesday, April 6, 2005.
12 The location is 1430 Chapala Street, Santa Barbara,
13 California, and the time on the video monitor is
14 10:18 a.m.

15 The certified shorthand reporter is Mark
16 McClure. My name is Christian Martinez, a certified
17 legal video specialist and a notary public in the
18 State of California. I represent DepoVision of Santa
19 Barbara, California.

20 Would counsel and all present please
21 introduce yourselves for the record and state whom
22 you represent.

23 MR. KASPER: Dennis Kasper with Lewis,
24 Brisbois, Bisgaard & Smith. I represent the
25 Franciscan friars.

1 MR. MATIASIC: Paul Matiasic, with Lewis,
2 Brisbois, Bisgaard & Smith, representing Franciscan
3 friars and the witness in Clergy III.

4 MR. HANCE: Brian Hance, also with Lewis,
5 Brisbois, Bisgaard & Smith, for the Franciscan
6 friars.

7 MR. ZACHER: Gephardt Zacher, Gordon &
8 Rees, on behalf of the Congregation of the Mission.

9 MR. HABEL: Jim Hable, Hennigan, Bennett &
10 Dorman. I represent the Archdiocese of Los Angeles,
11 and I'm defendant's liaison counsel on Clergy I.

12 MR. FRANKS: Chad Franks, with Freberg &
13 Associates. We represent plaintiffs in Clergy I and
14 Clergy III. I am licensed in Colorado and won't be
15 taking testimony today.

16 MR. NYE: David Nye, Nye, Peabody &
17 Stirling, appearing for plaintiffs in Clergy I.

18 MR. GODFREY: Peter Godfrey, of Gilbert,
19 Kelly, Crowley & Jennett, for the Archdiocese of Los
20 Angeles.

21 MR. HALE: Tim Hale, Nye, Peabody &
22 Stirling, for various plaintiffs.

23 MR. DEMARCO: Anthony De Marco, Kiesel,
24 Bouche & Larson, for various plaintiffs and
25 plaintiffs' liaison counsel.

1 MR. WALL: Patrick Wall, with Manly &
2 McGuire, special consultant with the plaintiffs.

3 MS. SALMON: Susan Salmon, O'Melveny &
4 Myers, for the Archdiocese of Los Angeles.

5 MR. GRIFFITH: R. Thomas Griffith for the
6 various plaintiffs.

7 MS. [REDACTED]: [REDACTED]
8 [REDACTED].

9 MR. [REDACTED]: [REDACTED].

10 VIDEOGRAPHER: Thank you.

11 Would the court reporter please swear the
12 witness.

13
14 FATHER VIRGIL CORDANO, OFM CAP,
15 having been sworn, was examined
16 and testified as follows:

17
18 EXAMINATION

19 BY MR. DE MARCO:

20 Q. Good morning, Father Cordano.

21 My name is Tony De Marco. I represent
22 plaintiffs in these actions.

23 Father Cordano, could I get you to again
24 state your name and spell it for the record, please.

25 A. Father Virgil Cordano, V-i-r-g-i-l

1 C-o-r-d-a-n-o.

2 Q. You understand you took the same oath now
3 that you would take if you were to give testimony in
4 a court of law?

5 A. Yeah.

6 Q. And you understand that's an oath to tell
7 the truth under God?

8 A. Exactly.

9 Q. I said it off the record, and I want to
10 make sure I put it on the record. If there's a point
11 in time today that you need to break for whatever
12 reasons, as long as a question isn't pending, I'm
13 happy to accommodate that. We in no way want to make
14 this an endurance test.

15 A. Thank you.

16 Q. I'm sure counsel has gone over with you
17 some ground rules on depositions. Have you ever had
18 your deposition taken before?

19 A. I can't recall. I don't think so.

20 Q. Let me just very briefly go over some of
21 the general rules of a deposition.

22 Perhaps most importantly, you have to make
23 sure all of your response are audible -- "yeses,"
24 "noes," whatever words might be responsive to a
25 question. Nods of the head or "uh-huh" don't get

1 taken down, and we want to have a clear transcript.

2 Do you understand that?

3 A. Yes, uh-huh.

4 Q. If any question that I ask or anybody else

5 here asks here today is confusing to you or, you

6 know, you don't quite understand it, let us know.

7 I'm happy to rephrase whatever question I've asked so

8 that it is clear, because we want to make sure we get

9 your best testimony today.

10 Also, make sure as we're going through

11 today, if you can, to wait until I finish asking a

12 question before you start responding, and that way we

13 can make sure, again, that the transcript is clear;

14 otherwise, it's very difficult for the court reporter

15 to take down what's being said.

16 Are you taking any medications presently

17 that impair your ability to give your best testimony

18 today?

19 A. I take medications, but they don't impair

20 my ability to give testimony.

21 Q. What medications are you taking?

22 A. Well, I take a medication for -- prednisone

23 for arthritis. I take some antibiotics because I've

24 had a fever.

25 Tiazac for my heart.

1 Let's see. Methotrexate for arthritis.

2 Let's see. Tiazac for heart, and Lipitor.

3 Q. How would you like to go by today? Is it
4 okay if I call you "Father Cordano" or is there any
5 way that you'd like to be addressed?

6 A. No, that would be fine, "Father Cordano,"
7 "Father Virgil," whatever you want.

8 Q. I'll stick to "Father Cordano" as much as I
9 can remember.

10 A. Fine.

11 Q. Father Cordano, can I get your date of
12 birth?

13 A. December 3rd, 1918.

14 Q. I'd like, if I can, to go through your
15 educational and work history. Where did you attend
16 seminary?

17 A. I attended St. Anthony's Seminary in 1934
18 to 1939.

19 And then San Luis Rey, near Oceanside, for
20 what we call a novitiate, when I first became a
21 Franciscan and finished my college.

22 And then at the Old Mission, I took my
23 undergraduate work in theology.

24 Following upon that, I got a doctor degree
25 in theology at Catholic University, Washington, D.C.

1 Q. So you went to St. Anthony's Junior
2 Seminary from '34 to '39. How old were you when you
3 started? I guess I can deduct.

4 A. I was 15.

5 Q. So you started there as a high school
6 student?

7 A. Yes, uh-huh.

8 Q. What years did you attend San Luis Rey in
9 Oceanside?

10 A. Well, 1939 to 1942.

11 Q. You attended the Old Mission undergraduate
12 program from when to when?

13 A. 1942 to 1946. Although my ordination was
14 in 1945, but an additional year of study, 1946,
15 before I had finished my undergraduate theological
16 work.

17 Q. And then you went to Catholic University?

18 A. Yes, that's right.

19 Q. When were you attending there?

20 A. Let's see. 1947 to 1950, I returned to the
21 Mission, and then again from 1950 to -- 1955 to 1956,
22 as far as I can recall.

23 Q. And you got a doctorate in theology?

24 A. In theology, yes.

25 Q. Starting in 1945, you were ordained that

1 year?

2 A. A priest, but I had another year of study
3 before I got -- finished my theology.

4 Q. Did you have any parish responsibilities
5 starting in 1945, or after were you ordained?

6 A. No, no. I was fully fledged only in 1946,
7 and I taught one semester, 1946 and 1947, and then I
8 went back out to Catholic University, 1947 to '50 the
9 first time, returned to Santa Barbara for about five
10 years, did some teaching at the seminary, at the
11 Mission, and then returned to work on my thesis in
12 1955, 1956.

13 Q. So when you say from 1950 to 1955 you were
14 teaching, was that at the seminary -- Mission of
15 St. Anthony's?

16 A. No, the Old Mission is a theological
17 seminary. I taught there. I never was a teacher at
18 St. Anthony's.

19 Q. The age of the students generally?

20 A. What was that?

21 Q. What was the age of the students at the Old
22 Mission?

23 A. Well, it would be the early twenties.

24 Q. So these were graduate-level students?

25 A. No, this is undergraduate, undergraduate in

1 theology.

2 Q. After your time at Catholic University,
3 where to next?

4 A. What's that?

5 Q. After you finished your education at
6 Catholic University, what assignments did you have
7 after that?

8 A. My only assignment was teaching theology at
9 Mission Santa Barbara, and then I ended up being the
10 president -- or what we call "rector" -- of the
11 theological seminary at the Mission.

12 Q. When did you become rector?

13 A. Oh, let's see. It must be, I'd say, the
14 late fifties.

15 Q. Up until the time you became rector, were
16 you teaching solely or did you occupy any other
17 posts?

18 A. I was teaching solely. I did some, what
19 you call, helping out in the parishes, but my only
20 official capacity, title, was a teacher of theology
21 at the Mission, and then rector. And then I was also
22 superior three different times, what they call
23 "father guardian." That must have been in the
24 fifties and sixties.

25 Q. You mentioned a moment ago, I think, that

1 before you became rector, in addition to teaching,
2 you helped in some parishes?

3 A. Yeah, I'd help at the Mission, services,
4 helping others to --

5 Q. Which others?

6 A. Well, other parishes in Santa Barbara,
7 maybe occasionally in a neighboring town, Santa
8 Maria, Oxnard, Ventura, wherever they needed for
9 Sunday mass, I would serve in that capacity as a
10 priest in those other parishes.

11 Q. How often, would say? How often would you
12 do that sort of -- how often would you say masses on
13 Sundays at these neighboring parishes?

14 MR. KASPER: Are we still in the fifties?

15 MR. DE MARCO: Yeah. Let's narrow it,
16 to begin with.

17 Q. Well, let me ask you this question.
18 Throughout your time period at the Mission, both
19 before you became rector and thereafter, did you
20 continue to do this sort of helping out in Sunday
21 masses at parishes nearby?

22 A. Yeah, primarily at Mission Santa Barbara,
23 and elsewhere when my services were requested.

24 Q. Did the frequency in which you helped out
25 on Sunday masses change during any particular periods

1 of time, or was it pretty constant?

2 A. It was when needed.

3 Q. Let me try to narrow it, then, so we can
4 get a sense.

5 Before you became rector and after you came
6 back from Catholic University, how often would you
7 say you helped with Sunday masses at any parish?

8 A. Oh, practically every weekend.

9 Q. Again, it would only be Sunday masses --

10 A. No, sometimes daily mass services,
11 weddings, baptisms, funerals.

12 Q. So during that several-year time frame
13 before you became rector, was it a once-weekly
14 occurrence, once-a-week occurrence that you would say
15 mass, was it more than once a week?

16 A. I said daily mass.

17 Q. Obviously, at the seminary.

18 A. At the seminary, the theological seminary,
19 not St. Anthony's.

20 Q. Right, but beyond your duties at the
21 theological seminary, at neighboring parishes how
22 often, during the period of time before you became
23 rector, would you say mass?

24 A. Well, every weekend, whether it be at the
25 Old Mission itself or neighboring parish.

1 Q. Then sometimes during the week also?

2 A. Yes.

3 Q. Would it be fair to say one or more times a
4 week throughout that time period?

5 A. Well, I would say services at the Old
6 Mission --

7 Q. Yes.

8 A. -- during the week, and maybe elsewhere,
9 when requested.

10 Q. Understood. So other than the Mission,
11 would you say daily masses at any other parishes?
12 Oxnard, Ventura?

13 A. Yeah, that's right, or in Santa Barbara,
14 like San Roque, Mt. Carmel, Catholic parishes in the
15 Santa Barbara area besides those outside of Santa
16 Barbara.

17 Q. So that I'm clear, because I don't think I
18 am, would you say daily masses, weekly mass at any of
19 those others, other than the Mission?

20 A. Yes, occasionally, yes, as needed or as
21 requested.

22 Q. Okay. How would a request come in?

23 A. I'd get a phone call.

24 Q. From the pastor of a parish?

25 A. That's right.

1 Q. Was it typically the pastor that would
2 call, or would anyone else call?

3 A. No, it would always be the pastor.

4 Q. It wouldn't be an associate pastor?

5 A. Maybe one day at a time an associate
6 minister had assigned mass, and he couldn't make it
7 and asked me to fill in, but that was -- most of the
8 time it was as requested by the pastor.

9 Q. How much advance notice would you get?

10 A. Could be a week in advance, or even the day
11 before.

12 Q. Okay.

13 A. There was no pattern.

14 Q. Were there particular pastors that called
15 you more frequently?

16 A. San Roque Parish.

17 Q. Who was the pastor there that would call,
18 or pastors?

19 A. Well, recently they had Father [REDACTED], and
20 before that they had Father -- the Irishman, what is
21 his name?

22 Q. McCabe?

23 A. McCabe, yes, McCabe.

24 Q. Did anyone from San Roque, other than those
25 two, call you for mass, that you can recall?

1 A. I'm trying to think who -- they had a
2 change of pastors there. We had a Father Luke, a
3 Franciscan, occasionally at San Roque.

4 Then Father McCabe and Father ██████. Those
5 would be the main people who called on my services.

6 Q. Would it be accurate or inaccurate to say
7 that, other than the Mission, you said mass more
8 often at San Roque than the other parishes?

9 A. No, no, most would have been at the
10 Mission.

11 Q. But other than the Mission, was San Roque
12 one of the parishes you more frequently said mass at?

13 A. Let's see. I guess of all the parishes it
14 would be primary, but it's pretty hard to state just
15 the number of times at San Roque over against other
16 places. I'm not so sure.

17 Q. Let me ask one more follow-up question, and
18 I'll ask you about a few of the other parishes then.

19 If you had to estimate over the years --
20 because obviously, if we're talking about
21 Father ██████, Father McCabe, Father Luke, we're
22 broadening it to a pretty large time frame, how often
23 would you say mass, if you had to estimate, at San
24 Roque?

25 (Ms. Lyddan joined the deposition.)

1 THE WITNESS: Not too often, not too often.
2 Maybe, say, in a month's time, maybe once a month or
3 sometime it would be two or three consecutive days.
4 The number of times is quite --

5 BY MR. DE MARCO:

6 Q. It would be flexible, obviously?

7 A. Flexible, yes.

8 Q. But if you were to estimate over that
9 entire range, approximately once a month, you'd say
10 mass there or less frequently or --

11 A. Less frequently.

12 Q. Once every two months?

13 A. It would be sporadic. Sometimes they need
14 me for consecutive Sundays, other times not.

15 Q. Was there a period of time when you served
16 mass more frequently there? Was there a period of
17 years where it was more frequent?

18 A. No, I'm not aware of any difference, no.

19 Q. Were there any other parishes in the
20 general vicinity that you said mass at, other than
21 the Mission and San Roque, more frequently?

22 A. The others were not that frequent at all.
23 Maybe at Mt. Carmel. Let's see. It's pretty hard
24 for me to diagnose a pattern or frequency, it was so
25 sporadic.

1 Q. Okay. Would it be fair to say that over
2 the years you've said mass probably at most all of
3 the parishes in the Santa Barbara-Ventura-Oxnard
4 region, or not?

5 A. No, no. I would say that the -- Our Lady
6 of Guadalupe -- the number was very, very small,
7 number of times that I would say mass outside the
8 Mission.

9 Q. If I didn't ask clearly before, on a
10 monthly basis, how often would you say mass outside
11 the Mission?

12 A. Monthly basis?

13 Q. Now we're talking, just sort of
14 generalizing over a wide time frame, not just a
15 couple-year time frame.

16 A. Given a year's time, let's see. I would
17 say maybe 10 to 15 times, but I'm not too sure.

18 Q. 10 to 15 times a year?

19 A. Yeah.

20 Q. And of those 10 to 15 time a year, maybe
21 half of that would be at San Roque, then? I think
22 you mentioned earlier maybe once every two months,
23 generally?

24 A. It was more frequent under Father [REDACTED],
25 more so than under any other pastor there at San

1 Roque.

2 Q. What period of time has Father [REDACTED] been
3 there?

4 A. Let's see. He's retiring shortly. I'd say
5 maybe 10 to 12 years. I'm not too sure of the exact
6 amount of time.

7 Q. But you do recall saying mass at San Roque
8 at some point when Father McCabe was pastor there?

9 A. Yeah, that's right, yeah.

10 Q. Were you the only Franciscan that would go
11 say masses at neighboring parishes?

12 A. No, no, no, whoever was available. Say if
13 I were tied up, they'd get somebody else.

14 Q. So that I understand sort of the mechanics
15 of how things worked, was there a central person that
16 pastors would call to see whether or not there was a
17 friar available to go say mass somewhere, or did
18 pastors call whoever they liked, or how did it work?

19 A. Say if they called me and I couldn't make
20 it, then they'd call someone else.

21 Q. So you weren't acting as sort of --

22 A. It was not frequent at all.

23 Q. Would you ever receive a call and say, no,
24 I can't do it, but I'll go talk to so-and-so and see
25 if he can do it for you?

1 A. Rarely. Occasionally, yes, uh-huh.

2 Q. But rarely?

3 A. Yeah.

4 Q. So more typically, if you couldn't say a
5 mass for a particular pastor --

6 A. I'd tell him to call the other man. He'd
7 probably get a better answer than me asking him.

8 Q. Did you ever get a sense that there were
9 pastors that were not calling you first, that were
10 calling other priests first?

11 A. There might be. There are a number of
12 retired priests in this area, so they were available,
13 and I would say some of them more frequently said
14 mass at San Roque than I did.

15 Q. Like who, do you know?

16 A. Monsignor Rawden. He'd be the key person.

17 Q. And that was after his retirement that he'd
18 be --

19 A. He was retired in Santa Barbara, and he was
20 available to help out in parishes.

21 Q. Do you have any recollection of when he
22 retired?

23 A. Monsignor Rawden?

24 Q. Yes.

25 A. He had a big job in the Chancery office,

1 and I'm guessing --

2 Q. I don't want you to guess. If you have
3 some reason to believe an answer to be true, then I'm
4 entitled to your best estimate, but if it's pure
5 speculation, you have nothing to base it on --

6 A. Yeah, that's right, yeah.

7 Q. Any other Franciscan priest, to your
8 awareness, that would say mass at the local parishes?

9 A. Yes, a good number.

10 Q. Do you remember any of them?

11 A. Father Albrick. He's a guardian at the Old
12 Mission now.

13 Let's see. I'm trying to think.

14 Q. Let me ask the question a different way
15 rather than force you to go through a lengthy list of
16 folks.

17 Would it be accurate to say that most of
18 the priests at the Mission, the Old Mission, said
19 masses periodically at local parishes, or would that
20 be inaccurate to say?

21 A. "Most" is debatable, "most."

22 Q. Let me rephrase it. Would all the priests
23 at the Old Mission periodically, to your knowledge,
24 say mass at the local parishes?

25 A. Not all. Some were quite elderly and

1 wouldn't go out.

2 Q. Let me ask it this way. Would all the
3 able-bodied priests --

4 A. Yeah, if they were available, they would
5 gladly respond to the request.

6 Q. Okay. So would it be fair to say that
7 nearly all the priests at the Old Mission would say
8 mass periodically at local parishes?

9 A. Well, it wouldn't be the pastor because he
10 had enough to do to take care of the Mission, the
11 pastor or the assistant; it would be others were not
12 that much involved in the Mission parish, as such,
13 but in residence at the Mission.

14 Q. I'll come back to it.

15 At the Old Mission while you were -- what
16 period of time, again, were you rector there for?

17 A. That's hard to remember. Let's see. I'd
18 say late fifties and early sixties. Again, it's not
19 clear. That's the best I can estimate.

20 Q. After you were no longer rector of the Old
21 Mission, did you move on to a different post?

22 A. No. Then, when the students at the
23 Mission -- the theological seminary moved up to GTU
24 in Berkeley, and I stayed on at the Mission.

25 Also, I have to mention, to get the whole

1 picture, I was pastor myself for about 17, 18 years.

2 Q. Which 17, 18 years? Was it there during
3 that same fifties and sixties period?

4 A. No, it would be once -- the students
5 moved out of the Mission in 1968, so after 1968 I was
6 pastor for 17 or 18 years. I didn't go up to
7 Berkeley. They wanted me stay and be pastor, and
8 also I got into public relations work.

9 Q. Public relations work for what?

10 A. Representing the Mission, Fiesta,
11 hospice -- a number of groups -- a number of
12 institutes, wonderful works in Santa Barbara. In
13 fact, I got an official request to be in charge of
14 public relations, so I tried to respond as best I
15 could to what was asked of me and when.

16 Q. Would it be accurate to say that up until
17 approximately 1986, 1985 or so, from 1968 until 1985,
18 1986 you were pastor of the Mission?

19 A. No, I was pastor -- I wasn't pastor until
20 the seminary moved out, and they moved out in 1968,
21 so I was pastor after that.

22 Q. Maybe 1969?

23 A. 1969. Again I'm -- this is best estimate.

24 Q. And you were pastor then continuously for a
25 16- to 18-year period?

1 A. Yes, uh-huh.

2 Q. Okay. Did you occupy any other post, other
3 than doing PR work and being pastor of the Mission
4 during that 16 -to 18-year time period?

5 A. As far as administration was concerned, I
6 was rector and then I was superior and I was pastor,
7 and there was no other formal assignment after being
8 pastor, and then I was sort of at large, wherever
9 needed.

10 Q. Let me ask real briefly. You mentioned you
11 were a superior. Superior of what?

12 A. The Old Mission.

13 Q. So were you a superior of the Old Mission
14 at the same time that you were rector of the Old
15 Mission?

16 A. Let's see. I would say I think so. I'm
17 not certain but, yeah, there was no incompatibility
18 between rector and being -- well, you mentioned --

19 Q. Superior and rector?

20 A. And rector, yes.

21 Q. Well, let me ask you this question. From
22 the time that you were first appointed rector in, I
23 think you mentioned, 1960 --

24 A. I'm not certain of the date; around there.

25 Q. Approximately 1960?

1 A. Yeah.

2 Q. -- until the students moved up to Berkeley
3 in 1968, were you continuously during that time
4 period the rector of the Old Mission seminary?

5 A. Yes, I was rector, yes. As long as the
6 students were there, I ran the theological seminary.

7 Q. Continuously you were rector?

8 A. Yes.

9 Q. So there wasn't maybe a year gap or
10 several-year gap that you during that time frame
11 where you weren't rector?

12 A. As far as I can recall, I was rector until
13 they moved up to Berkeley, but I don't know the exact
14 dates.

15 Q. That's fine.

16 So sometime in the mid-eighties you ceased
17 being pastor of the Mission?

18 A. Let me see. Mid-eighties or late eighties.
19 I'm not too sure.

20 Q. What did you do after that?

21 A. I spent a lot of time in public relations.
22 I had no more administrative positions.

23 Q. Okay.

24 A. As best I can recall. It sort of all
25 blends into one.

1 Q. Have you ever at any time had any official
2 functions at St. Anthony's Seminary?

3 A. No, no. This was entirely -- the Old
4 Mission theological seminary was entirely distinct
5 from St. Anthony's. That was for high school
6 students; this was for the people after college in
7 theology. I had nothing, never had any assignments
8 at St. Anthony's Seminary.

9 Q. Since I haven't been to either one, are
10 they on the same campus?

11 A. No, they are two separate institutions. If
12 you come off Garden Street, there's a road that
13 separates the Mission from St. Anthony's, so two
14 separate institutions, different superiors and no --
15 there was no mingling on my part or had anything to
16 do with St. Anthony's Seminary.

17 Q. Father, let me -- I've got what I think is
18 a picture of the Mission and part of the
19 St. Anthony's Seminary.

20 I'd like to mark this as Exhibit A. I'll
21 show it to counsel and then ask questions.

22 (Deposition Exhibit A was marked
23 for identification, a copy which is
24 attached hereto.)

25 BY MR. DE MARCO:

1 Q. Father, the building or the compound in the
2 middle of that postcard, is that the Old Mission?

3 A. That's the Old Mission, and then
4 St. Anthony's Seminary would be up here in the
5 corner.

6 Q. Top right corner?

7 A. Yes.

8 MR. KASPER: For the record, he's pointing
9 to the building in the middle as the Mission and, I
10 guess, it's the top right corner.

11 MR. DE MARCO: Very good. Thank you,
12 Counsel, and thank you, Father. You've got a better
13 mental picture than I do.

14 Q. Was there any interaction between the
15 faculty of St. Anthony's seminary and the faculty of
16 the Old Mission Seminary.

17 A. No official interplay. The only time we
18 got together was just for social purposes, somebody's
19 ordination, anniversary of something. We might go
20 over to St. Anthony's for what they call a "feast
21 day" for a dinner, but aside from an exchange of
22 social visits, there was no official exchange.

23 Q. Both institutions are run by the
24 Franciscans?

25 A. Yes, entirely separate, so they had their

1 own superior at St. Anthony's, and we had our
2 superior at the Old Mission.

3 Q. Who was the superior at St. Anthony's? I
4 take it there was more than one during your
5 association at the Old Mission.

6 MR. MATIASIC: You're talking about the
7 entire 50-year period that he was --

8 MR. DE MARCO: Yeah.

9 Q. How many superiors were there during from
10 the fifties until it closed?

11 A. Well --

12 Q. Let me ask the question a different way.
13 Do you remember the names of any of the superiors of
14 St. Anthony's?

15 A. Yeah, [REDACTED], [REDACTED], Mel
16 Jurisich. Those are the ones that come to mind.

17 Q. Do you know if any of those individuals are
18 still living?

19 A. [REDACTED] has died. [REDACTED] has
20 died. Mel Jurisich is still living.

21 Q. Do you have any understanding as to where
22 he resides?

23 A. He's our provincial. He's at headquarters
24 up in Oakland. A provincial is a person who is
25 charged -- in the United States we're divided into

1 provinces, so everything in Washington, Oregon,
2 California, and into Arizona would be a province, and
3 he's now in charge of that province.

4 Q. Was Xavier Harris?

5 A. Xavier Harris was another. I forgot. He
6 was there.

7 Q. He was a superior?

8 A. Yeah, that's right.

9 Q. Do you know if there was separate superiors
10 and rectors at St. Anthony's, or were they one and
11 the same, do you know?

12 A. That's a good question.

13 MR. KASPER: Still talking about the entire
14 50-year time period here?

15 MR. DE MARCO: Yeah. It's a broad time
16 frame.

17 THE WITNESS: Well, it could be, you
18 know --

19 MR. KASPER: Father, don't speculate. If
20 you know the answer, answer.

21 THE WITNESS: Well, I don't know the
22 answer, I guess.

23 BY MR. DE MARCO:

24 Q. That's fine.

25 I take it, because of the proximity of the

1 two facilities to each other, that you did have
2 occasion to go visit St. Anthony's?

3 A. Yes.

4 Q. How frequently would you be on the grounds
5 at St. Anthony's? Again, we're talking about a wide
6 time frame, and if there were variations over periods
7 of time, I'd certainly be interested in knowing that.

8 A. Obviously, not too often because I was so
9 tied up in the Mission. I would say in a year's time
10 I might be over there five to ten times.

11 Q. Would these be official visits or would
12 they just be social visits?

13 A. Social, social.

14 Q. So that's five to ten times you'd go over
15 there pretty much every year that you've been around
16 the area?

17 A. Well, we'd go there for dinner or maybe
18 there was some big celebration there, someone's
19 anniversary, but I would say it was social rather
20 than anything to do with administration.

21 Q. Okay. Did you ever have social visits just
22 with one or two priests there?

23 A. I didn't have any close friends there, so
24 I'd go over to visit there because of some social
25 occasion. But aside from that, I didn't have any

1 close friendships with the teachers at St. Anthony's
2 Seminary.

3 Q. Were there any that you were sociable with,
4 though?

5 A. No, we didn't -- I didn't mingle with them
6 much hardly at all.

7 Q. Okay. Let me ask you probably a rather
8 basic question, but in your time as rector at the Old
9 Mission, what would be a general description of your
10 job responsibilities?

11 A. Well, I would draw up the class schedule,
12 preside at meetings of the faculty as we passed
13 judgment on the students at Old Mission, and also as
14 rector, in the theological work, I did a lot of
15 traveling to keep up on the latest trends in seminary
16 theology. I was pretty --

17 Q. Where would you travel to?

18 A. It would be a convention in New York,
19 Boston, anyplace.

20 Q. Was it mainly conventions or was it --

21 A. Conventions, meetings of theological
22 professors, anything having to do with seminary
23 education throughout the United States.

24 Q. Okay. How often were these conventions or
25 meetings?

1 A. Maybe a couple times a year.

2 Q. Every year, pretty much?

3 A. Yes, I'd say pretty well, as far as I can
4 estimate.

5 Q. You mentioned one of the other tasks being
6 drawing up class schedules.

7 A. Yes.

8 Q. What would be involved in drawing up class
9 schedules?

10 A. Well, we had so many courses that had to be
11 taught. Like my field was biblical studies, moral
12 theology, dogmatic theology, preaching, liturgy, so
13 we decide how many classes would be given in those
14 subjects over the year. We discussed this -- I
15 discussed this with the faculty, and with their
16 cooperation, we would decide on the schedule. I was
17 in consultation with them as I drew up the schedule.

18 Q. During your time as rector there at the Old
19 Mission, did the number of faculty remain fairly
20 constant, or no?

21 A. Let's see. All things considered, it was
22 pretty constant. One of the others might move and so
23 forth, but some of us were there on the faculty for a
24 long time.

25 Q. Who were some of the others that were on

1 the faculty for a long time?

2 A. John Altman, who is dead. Let's see.

3 [REDACTED].

4 Virgilio Biasio. Venetian; Virgilio
5 Biasio. Those are the only ones that come to mind.

6 Q. Now, is [REDACTED] still living, to your
7 knowledge?

8 A. Yes, he's living.

9 Q. Do you know where?

10 A. He left the priesthood. He's --

11 Q. Do you have any understanding of where he
12 resides now?

13 A. What's that?

14 Q. Do you have any understanding as to where
15 he resides now?

16 A. He's living in Santa Barbara as a layman.
17 In fact, he joined the Jewish religion.

18 Q. That's a marked change.

19 A. Going back to Jesus the Jew.

20 Q. Interesting change.

21 How about Virgilio --

22 A. He has died. He has died.

23 Q. Do you know how long ago?

24 A. Oh, couple years ago, about.

25 Q. How about Mr. Altman? Do you have any

1 recollection as to how long ago he passed?

2 A. He was on the -- again, I'm guessing, maybe
3 about ten years.

4 Q. Ten years or so ago, okay.

5 During your time period as rector, did the
6 number of students remain fairly constant?

7 Obviously, it wasn't the same number every year, but
8 did it remain fairly stable?

9 A. It did, except the number -- the number of
10 students decreased before 1968, and that's the reason
11 why they moved up to Berkeley, to the Graduate
12 Theological Union, because we couldn't have a full
13 faculty for a diminishing number of students.

14 Q. When did the decline start?

15 A. I would say the context was Vatican II made
16 a big difference in the church and theology. Our
17 numbers diminished. That would have been in the
18 sixties, particularly towards the end of 1968,
19 mid-sixties.

20 Q. In the mid-sixties. Was it a precipitous
21 decline or was it gradual?

22 A. It was gradual.

23 Q. But each year you started noticing lesser
24 numbers?

25 A. Yeah.

1 Q. Starting approximately in the mid-sixties?

2 A. Yeah.

3 MR. HABLE: Just to verify, we're talking
4 about the Mission?

5 MR. DE MARCO: Yes, and I was going to
6 ask the following question.

7 Q. Do you have any other awareness of whether
8 or not the number of students was decreasing also at
9 St. Anthony's during that time period?

10 A. I would say yes, there was a decrease there
11 at the high school level, yes.

12 Q. How did you become aware of that?

13 A. What's that?

14 Q. How did you become aware of that?

15 A. How did I become aware of it?

16 Q. Yeah. Was it from talking with the faculty
17 there, was it from reading? I don't know.

18 A. Well, we would hear that the numbers for
19 this year were such and such.

20 Q. How would you hear that?

21 A. Maybe at a visit to St. Anthony's seminary
22 we'd ask something like that. It was a gradual
23 diminishing of numbers in St. Anthony's and San Luis
24 Rey and the Old Mission.

25 Q. So it sounds like there was discussion

1 going on amongst the faculty of each of those
2 institutions about that decrease. Would that be fair
3 to say?

4 A. Yeah, but each faculty -- in other words,
5 the faculty at St. Anthony's was facing up to their
6 situation, distinct from we facing up to our
7 situation in theology.

8 Q. I'm not clear. When you say "facing up
9 to," what are you saying?

10 A. I mean, well, they recognized and they
11 perhaps had reasons for the decrease, but at the Old
12 Mission Theological Seminary we had nothing to say
13 about the numbers there and the -- we were never
14 consulted because it was a separate institution, and
15 they had nothing to say about the theological
16 seminary at the Old Mission.

17 Q. So you're talking about what measures to
18 take in response, you had no control over them?

19 A. Yeah.

20 Q. Would it be fair to say there was
21 discussion about the fact about, hey, there was a
22 decrease at each --

23 A. That's right, yes.

24 Q. Okay. Backtracking slightly, who ordained
25 you? Do you remember?

1 A. Who what?

2 Q. At your ordination?

3 A. That was Bishop McGunden. He was then
4 auxiliary of Los Angeles. Eventually he became the
5 bishop of San Francisco.

6 Q. Was that fairly standard, for a bishop of
7 Los Angeles to ordain the priests of the Old Mission?

8 A. Yes, they were the ones. Once in a while
9 you might get -- well, you know, we had
10 Cardinal MacIntyre, Cardinal Manning. The bishops of
11 the Archdiocese of Los Angeles were the ones that did
12 the ordination. It's rare that someone else would
13 come in.

14 Q. Did they have any input at all into any
15 other aspects of the Old Mission?

16 A. You mean the bishops?

17 Q. Yes.

18 A. Oh, no, they didn't tell us -- the diocese
19 didn't tell us how to run the Franciscan seminary and
20 we didn't tell the diocese how to run their seminary.
21 We just said, you know, we've got three, four, five,
22 six people who want to be ordained and asked them to
23 come up and do it, but we took care of our own
24 internal affairs.

25 Q. Was there any other form of communication

1 that would take place between the Old Mission and the
2 diocese, that you are aware of?

3 MR. GODFREY: Can I ask a point of
4 clarification?

5 MR. DE MARCO: Yes, sir.

6 MR. GODFREY: When you refer to the "Old
7 Mission," are you referring to the parish or the
8 theological seminary?

9 MR. DE MARCO: Theological seminary. Thank
10 you, Counsel.

11 THE WITNESS: The theological seminary is a
12 Franciscan institution; the parish is an archdiocesan
13 institution.

14 BY MR. DE MARCO:

15 Q. With regards to the seminary, was there any
16 other communications that you were aware of between
17 the bishops of the archdiocese or their delegates and
18 the Old Mission Seminary?

19 A. I'm not aware of it, no.

20 Q. No other forms of reporting by the Old
21 Mission to --

22 A. No. They trusted our judgment about who
23 should be ordained. In other words, the theological
24 seminary, as such, was separate from the Archdiocese
25 of Los Angeles.

1 Q. Except for the fact of the bishops
2 ordaining each of you.

3 A. That's right, yeah.

4 Q. Why were the bishops of Los Angeles to ones
5 to ordain --

6 A. Well, we're in the Archdiocese of Los
7 Angeles, Santa Barbara, so we'd, you know, favor a
8 bishop from the Archdiocese of Los Angeles rather
9 than, say, San Francisco or Fresno.

10 Q. It sounds like the only folks that ordained
11 priests, the graduates of the Old Mission Seminary,
12 were bishops or archbishops or cardinals of the
13 Archdiocese of Los Angeles during your tenure there?

14 A. What was that again?

15 Q. Sure. During your tenure at the Old
16 Mission Seminary, either as a student, as rector,
17 teacher, what have you, no other bishop other than a
18 bishop, archbishop or cardinal of the archdiocese
19 ordained the students there. Would that be accurate?

20 A. One or another time you might have an
21 exception. It would be rare, it would be very rare,
22 and that would be okayed by the Archdiocese of Los
23 Angeles.

24 Q. It had to be okayed by them, to your
25 knowledge?

1 A. It had to because these young men were
2 being ordained priests in the Archdiocese of Los
3 Angeles, so you just couldn't, you know, pull in
4 somebody from another diocese without having some
5 okay from the Archdiocese of Los Angeles.

6 Q. Would it be accurate to say that all those
7 that were going to the Old Mission Seminary were
8 being trained to be priests of the Los Angeles
9 archdiocese?

10 A. No, they were -- they are ordained there,
11 but their first assignment wasn't necessarily in the
12 Archdiocese of Los Angeles. The fellow might get a
13 job to go to the foreign missions or go to San
14 Francisco, so the Franciscans, the Franciscan
15 provincial would decide where those ordained would be
16 functioning.

17 Q. But would it be accurate to say it was
18 exceptional for a graduate of the Old Mission
19 Seminary not to be ordained into the Los Angeles
20 archdiocese, initially?

21 MR. ZACHER: Misstates prior testimony.

22 MR. DE MARCO: I didn't state his
23 testimony, I asked him a question.

24 THE WITNESS: What's that again?

25 BY MR. DE MARCO:

1 Q. Would it be accurate to say that it was
2 exceptional for -- you know, strike that.

3 Can you just read back the question that I
4 asked.

5 (The requested passage was read back
6 by the reporter as above recorded.)

7 MR. GODFREY: I think that assumes facts
8 not in evidence. There's a difference between being
9 incardinated in the Los Angeles diocese and simply
10 having a ceremony in the Los Angeles diocese. I
11 think the question applies if they are being ordained
12 for the Diocese of Los Angeles.

13 THE WITNESS: Yeah, they weren't ordained
14 for them. We Franciscans would assign priests to any
15 diocese on the west coast.

16 BY MR. DE MARCO:

17 Q. Back to my whole reason for asking the
18 questions, why was it, then, that it was the bishops
19 -- if you have any awareness of the reasons why, why
20 was it the bishops of the Los Angeles diocese that
21 were the ones that were ordaining students,
22 generally?

23 MR. MATIASIC: Asked and answered.

24 BY MR. DE MARCO:

25 Q. You can answer, if you can.

1 A. We were in the Archdiocese of Los Angeles.
2 There's a difference between a diocese priest and a
3 religious priest.

4 Q. Let me ask you this question. Would it be
5 fair to say that most of the graduates of the Old
6 Mission Seminary, in addition to being ordained by
7 bishops of Los Angeles, were also incardinated into
8 the Archdiocese of Los Angeles?

9 A. No, no, unless they -- oh, no, they're not
10 really incardinated because they're working, but they
11 were Franciscans and they weren't really
12 incardinated. They weren't really diocesan clergy of
13 the Archdiocese of Los Angeles.

14 We would offer priests to the Archdiocese
15 of Los Angeles for assignment in the Archdiocese of
16 Los Angeles. We'd offer priests for San Francisco.
17 So they did the ordination, but our superiors would
18 decide just where the young priest would be
19 functioning.

20 MR. KASPER: Can we go off the record for a
21 moment?

22 MR. DE MARCO: Yes.

23 VIDEOGRAPHER: The time is 11:20 a.m. and
24 we're off the record.

25 (A recess was taken from 11:20 a.m.)

1 to 11:35 a.m.)

2 VIDEOGRAPHER: The time is 11:35 a.m. and
3 we're back on the record.

4 MR. DE MARCO: Angela, did you want to make
5 an appearance, for the record?

6 MS. LYDDAN: Good morning. Angela Lyddan,
7 Carroll, Burdick & McDonough, on behalf of
8 Archdiocese of Los Angeles. I apologize for being
9 late.

10 MR. KASPER: Counsel, perhaps if I can ask
11 the witness a couple of questions I can clarify the
12 area that you're --

13 MR. DE MARCO: Which questions, Counsel?

14 MR. KASPER: You've been asking him about
15 why they used the bishops of the L.A. Archdiocese to
16 ordain their students.

17 MR. DE MARCO: Uh-huh.

18 MR. KASPER: I think he was a little
19 confused by your question. We can clarify that, if
20 you'd like.

21 MR. DE MARCO: Go ahead.

22 MR. KASPER: Father, was there any reason
23 under church law that you know of why you used the
24 bishops from the L.A. Archdiocese to ordain the
25 candidates who were coming through your seminary?

1 THE WITNESS: That wasn't obligatory, but
2 it sort of made sense because we're in the
3 archdiocese. So even though we're Franciscans, we're
4 in the Archdiocese of Los Angeles, and these are
5 going to be the future priests of the church,
6 working, maybe, in Los Angeles, San Francisco, so the
7 proper thing to do would be to have a bishop from
8 Archdiocese of Los Angeles to ordain them. It would
9 be an imposition to call upon someone outside the
10 archdiocese. This wasn't done.

11 MR. KASPER: Was this something that you
12 did as a courtesy of the Archdiocese of Los Angeles?

13 THE WITNESS: It was the expected thing.
14 It was the expected thing.

15 MR. KASPER: Go ahead, Counsel.

16 BY MR. DE MARCO:

17 Q. Well, then, at the ordinations of these
18 individual priests, or of the graduates to become
19 priests, what communications took place, typically,
20 between the Old Mission and the archdiocese prior to
21 the ordination?

22 MR. MATIASIC: Lacks foundation.

23 THE WITNESS: Communications? As far as I
24 can recall, our provincial, the head of the
25 Franciscan order, would have to give the archdiocese

1 some assurance these people were properly trained
2 and, therefore, qualified for ordination.

3 BY MR. DE MARCO:

4 Q. So you say they had to give some assurance.
5 How was that assurance given?

6 A. That was done by, say, our provincial. It
7 might have been -- I'm not certain. It might have
8 been some form they filled out that these people, you
9 know, got their grades and were qualified, I presume.
10 I'm not certain. It would come from the request made
11 by the head of the Franciscan order.

12 Q. You yourself never offered a request of
13 that nature?

14 A. No, no, no.

15 Q. Have you ever heard the term "letter of
16 suitability," or phrase?

17 A. It rings a bell, but I'm not certain.

18 Q. Would it coincide with your recollection
19 that the report would have to be made that, one, they
20 had satisfactory grades; and -- yes? Would that --
21 part of the report or the assurance would be that
22 they had satisfactory grades; is that accurate?

23 A. Yeah, that they had the okay, the
24 theological education demanded for a priest.

25 Q. Did there have to be any assurance that

1 they were of good moral fitness?

2 A. Yes.

3 Q. Were you ever consulted by the provincial
4 as to whether or not the students had good moral
5 fitness?

6 A. Well, we would send a report to the
7 provincial up in Oakland and say the faculty at
8 Mission Santa Barbara believes that these men were
9 qualified.

10 Q. Okay. Going back a little bit to what we
11 were saying before the break, or which I believe you
12 testified to, you mentioned at that earlier
13 questioning there were three general areas of
14 responsibility as rector that you had. One, I think
15 you mentioned, and we've discussed already, was class
16 schedules; the other was keeping up on current
17 seminary practices by going to meetings and
18 conventions; and another was to preside over meetings
19 with the faculty to pass judgment on students.

20 A. Yeah.

21 Q. That's fair to say?

22 A. Yes. The faculty would vote whether
23 so-and-so was qualified.

24 Q. So there were meetings of the faculty to
25 discuss students?

1 A. Oh, yes, yes.

2 Q. How often were these meetings held?

3 A. Well, at the time that -- in the old
4 system, before the priesthood there was a deaconate
5 and a subdeaconate and what they call minor orders.
6 So we'd have to get a bishop on that, and we would
7 vote, then, that John or Joe fulfilled the
8 requirements for receiving minor orders or
9 subdeaconate or deaconate.

10 Q. Did these different, for lack of a better
11 word, titles or stages, did they correspond to
12 particular years of the students in the program? For
13 instance, let me make -- I don't think my question
14 was very clear.

15 For a student to receive minor orders, were
16 there particular years that they were typically in
17 when they received minor orders, or did it just vary
18 across the board?

19 A. As far as I can recall, it would be after
20 the first year of theology they would receive minor
21 orders, and we voted on that.

22 Q. What were the minor orders? Again, for the
23 uninitiated, which I am.

24 A. Well, they're no longer extant, by the way,
25 but anyway, porter, exorcist -- it's ancient history

1 now -- lector. There was a certain assessment that
2 this person was capable of fulfilling this and that
3 aspect of the priesthood.

4 Q. What were some of the things that once a
5 person received minor orders, what were some of the
6 things that they were then able to do?

7 A. Not much at all, no.

8 Q. But they were able to do some things after
9 receiving minor orders?

10 A. They actually began to function only with
11 the subdeaconate and the deaconate. So the
12 subdeaconate, they could be, like, in a church
13 service, they could be the third person and the
14 deaconate -- the top person, and then the priest.
15 You have the priesthood, deaconate, subdeaconate and
16 the --

17 Q. Minor orders?

18 A. And the --

19 Q. Okay. But typically after the first year
20 was completed of the theologate --

21 A. Yeah, theologate.

22 Q. -- then they could receive minor orders?

23 A. Yes. I'm not too sure whether it was after
24 the first year or not, but I would say it's just a
25 guess on my part, yeah.

1 Q. Okay. How about subdeaconate? When would
2 students typically be admitted to the subdeaconate?
3 I don't know if that's the proper way to refer to it.

4 A. It's ancient history for me now, but I
5 would say maybe after the -- you have your first-year
6 minor orders; and after the second year,
7 subdeaconate; and then sometime after that, before
8 ordination, deaconate. I'm not too sure of the exact
9 timing anymore.

10 Q. Any sense for how long students would
11 typically be part of the deaconate before being
12 ordained?

13 A. They could be six months to a year.

14 Q. Okay. Going back to the faculty meetings,
15 were they performed on an annual basis, or more often
16 or less often?

17 A. Whenever there was a next step to take,
18 then the faculty would have to size up the person and
19 say that we -- we think he's qualified.

20 Q. Were these faculty meetings done at
21 particular times of the year?

22 A. Oh, we had faculty meetings regularly,
23 every month.

24 Q. But the ones where you were passing
25 judgment on students, were they done all the time,

1 were they only at specific times during the school
2 year or year?

3 A. There was a gradation, but it's not too
4 clear in my mind right now. This is so long ago.

5 Q. Okay.

6 A. I would say generally, first year, second
7 year and then the deaconate, and maybe the deaconate
8 could be six months to a year.

9 Q. When the faculty would meet to pass
10 judgment on students, would they discuss just one
11 student at a time in those meetings or would the
12 meeting have various different students discussed?

13 A. Well, we would discuss them every month,
14 and then, more so, there would be a longer discussion
15 preliminary to those canonical procedures.

16 Q. Okay. The canonical procedures being the
17 minor orders, subdeaconate and deaconate?

18 A. Yeah.

19 Q. Okay. Where were these meetings typically
20 held?

21 A. At the Old Mission. We had our own room
22 where the faculty would meet, one of the rooms in the
23 Mission.

24 Q. Okay. Who would attend the meetings?

25 A. Just the faculty.

1 Q. All the faculty?

2 A. All the faculty. Oh, yes, everybody was
3 heard.

4 Q. As well as rector?

5 A. Yes, uh-huh, yep.

6 Q. Were there any other administrators, other
7 than the faculty and the rector at the Old Mission?

8 A. No, I believe just that. Because we had
9 them in class, we knew them better than, say, someone
10 who wasn't on the faculty. They'd be in no position
11 to pass judgment on something that is not in their
12 domain.

13 Q. Okay. Was there any record kept of the
14 meetings?

15 A. Written records?

16 Q. Yes.

17 A. Let's see. Again, this is a little vague
18 for me now, many years afterwards, but, but yeah,
19 we'd keep a record of the meetings and then we'd also
20 assess their -- what sort of personalities they were,
21 whether they were mature or not. So it was a major
22 decision for us to decide whether this person should
23 be moved on or not, but I'd say the records were
24 pretty good and the discussions were very frank.

25 Q. Okay. What type of records were kept of

1 those meetings, do you recall?

2 A. How the person was doing in his studies,
3 behavior, anything that would aid us. And we took it
4 very seriously on promoting this person to the next
5 steps. It could be if we had any doubts we would
6 delay passing judgment.

7 Q. Do you recall any instances where that
8 occurred?

9 A. I don't recall.

10 Q. But the occasion did happen?

11 A. Yeah. It was a good investigation, a good
12 dialogue, because we took it very seriously. In
13 fact, it was a great responsibility, so we were
14 serious about it.

15 Q. But it would be accurate to say that there
16 were occasions where students were held back?

17 A. Yes, that's right, yes.

18 Q. And they were held back because there was
19 some problem?

20 A. Yeah, that's right, yeah.

21 Q. Okay. Was there ever a problem with a
22 person's moral fitness?

23 A. Well, we would discuss every aspect of a
24 person's personality, moral, as far as studies are
25 concerned, whether they fit in as a community man,

1 what we knew in the light of what we expected of him
2 as a priest. We would evaluate them. It covered the
3 whole spectrum.

4 Q. The ability to commit to a life of celibacy
5 being one of those things?

6 A. Yeah, that's right.

7 Q. Did that issue come up at all the during
8 those meetings?

9 A. Oh, it came up, but -- let's see.
10 Generally speaking, they were instructed on what
11 celibacy would demand, so we had to have some
12 assurance they could live a celibate life, although
13 who knows what tests would come along down through
14 the years.

15 Q. How would you seek that assurance that they
16 could live a life of celibacy? When I say "you," I
17 mean the faculty.

18 A. The faculty, yes.

19 Well, there is no testing of celibacy while
20 they are in the seminary.

21 Q. But there were things that you would look
22 for?

23 A. Oh, yeah, that's right, yes.

24 Q. Like what?

25 A. Well, let's see, intelligence, morality.

1 But there were really no good norms, practical norms
2 for celibacy. It was a personal decision.

3 Q. Let me ask the question in a slightly
4 different way. Maybe that might help. I don't know.

5 Do you recall if there were ever any
6 students that were held up because of a concern that
7 they could not live a life of celibacy?

8 A. I don't recall.

9 Q. I'm not asking if you remember a particular
10 student --

11 A. No, I don't. It was sort of presumed, in a
12 way. The test would come.

13 Q. The test? I'm sorry?

14 A. When he got out as a priest and started
15 mingling with people. The seminary was pretty well
16 self-enclosed.

17 Q. Going back to the records of these, for
18 lack of a better word, faculty evaluations of
19 students, was there someone assigned to take notes of
20 those meetings?

21 A. Oh, yes, we'd have a secretary, yes.

22 Q. During your time as rector, do you recall
23 who the secretary or secretaries were?

24 A. What was that again?

25 Q. Do you recall who the secretaries were?

1 A. I can't recall, no.

2 Q. Do you recall, would it typically be just
3 any member of the faculty or was it a rotating
4 position
5 or . . .

6 A. I think it varied as far as being
7 secretary. I don't recall that. Someone might keep
8 minutes of this meeting and someone else for other
9 meetings.

10 Q. Do you have any recollection as to what
11 were done with the minutes once the meetings were
12 done?

13 A. What was done with the minutes?

14 Q. Yes. Where were the minutes placed after
15 the meetings were done?

16 A. I can't recall.

17 Q. If a particular student was being
18 addressed, would those minutes find their way to the
19 student's file?

20 A. Oh, yes, we'd have a file on each student.
21 What was said about him before, like, say, college,
22 and so we'd -- we were helped in making a judgment
23 based on what was said regarding this young man
24 before he came to the theological seminary.

25 Q. So the file that you had on the students

1 would contain notes from when they were at junior
2 seminary?

3 A. I'm not sure whether we went back to the
4 minor seminary.

5 Q. Uh-huh.

6 A. It would be more -- see, in the minor
7 seminary, the majority of students wouldn't go on to
8 the priesthood. You might have a class of 30 or 40
9 attending, and that would come down to a class of
10 eight or nine, so we were concerned more what was
11 happening down at San Luis Rey before they came to
12 our place.

13 Q. Would it be accurate to say that the
14 student file that the Old Mission had for any
15 particular student would contain notes from faculty
16 evaluations for them at San Luis Rey?

17 A. Yes, uh-huh, yes.

18 Q. So the notes of the faculty evaluations at
19 the Old Mission, were they also placed into the
20 student's file?

21 A. Oh, yes, we'd make our addition to the
22 evaluation before he came to the Mission.

23 Q. I mean, once they are at the Mission and
24 they're students at the Mission and you're going
25 through your passing judgment on them at these

1 meetings, were the notes of these discussions placed
2 into the student's file.

3 A. I would say yes. I don't know what form
4 they took, but there was -- we would add to the
5 finding that preceded them coming to the Old Mission.
6 Yeah, we would build on that.

7 Q. Let me ask this foundational question. You
8 did have occasion, as rector, did you not, to look at
9 the student files?

10 A. Oh, yes, yes. We had frank discussion.

11 Q. Would it be accurate to say that during the
12 time that you were rector you looked at every one of
13 the students' files that went through the Old
14 Mission?

15 A. Yes, during my time, yes.

16 Q. When you looked through those files, do you
17 recall seeing the notes of Old Mission faculty
18 evaluations of various students?

19 I asked the question -- that was confusing.

20 Do you recall looking at any particular
21 student files and you'd see as a matter of course
22 that the faculty evaluations from the Old Mission
23 would also be in that student's file?

24 A. Yes, and then the votation (sic). We would
25 vote on them. So, say, the faculty was six or seven,

1 it might have been all or maybe five to one in favor,
2 one against.

3 Q. Okay. But the notes would also state if
4 there was an issue raised about the student. There
5 would be a notation made about that?

6 A. Yeah.

7 Q. Where were the student files kept?

8 A. I think we had a file just for the
9 students, and they would be kept there. If we had
10 any difficulty, we would inform our provincial about
11 the -- if someone, it was debatable on whether they
12 should go on or not, we would inform the provincial
13 about it, but for all practical purposes, the
14 provincial would rely upon our judgment.

15 Q. But the student files themselves, were they
16 kept in a particular location at the Old Mission?

17 A. Yes, we had a filing cabinet, yeah. We had
18 that, yeah.

19 Q. Was that in your office or was it located
20 in an office?

21 A. I can't remember just exactly. I know it
22 was there, but where -- I can't recall just where it
23 would be kept.

24 Q. Do you know if the notes from the faculty
25 meetings were compiled in any files in addition to

1 the student files, or separate from the student
2 files?

3 A. I think the files said one particular
4 person -- or it might have said it was together,
5 "Studies" and so on, and so each student had his own
6 file, and that would cover all the requirements of a
7 future priest.

8 Q. Okay. Did the faculty have meetings about
9 anything other than whether to pass judgment on
10 students?

11 A. What was that?

12 Q. Did the faculty have meetings regarding any
13 subjects other than passing judgment on students?

14 A. Oh, yeah, we had -- we discussed maybe
15 changing routine and judgment of a person's
16 character. Again, intellectually, personally whether
17 he fit into -- whether he was a communal person,
18 whether he was a loner. It was pretty well covered.

19 Q. Who had access to the student files?

20 A. Only the faculty.

21 Q. So the faculty, if they wanted to review
22 the file, had to personally go get the file
23 themselves?

24 A. Yes, uh-huh.

25 Q. Were there any lay workers at the Old

1 Mission Seminary?

2 A. Lay workers?

3 Q. Yeah, nonordained folks?

4 A. Well, we had brothers who were never
5 ordained. Franciscans are all brothers, and some of
6 the brothers are ordained.

7 Q. Okay.

8 A. So the -- let's see. Pre-Vatican II times,
9 the nation was somewhat -- ordinarily, laypeople were
10 not allowed into the missions. When Vatican II came
11 along, then laypeople got involved, but before that
12 time the laypeople didn't have free rein at the
13 Mission.

14 MR. KASPER: Father Cordano, the question
15 was, were there any laypeople that worked in the
16 seminary when you were the rector there?

17 MR. DE MARCO: Thank you, Counsel.

18 THE WITNESS: I would say before Vatican
19 II, there definitely -- laypeople didn't have any
20 function.

21 But then, when Vatican II came in,
22 gradually after that more and more laypeople, like
23 gardeners and so forth, came into play. In my time,
24 when I went through, the brothers, nonordained, and
25 we students would do all the manual labor and so

1 forth and so on, but that changed later on.

2 Q. And all the secretarial duties also?

3 A. What's that?

4 Q. The brothers and the priest would -- and
5 the students would do all the secretarial work, or
6 no?

7 A. What secretarial work?

8 Q. Correspondence, mailing, copying, things of
9 that nature.

10 A. No, the brothers -- nonordainment had
11 nothing to do with it. Under my direction, we did
12 all -- we, the faculty, or I, personally, as the
13 rector, would take care of all the correspondence.
14 No one else.

15 Q. Okay. Vatican II, when did that take place
16 again?

17 A. Let's see, late fifties, going into the
18 sixties. I think it ended around -- it was taken
19 around '64 or '65.

20 Q. So from 1964 or 1965 until 1968 or so, do
21 you recall whether there were any lay workers at the
22 Old Mission Seminary?

23 A. I can't recall any lay workers.

24 Q. So do you think there were no lay workers
25 during that period of time, or you're just having

1 difficulty recalling names?

2 A. Well, the best thing for me to say is if
3 gradually lay workers gradually did come into play,
4 they had nothing to do at all with the administration
5 of the seminary, totally distinct.

6 Q. No secretaries? No lay worker secretaries
7 at the seminary?

8 A. No, no, no.

9 Q. What did the students at the Old Mission
10 Seminary do during the summers, generally?

11 A. Some summers they went off to summer school
12 up at Catholic Colleges or eventually some went out
13 at UCSB and took classes out there.

14 They had more time then to take care of the
15 place, work in the garden work and so forth and so
16 on, but they had maybe a month or two in the summer
17 to take classes at Catholic College or UCSB. UCSB
18 came in gradually.

19 Q. Okay. The students there at the Old
20 Mission lived there on campus?

21 A. That's right, yes.

22 Q. Did they live on campus year-round?

23 A. Yes, except for going to summer school. If
24 they went up to a place like Dominican College up
25 there, then they would stay there, but while they

1 went to UCSB they lived in a residence at the Old
2 Mission.

3 Q. They didn't typically, say, go back to
4 whatever home parish they came from before they
5 started seminary? Let me ask the question a
6 different way.

7 Did the students typically during the
8 summers do any kind of parish work?

9 A. Well, they might do some teaching of high
10 school students, but the outside contacts were very
11 limited.

12 Q. Were there particular high schools they
13 would sometimes teach at?

14 A. There was a program for giving religious
15 instruction to Catholic students at public schools.
16 In fact, I was involved with that myself. And so to
17 get some experience of dealing with young people,
18 they would do the best to give these high school
19 students some understanding of the Catholic religion.

20 Q. Do you remember, were there particular
21 schools where this was done?

22 A. Most of it was done in homes.

23 Q. Let me ask you this, then: Was it
24 coordinated through any particular public schools,
25 this program?

1 A. No, it would be -- we would offer religious
2 instruction for, say, high school students in public
3 schools, but they might have come from any public
4 school in town, no one particular public school.

5 Q. How would they know about this? How would
6 the public school student learn of this instruction?

7 A. I'm not too sure just how the word got out
8 to them. Again, it might have been a notice in the
9 parish bulletin, something like that, but I'm not too
10 sure just how the notification went out.

11 Q. Okay. Was there ever occasion where either
12 you or members of the faculty sought to have
13 questions answered by any of the faculty at the minor
14 seminary regarding students?

15 A. What's that again? Did the faculty at the
16 Old Mission --

17 Q. Let me lay a foundation to the question,
18 because it's kind of out from left field.

19 We've been talking at some length that the
20 faculty would go through these evaluations of
21 students and there were occasions where there were
22 problems with students --

23 A. Yeah.

24 Q. -- where you'd in fact look back at notes
25 from San Luis Rey.

1 Was there ever occasion where contact was
2 attempted with faculty from the minor seminary to
3 address any issues with the student --

4 A. I'm not aware of it. I don't think so.
5 I'm not aware of it.

6 Q. How many were on the faculty, typically,
7 when you were a rector there?

8 A. Six or seven.

9 Q. How many religious order brothers would be
10 part of administration or instruction at the school,
11 typically?

12 A. The religious brothers? Who are you
13 referring to?

14 Q. I think you mentioned earlier the
15 Franciscans utilize brothers to perform certain tasks
16 there?

17 A. They did mostly manual labor, cooking,
18 gardening. But, as such, they had nothing to say
19 about the theologic education of the students for the
20 priesthood.

21 Q. How many brothers would typically be
22 employed to do this sort of manual labor?

23 A. I'm guessing, maybe five or ten. I'm not
24 certain.

25 Q. For every school year or year?

1 A. Yeah. They did --

2 Q. I'm sorry, at a time, would you say?

3 A. Yes. I'm just guessing.

4 Q. Do you remember -- I mean, during the time
5 that you were rector there -- the names of any of the
6 brothers that performed manual labor there?

7 MR. KASPER: This is just during the time
8 you were rector.

9 THE WITNESS: When I was rector, mostly of
10 German descent, hard-working brothers who sort of --
11 a very secluded life.

12 MR. KASPER: The question was, do you
13 remember the names of any of the brothers?

14 THE WITNESS: The names don't come to mind.
15 Well, Barnabas.

16 BY MR. DE MARCO:

17 Q. Brother Barnabas?

18 A. Brother Barnabas.

19 Let's see, Brother Emerand.

20 Q. How would you spell Emerand?

21 A. E-m-e-r-a-n-d. They're all of German
22 descent mostly.

23 Q. Were these their given names at birth, do
24 you think, or are these --

25 A. No, I think they are the names they took on

1 as religious.

2 Q. Do you have any awareness of what Brother
3 Barnabas's given name was?

4 A. No idea, no.

5 Q. How about Brother Emerand?

6 A. No.

7 Q. How did they come to be, for lack of a
8 better word, employed there at the seminary?

9 A. Well, those who would be nonordained would
10 be given assignments. They might need a couple
11 brothers in San Luis Rey, they might need a couple of
12 brothers up in San Francisco. So whenever there was
13 a maintenance man needed. So the provincial, the top
14 administration, would decide who was going to be
15 stationed where, as needed, in a given location.

16 Q. So the provincial would communicate with
17 someone there at the Santa Barbara seminary?

18 A. Yes, that's right, yeah.

19 Q. And say so-and-so and so-and-so --

20 A. That would primarily be done with the
21 superior more than the -- rather than with the --

22 Q. The rector?

23 A. The rector, yeah.

24 Q. During your time as rector there at the Old
25 Mission Seminary, do you recall who any of the other

1 superiors were at the again? Mission, at the Mission
2 seminary?

3 A. Yeah, only the theological seminary?

4 Q. Right.

5 A. Oh, let's see. Fabian, Father Flavian
6 Gustenholven.

7 Father -- the last name was Schmidt. Let's
8 see. Father Patrick Roddy. Those are the ones that
9 come to mind.

10 Q. Do you know if any of those three are still
11 living?

12 A. No, they're all dead.

13 Q. I'm looking through my directory right now.
14 I'll come back to it.

15 Were the brothers paid?

16 A. Were the brothers paid?

17 Q. Did they receive pay?

18 A. Oh, no, as a Franciscan, you don't get any
19 pay. We're religious communists; we own things in
20 common.

21 Q. Where did the brothers reside?

22 A. Well, various rooms. They weren't
23 necessarily segregated. They lived in the, what do
24 you call, the front corridor. There was no pattern
25 about just where they might have a room.

1 Q. Where did the students reside?

2 A. What's that?

3 Q. Where did the students reside?

4 A. Well, before an addition was made to the
5 Old Mission for students -- I think it was around
6 1958 -- the students were -- lived in a second floor
7 of the Mission, separate from where the faculty
8 lived.

9 Q. Previous to 1958?

10 A. What's that?

11 Q. Were you saying they lived separate from
12 where the faculty lived before 1958, or was that
13 after?

14 A. Well, even afterwards, yeah.

15 Q. Okay.

16 A. Then after 1958, there was a Fleischman
17 Foundation addition, and those were residences for
18 the students.

19 Q. The residences for the students, did they
20 share rooms, did they have their own room?

21 A. Each one would have his own room.

22 Q. Did they share a common bathroom?

23 A. It was a common bathroom, yes.

24 Q. What were the typical school hours that --
25 I mean, when were classes offered?

1 A. It would be Monday to Friday. Classes
2 would start about 8:30 or 9:00 in the morning and
3 then a couple classes in the afternoon, and then they
4 had their own room for studying their assignments and
5 all, so that would be in the evening. So morning and
6 afternoon would be the times when the classes were
7 held.

8 Q. And then in the evenings, obviously, meals
9 and then studying?

10 A. Yeah, we'd -- generally speaking, we have
11 dinner at 6:00 and then 7:00 you went up to your room
12 and . . .

13 Q. Okay. After the students went to their
14 rooms, were they free to still move about the
15 seminary grounds? Again we're talking, obviously,
16 after meals, the 7:00 o'clock that you just
17 mentioned.

18 A. Let's see. Well, they restricted
19 themselves to the students' quarters.

20 Q. When you say they restricted themselves, do
21 you mean to their own individual quarters or was
22 there a general student quarters?

23 A. Well, the individual rooms. They had a
24 couple of wings and their quarters would be separate
25 from those of the faculty and also from the parish

1 priests.

2 Q. Just so I'm understanding, is it your
3 testimony that each of the students, after they went
4 to their rooms around 7:00 o'clock, would be -- they
5 would restrict themselves to their individual rooms?

6 A. Yes, uh-huh.

7 Q. Okay. Was that a policy there?

8 A. As far as I can recall, they had to
9 restrict themselves to their own part of the Mission
10 and we would all come together for prayers, morning,
11 afternoon and evening. As far as I can recall, the
12 students had to stay in their quarters and not,
13 say -- generally the front corridor was reserved for
14 the faculty.

15 Q. Okay. Were there locks on the residence or
16 the quarters for each of these students, meaning
17 locks on the door into the residence?

18 A. I can't recall any locks, no.

19 Q. You said you had evening prayers also.
20 When were those, typically?

21 A. You'd have, say, late afternoon and maybe,
22 say, evening prayer before retiring.

23 Q. What time would that be, typically?

24 A. 8:30 or 9:00. About 9:00.

25 Q. When were the evening prayers held?

1 A. In the old system, it was now what they
2 call Blessed Sacrament Chapel. We used to meet there
3 for all the prayers and masses and so forth. Well,
4 it was highly regimented, yeah.

5 MR. DE MARCO: Think we're getting really
6 close to running out of tape here, so we're going to
7 have to take a break.

8 VIDEOGRAPHER: We're at the end of tape
9 number 1. The time is 12:29 and we're off the
10 record.

11 (The lunch recess was taken from 12:29 p.m.
12 to 1:40 p.m.)

13 VIDEOGRAPHER: We're at the beginning of
14 tape number 2. The time is 1:40 p.m. and we're back
15 on the record.

16 BY MR. DE MARCO:

17 Q. Good afternoon again, Father Cordano.

18 A. Thank you.

19 Q. Father Cordano, as rector at Old Mission,
20 were you ever called upon to give a votum regarding
21 laitization of a priest, of any priest?

22 A. No, I never did. That was taken care of by
23 the vigil in Oakland, yeah.

24 Q. Did you ever meet a priest by the name of
25 Gus Krumm?

1 A. Met him. I didn't know him that well.

2 Q. Was he ever a student at the Old Mission
3 while you were rector there?

4 A. Let's see. Gus Krumm? I'm not too sure
5 whether he was when I was rector or whether he was up
6 at the -- I don't know whether he was at the Mission
7 or whether he was up at Berkeley when they moved up
8 there. I'm not too sure.

9 Q. Are you aware that he has been accused of
10 abusing children?

11 A. Yes.

12 Q. When was the first time you learned of
13 that, or the first time you heard of that?

14 MR. MATIASIC: Just in reference to Gus
15 Krumm?

16 MR. DE MARCO: Correct.

17 MR. MATIASIC: Outside of anything he
18 talked about --

19 MR. DE MARCO: Yes.

20 Q. Outside of anything you've heard from
21 counsel.

22 A. I'm not sure of the exact time. I really
23 don't know. I think it was relatively recent,
24 though.

25 Q. Did you ever hear from any faculty at the

1 Old Mission Seminary of any complaints about Gus
2 Krumm?

3 MR. KASPER: That assumes Gus Krumm was a
4 student there.

5 THE WITNESS: I don't think he is -- I
6 don't think he was a student there. I can't recall
7 him in there.

8 MR. KASPER: The question -- this is only
9 with reference to the period that he was the rector?

10 MR. DE MARCO: I'll broaden it a little
11 bit.

12 MR. KASPER: Why don't you ask the question
13 again.

14 BY MR. DE MARCO:

15 Q. Did you ever hear anything from any of the
16 other faculty at the Old Mission Seminary about
17 complaints they'd heard regarding Gus Krumm?

18 A. I can't recall, because I think the faculty
19 at the Old Mission came to an end when they moved up
20 to Berkeley.

21 Q. Okay. Let me ask you this question. Have
22 you ever heard of a Father Mario Cimmarusti?

23 A. Yes, I've heard of him, yes.

24 Q. Where do you remember him from?

25 A. What's that?

1 Q. You remember him from what?

2 A. I think he was one of the students in the
3 Old Mission Theological Seminary.

4 Q. Did you have any awareness of whether he
5 also was on the faculty of St. Anthony's?

6 A. He was at St. Anthony's, but I don't know
7 in what capacity.

8 Q. Other than conversations with counsel, are
9 you aware that he's been accused of molesting?

10 A. Yes, uh-huh.

11 Q. When did you first learn of that?

12 A. It's hard to say. It's hard to say.
13 Generally speaking, we weren't given the listing of
14 the priests accused. That was kept -- that was dealt
15 with by the provincial and his board. We weren't in
16 on that.

17 Q. Were you aware of there being an
18 investigation done at St. Anthony's Seminary
19 regarding molestation of seminarians?

20 A. You mean in general?

21 MR. KASPER: You mean at any time?

22 MR. DE MARCO: I'm trying to get to the
23 specific time by asking a general question.

24 Q. Are you aware that there was an
25 investigation done there? Do you know if there was

1 ever an investigation done at St. Anthony's?

2 THE WITNESS: Yes, there was an
3 investigation but I didn't know the names of the
4 people being investigated.

5 MR. KASPER: The only question was, were
6 you aware that there was an investigation? That's
7 just a "yes" or "no" question.

8 THE WITNESS: No, no.

9 MR. KASPER: You were aware? You said
10 "yes," you were?

11 THE WITNESS: Let's see. It's a question
12 of when.

13 BY MR. DE MARCO:

14 Q. Is it correct to say that you are aware
15 that there was an investigation done?

16 A. Yes, okay.

17 Q. When did you first become aware that such
18 an investigation was done?

19 A. The time I just can't recall.

20 Q. Would you say it's more than five years ago
21 that you became aware?

22 A. Yes. I'd say about the time of this board
23 of inquiry was established.

24 Q. When do you think that was, roughly? I'm
25 not asking for a precise year. I understand the

1 difficulty in that.

2 A. I don't know. I'm terrible -- everything
3 is in the past. I'm not too sure when that board of
4 inquiry was established.

5 Q. Okay. I think you mentioned a moment ago
6 that you are aware that there have been accusations
7 made that Father Mario Cimmarusti molested boys.

8 A. Yes, uh-huh.

9 Q. Is it accurate to say that you learned
10 about that fact more than five years ago?

11 A. More than five years ago? I'm not certain
12 of the time. I'm really . . .

13 Q. Did --

14 MR. DE MARCO: Off the record for just a
15 moment.

16 VIDEOGRAPHER: The time is 1:48 p.m. and
17 we're off the record.

18 (A recess was taken from 1:48 p.m.
19 to 1:55 p.m.)

20 VIDEOGRAPHER: The time is 1:55 p.m. and
21 we're back on the record.

22 MR. DE MARCO: Father Cordano, I just
23 want to put on the record, we understood at the
24 beginning of the deposition that you're getting over
25 or might still have some of the remnants of a fever,

1 and we're concerned with not wanting to push this or
2 test your endurance.

3 THE WITNESS: Thank you.

4 MR. DE MARCO: We'd like to, and I think
5 we've gotten counsel's stipulation, to just continue
6 the deposition today until another day, maybe a few
7 weeks, three weeks hence when everyone can get back
8 together so that we can finish things off.

9 THE WITNESS: Whatever you people want.

10 MR. DE MARCO: We have no desire to push
11 your capabilities, and we understand you're ready and
12 willing to keep going.

13 THE WITNESS: I still have my wits about
14 me, but anyway . . .

15 MR. DE MARCO: I'll stipulate for purposes
16 of this portion of the transcript, as we've done
17 before, that there's no need -- to file or the
18 deadlines for filing and motion for protective order
19 don't apply until we've concluded the deposition. I
20 don't think any of us anticipate any sorts of motions
21 off of this before we reconvene, unless counsel wants
22 to put any stipulation in that regard on the record.

23 We'd like to make sure we do get whatever
24 portion we've got so far sent to counsel.

25 Anything else you guys want to put on the

1 record?

2 MR. MATIASIC: We agree. Thank you.

3 VIDEOGRAPHER: This concludes today's
4 deposition. The number of tapes used was two. The
5 time is 1:57 p.m. and we're off the record.

6 (The deposition concluded at 1:57 p.m.)

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DEPONENT'S DECLARATION

I, FATHER VIRGIL CORDANO, OFM CAP, hereby
declare:

I have read the foregoing deposition transcript
and identify it as my own and approve same.

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

Dated this _____ day of _____,
2005, at _____, California.

FATHER VIRGIL CORDANO, OFM CAP

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REPORTER'S CERTIFICATE

I, MARK McCLURE, CSR NO. 12203, a Certified Shorthand Reporter for the County of Santa Barbara, do hereby certify:

That, prior to being examined, the witness named in the foregoing deposition was by me duly sworn to testify the truth, the whole truth, and nothing but the truth;

That said deposition was taken down by me in shorthand at the time and place therein named, and thereafter reduced to typewriting by computer-aided transcription under my direction.

I further certify that I am not interested in the event of the action.

WITNESS my hand this ____ day of _____, 2005.

Certified Shorthand Reporter in and for the County of Santa Barbara, State of California

1 Court: Superior, County: L.A. Central
Case No. JCCP 4286

2

3 Coordination Proceeding Special Title (Rue 1550(b))
In Re: THE CLERGY CASES I & III

4

DEPOSITION OF: FATHER VIRGIL CORDANO

5

TAKEN ON BEHALF OF: Plaintiffs

6 AT: 1430 Chapala Street, Santa Barbara, California

DATE: April 6, 2005

7

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| 1 CC ordered by: Lyddan | CC to: Lyddan | |
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8 EXTRAS: Godfrey - e-mailed rough 4/11
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