EXHIBIT "A" RULING ON OBJECTIONS BY DEFENDANTS FRANCISCAN FRIARS

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Document Number(s)	Objection(s)	Ruling(s)
OFM CABO 1: 0148 0152 0153 0154 0165 0173 0174 0179 0180 0181 OFM CIMM 1: 0395-0400 0417	Post-Date Settlement	Sustained. Paragraph 15(A)(1) of the Settlement Agreement evidences the parties' intent to restrict production to those documents that were in existence at the time the Settlement Agreement was executed, or, at the very latest, within forty- five days (45) thereafter. Civil Code §1636.
OFM CABO 1: 0166-0172 0178-0178 0182-0189 0190-0195 0198-0219 OFM CIMM 1: 0128	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrators because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapists were consulted (i.e. treatment and diagnosis). Moreover, the documents were not disclosed to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i>

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		Angeles v. Superior Court (2005) 131 Cal.App.4 th 417, 449-456.
OFM CIMM 1: 0222-0225 0226	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Román Catholic</i> <i>Archbishop of Loss</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal. App.4 th 417, 449-456. Moreover, the documents do not convey any significant psychological information. <i>Id.</i> at 455.
OFM CIMM 1: 0234-0241	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrator because
		disclosure was not reasonably necessary to accomplish the purpose for which the

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	Psychotherapist-Patient	psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456.
0292-0302	Privilege	CIMM 1: 0292, 0295- 0296. Defendant Franciscan Friars has the right to claim the privilege on behalf of the alleged perpetrator because disclosure was reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 455.
		However, Defendant Franciscan Friars' objections as to OFM CIMM 1:0293-0294, 0297-0299, and 0300- 0302 are overruled. Merely forwarding unprivileged documents

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		to a psychotherapist does not reclassify the documents as privileged.
OFM CIMM 1: 0327-0329	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapist was
		consulted (i.e. treatment and diagnosis). Moreover, the document and/or communications were not disclosed and/o sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists in addition, neither party to this communication
		was a psychotherapist of someone being supervised by the treating psychotherapist <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-45
		Also, the documents do not convey any significant psychological information. <i>Id.</i> at 455,
OFM CIMM 1: 0330-0331	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on

		behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456. [Only part of the communication was submitted for the Court's review.]
OFM CIMM 1: 0334-0357 0358-0373 0374-0382 0383-0394 0418 0420-0470	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that

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		were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456.
OFM JOHN 1: 0067	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. In addition, neither party to this communication was a psychotherapist or someone being supervised by the treating psychotherapist <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-458.

		not convey any significant psychological information. <i>Id.</i> at 455.
OFM JOHN 1: 0130-0131 0154-0155 0156, 0219 0157, 0220 0158-0159 0168-0169 0215 0217-0218	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456. Also, neither party to OFM JOHN 1: 0156 and 0219 was a psychotherapist or someone being supervised by the treating psychotherapist. <i>Id.</i> at 454.
OFM JOHN 1: 0171	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrators because

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		reasonably necessary to accomplish the purpose for which the psychotherapists were consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456.
OFM JOHN 1: 0246-0248 0249-0252	Psychotherapist-Patient Privilege	Sustained as to OFM JOHN 1: 0246-0248. Defendant Franciscan Friars has the right to claim the privilege on behalf of the alleged perpetrator because disclosure was reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 455. However, Defendant Franciscan Friars' objections to OFM JOHN 1: 0249-0252 are

EXHIBIT "A" RULING ON OBJECTIONS BY DEFENDANTS FRANCISCAN FRIARS

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Document Number(s)	Objection(s)	Ruling(s)
OFM CABO 1: 0148 0152 0153 0154 0165 0173 0174 0179 0180 0181 OFM CIMM 1: 0395-0400 0417	Post-Date Settlement	Sustained. Paragraph 15(A)(1) of the Settlement Agreement evidences the parties' intent to restrict production to those documents that were in existence at the time the Settlement Agreement was executed, or, at the very latest, within forty- five days (45) thereafter. Civil Code §1636.
OFM CABO 1: 0166-0172 0176-0178 0182-0189 0190-0195 0198-0219 OFM CIMM 1: 0128	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrators because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapists were consulted (i.e. treatment and diagnosis). Moreover, the documents were not disclosed to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i>

OFM CIMM 1:	Psychotherapist-Patient	Angeles v. Superior Court (2005) 131 Cal.App.4 th 417, 449-456. Overruled. Defendant
0222-0225 0226	Privilege	Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Román Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456. Moreover, the documents do not convey any significant psychological information. <i>Id.</i> at 455.
OFM CIMM 1: 0234-0241	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the

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		psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456.
OFM CIMM 1: 0292-0302	Psychotherapist-Patient Privilege	Sustained as to OFM CIMM 1: 0292, 0295- 0296. Defendant Franciscan Friars has the right to claim the privilege on behalf of the alleged perpetrator because disclosure was reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 455.
		However, Defendant Franciscan Friars' objections as to OFM CIMM 1:0293-0294, 0297-0299, and 0300- 0302 are overruled. Merely forwarding unprivileged documents

		to a psychotherapist does not reclassify the documents as privileged.
OFM CIMM 1: 0327-0329	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. In addition, neither party to this communication was a psychotherapist or someone being supervised by the treating psychotherapist. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456.
		not convey any significant psychological information. <i>Id.</i> at 455.
OFM CIMM 1: 0330-0331	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on

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		behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456. [Only part of the communication was submitted for the Court's review.]
OFM CIMM 1: 0334-0357 0358-0373 0374-0382 0383-0394 0418 0420-0470	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that

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	ч	were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456.
OFM JOHN 1: 0067	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. In addition, neither party to this communication was a psychotherapist or someone being supervised by the treating psychotherapist <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456.
		Also, the documents do

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	not convey any significant psychological information. <i>Id.</i> at 455.
Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456. Also, neither party to OFM JOHN 1: 0156 and 0219 was a psychotherapist or someone being supervised by the treating psychotherapist. <i>Id.</i> at 454.
Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrators because
	Privilege

		reasonably necessary to accomplish the purpose for which the psychotherapists were consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456.
OFM JOHN 1: 0246-0248 0249-0252	Psychotherapist-Patient Privilege	Sustained as to OFM JOHN 1: 0246-0248. Defendant Franciscan Friars has the right to claim the privilege on behalf of the alleged perpetrator because disclosure was reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 455. However, Defendant Franciscan Friars' objections to OFM JOHN 1: 0249-0252 are

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		forwarding unprivileged documents to a psychotherapist does not reclassify the documents as privileged.
OFM KRUM 1: 0039	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrators because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapists were consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. In addition, it does not appear that the author of the document was a psychotherapist or someone being supervised by a treating psychotherapist. <i>Roman Catholic</i> <i>Archbishop of Loss</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456.
OFM KRUM 1: 0211-0212	Psychotherapist-Patient Privilege	Sustained. Defendant Franciscan Friars has the right to claim the privilege on behalf of the alleged perpetrator because

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Document Number(s)	Objection(s)	Ruling(s)
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OFM CABO 1: 0166-0172 0176-0178 0182-0189 0190-0195 0198-0219 OFM CIMM 1: 0128	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrators because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapists were consulted (i.e. treatment and diagnosis). Moreover, the documents were not disclosed to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i>

		Angeles v. Superior Court (2005) 131 Cal.App.4 th 417, 449-456.
OFM CIMM 1: 0222-0225 0226	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Román Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456. Moreover, the documents do not convey any significant psychological information. <i>Id.</i> at 455.
OFM CIMM 1: 0234-0241	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the

		psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456.
OFM CIMM 1: 0292-0302	Psychotherapist-Patient Privilege	Sustained as to OFM CIMM 1: 0292, 0295- 0296. Defendant Franciscan Friars has the right to claim the privilege on behalf of the alleged perpetrator because disclosure was reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 455.
		However, Defendant Franciscan Friars' objections as to OFM CIMM 1:0293-0294, 0297-0299, and 0300- 0302 are overruled. Merely forwarding unprivileged documents

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		to a psychotherapist does
		not reclassify the
		documents as privileged.
OFM CIMM 1:	Psychotherapist-Patient	Overruled. Defendant
0327-0329	Privilege	Franciscan Friars does
		not have the right to
		claim the privilege on
		behalf of the alleged
		perpetrator because
		disclosure was not
		reasonably necessary to
	1	accomplish the purpose
		psychotherapist was
		consulted (i.e. treatment
		and diagnosis).
		Moreover, the documents
		and/or communications
		were not disclosed and/or
		sent to individuals that
		were involved in
		rendering psychotherapy and/or were being
		supervised by the
		treating psychotherapists.
		In addition, neither party
		to this communication
		was a psychotherapist or
		someone being
		supervised by the
		treating psychotherapist.
		Roman Catholic
		Archbishop of Los
		Angeles v. Superior
		Court (2005) 131 Cal.App.4 th 417, 449-456.
		Also, the documents do
		not convey any
		significant psychological
		information. Id. at 455.
OFM CIMM 1:	Psychotherapist-Patient	Overruled. Defendant
0330-0331	Privilege	Franciscan Friars does
		not have the right to
		claim the privilege on

		behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456. [Only part of the communication was submitted for the Court's review.]
OFM CIMM 1: 0334-0357 0358-0373 0374-0382 0383-0394 0418 0420-0470	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that

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		were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456.
OFM JOHN 1: 0067	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. In addition, neither party to this communication was a psychotherapist or someone being supervised by the treating psychotherapist <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456.

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		not convey any significant psychological information. <i>Id.</i> at 455.
OFM JOHN 1: 0130-0131 0154-0155 0156, 0219 0157, 0220 0158-0159 0168-0169 0215 0217-0218	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456. Also, neither party to OFM JOHN 1: 0156 and 0219 was a psychotherapist or someone being
		supervised by the treating psychotherapist. <i>Id.</i> at 454.
OFM JOHN 1: 0171	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrators because disclosure was not

		reasonably necessary to accomplish the purpose for which the psychotherapists were consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456.
OFM JOHN 1: 0246-0248 0249-0252	Psychotherapist-Patient Privilege	Sustained as to OFM JOHN 1: 0246-0248. Defendant Franciscan Friars has the right to claim the privilege on behalf of the alleged perpetrator because disclosure was reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 455. However, Defendant Franciscan Friars' objections to OFM JOHN 1: 0249-0252 are

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		forwarding unprivileged documents to a psychotherapist does not reclassify the documents as privileged.
OFM KRUM 1: 0039	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrators because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapists were consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. In addition, it does not appear that the author of the document was a psychotherapist or someone being supervised by a treating psychotherapist. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456.
OFM KRUM 1: 0211-0212	Psychotherapist-Patient Privilege	Sustained. Defendant Franciscan Friars has the right to claim the privilege on behalf of the alleged perpetrator because

OFM PACH 1: 0005-0007	Physician-Patient Privilege	disclosure was reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 455. Overruled. Defendant Franciscan Friars does not have the right to
		claim the privilege on behalf of the alleged perpetrators because disclosure was not reasonably necessary to accomplish the purpose for which the physician was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering treatment
		and/or were being supervised by the treating physician. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456.
OFM VANH 1: 0518-0520	Psychotherapist-Patient Privilege	Overruled. Defendant Franciscan Friars does not have the right to claim the privilege on behalf of the alleged perpetrators because disclosure was not reasonably necessary to

		accomplish the purpose
		for which the
	·	psychotherapist was
		consulted (i.e. treatment
		and diagnosis).
		Moreover, the documents
		and/or communications
		were not disclosed and/or
		sent to individuals that
		were involved in
		rendering psychotherapy
		and/or were being
		supervised by the
		treating psychotherapists.
		Roman Catholic
		Archbishop of Los
		Angeles v. Superior
		Court (2005) 131
		Cal.App.4 th 417, 449-456.
OFM VANH 1:	Psychotherapist-Patient	Sustained. Defendant
0548	Privilege	Franciscan Friars has the
	g	right to claim the privilege
}		on behalf of the alleged
		perpetrator because
		disclosure was
		reasonably necessary to
		accomplish the purpose
]		for which the
		psychotherapist was
1	}	consulted (i.e. treatment
		and diagnosis).
		Roman Catholic
		Archbishop of Los
		Angeles v. Superior
		Court (2005) 131
		Cal.App.4 th 417, 455.
OFM VAN 1:	Psychotherapist-Patient	Overruled. Defendant
0549	Privilege	Franciscan Friars does
		not have the right to
	· · · · · · · · · · · · · · · · · · ·	claim the privilege on
		behalf of the alleged
		perpetrator because
		disclosure was not
		reasonably necessary to
		accomplish the purpose
		for which the

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		psychotherapist was consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456. Also, the communication was not sent by a psychotherapist or someone being supervised by a treating psychotherapist. <i>Id.</i> at 456
OFM VAN 1: 0587 0589	Psychotherapist-Patient Privilege	456. Sustained. Defendant Franciscan Friars has the right to claim the privilege on behalf of the alleged perpetrator because disclosure was reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131
OFM VAN 1: 0588 0579	Psychotherapist-Patient Privilege	Cal.App.4 th 417, 455. Overruled. Defendant Franciscan Friars does not have the right to
0606		claim the privilege on

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OFM JOHN 1: 0238-0239 0241 0242 OFM PACHEO 1: 0280-0285 OFM VANH 1: 0657-0714 OFM CONN 1: 0392-0397	Attorney Client Privilege & Attorney Work Product Doctrine (Psychotherapist-Patient Privilege – OFM PACHEO 1: 0284-0285) Attorney Client Privilege & Attorney Work Product Doctrine	behalf of the alleged perpetrator because disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapists were consulted (i.e. treatment and diagnosis). Moreover, the documents and/or communications were not disclosed and/or sent to individuals that were involved in rendering psychotherapy and/or were being supervised by the treating psychotherapists. <i>Roman Catholic</i> <i>Archbishop of Los</i> <i>Angeles v. Superior</i> <i>Court</i> (2005) 131 Cal.App.4 th 417, 449-456. Objections were withdrawn by counsel for Defendant Franciscan Friars by letter to the Court dated September 18, 2008. *The victim's name and identifying information will be redacted in OFM PACHEO 1: 280-285. Sustained as to OFM CONN 1: 0392, 0394- 0397. Defendant Franciscan Friars has
0241 0242 OFM PACHEO 1:	Doctrine (Psychotherapist-Patient Privilege – OFM	Defendant Franciscan Friars by letter to the Court dated September 18, 2008.
		identifying information will be redacted in OFM
	& Attorney Work Product	Sustained as to OFM CONN 1: 0392, 0394- 0397. Defendant

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		against charges of sexual
		abuse. <i>Rudnick v.</i>
		Superior Court (1974)
		11 Cal.3d 924, 932. See
		also California Evidence
		Code §952.
		Moreover, the Court finds
		that the joint
		defense/common interest
		doctrine applies.
		Defendant Franciscan
		Friars and the alleged
		perpetrators share a common interest in
1		defending against the
		claims of sexual abuse.
		Also, the documents at
		issue would otherwise
		have been protected from
		disclosure by a claim of
		privilege (attorney-client
)		and/or work product). In
		addition, the
		communications, which
]		were intended to be
		confidential, are geared
		toward advancement of the common interest.
		the common interest.
		Overruled as to OFM
		CONN 1: 0393. Merely
		forwarding a non-
		privileged document to
		an attorney does not
		automatically change its
	}	status to privileged. The document attached to the
		privileged letter is a
		matter of public record.
	1	As such, the privilege
		does not apply.
OFM CONN 1:	Attorney Client Privilege	Sustained. Defendant
0497-0500	& Attorney Work Product	Franciscan Friars has
0503-0508	Doctrine	standing to raise the
0501		objections because

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0502		disclosure was
0668		reasonably necessary for
0669		the accomplishment of
		the purpose for which the
		attorneys were consulted,
		i.e. preparing a defense
		against charges of sexual
		abuse. <i>Rudnick v.</i>
		Superior Court (1974)
		11 Cal.3d 924, 932. See
		also California Evidence
		Code §952. The fact that
		Br. Connolly died does
		not affect Defendant
		Franciscan Friar's ability
		to assert the attorney-
{	1	client privilege. See
		California Evidence Code
		§954(b).
		Moreover, the Court finds
		that the joint
1		defense/common interest
		doctrine applies.
		Defendant Franciscan
		Friars and the alleged
		perpetrators share a
1		common interest in
		defending against the
		claims of sexual abuse.
		Also, the documents at
		issue would otherwise
Į		have been protected from
		disclosure by a claim of
		privilege (attorney-client
	1	and/or work product). In
		addition, the
		communications, which
1		were intended to be
		confidential, are geared
		toward advancement of
		the common interest.
OFM VANH 1:	Attorney-Client Privilege	Sustained. Defendant
0355-0356	& Attorney Work Product	Franciscan Friars has
0357	Doctrine	standing to raise the
0358		objections because

0359		disclosure was
0371-0373	,	reasonably necessary for the accomplishment of
0374 0402-0403		the purpose for which the
0402-0403		attorneys were consulted,
0405		i.e. preparing a defense
0406		against charges of sexual
0417-0419		abuse. <i>Rudnick v.</i>
0420		Superior Court (1974)
0445-0446		11 Cal.3d 924, 932. See
0447		also California Evidence
0448		Code §952.
0449		
0461-0463		Moreover, the Court finds
0464 0655-0656		that the joint defense/common interest
		derense/common interest doctrine applies.
	}	Defendant Franciscan
		Friars and the alleged
		perpetrators share a
		common interest in
}		defending against the
		claims of sexual abuse.
		Also, the documents at
}	}	issue would otherwise
		have been protected from
		disclosure by a claim of privilege (attorney-client
[·		and/or work product). In
		addition, the
]	communications, which
		were intended to be
		confidential, are geared
		toward advancement of
		the common interest.
OFM VANH 1:	Attorney-Client Privilege	Overruled. Defendant
0375-0400 0421-0444	& Attorney Work Product	Franciscan Friars has
0465-0490	Doctrine	standing to raise the objections because
0403-0490		disclosure was
		reasonably necessary for
		the accomplishment of
		the purpose for which the
		attorneys were consulted,
		i.e. preparing a defense
		against charges of sexual

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		abuse. <i>Rudnick v.</i> <i>Superior Court</i> (1974) 11 Cal.3d 924, 932. <i>See</i> <i>also</i> California Evidence Code §952.
		However, merely forwarding non-privileged documents to an attorney does not automatically change their status to privileged. The documents consist of public records. As such, the privilege does not apply.
		*The victims(s) names must be redacted.
OFM VANH 1: 0657-0714	Attorney-Client Privilege & Attorney Work Product Doctrine	Objections were withdrawn by counsel for Defendant Franciscan Friars by letter to the Court dated September 18, 2008.
OFM PACH 1: 0360	Attorney-Client Privilege & Attorney Work Product Doctrine	Overruled. However, the confidential settlement terms must be redacted from the document.
OFM VANH 1: 0363 0364 0410 0453	Attorney -Client Privilege & Attorney Work Product Doctrine	Overruled. Documents that are not authored or received by an attorney are not privileged. <i>Doe 2</i> <i>v. Superior Court</i> (2005) 132 Cal.App.4 th 1504, 1521-1522.
OFM JOHN 1: 0460-0462 0464 0494	Free Exercise Clause of the United States Constitution	Overruled. Pursuant to the Settlement Agreement, production of the documents is governed by California's
OFM KRUM 1: 0280-0305 0308-0310 0313-0326		Civil Discovery Act. (Settlement Agreement ¶¶15 &20). California's Civil Discovery Act is a law that is valid, neutral,

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		Superior Court (2004) 32 Cal.4 th 527, 562.
		Even assuming, for the
		sake of argument,
		application of California's
		Discovery Act
		substantially burdens a
		religious belief or
. [practice, the law serves
		compelling state interests
		(i.e. seeking the truth in
		court proceedings,
1		ensuring those injured by
		the actionable conduct of
		others receive full
	· ·	redress of the injuries,
		and, as applied in this
		case, protecting children
		from sexual abuse) and
		is narrowly tailored to
		achieve those interests.
OFM JOHN 1: 0460-0462	Establishment Clause of the United States	Overruled. Defendant Franciscan Friars cannot
0464	Constitution	invoke the Establishment
0494	Constitution	Clause of the United
	}	States Constitution to
OFM KRUM 1:		avoid production of the
0280-0305		alleged perpetrator's
0308-0310		laicization files.
0313-0326		Enforcement of the
		Settlement Agreement,
OFM VANH 1:		via the California Civil
0805		Discovery Act, does not
0813-0872		result in any excessive
		entanglement with
OFM PACH 1:		religion. The parties in
0390-0447		this case have asked the
		Court to decide whether
		the asserted privileges
		have merit. Assessment
		of the applicability of a
		privilege does not lead to
		excessive government
		entanglement in religion. Moreover, the California
		Discovery Act is secular

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		in purpose and its "principal or primary effect" is not to inhibit a religion. See Roman Catholic Archbishop of Los Angeles v. Superior Court (2005) 131 Cal.App.4 th 417, 434- 435, and The Society of Jesus of New England v. Commonwealth (2004) 441 Mass. 662, 674-675.
OFM CABO 1: 0009 (Vasquez)	Third-Party Privacy Rights	Sustained. Defendant Franciscan Friars has standing to raise the
Depositions	(Redact Name Only)	standing to raise the privacy objection on behalf of Fr. Vasquez. Fr. Vasquez is not an "alleged perpetrator" under the Settlement Agreement. (Settlement Agreement ¶¶15(A)(1)(a) & 15(A)(2)(c)).
		Fr. Vasquez' privacy rights are not outweighed by the State's compelling interest in protecting children from sexual abuse. There is no evidence to suggest that any claims of childhood sexual abuse has been made against Fr. Vasquez.
OFM CABO 1: 0143 (Prochnow)	Third-Party Privacy	Overruled. Defendant Franciscan Friars has
Depositions	Rights (Redact Name Only)	standing to raise the privacy objection on behalf of Fr. Prochnow. Fr. Prochnow is not an "alleged perpetrator" under the Settlement Agreement. (Settlement Agreement ¶¶15(A)(1)(a)

		& 15(A)(2)(c)). Fr. Prochnow's privacy rights are outweighed by the State's compelling interest in protecting children from sexual abuse. Fr. Prochnow admitted to having sexually abused a child, therefore, disclosure is
OFM PACH 1: 0269-0272, 276 278-279 (Michael Harris)	Third-Party Privacy Rights (Redact Name Only)	necessary.Objections werewithdrawn by counsel forDefendant FranciscanFriars by letter to theCourt dated September18, 2008.*The victim's name willremain redacted.

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EXHIBIT "B" RULING ON OBJECTIONS BY THE ALLEGED PERPETRATORS

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Document Number(s)	Objection(s)	Ruling(s)
OFM CABO 1: 0009 0143	Psychotherapist-Patient & Physician-Patient Privileges	Overruled. The documents at issue do not contain information regarding confidential communications between a psychotherapist or physician and his or her client. Evidence Code §§1012 & 992.
OFM CABO 1: 0148 0152-0154 0165 0173-0174 0179-0181	Psychotherapist-Patient & Physician-Patient Privileges	Moot. This Court already determined that the documents post-date the Settlement Agreement. Paragraph 15(A) of the Settlement Agreement evidences the parties' intent to restrict production to those documents that were in existence at the time the Settlement Agreement was executed, or, at the very latest, within forty- five days (45) thereafter. Civil Code §1636.
OFM CABO 1: 0166-0172 0176-0178 0182-0189 0190-0195 0198-0219	Psychotherapist-Patient & Physician-Patient Privileges	Overruled. Disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapists or physicians were consulted (i.e. treatment and diagnosis). Moreover, the information and documents were not disclosed to individuals that were involved in rendering psychotherapy or treatment and/or were being supervised by the

		treating psychotherapists or doctors. <i>Roman</i> <i>Catholic Archbishop of</i> <i>Los Angeles v.</i> <i>Superior Court</i> (2005) 131 Cal.App.4 th 417, 449- 456.
		In addition, this Court finds that the alleged perpetrator waived the privilege by participating in the therapy and/or treatment knowing that the information provided during the course of treatment would be shared with members of Defendant Franciscan Friars and/or the alleged perpetrator voluntarily disclosed the information himself. See Evidence Code §912(a), Rudnick v. Superior Court of Kern County (1974) 11 Cal.3d 924, 932, and Exhibit 2 of the Hale Declaration.
OFM CIMM 1: 0128	Psychotherapist-Patient & Physician-Patient Privileges	Overruled. Disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapists or physicians were consulted (i.e. treatment and diagnosis). Moreover, the information and documents were not disclosed to individuals that were involved in rendering psychotherapy or treatment and/or were being supervised by the treating psychotherapists or doctors. Roman

		Catholic Archbishop of Los Angeles v. Superior Court (2005) 131 Cal.App.4 th 417, 449- 456. In addition, this Court finds that the alleged perpetrator waived the privilege by participating in the therapy and/or treatment knowing that the information provided
		during the course of treatment would be shared with members of Defendant Franciscan Friars. See Evidence Code §912(a), Rudnick v. Superior Court of Kern County (1974) 11 Cal.3d 924, 932, and Exhibit 2 of the Hale Declaration.
OFM CIMM 1: 0395-400 0417	Psychotherapist-Patient & Physician-Patient Privileges	Moot. This Court already determined that the documents post-date the Settlement Agreement. Paragraph 15(A) of the Settlement Agreement evidences the parties' intent to restrict production to those documents that were in existence at the time the Settlement Agreement was executed, or, at the very latest, within forty- five days (45) thereafter. Civil Code §1636.
OFM CIMM 1: 0222-0225 0226	Psychotherapist-Patient & Physician-Patient Privileges	Overruled. Disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapists or physicians were

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			consulted (i.e. treatment
			and diagnosis).
			Moreover, the information
			and documents were not
	1		disclosed to individuals
			that were involved in
			rendering psychotherapy
			or treatment and/or were
			being supervised by the
			treating psychotherapists
			or doctors. <i>Roman</i>
)		Catholic Archbishop of
-			Los Angeles v.
			Superior Court (2005) 131 Cal.App.4 th 417, 449-
			456.
		1	430.
			Also, the documents do
			not convey any
			significant psychological
			information. Id. at 455.
			In addition, this Court
			finds that the alleged
			perpetrator waived the
			privilege by participating
			in the therapy and/or
			treatment knowing that
			the information provided during the course of
			treatment would be
			shared with members of
		}	Defendant Franciscan
			Friars and/or the alleged
			perpetrator voluntarily
		}	disclosed the information
ĺ			himself. See Evidence
			Code §912(a), <i>Rudnick</i>
			v. Superior Court of
			Kern County (1974) 11
			Cal.3d 924, 932, and
			Exhibit 2 of the Hale
			Declaration.
	OFM CIMM 1:	Psychotherapist-Patient	Overruled. Disclosure
	0234-0241	& Physician-Patient	was not reasonably
		Privileges	necessary to accomplish

	the purpose for which the psychotherapists or physicians were
	consulted (i.e. treatment and diagnosis). Moreover, the information and documents were not
	disclosed to individuals that were involved in rendering psychotherapy
	or treatment and/or were being supervised by the treating psychotherapists or doctors. <i>Roman</i>
	Catholic Archbishop of Los Angeles v. Superior Court (2005) 131 Cal.App.4 th 417, 449- 456.
	In addition, this Court finds that the alleged perpetrator waived the privilege by participating
	in the therapy and/or treatment knowing that the information provided during the course of
	treatment would be shared with members of Defendant Franciscan Friars and/or the alleged
	perpetrator voluntarily disclosed the information himself. See Evidence Code §912(a), Rudnick
	v. Superior Court of Kern County (1974) 11 Cal.3d 924, 932, and Exhibit 2 of the Hale
Psychotherapist-Patient & Physician-Patient Privileges	Declaration. Sustained as to OFM CIMM 1: 0292, 0295- 0296. Disclosure was reasonably necessary to accomplish the purpose
	& Physician-Patient

OFM CIMM 1: 0327-0329Psychotherapist-Patient Physician-Patient PrivilegesPsychotherapist-Patient Patient Qarents or Physician-Patient Qarents or Physician was consulted (i.e. treatment and diagnosis). Roman Catholic Archbishop of Los Angeles v. Superior Court (2005) 131 Cal.App.4 th 417, 455. However, the alleged perpetrators' objections to OFM CIMM 1: 0293- 0294, 0297-0299, and 0300-0302 are overruled. Merely forwarding unprivileged documents to a psychotherapist or physician does not reclassify the documents as privileged.OFM CIMM 1: 0327-0329Psychotherapist-Patient PrivilegesOverruled. Disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapists or physicians were consulted (i.e. treatment and diagnosis). Moreover, the information and documents were not
disclosed to individuals that were involved in rendering psychotherapy or treatment and/or were being supervised by the treating psychotherapists or doctors. <i>Roman</i> <i>Catholic Archbishop of</i> <i>Los Angeles v.</i> <i>Superior Court</i> (2005)

		significant psychological information. <i>Id.</i> at 455.
		In addition, this Court finds that the alleged perpetrator waived the privilege by participating in the therapy and/or treatment knowing that the information provided during the course of treatment would be shared with members of Defendant Franciscan Friars and/or the alleged perpetrator voluntarily disclosed the information himself. See Evidence Code §912(a), Rudnick v. Superior Court of Kern County (1974) 11 Cal.3d 924, 932, and Exhibit 2 of the Hale Declaration.
OFM CIMM 1: 0330-0331 0334-0357 0358-0373 0374-0382 0383-0394 0418 0420-0470*	Psychotherapist-Patient & Physician-Patient Privileges	Overruled. Disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapists or physicians were consulted (i.e. treatment and diagnosis). Moreover, the information and documents were not disclosed to individuals that were involved in rendering psychotherapy or treatment and/or were being supervised by the treating psychotherapists or doctors. <i>Roman</i> <i>Catholic Archbishop of</i> <i>Los Angeles v.</i> <i>Superior Court</i> (2005) 131 Cal.App.4 th 417, 449- 456.

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		In addition, this Court finds that the alleged perpetrator waived the privilege by participating in the therapy and/or treatment knowing that the information provided during the course of treatment would be shared with members of Defendant Franciscan Friars and/or the alleged perpetrator voluntarily disclosed the information himself. See Evidence Code §912(a), Rudnick v. Superior Court of Kern County (1974) 11 Cal.3d 924, 932, and Exhibit 2 of the Hale Declaration. *OFM CIMM 1: 0420- 0470 also indicate that Fr. Cimmarusti
		authorized release of
OFM CONN 1: 0392-0397 0497-0500 0503-0508 0501-0502 0668-0669	Psychotherapist-Patient & Physician-Patient Privileges	confidential information. Not applicable. Br. Connolly (deceased) is not one of the named alleged perpetrators raising objections in this case.
OFM JOHN 1: 0067	Psychotherapist-Patient & Physician-Patient Privileges	Overruled. Disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapists or physicians were consulted (i.e. treatment and diagnosis). Moreover, the information and documents were not disclosed to individuals that were involved in rendering psychotherapy

		or treatment and/or were being supervised by the treating psychotherapists or doctors. <i>Roman</i> <i>Catholic Archbishop of</i> <i>Los Angeles v.</i> <i>Superior Court</i> (2005) 131 Cal.App.4 th 417, 449- 456.
		In addition, this Court finds that the alleged perpetrator waived the privilege by participating in the therapy and/or treatment knowing that the information provided during the course of treatment would be shared with members of Defendant Franciscan Friars and/or the alleged perpetrator voluntarily disclosed the information himself. See Evidence Code §912(a), Rudnick v. Superior Court of Kern County (1974) 11 Cal.3d 924, 932, and Exhibit 2 of the Hale Declaration.
OFM JOHN 1: 0130-0131 0154-0155 0156, 0219 0157, 0220 0158-0159 0168-0169 0171 0215 0217-0218	Psychotherapist-Patient & Physician-Patient Privileges	Overruled. Disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapists or physicians were consulted (i.e. treatment and diagnosis). Moreover, the information and documents were not disclosed to individuals that were involved in rendering psychotherapy or treatment and/or were being supervised by the

OFM JOHN 1: 0246-0252	Psychotherapist-Patient & Physician-Patient Privileges	treating psychotherapists or doctors. <i>Roman</i> <i>Catholic Archbishop of</i> <i>Los Angeles v.</i> <i>Superior Court</i> (2005) 131 Cal.App.4 th 417, 449- 456. In addition, this Court finds that the alleged perpetrator waived the privilege by participating in the therapy and/or treatment knowing that the information provided during the course of treatment would be shared with members of Defendant Franciscan Friars and/or the alleged perpetrator voluntarily disclosed the information himself. See Evidence Code §912(a), <i>Rudnick</i> <i>v. Superior Court of</i> <i>Kern County</i> (1974) 11 Cal.3d 924, 932, and Exhibit 2 of the Hale Declaration. Sustained as to OFM JOHN 1: 0246-0248. Disclosure was reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). <i>Roman</i> <i>Catholic Archbishop of</i> <i>Los Angeles v.</i> <i>Superior Court</i> (2005) 131 Cal.App.4 th 417, 449- 456.
		However, the alleged perpetrator's objection to

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		OFM JOHN 1: 0249-0252
		are overruled. Merely
		forwarding unprivileged
		documents to a
		psychotherapist does not
		reclassify the documents
		as privileged.
OFM JOHN 1:	Psychotherapist-Patient	Overruled. The
0238-0239	& Physician-Patient	documents at issue do
0241-0242	Privileges	not contain information
0460-0462		regarding confidential
0464		communications between
0494		a psychotherapist or
		physician and his or her
		client. Evidence Code
		§§1012 & 992.
OFM KRUM 1:	Psychotherapist-Patient	Overruled. Disclosure
0039	& Physician-Patient	was not reasonably
0323	Privileges	necessary to accomplish
		the purpose for which the
		psychotherapists or
]	physicians were
		consulted (i.e. treatment
		and diagnosis).
		Moreover, the information
		and documents were not
}	}	disclosed to individuals
		that were involved in
		rendering psychotherapy
		or treatment and/or were
		being supervised by the
	}	treating psychotherapists
		or doctors. <i>Roman</i>
		Catholic Archbishop of
		Los Angeles v.
		Superior Court (2005)
		131 Cal.App.4 th 417, 449-
		456.
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		In addition, this Court
		finds that the alleged
		perpetrator waived the
		privilege by participating
		in the therapy and/or
		treatment knowing that
		the information provided

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		during the course of treatment would be shared with members of Defendant Franciscan Friars and/or the alleged perpetrator voluntarily disclosed the information himself. See Evidence Code §912(a), Rudnick <i>v.</i> Superior Court of Kern County (1974) 11 Cal.3d 924, 932, and Exhibit 2 of the Hale Declaration.
OFM KRUM 1: 0211-0212	Psychotherapist-Patient & Physician-Patient Privileges	Sustained. Disclosure was reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). <i>Roman</i> <i>Catholic Archbishop of</i> <i>Los Angeles v.</i> <i>Superior Court</i> (2005) 131 Cal.App.4 th 417, 449- 456.
OFM KRUM 1: 0280-0305 0308-0310 0313-0322 0324-0326	Psychotherapist-Patient & Physician-Patient Privileges	Overruled. The documents at issue do not contain information regarding confidential communications between a psychotherapist or physician and his or her client. Evidence Code §§1012 & 992.
OFM PACH 1: 0005-0007	Psychotherapist-Patient & Physician-Patient Privileges	Overruled. Disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapists or physicians were consulted (i.e. treatment and diagnosis). Moreover, the information and documents were not disclosed to individuals

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		that were involved in rendering psychotherapy or treatment and/or were being supervised by the treating psychotherapists or doctors. <i>Roman</i> <i>Catholic Archbishop of</i> <i>Los Angeles v.</i> <i>Superior Court</i> (2005) 131 Cal.App.4 th 417, 449- 456.
		In addition, this Court finds that the alleged perpetrator waived the privilege by participating in the therapy and/or treatment knowing that the information provided during the course of treatment would be shared with members of Defendant Franciscan Friars and/or the alleged perpetrator voluntarily disclosed the information himself. See Evidence Code §912(a), Rudnick v. Superior Court of Kern County (1974) 11 Cal.3d 924, 932, and Exhibit 2 of the Hale Declaration.
OFM PACH 1: 0434-0435	Psychotherapist-Patient & Physician-Patient Privileges	Overruled. Disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapists or physicians were consulted (i.e. treatment and diagnosis). Moreover, the information and documents were not disclosed to individuals that were involved in rendering psychotherapy

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		or treatment and/or were being supervised by the treating psychotherapists or doctors. <i>Roman</i> <i>Catholic Archbishop of</i> <i>Los Angeles v.</i> <i>Superior Court</i> (2005) 131 Cal.App.4 th 417, 449- 456.
		In addition, this Court finds that the alleged perpetrator waived the privilege by participating in the therapy and/or treatment knowing that the information provided during the course of treatment would be shared with members of Defendant Franciscan Friars and/or the alleged perpetrator voluntarily disclosed the information himself. See Evidence Code §912(a), Rudnick v. Superior Court of Kern County (1974) 11 Cal.3d 924, 932, and Exhibit 2 of the Hale Declaration.
OFM PACH 1: 0269-0272 0276 0278-0279 0280-0281 0282-0285 0390-0433 0436-0447 0360	Psychotherapist-Patient & Physician-Patient Privileges	Overruled. The documents at issue do not contain information regarding confidential communications between a psychotherapist or physician and his or her client. Evidence Code §§1012 & 992.
OFM VANH 1: 0518-0520 0606	Psychotherapist-Patient & Physician-Patient Privileges	Overruled. Disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapists or physicians were

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		consulted (i.e. treatment and diagnosis). Moreover, the information and documents were not disclosed to individuals that were involved in rendering psychotherapy or treatment and/or were being supervised by the treating psychotherapists or doctors. <i>Roman</i> <i>Catholic Archbishop of</i> <i>Los Angeles v.</i> <i>Superior Court</i> (2005) 131 Cal.App.4 th 417, 449- 456.
		In addition, this Court finds that the alleged perpetrator waived the privilege by participating in the therapy and/or treatment knowing that the information provided during the course of treatment would be shared with members of Defendant Franciscan Friars and/or the alleged perpetrator voluntarily disclosed the information himself. See Evidence Code §912(a), Rudnick v. Superior Court of Kern County (1974) 11 Cal.3d 924, 932, and Exhibit 2 of the Hale Declaration.
OFM VANH 1: 0548 0587 0589	Psychotherapist-Patient & Physician-Patient Privileges	Sustained. Disclosure was reasonably necessary to accomplish the purpose for which the psychotherapist was consulted (i.e. treatment and diagnosis). <i>Roman</i> <i>Catholic Archbishop of</i>

		Los Angeles v. Superior Court (2005) 131 Cal.App.4 th 417, 449- 456.
OFM VANH 1: 0588 0579 0842-0844 0845-0847	Psychotherapist-Patient & Physician-Patient Privileges	Overruled. Disclosure was not reasonably necessary to accomplish the purpose for which the psychotherapists or physicians were consulted (i.e. treatment and diagnosis). Moreover, the information and documents were not disclosed to individuals that were involved in rendering psychotherapy or treatment and/or were being supervised by the treating psychotherapists or doctors. <i>Roman</i> <i>Catholic Archbishop of</i> <i>Los Angeles v.</i> <i>Superior Court</i> (2005) 131 Cal.App.4 th 417, 449- 456.
		In addition, this Court finds that the alleged perpetrator waived the privilege by participating in the therapy and/or treatment knowing that the information provided during the course of treatment would be shared with members of Defendant Franciscan Friars and/or the alleged perpetrator voluntarily disclosed the information himself. See Evidence Code §912(a), <i>Rudnick</i> <i>v. Superior Court of</i> <i>Kern County</i> (1974) 11 Cal.3d 924, 932, and

OFM VANH 1: 0355-0359 0363-0364 0371-0400 0402-0406 0410 0417-0449 0453 0461-0490 0549 0655-0714	Psychotherapist-Patient & Physician-Patient Privileges	Exhibit 2 of the Hale Declaration. Overruled. The documents at issue do not contain information regarding confidential communications between a psychotherapist or physician and his or her client. Evidence Code §§1012 & 992.
0805 0813-0841 0848-0872 OFM CABO 1: 0148 0152-0154 0155 0173-0174 0179-0181	Attorney Client Privilege & Attorney Work Product Doctrine ¹	Moot. This Court already determined that the documents post-date the Settlement Agreement. Paragraph 15(A) of the Settlement Agreement evidences the parties' intent to restrict production to those documents that were in existence at the time the Settlement Agreement was executed, or, at the very latest, within forty- five days (45) thereafter. Civil Code §1636.
OFM CABO 1: 0009 0143 0166-0172 0176-0178 0182-0195 0198-0219	Attorney Client Privilege & Attorney Work Product Doctrine	Overruled. The documents at issue do not contain information regarding confidential communications between an attorney and his or her client. Evidence Code §952. Also, the documents are not

¹ The alleged perpetrators also object to the production and publication of the contested documents pursuant to Evidence Code §§1115-1128 (mediation) and 1152 (settlement offers). However, the only documents that may have been subject to protection on these grounds have already been protected from production on other grounds (i.e. attorney-client privilege and attorney work product doctrine). Therefore, the objections are moot.

		subject to the work
		product privilege.
OFM CIMM 1:	Attorney Client Privilege	Moot. This Court already
0395-0400	& Attorney Work Product	determined that the
0417	Doctrine	documents post-date the
]		Settlement Agreement.
		Paragraph 15(A) of the
		Settlement Agreement
		evidences the parties'
		intent to restrict
		production to those
1		documents that were in
		existence at the time the
		Settlement Agreement
		was executed, or, at the
		very latest, within forty-
}		five days (45) thereafter.
,		Civil Code §1636.
OFM CIMM 1:	Attorney Client Privilege	Overruled. The
0128	& Attorney Work Product	documents at issue do
0222-0226	Doctrine	not contain information
0234-0241	Docime	regarding confidential
0292-0302		communications between
0327-0331		an attorney and his or her
0334-0394		client. Evidence Code
0418		§952. Also, the
0420-0470		documents are not
0120000		subject to the work
		product privilege.
OFM CONN 1:	Attorney Client Privilege	Not applicable. Br.
0392-0397	& Attorney Work Product	Connolly (deceased) is
0497-0500	Doctrine	not one of the named
0503-0508	Doctrille	alleged perpetrators
0501-0502		raising objections in this
0668-0669		case.
OFM JOHN 1:	Attorney Client Privilege	Overruled. The
0067	& Attorney Work Product	documents at issue do
0130-0131		not contain information
0154-0159		regarding confidential
0168-0169		communications between
0171		an attorney and his or her
		client. Evidence Code
0215		
0217-0220		§952. Also, the
0246-0252		documents are not
0460-0462		subject to the work
0464		product privilege.

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OFM JOHN 1: 0238-0239 0241 0242	Attorney Client Privilege & Attorney Work Product Doctrine	Sustained. Disclosure was reasonably necessary for accomplishment of the purpose for which the attorney was consulted, i.e. preparing a defense against charges of sexual abuse. <i>Rudnick v.</i> <i>Superior</i> Court (1974) 11 Cal.3d 924, 932. <i>See</i> <i>also</i> Evidence Code §§912(d) and 952.
		Moreover, the Court finds that the joint defense/common interest doctrine applies. The alleged perpetrator and Defendant Franciscan Friars share a common interest in defending against claims of sexual abuse. Also, the documents at issue would otherwise have been protected from disclosure by a claim of privilege (attorney-client and/or work product). In addition, the communications, which were intended to be confidential, are geared toward advancement of
OFM KRUM 1: 0039 0211-0212 0280-0305 0308-0310 0313-0326	Attorney Client Privilege & Attorney Work Product Doctrine	the common interest. Overruled. The documents at issue do not contain information regarding confidential communications between an attorney and his or her client. Evidence Code §952. Also, the documents are not

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		subject to the work
		product privilege.
OFM PACH 1: 0005-0007 0269-0272 0276 0278-0279 0390-0447	Attorney Client Privilege & Attorney Work Product Doctrine	Overruled. The documents at issue do not contain information regarding confidential communications between an attorney and his or her client. Evidence Code §952. Also, the documents are not subject to the work product privilege.
OFM PACH 1: 0280-0285	Attorney Client Privilege & Attorney Work Product Doctrine	Moot as to OFM PACH 1: 0280-0281. According to counsel for Defendant Franciscan Friars, by letter to the Court dated September 18, 2008, Plaintiffs have withdrawn their request for these documents.
		Overruled as to OFM PACH 0282-0285. The documents at issue do not contain information regarding confidential communications between an attorney and his or her client. Evidence Code §952. Also, the documents are not subject to the work product privilege. Moreover, this Court notes that the documents were sent to all counsel in the case, including Plaintiff's counsel.
		*However, as this Court previously stated, the victim's name and identifying information must be redacted.

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OFM PACH 1: 0360	Attorney Client Privilege & Attorney Work Product Doctrine	Overruled. The documents at issue do not contain information regarding confidential communications between an attorney and his or her client. Evidence Code §952. Also, the documents are not subject to the work product privilege.
		previously noted, the confidential settlement terms are to be redacted from the document.
OFM VANH 1: 0355-0356 0357 0358 0359 0371-0373 0374 0402-0403 0404 0405 0406 0417-0419 0420 0445-0446	Attorney Client Privilege & Attorney Work Product Doctrine	Sustained. Disclosure was reasonably necessary for the accomplishment of the purpose for which the attorneys were consulted, i.e. preparing a defense against charges of sexual abuse. <i>Rudnick v.</i> <i>Superior</i> Court (1974) 11 Cal.3d 924, 932. <i>See</i> <i>also</i> Evidence Code §§912(d) and 952.
0447 0448 0449 0461-0463 0464 0655-0656		Moreover, this Court finds that the joint defense/common interest doctrine applies. The alleged perpetrators and Defendant Franciscan Friars share a common interest in defending against the claims of sexual abuse. Also, the documents at issue would otherwise have been protected from

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OFM VANH 1:	Attorney Client Privilege	privilege (attorney-client and/or work-product). In addition, the communications, which were intended to be confidential, are geared toward advancement of the common interest. Overruled. Merely
0657-0714	& Attorney Work Product Doctrine	forwarding non-privileged documents to a client or an insurance company does not automatically change their status to privileged.
OFM VANH 1: 0375-0400 0421-0444 0465-0490	Attorney Client Privilege & Attorney Work Product Doctrine	Overruled. Merely forwarding non-privileged documents to an attorney does not automatically change their status to privileged. The documents consist of public records. As such, the privilege does not apply.
		*The victims(s) names must be redacted.
OFM VANH 1: 0363 0364 0410 0453	Attorney Client Privilege & Attorney Work Product Doctrine	Overruled. Documents that are not authored or received by an attorney are not privileged. Doe 2 v. Superior Court (2005) 132 Cal.App.4 th 1504, 1521-1522.
OFM VANH 1: 0518-0520 0548-0549 0587-0589 0606 0579 0805 0813-0872	Attorney Client Privilege & Attorney Work Product Doctrine	Overruled. The documents at issue do not contain information regarding confidential communications between an attorney and his or her client. Evidence Code §952. Also, the documents are not subject to the work product privilege.

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OFM JOHN 1:	Clergy-Penitent Privilege	Overruled. The alleged
0460-0462		perpetrators failed to
0464		meet their burden of
0494		establishing the
0.101		preliminary facts
OFM KRUM 1:		, , , , , , , , , , , , , , , , , , ,
		necessary to show that
0280-0305		the clergy-penitent
0308-0310		privilege applies to the
0313-0326		laicization files. See
		Evidence Code §§1030-
OFM VANH 1:		1034. See also Roman
0805		Catholic Archbishop of
0813-0872		Los Angeles v.
00100012		Superior Court (2005)
OFM PACH 1:		131 Cal.App.4 th 417, 442-
0390-0447		445, and Story v.
		Superior Court (2003)
		109 Cal.App.4 th 1007,
		1014. Specifically, the
		alleged perpetrators
		failed to establish that
		they are penitents under
		Evidence Code §1031.
OFM JOHN 1:	Free Exercise Clause of	Overruled. Pursuant to
0460-0462	the United States	the Settlement
0464	Constitution	Agreement, production of
0494		the documents is
		governed by California's
OFM KRUM 1:		Civil Discovery Act.
0280-0305		(Settlement Agreement
0308-0310		¶¶15 &20). California's
0313-0326		Civil Discovery Act is a
0010-0020		law that is valid, neutral,
OFM VANH 1:		and of general
		applicability.
0805		Roman Catholic
0813-0872		
		Archbishop of Los
OFM PACH 1:		Angeles v. Superior
0390-0447		<i>Court</i> (2005) 131
		Cal.App.4 th 417, 431
		(citing <i>Church of the</i>
		Lukumi Babalu Aye,
		Inc. v. Hialeah (1993)
		508 U.S. 520, 531-532).
		Therefore, the alleged
		Therefore, the alleged perpetrators cannot

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		invoke the Free Exercise
		Clause of the United
	·]	States Constitution to
		avoid production of the
		documents at issue (i.e.
		the laicization files).
OFM JOHN 1:	Free Exercise Clause of	Overruled. The
0460-0462	the California	appropriate standard of
0464	Constitution	review for a challenge,
0494		under California
0454	}	Constitution's guarantee
OFM KRUM 1:		of free exercise of
0280-0305	J	religion, to a state law
0308-0310		that is valid, neutral, and
0313-0326		of general applicability,
		has not been determined.
OFM VANH 1:		North Coast Women's
0805		Care Medical Group,
0813-0872		Inc. v. San Diego
		Superior Court (2008)
OFM PACH 1:		44 Cal.4 th 1145, 1158.
0390-0447		However, the alleged
		perpetrators cannot
		invoke the Free Exercise
}		Clause of the California
]	Constitution to avoid
		production of their
}		laicization files even if the
		strict scrutiny standard is
		applied. Catholic
		Charities of
		Sacramento, Inc. v.
		Superior Court (2004)
		32 Cal.4 th 527, 562.
1	1	Even assuming, for the
		sake of argument,
		application of California's
		Discovery Act
		5
ļ		substantially burdens a
		religious belief or
		practice, the law serves
		compelling state interests
		(i.e. seeking the truth in
		court proceedings,
	-	ensuring those injured by
		the actionable conduct of

		others receive full
}		redress of the injuries,
		and, as applied in this
		case, protecting children
		from sexual abuse) and
		is narrowly tailored to
		achieve those interests.
OFM JOHN 1:	Establishment Clause of	Overruled. The alleged
0460-0462	the United States	perpetrators cannot
0464	Constitution	invoke the Establishment
0494	Constitution	Clause of the United
0494		States Constitution to
OFM KRUM 1:		avoid production of their
0280-0305		laicization files.
0308-0310		Enforcement of the
0313-0326		Settlement Agreement,
0313-0320		via the California Civil
OFM VANH 1:		Discovery Act, does not
0805		result in any excessive
0803		entanglement with
0013-0072		religion. The parties in
OFM PACH 1:		this case have asked the
0390-0447		Court to decide whether
0390-0447		
		the asserted privileges
		have merit. Assessment
		of the applicability of a
		privilege does not lead to
ļ		excessive government
		entanglement in religion.
		Moreover, the California
		Discovery Act is secular
		in purpose and its
		"principal or primary
		effect" is not to inhibit a
		religion. See Roman
		Catholic Archbishop of
		Los Angeles v.
		Superior Court (2005)
		131 Cal.App.4 th 417, 434-
		435, and The Society of
		Jesus of New England
		v. Commonwealth
		(2004) 441 Mass. 662,
		674-675.
All Contested Documents	Constitutional Right to	Overruled. This Court
	Privacy	has already determined

		that the alleged
		perpetrators' rights to
		privacy are outweighed
		by the State's compelling
1		
		interest in protecting its
		children from sexual
		abuse. See Judge
		Lichtman's 6/18/07 Order
1		and this Court's 2/10/09
		Minute Order.
All documents created by	Federal Copyright Law of	Overruled. Civil Code
the alleged perpetrators	1976	§985, part of California's
(except Connolly),		common-law copyright,
including, but not limited	California Civil Code	was pre-empted by the
to, the following: ²	§985	Federal Copyright Law of
		1976. See 17 U.S.C.
OFM CABO 1:		§301(a). See also
0165-0172		Klekas v. EMI Films,
01000112		<i>Inc.</i> (1984) 150
OFM CIMM 1:		Cal.App.3d 1102, 1109,
0234-0241		and Salinger v. Random
0234-0241		House, Inc. (2 nd Cir.
0410		1987) 811 F.2d 90, 95.
OFM JOHN 1:		1907) 0111 .20 90, 95.
0157		Even assuming the
0220		contested documents fall
0464		under the protection of
		the Federal Copyright
OFM KRUM 1:		Law of 1976, which this
0282		Court seriously
0286		questions, the alleged
0289-0290		perpetrators, as
0323		employees, are not the
		owners of the copyrights.
OFM PACH 1:		See U.S.C. §201(b) and
0396		17 U.S.C. §101.
0403-0404		Specifically, the alleged
405		perpetrators created the
0441		contested documents
		within the course and
OFM VANH 1:		scope of their
0687-0714		employment with
0518-0520		Defendant Franciscan
0805		Friars.

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² The objection is overruled as to the contested documents that were not created by the alleged perpetrators.

0815 0820-0831 0832-0836 0861-0872		Moreover, even if California Civil Code §985 was not preempted by the Federal Copyright Law of 1976, the alleged perpetrators' objection fails for two reasons. First, this Court has already determined that the alleged perpetrators are not owners of the copyrights because the contested documents were created within the course and scope of their employment with Defendant Franciscan Friars. Second, compelled disclosure of the contested documents would not deprive the alleged perpetrators of any property rights. See Carpenter Foundation v. Oakes (1972) 26 Cal.App.3d 784, 794, and United States v. Certain Parcels of Land (1953) 15 F.R.D. 224, 234.
All documents created by Connolly, including, but not limited to, the following: OFM CONN 1: ³ 0392 0394-0397 0501 0502	Federal Copyright Law of 1976 California Civil Code §985	Not applicable. Br. Connolly (deceased) is not one of the named alleged perpetrators raising objections in this case.

³ The objection is overruled as to the contested documents that were not created by Connolly.

EXHIBIT "C" **RULING ON OBJECTIONS BY THE BYSTANDERS¹**

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Document Number(s)	Objection(s)	Ruling(s)
All documents created by	Federal Copyright Law of	Overruled. Civil Code
the bystanders, including,	1976	§985, part of California's
but not limited to, the		common-law copyright,
following: ²	California Civil Code	was pre-empted by the
	§985	Federal Copyright Law of
OFM CABO 1:		1976. See 17 U.S.C.
0009		§301(a). <i>See also</i>
0143		Klekas v. EMI Films,
		Inc. (1984) 150
OFM CIMM 1:		Cal.App.3d 1102, 1109,
0222-0225		and Salinger v. Random
0226		House, Inc. (2 nd Cir.
0292		1987) 811 F.2d 90, 95.
0293-0294		
0295-0296		Even assuming the
	•	contested documents fall
OFM JOHN 1:		under the protection of
0067		the Federal Copyright
0130-0131		Law of 1976, which this
0171		Court seriously
0215		questions, the
0246	•	bystanders, as
0247-0248		employees, are not the
0249		owners of the copyrights.
0250		See U.S.C. §201(b) and
0252		17 U.S.C. §101.
0460		Specifically, the
0461		bystanders created the
0462		contested documents
0494		within the course and
		scope of their
OFM KRUM 1:		employment with
0211-0212		Defendant Franciscan
0283-0284		Friars.
0318-0321		
0322		Moreover, even if
0324-0325		California Civil Code

¹ This Court notes that some of the documents are not signed and/or the creators of the documents are unknown. Therefore, for the sake of argument, the Court will consider the bystanders creators of all such documents. ² The objection is overruled as to the contested documents that were not created by the

bystanders.

OFM PACH 1: 0393-0394 0397-0398 0401 0402 0419-0420 0439 0440 0446 OFM VANH 1: 0364 0548 0549 0587 0589 0816 0819 0848-0849 0852-0853		§985 was not preempted by the Federal Copyright Law of 1976, the bystanders' objection fails for two reasons. First, this Court has already determined that the bystanders are not owners of the copyrights because the contested documents were created in the course and scope of their employment with Defendant Franciscan Friars. Second, compelled disclosure of the contested documents would not deprive the bystanders of any property rights. See Carpenter Foundation v. Oakes (1972) 26 Cal.App.3d 784, 794, and
All Contested Documents	Constitutional Right to Privacy	United States v. Certain Parcels of Land (1953) 15 F.R.D. 224, 234. Sustained. Plaintiffs do not object to the
	(Redaction of Personal Information)	redaction of the bystanders' personal information (i.e. social security numbers, home addresses, and any medical conditions) from the contested documents.
		However, this Court finds that the bystanders' names must be redacted from all of the contested documents in order to preserve their rights to privacy and narrowly circumscribe the scope of disclosure. Board of

		<i>Trustees v. Superior</i> <i>Court of Santa Clara</i> <i>County</i> (1981) 119 Cal.App.3d 516, 526.
All reports and/or evaluations created by the bystanders, including, but not limited to, the following: OFM CABO 1: ³ 0009 0143 OFM CIMM 1: 0222-0225 0226 0292 0293-0294 0295-0296 OFM JOHN 1: 0067 0130-0131 0171 0215 0246 0247-0248 0249 0250 0252 0460 0461 0462 0494 OFM KRUM 1: 0211-0212 0283-0284	Constitutional Right to Privacy	CarApp.3d 516, 526. Overruled (in part). This Court finds that the bystanders' privacy interests in the reports/evaluations are outweighed by the State's compelling interest in protecting children from sexual abuse. However, as discussed above, the bystanders' names and personal information must be redacted from the contested documents.
0318-0321 0322 0324-0325 OFM PACH 1:		

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³ The objection is overruled as to the contested documents that were not created by the bystanders.

0393-0394		
0397-0398		
0401		
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OFM VANH 1:		
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