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REPORTER'S CERTIFICATION

I, Jeanese Johnson, Certified Shorthand reporter, in and for the State of California, do hereby certify:

That the foregoing witness was by me duly sworn; that the deposition was then taken before me at the time and place herein set forth; that said testimony and proceedings were reported stenographically by me and later transcribed into typewriting under my direction; that the foregoing is a true record of the testimony and proceedings taken at that time.

IN WITNESS WHEREOF, I have subscribed my name this 4th day of December, 2005.



Jeanese Johnson CSR No. 11635

EXHIBIT 1

sign this page and return it to us in the enclosed envelope. Thanks.



JIAJF

FRANCISCAN FATHERS
OLD MISSION
SANTA BARBARA, CALIFORNIA

*Recorded
June 29, 1963
Fr. Thomas F. Edwards
June 20, 1963*

Dear Father:

Fr. Laurian Carriere.....a solemnly professed member of the Order of Friars Minor, received the Order of Subdiaconate on June 8th, 1963, at Old Mission, Santa Barbara, Calif.. He was baptized in your Church on May 30, 1937, receiving the name of David. In accordance with Canons 1011 and 470 § 2, you are kindly requested to enter the fact of his ordination to the Subdiaconate in your baptismal register.

Sincerely in Christ,

[Redacted signature]

OFM CARR 1

EXHIBIT 1 DATE 11/18/65
PAGES
WITNESS

EXHIBIT 2

Oath Before Subduccante

I the undersigned, member of the Order of Friars
Minor, having presented to my Superior a
petition for the reception of the Order of
Subduccante, after mature reflection before
God do hereby testify under oath:

- 1) that in receiving this same Secret Order
I am not influenced by force, fear, or
violence, but that of my own full and free
will I wish to embrace this same Order with
its accompanying obligations
- 2) that I am fully acquainted with the obligations
which follow from this Secret Order,
help of God, I intend to observe until the end
of my life
- 3) that, in regard to the vow of Chastity and the
law of celibacy, I clearly understand what they
entail, and with the help of God, I propose to be faithful
to these obligations until the end of my life;
- 4) that, conformably to the secret canons, I propose
most sincerely to obey all the orders of my Superior
according to Church law, and that I am ready to
give an example of virtue both in work and in
work, that I may deserve to receive from God
the reward promised for the acceptance of so good
an office. So I attest and do swear on these
Holy Gospels of God, which I touch with my hand

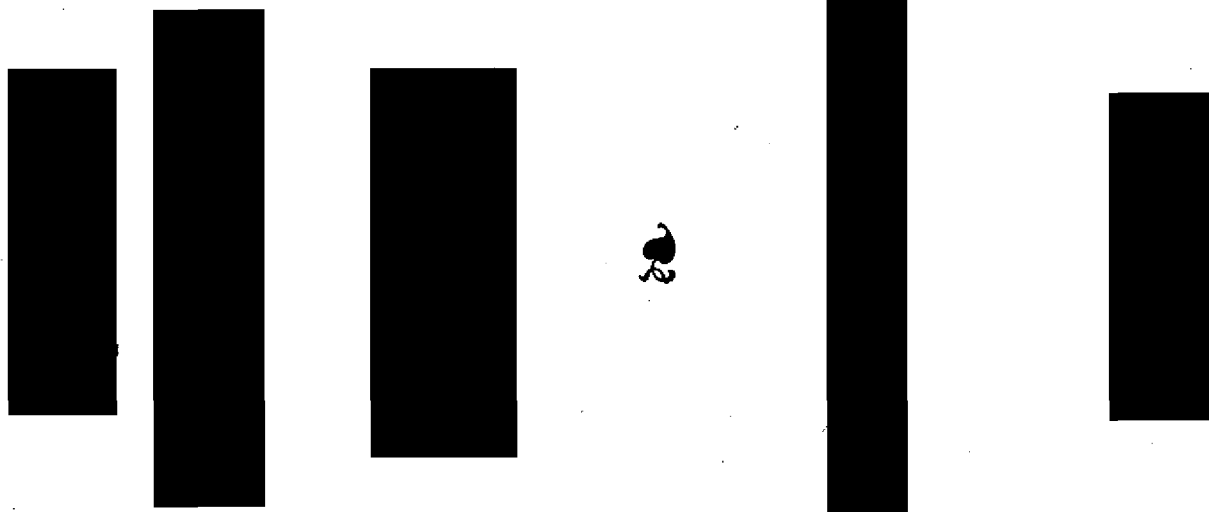
Date 6/6/63

Frater Laurian Carrere OFM Name

Sworn in my presence:
Witnesses:

1. Fr. Vernon Peterson, OFM
2. Fr. Gary Prochnow, OFM

EXHIBIT 3



presence is in what the Church calls, somewhat derogatorily, "natural." And as Baum says, the mode of that divine presence is by its transcendence. That is, the immanent, or indwelling, God within us calls us to transcend or overcome our ego and move to a higher level of awareness.

If the ecclesiastical community could clothe this mystery in terms that helped me to understand and pursue it, so much the richer. But I was no longer willing to allow membership in an ecclesiastical institution to deflect me from my new direction. I had already seen the marvels attendant upon enlarging personal awareness.

I could accept that I was my doubts as well as my convictions, my cowardice as well as my courage, my alienation from others as well as my connection to them, my timorous dependence as well as my healthy autonomy, my body as well as my spirit. I was committed to this calling for myself and any others who might want to share in it.

I made a conscious decision to move into therapy as my ministry, particularly with couples and families. For some time I had increasingly distanced myself from practices of the priesthood such as saying Mass and hearing confessions. I was even seriously entertaining the idea of leaving the Franciscan community where the healthy intimacy for which I yearned was frowned upon.

With this change in perspective I rejected the hierarchical aspects of the Catholic Church. No longer could I accept edicts purporting to bind the consciences of Catholics, or assuming a capacity to define reality as a complete entity. I had found it insupportable to keep looking over my shoulder to see whether someone would be reporting what I said and did to a Church authority at whatever level. The Church's stance on sexuality was particularly insensitive. Especially its insistence on the intrinsic immorality of homosexual behavior.

Despite my best efforts to exorcise them, I am sure there were still homophobic remnants in me. Nevertheless I was increasingly accepting of gays and lesbians, particularly in the open Berkeley environment. I found it refreshing that gay Franciscan students were finding it easier to come out even though a painful dilemma now confronted them.

Formerly, an openly gay orientation would not have been tolerated in our seminary system. In this intolerant environment they understandably had to stay in the closet. Now many were convinced that psychological and spiritual recovery required not only that they openly acknowledge their sexual orientation but that they explore every aspect of that life. For some that might even include participating in gay sex.

But as Franciscans solemnly committed to celibacy, this path of sexual exploration was theoretically closed to them. We never managed to formulate a policy about this serious issue. The reality was that no gay student was ever excluded from advancement to the priesthood, nor were gay priests in any way restricted.

In a television interview with Carl Stern in October, 1972, Abraham J. Heschel said that he would rather go to Auschwitz than give up his religion. But he also shared his belief that "...religious pluralism is the will of God."

Perhaps the most moving experience at the time was the urgent request of a friend, a former priest (he had come out a year before), that I say a funeral Mass for his gay lover who had died of an accidental drug overdose. The couple had been very active in gay and lesbian politics in San Francisco and had made a large number of friends. A Catholic pastor, when apprised of the situation, said that while he would allow the Mass to be offered in his church he would not himself preside.

When invited to offer Mass in his church, I accepted immediately. My only concern was what to say on such an occasion. I learned from friends of theirs that the lover suffered severe depression, for which he was being medicated. Despite this burden, they were a loving and committed couple who found their relationship fulfilling.

The sexual expression of their love, whatever homophobes might say to the contrary, drew them close to one another and to God. Courage to come out and take pride in their identity came from their mutual support—clear evidence, the former priest maintained, that God was in their love. They prayed together, went to Mass together, and looked forward to a long life together.

LEWIS BRISBOIS BISGAARD & SMITH LLP

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January 4, 2006

FILE NO.
50027-354

Jeanese Johnson
Certified Shorthand Reporter
PAULSON REPORTING AND LITIGATION SERVICES
11400 West Olympic Blvd., Suite 140
Los Angeles, CA 90064

Re: The Clergy Cases I & III
JCCP 4286 & JCCP 4359

Dear Ms. Johnson:

Father [REDACTED] hereby makes the following changes to his deposition transcript of November 18, 2005:

Page 18; Line 10: "cuara ante mardem" should read "cura animarum"

Page 61; Line 12: "Lolita" should read "Goleta"

Page 98; Line 2: "diacon" should read "diocesan"

Page 150; Line 8: "[REDACTED] and [REDACTED]" should read "[REDACTED]"

In addition, the cover page of the deposition should also include JCCP 4359, the case number of the coordinated proceeding entitled "*The Clergy Cases III.*"

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4850-6855-6032.1

LEWIS BRISBOIS BISGAARD & SMITH LLP

Letter to Jeanese Johnson at Paulson Court Reporting

Re: The Clergy Cases III
JCCP 4359

John Doe 39 v. The Franciscan Friars of California, Inc.
Alameda County Superior Court No. RG03 134159

January 4, 2006

Page 2

Thank you for your attention to this matter.

Very truly yours,



Paul A. Matiasic for
LEWIS BRISBOIS BISGAARD & SMITH LLP

PAM/rm

cc: Timothy C. Hale, Esq. ✓
David Drivon, Esq.
James P. Habel, Esq.
Peter J. Godfrey, Esq.
Susan C. Salmon, Esq.
A. David Bona, Esq.
Denise A. Dickerson, Esq.
Bryan Hance, Esq.