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15 CARDINAL NORBERTO RIVERA AND THE
16 DIOCESE OF TEHUACAN

17 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
18 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

19 JOAQUIN AGUILAR MENDEZ,

20 Plaintiff,

21 v.

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

28 Defendants.

Case No. BC358718

**DEFENDANT CARDINAL NORBERTO
RIVERA'S RESPONSES TO
PLAINTIFF'S INTERROGATORIES
REGARDING JURISDICTION**

PROPOUNDING PARTY: Plaintiff Joaquin Aguilar Mendez

RESPONDING PARTY: Defendant Cardinal Norberto Rivera

SET NUMBER: One [Nos. 1 - 46]

Defendant Cardinal Norberto Rivera hereby responds to Plaintiff' First Set of Special Interrogatories (collectively, the "Interrogatories," individually, an "Interrogatory) as follows:

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1 answer the question, the questions they answered or consulted on and their association and/or
2 position with Cardinal Rivera.

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

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

8 The following persons answered and/or consulted in answering the Interrogatories:
9 Cardinal Rivera; Counsel for Cardinal Rivera; and Padre Hugo Baldemar Romero Ascencion.

10 **INTERROGATORY NO. 2:**

11 Has Cardinal Rivera ever been personally present in California, United States of
12 America?

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

14 Cardinal Rivera incorporates by reference his Preliminary Statement and General
15 Objections set forth above. Cardinal Rivera further objects to the term "personally present" as
16 vague and misleading. Subject to and without waiving his objections, Cardinal Rivera responds
17 as follows:

18 Cardinal Rivera has been physically present in the State of California.

19 **INTERROGATORY NO. 3:**

20 If Cardinal Rivera has been personally present in California, United States of America,
21 please state the dates that Cardinal Rivera has been personally present in California, United
22 States of America.

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

24 Cardinal Rivera incorporates by reference his Preliminary Statement and General
25 Objections set forth above. Cardinal Rivera further objects to the term "personally present" as
26 vague, ambiguous and misleading. Subject to and without waiving his objections, Cardinal
27 Rivera responds as follows:

28 To the best of his recollection, Cardinal Rivera physically entered the State of California

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1 on three occasions during his lifetime. Cardinal Rivera does not recall the precise dates of those
2 visits. Cardinal Rivera's most recent trip to California occurred at least ten years ago. Cardinal
3 Rivera's first visit to California occurred at least twenty years ago. In between those two trips,
4 Cardinal Rivera physically entered California on one other occasion, the date(s) of which he does
5 not recall.

6 **INTERROGATORY NO. 4:**

7 If Cardinal Rivera has been personally present in California, United States of America
8 please state the location(s) where he was personally present.

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

10 Cardinal Rivera incorporates by reference his Preliminary Statement and General
11 Objections set forth above. Cardinal Rivera further objects to the term "personally present" as
12 vague, ambiguous and misleading. Subject to and without waiving his objections, Cardinal
13 Rivera responds as follows:

14 On his first visit to California (at least twenty years ago), Cardinal Rivera visited Disney
15 Land in Anaheim, California. On his most recent visit to California (at least ten years ago),
16 Cardinal Rivera passed through Los Angeles, California on his way to Las Vegas, Nevada. In
17 the interim, Cardinal Rivera Cardinal Rivera visited Los Angeles, California.

18 **INTERROGATORY NO. 5:**

19 If Cardinal Rivera has been personally present in California, United States of America
20 please state the purpose which brought him to California, United States of America.

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

22 Cardinal Rivera incorporates by reference his Preliminary Statement and General
23 Objections set forth above. Cardinal Rivera further objects to the term "personally present" as
24 vague, ambiguous and misleading. Cardinal Rivera further objects to this Interrogatory because
25 it is overly broad, unduly burdensome and oppressive, and it imposes an unreasonable burden
26 and expense upon Cardinal Rivera. Subject to and without waiving his objections, Cardinal
27 Rivera responds as follows:

28 For each of Cardinal Rivera's visits to California, the purposes for which he visited

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1 California were to vacation and/or to visit friends and/or relatives. Cardinal Rivera has never
2 been to California for the purpose of conducting business on behalf of Defendant the Diocese of
3 Tehuacan or for the Roman Catholic Church. On his first visit to California (at least twenty
4 years ago), Cardinal Rivera visited Disney Land in Anaheim, California. At least ten years ago,
5 Cardinal Rivera flew to Las Vegas, Nevada in order to attend a conference and/or convention;
6 Cardinal Rivera's flight laid over in Los Angeles, California. In the interim, Cardinal Rivera
7 visited a terminally ill cousin in Los Angeles, California.

8 **INTERROGATORY NO. 6:**

9 If Cardinal Rivera has been personally present in California, United States of America
10 please state the individual(s) who accompanied him.

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

12 Cardinal Rivera incorporates by reference his Preliminary Statement and General
13 Objections set forth above. Cardinal Rivera further objects to the term "personally present" as
14 vague, ambiguous and misleading. Subject to and without waiving his objections, Cardinal
15 Rivera responds as follows:

16 On his first visit to California (at least twenty years ago), a brother or cousin
17 accompanied Cardinal Rivera. Cardinal Rivera was unaccompanied on his other two visits to
18 California.

19 **INTERROGATORY NO. 7:**

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

23 **RESPONSE TO INTERROGATORY NO. 7:**

24 Cardinal Rivera incorporates by reference his Preliminary Statement and General
25 Objections set forth above. Cardinal Rivera further objects to the term "personally present" as
26 vague, ambiguous and misleading. Subject to and without waiving his objections, Cardinal
27 Rivera responds as follows:

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1 After a reasonably diligent search, Cardinal Rivera has not located any documents within
2 his possession, custody or control that are responsive to this Interrogatory.

3 **INTERROGATORY NO. 8:**

4 If Cardinal Rivera has been personally present in California, United States of America
5 please identify each and every instrumentality of the Catholic Church with whom he had
6 personal contact while in California, United States of America.

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

8 Cardinal Rivera incorporates by reference his Preliminary Statement and General
9 Objections set forth above. Cardinal Rivera further objects to the terms "personally present" and
10 "instrumentality" as vague, ambiguous and misleading. Cardinal Rivera further objects to this
11 Interrogatory because it is overly broad, unduly burdensome and oppressive, and it imposes an
12 unreasonable burden and expense upon Cardinal Rivera. Cardinal Rivera further objects to this
13 Interrogatory because it seeks information that is neither relevant to the subject matter involved
14 in this action nor reasonably calculated to lead to the discovery of admissible evidence. Cardinal
15 Rivera further objects to this Interrogatory because it is harassing, burdensome and duplicative of
16 other Interrogatories (e.g., Interrogatory No. 9). Subject to and without waiving his objections,
17 Cardinal Rivera responds as follows:

18 Cardinal Rivera has never been to California for the purpose of conducting business on
19 behalf of Defendant the Diocese of Tehuacan or for the Roman Catholic Church. As such,
20 Cardinal Rivera did not conduct any business with any employees of the Roman Catholic Church
21 in California while visiting California. To his knowledge, Cardinal Rivera did not have any
22 contact with any employees of the Roman Catholic Church in California while in the State of
23 California.

24 **INTERROGATORY NO. 9:**

25 If Cardinal Rivera has been personally present in California, United States of America
26 please identify each and every representatives from California, including priests, bishops,
27 cardinals, brothers, or clerics with whom he had contact while in California, United States of
28 America.

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

2 Cardinal Rivera incorporates by reference his Preliminary Statement and General
3 Objections set forth above. Cardinal Rivera further objects to the term "personally present" as
4 vague, ambiguous and misleading. Cardinal Rivera further objects to this Interrogatory because
5 it is overly broad, unduly burdensome and oppressive, and it imposes an unreasonable burden
6 and expense upon Cardinal Rivera. Cardinal Rivera further objects to this Interrogatory because
7 it seeks information that is neither relevant to the subject matter involved in this action nor
8 reasonably calculated to lead to the discovery of admissible evidence. Cardinal Rivera further
9 objects to this Interrogatory because it is harassing, burdensome and duplicative of other
10 Interrogatories (e.g., Interrogatory No. 8). Subject to and without waiving his objections,
11 Cardinal Rivera responds as follows:

12 Cardinal Rivera has never been to California for the purpose of conducting business on
13 behalf of Defendant the Diocese of Tehuacan or for the Roman Catholic Church. As such,
14 Cardinal Rivera did not conduct any business with any employees of the Roman Catholic Church
15 in California while visiting California. To his knowledge, Cardinal Rivera did not have any
16 contact with any employees of the Roman Catholic Church in California while in the State of
17 California.

18 **INTERROGATORY NO. 10:**

19 If Cardinal Rivera has been personally present in California, United States of America,
20 please describe each and every Activity associated with any instrumentality of the Catholic
21 Church in which Cardinal Rivera participated while in California, United States of America.

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

23 Cardinal Rivera incorporates by reference his Preliminary Statement and General
24 Objections set forth above. Cardinal Rivera further objects to the terms "personally present,"
25 "instrumentality," and "Activity" as vague, ambiguous and misleading. Cardinal Rivera further
26 objects to this Interrogatory because it is overly broad, unduly burdensome and oppressive, and it
27 imposes an unreasonable burden and expense upon Cardinal Rivera. Cardinal Rivera further
28 objects to this Interrogatory because it seeks information that is neither relevant to the subject

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1 matter involved in this action nor reasonably calculated to lead to the discovery of admissible
2 evidence. Subject to and without waiving his objections, Cardinal Rivera responds as follows:

3 Cardinal Rivera has never been to California for the purpose of conducting business on
4 behalf of Defendant the Diocese of Tehuacan or for the Roman Catholic Church. During his
5 visits to California, Cardinal Rivera did not participate in any activities or functions of the
6 Roman Catholic Church, other than to attend Mass with the friends and/or relatives with whom
7 Cardinal Rivera visited.

8 **INTERROGATORY NO. 11:**

9 Is Cardinal Rivera aware that Nicholas Aguilar became associated with the Roman
10 Catholic Archbishop of Los Angeles, A Corporation Sole?

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

12 Cardinal Rivera incorporates by reference his Preliminary Statement and General
13 Objections set forth above. Cardinal Rivera further objects to the phrase "became associated
14 with" as vague, ambiguous and misleading. Subject to and without waiving his objections,
15 Cardinal Rivera responds as follows:

16 Cardinal Rivera has no actual knowledge of any association between Defendant Father
17 Nicholas Aguilar ("Fr. Aguilar") and the Roman Catholic Archbishop of Los Angeles. On
18 information and belief, Fr. Aguilar interacted with the Archdiocese of Los Angeles during 1987
19 and 1988. On January 27, 1987, Fr. Aguilar tendered his irrevocable resignation from the
20 Diocese of Tehuacan where Cardinal Rivera then presided as Bishop. That same day, Cardinal
21 Rivera wrote a letter to Cardinal Roger Mahony indicating that, for reasons of family and health,
22 Fr. Aguilar desired to work for one year in Los Angeles. On March 12, 1987, Fr. Aguilar wrote
23 to Cardinal Rivera requesting, among other things, that Cardinal Rivera correspond
24 confidentially with Cardinal Mahony and Vicar Thomas Curry regarding the reasons why Fr.
25 Aguilar sought work in Los Angeles. On March 23, 1987, Cardinal Rivera wrote to Cardinal
26 Mahony and Vicar Curry confidentially and explained that Fr. Aguilar's departure from the
27 Diocese of Tehuacan stemmed from a physical assault on Fr. Aguilar and that there were
28 unproven accusations of homosexuality against Fr. Aguilar. That same day, Cardinal Rivera

1 wrote to Fr. Aguilar to confirm that Cardinal Rivera had sent the confidential letter. On
2 December 20, 1987, Fr. Aguilar wrote Cardinal Rivera to request permission to work in the Los
3 Angeles Archdiocese permanently (Cardinal Rivera did not respond to Fr. Aguilar's request of
4 December 20, 1987). On January 11, 1988, Vicar Curry wrote Cardinal Rivera to explain that
5 Fr. Aguilar had been accused of acting inappropriately towards children and that, as a result, his
6 permission to serve in the Los Angeles Archdiocese had been withdrawn. On February 23, 1988,
7 Vicar Curry wrote to Cardinal Rivera enclosing a Los Angeles Times article pertaining to Fr.
8 Aguilar and requesting that Cardinal Rivera urge Fr. Aguilar to return to California, if Cardinal
9 Rivera knew of Fr. Aguilar's whereabouts. On March 4, 1988, Cardinal Mahony wrote Cardinal
10 Rivera requesting information as to Fr. Aguilar's relatives. On March 17, 1988 Cardinal Rivera
11 wrote Cardinal Mahony confidentially, stating that he was unaware of Fr. Aguilar's whereabouts
12 and providing information as to Fr. Aguilar's relatives and employment history. Cardinal Rivera
13 also referred Cardinal Mahony to the confidential letter of March 23, 1987. On March 30, 1988,
14 Cardinal Mahony wrote Cardinal Rivera and stated that he had never received the confidential
15 letter of March 23, 1987.

16 **INTERROGATORY NO. 12:**

17 If Cardinal Rivera is aware that Nicholas Aguilar became associated with the Roman
18 Catholic Archbishop of Los Angeles, A Corporation Sole, please state when Cardinal Rivera first
19 became aware of the association.

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

21 Cardinal Rivera incorporates by reference his Preliminary Statement and General
22 Objections set forth above. Cardinal Rivera further objects to the phrase "became associated
23 with" as vague, ambiguous and misleading. Subject to and without waiving his objections,
24 Cardinal Rivera responds as follows:

25 Cardinal Rivera has no actual knowledge of any association between Fr. Aguilar and the
26 Roman Catholic Archbishop of Los Angeles. On information and belief, Fr. Aguilar interacted
27 with the Archdiocese of Los Angeles during 1987 and 1988. On January 27, 1987, Fr. Aguilar
28 tendered his irrevocable resignation from the Diocese of Tehuacan where Cardinal Rivera then

1 presided as Bishop. That same day, Cardinal Rivera wrote a letter to Cardinal Roger Mahony
2 indicating that, for reasons of family and health, Fr. Aguilar desired to work for one year in Los
3 Angeles. On March 12, 1987, Fr. Aguilar wrote to Cardinal Rivera requesting, among other
4 things, that Cardinal Rivera correspond confidentially with Cardinal Mahony and Vicar Thomas
5 Curry regarding the reasons why Fr. Aguilar sought work in Los Angeles. On March 23, 1987,
6 Cardinal Rivera wrote to Cardinal Mahony and Vicar Curry confidentially and explained that Fr.
7 Aguilar's departure from the Diocese of Tehuacan stemmed from a physical assault on Fr.
8 Aguilar and that there were unproven accusations of homosexuality against Fr. Aguilar. That
9 same day, Cardinal Rivera wrote to Fr. Aguilar to confirm that Cardinal Rivera had sent the
10 confidential letter. On December 20, 1987, Fr. Aguilar wrote Cardinal Rivera to request
11 permission to work in the Los Angeles Archdiocese permanently (Cardinal Rivera did not
12 respond to Fr. Aguilar's request of December 20, 1987). On January 11, 1988, Vicar Curry
13 wrote Cardinal Rivera to explain that Fr. Aguilar had been accused of acting inappropriately
14 towards children and that, as a result, his permission to serve in the Los Angeles Archdiocese
15 had been withdrawn. On February 23, 1988, Vicar Curry wrote to Cardinal Rivera enclosing a
16 Los Angeles Times article pertaining to Fr. Aguilar and requesting that Cardinal Rivera urge Fr.
17 Aguilar to return to California, if Cardinal Rivera knew of Fr. Aguilar's whereabouts. On March
18 4, 1988, Cardinal Mahony wrote Cardinal Rivera requesting information as to Fr. Aguilar's
19 relatives. On March 17, 1988 Cardinal Rivera wrote Cardinal Mahony confidentially, stating
20 that he was unaware of Fr. Aguilar's whereabouts and providing information as to Fr. Aguilar's
21 relatives and employment history. Cardinal Rivera also referred Cardinal Mahony to the
22 confidential letter of March 23, 1987. On March 30, 1988, Cardinal Mahony wrote Cardinal
23 Rivera and stated that he had never received the confidential letter of March 23, 1987.

24 **INTERROGATORY NO. 13:**

25 If Cardinal Rivera is aware that Nicholas Aguilar became associated with the Roman
26 Catholic Archbishop of Los Angeles, A Corporation Sole, please state how Cardinal Rivera first
27 became aware of the association.
28

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

2 Cardinal Rivera incorporates by reference his Preliminary Statement and General
3 Objections set forth above. Cardinal Rivera further objects to the phrase "became associated
4 with" as vague, ambiguous and misleading. Cardinal Rivera further objects to this Interrogatory
5 because it is harassing, burdensome and duplicative of other Interrogatories (e.g., Interrogatory
6 No. 12). Subject to and without waiving his objections, Cardinal Rivera responds as follows:

7 Cardinal Rivera has no actual knowledge of any association between Fr. Aguilar and the
8 Roman Catholic Archbishop of Los Angeles. On information and belief, Fr. Aguilar interacted
9 with the Archdiocese of Los Angeles during 1987 and 1988. On January 27, 1987, Fr. Aguilar
10 tendered his irrevocable resignation from the Diocese of Tehuacan where Cardinal Rivera then
11 presided as Bishop. That same day, Cardinal Rivera wrote a letter to Cardinal Roger Mahony
12 indicating that, for reasons of family and health, Fr. Aguilar desired to work for one year in Los
13 Angeles. On March 12, 1987, Fr. Aguilar wrote to Cardinal Rivera requesting, among other
14 things, that Cardinal Rivera correspond confidentially with Cardinal Mahony and Vicar Thomas
15 Curry regarding the reasons why Fr. Aguilar sought work in Los Angeles. On March 23, 1987,
16 Cardinal Rivera wrote to Cardinal Mahony and Vicar Curry confidentially and explained that Fr.
17 Aguilar's departure from the Diocese of Tehuacan stemmed from a physical assault on Fr.
18 Aguilar and that there were unproven accusations of homosexuality against Fr. Aguilar. That
19 same day, Cardinal Rivera wrote to Fr. Aguilar to confirm that Cardinal Rivera had sent the
20 confidential letter. On December 20, 1987, Fr. Aguilar wrote Cardinal Rivera to request
21 permission to work in the Los Angeles Archdiocese permanently (Cardinal Rivera did not
22 respond to Fr. Aguilar's request of December 20, 1987). On January 11, 1988, Vicar Curry
23 wrote Cardinal Rivera to explain that Fr. Aguilar had been accused of acting inappropriately
24 towards children and that, as a result, his permission to serve in the Los Angeles Archdiocese
25 had been withdrawn. On February 23, 1988, Vicar Curry wrote to Cardinal Rivera enclosing a
26 Los Angeles Times article pertaining to Fr. Aguilar and requesting that Cardinal Rivera urge Fr.
27 Aguilar to return to California, if Cardinal Rivera knew of Fr. Aguilar's whereabouts. On March
28 4, 1988, Cardinal Mahony wrote Cardinal Rivera requesting information as to Fr. Aguilar's

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1 relatives. On March 17, 1988 Cardinal Rivera wrote Cardinal Mahony confidentially, stating
2 that he was unaware of Fr. Aguilar's whereabouts and providing information as to Fr. Aguilar's
3 relatives and employment history. Cardinal Rivera also referred Cardinal Mahony to the
4 confidential letter of March 23, 1987. On March 30, 1988, Cardinal Mahony wrote Cardinal
5 Rivera and stated that he had never received the confidential letter of March 23, 1987.

6 **INTERROGATORY NO. 14:**

7 If Cardinal Rivera is aware that Nicholas Aguilar became associated with the Roman
8 Catholic Archbishop of Los Angeles, A Corporation Sole, please identify the individual who first
9 informed Cardinal Rivera of the association.

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

11 Cardinal Rivera incorporates by reference his Preliminary Statement and General
12 Objections set forth above. Cardinal Rivera further objects to the phrase "became associated
13 with" as vague, ambiguous and misleading. Subject to and without waiving his objections,
14 Cardinal Rivera responds as follows:

15 Cardinal Rivera has no actual knowledge of any association between Fr. Aguilar and the
16 Roman Catholic Archbishop of Los Angeles. On information and belief, Fr. Aguilar interacted
17 with the Archdiocese of Los Angeles during 1987 and 1988. On January 27, 1987, Fr. Aguilar
18 tendered his irrevocable resignation from the Diocese of Tehuacan where Cardinal Rivera then
19 presided as Bishop. That same day, Cardinal Rivera wrote a letter to Cardinal Roger Mahony
20 indicating that, for reasons of family and health, Fr. Aguilar desired to work for one year in Los
21 Angeles. On March 12, 1987, Fr. Aguilar wrote to Cardinal Rivera requesting, among other
22 things, that Cardinal Rivera correspond confidentially with Cardinal Mahony and Vicar Thomas
23 Curry regarding the reasons why Fr. Aguilar sought work in Los Angeles. On March 23, 1987,
24 Cardinal Rivera wrote to Cardinal Mahony and Vicar Curry confidentially and explained that Fr.
25 Aguilar's departure from the Diocese of Tehuacan stemmed from a physical assault on Fr.
26 Aguilar and that there were unproven accusations of homosexuality against Fr. Aguilar. That
27 same day, Cardinal Rivera wrote to Fr. Aguilar to confirm that Cardinal Rivera had sent the
28 confidential letter. On December 20, 1987, Fr. Aguilar wrote Cardinal Rivera to request

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1 permission to work in the Los Angeles Archdiocese permanently (Cardinal Rivera did not
2 respond to Fr. Aguilar's request of December 20, 1987). On January 11, 1988, Vicar Curry
3 wrote Cardinal Rivera to explain that Fr. Aguilar had been accused of acting inappropriately
4 towards children and that, as a result, his permission to serve in the Los Angeles Archdiocese
5 had been withdrawn. On February 23, 1988, Vicar Curry wrote to Cardinal Rivera enclosing a
6 Los Angeles Times article pertaining to Fr. Aguilar and requesting that Cardinal Rivera urge Fr.
7 Aguilar to return to California, if Cardinal Rivera knew of Fr. Aguilar's whereabouts. On March
8 4, 1988, Cardinal Mahony wrote Cardinal Rivera requesting information as to Fr. Aguilar's
9 relatives. On March 17, 1988 Cardinal Rivera wrote Cardinal Mahony confidentially, stating
10 that he was unaware of Fr. Aguilar's whereabouts and providing information as to Fr. Aguilar's
11 relatives and employment history. Cardinal Rivera also referred Cardinal Mahony to the
12 confidential letter of March 23, 1987. On March 30, 1988, Cardinal Mahony wrote Cardinal
13 Rivera and stated that he had never received the confidential letter of March 23, 1987.

14 **INTERROGATORY NO. 15:**

15 Has Cardinal Rivera ever have a conversation(s) with an officer, director or managing
16 agent of the Roman Catholic Archbishop of Los Angeles, A Corporation Sole, regarding
17 Nicholas Aguilar?

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

19 Cardinal Rivera incorporates by reference his Preliminary Statement and General
20 Objections set forth above. Subject to and without waiving his objections, Cardinal Rivera
21 responds as follows:

22 Cardinal Rivera has had no oral communications with an officer, director or managing
23 agent of the Roman Catholic Archbishop of Los Angeles regarding Fr. Aguilar.

24 **INTERROGATORY NO. 16:**

25 If Cardinal Rivera did have a conversation(s) with an officer, director, or managing agent
26 of the Roman Catholic Archbishop of Los Angeles, A Corporation Sole, regarding Nicholas
27 Aguilar, please identify each officer, director, or managing agent with whom he had the
28 conversation(s).

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

2 Cardinal Rivera incorporates by reference his Preliminary Statement and General
3 Objections set forth above. Subject to and without waiving his objections, Cardinal Rivera
4 responds as follows:

5 Cardinal Rivera has had no oral communications with an officer, director or managing
6 agent of the Roman Catholic Archbishop of Los Angeles regarding Fr. Aguilar.

7 **INTERROGATORY NO. 17:**

8 If Cardinal Rivera did have a conversation(s) with an officer, director, or managing agent
9 of the Roman Catholic Archbishop of Los Angeles, A Corporation Sole, regarding Nicholas
10 Aguilar, please describe what was discussed in the conversation(s).

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

12 Cardinal Rivera incorporates by reference his Preliminary Statement and General
13 Objections set forth above. Subject to and without waiving his objections, Cardinal Rivera
14 responds as follows:

15 Cardinal Rivera has had no oral communications with an officer, director or managing
16 agent of the Roman Catholic Archbishop of Los Angeles regarding Fr. Aguilar.

17 **INTERROGATORY NO. 18:**

18 Has Cardinal Rivera ever had written communication with The Roman Catholic
19 Archbishop of Los Angeles, A Corporation Sole, regarding Nicholas Aguilar?

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

21 Cardinal Rivera incorporates by reference his Preliminary Statement and General
22 Objections set forth above. Subject to and without waiving his objections, Cardinal Rivera
23 responds as follows:

24 Cardinal Rivera has had written communications with the Roman Catholic Archbishop of
25 Los Angeles regarding Fr. Aguilar.

26 **INTERROGATORY NO. 19:**

27 If Cardinal Rivera has had written communication with The Roman Catholic Archbishop
28 of Los Angeles, A Corporation Sole, regarding Nicholas Aguilar, please identify date(s) the of

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1 the written communication(s).

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

3 Cardinal Rivera incorporates by reference his Preliminary Statement and General
4 Objections set forth above. Subject to and without waiving his objections, Cardinal Rivera
5 responds as follows:

6 Cardinal Rivera has had the following written communications with the Roman Catholic
7 Archbishop of Los Angeles regarding Fr. Aguilar, on the following dates:

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

1 he had never received the confidential letter of March 23, 1987.

2 **INTERROGATORY NO. 20:**

3 If Cardinal Rivera has had written communication(s) with The Roman Catholic
4 Archbishop of Los Angeles, A Corporation Sole please identify to whom the written
5 communication(s) were directed.

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

7 Cardinal Rivera incorporates by reference his Preliminary Statement and General
8 Objections set forth above. Subject to and without waiving his objections, Cardinal Rivera
9 responds as follows:

10 Cardinal Rivera has received the following written communications from the Roman
11 Catholic Archbishop of Los Angeles regarding Fr. Aguilar, with the following persons:

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

1 stating that Cardinal Rivera was unaware of Fr. Aguilar's whereabouts, providing
2 information as to Fr. Aguilar's relatives and employment history, and referring
3 Cardinal Mahony to the confidential letter of March 23, 1987.

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

6 **INTERROGATORY NO. 21:**

7 Has Cardinal Rivera ever received a written communication(s) from The Roman Catholic
8 Archbishop of Los Angeles, A Corporation Sole?

9 **RESPONSE TO INTERROGATORY NO. 21:**

10 Cardinal Rivera incorporates by reference his Preliminary Statement and General
11 Objections set forth above. Cardinal Rivera further objects to this Interrogatory because it is
12 overly broad, unduly burdensome and oppressive, and it imposes an unreasonable burden and
13 expense upon Cardinal Rivera. Cardinal Rivera further objects to this Interrogatory because it
14 seeks information that is neither relevant to the subject matter involved in this action nor
15 reasonably calculated to lead to the discovery of admissible evidence. Subject to and without
16 waiving his objections, Cardinal Rivera responds as follows:

17 Cardinal Rivera has received written communications with the Roman Catholic
18 Archbishop of Los Angeles regarding Fr. Aguilar.

19 **INTERROGATORY NO. 22:**

20 If Cardinal Rivera has received a written communication(s) from The Roman Catholic
21 Archbishop of Los Angeles, A Corporation Sole, please identify the date(s) of the
22 communication(s).

23 **RESPONSE TO INTERROGATORY NO. 22:**

24 Cardinal Rivera incorporates by reference his Preliminary Statement and General
25 Objections set forth above. Cardinal Rivera further objects to this Interrogatory because it is
26 overly broad, unduly burdensome and oppressive, and it imposes an unreasonable burden and
27 expense upon Cardinal Rivera. Cardinal Rivera further objects to this Interrogatory because it
28 seeks information that is neither relevant to the subject matter involved in this action nor

7/21/09

1 reasonably calculated to lead to the discovery of admissible evidence. Subject to and without
2 waiving his objections, Cardinal Rivera responds as follows:

3 Cardinal Rivera has received the following written communications from the Roman
4 Catholic Archbishop of Los Angeles regarding Fr. Aguilar, on the following dates:

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

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

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

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

18 **INTERROGATORY NO. 23:**

19 If Cardinal Rivera ever received a written communication(s) from The Roman Catholic
20 Archbishop of Los Angeles, A Corporation Sole, please identify the subject matter of the
21 communication(s).

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

23 Cardinal Rivera incorporates by reference his Preliminary Statement and General
24 Objections set forth above. Cardinal Rivera further objects to this Interrogatory because it is
25 overly broad, unduly burdensome and oppressive, and it imposes an unreasonable burden and
26 expense upon Cardinal Rivera. Cardinal Rivera further objects to this Interrogatory because it
27 seeks information that is neither relevant to the subject matter involved in this action nor
28 reasonably calculated to lead to the discovery of admissible evidence. Subject to and without

1 waiving his objections, Cardinal Rivera responds as follows:

2 Cardinal Rivera has received the following written communications from the Roman
3 Catholic Archbishop of Los Angeles regarding Fr. Aguilar, on the following subjects:

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

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

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

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

17 **INTERROGATORY NO. 24:**

18 Has Cardinal Rivera ever received a written communication(s) from Cardinal Roger
19 Mahony?

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

21 Cardinal Rivera incorporates by reference his Preliminary Statement and General
22 Objections set forth above. Cardinal Rivera further objects to this Interrogatory because it is
23 overly broad, unduly burdensome and oppressive, and it imposes an unreasonable burden and
24 expense upon Cardinal Rivera. Cardinal Rivera further objects to this Interrogatory because it
25 seeks information that is neither relevant to the subject matter involved in this action nor
26 reasonably calculated to lead to the discovery of admissible evidence. Subject to and without
27 waiving his objections, Cardinal Rivera responds as follows:

28 Cardinal Rivera has received written communications from Cardinal Mahony regarding

1 Fr. Aguilar.

2 **INTERROGATORY NO. 25:**

3 If Cardinal Rivera has received a written communication(s) from Cardinal Roger
4 Mahony, please identify the date(s) of each communication(s).

5 **RESPONSE TO INTERROGATORY NO. 25:**

6 Cardinal Rivera incorporates by reference his Preliminary Statement and General
7 Objections set forth above. Cardinal Rivera further objects to this Interrogatory because it is
8 overly broad, unduly burdensome and oppressive, and it imposes an unreasonable burden and
9 expense upon Cardinal Rivera. Cardinal Rivera further objects to this Interrogatory because it
10 seeks information that is neither relevant to the subject matter involved in this action nor
11 reasonably calculated to lead to the discovery of admissible evidence. Subject to and without
12 waiving his objections, Cardinal Rivera responds as follows:

13 Cardinal Rivera has received the following written communications from Cardinal
14 Mahony regarding Fr. Aguilar, on the following dates:

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

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

20 **INTERROGATORY NO. 26:**

21 If Cardinal Rivera ever received a written communication(s) from Cardinal Roger
22 Mahony, please identify the subject matter of the communication(s).

23 **RESPONSE TO INTERROGATORY NO. 26:**

24 Cardinal Rivera incorporates by reference his Preliminary Statement and General
25 Objections set forth above. Cardinal Rivera further objects to this Interrogatory because it is
26 overly broad, unduly burdensome and oppressive, and it imposes an unreasonable burden and
27 expense upon Cardinal Rivera. Cardinal Rivera further objects to this Interrogatory because it
28 seeks information that is neither relevant to the subject matter involved in this action nor

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1 reasonably calculated to lead to the discovery of admissible evidence. Subject to and without
2 waiving his objections, Cardinal Rivera responds as follows:

3 Cardinal Rivera has received the following written communications from Cardinal
4 Mahony regarding Fr. Aguilar, on the following subjects:

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

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

10 **INTERROGATORY NO. 27:**

11 Has Cardinal Rivera ever had verbal communication(s) with The Roman Catholic
12 Archbishop of Los Angeles, A Corporation Sole, regarding Nicholas Aguilar?

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

14 Cardinal Rivera incorporates by reference his Preliminary Statement and General
15 Objections set forth above. Subject to and without waiving his objections, Cardinal Rivera
16 responds as follows:

17 Cardinal Rivera has had no verbal communications with the Roman Catholic Archbishop
18 of Los Angeles regarding Fr. Aguilar.

19 **INTERROGATORY NO. 28:**

20 If Cardinal Rivera has had a verbal communication(s) with The Roman Catholic
21 Archbishop of Los Angeles, A Corporation Sole, regarding Nicholas Aguilar, please identify the
22 date(s) of the communication(s).

23 **RESPONSE TO INTERROGATORY NO. 28:**

24 Cardinal Rivera incorporates by reference his Preliminary Statement and General
25 Objections set forth above. Subject to and without waiving his objections, Cardinal Rivera
26 responds as follows:

27 Cardinal Rivera has had no verbal communications with the Roman Catholic Archbishop
28 of Los Angeles regarding Fr. Aguilar.

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1 **INTERROGATORY NO. 29:**

2 If Cardinal Rivera has had a verbal communication(s) with The Roman Catholic
3 Archbishop of Los Angeles, A Corporation Sole, regarding Nicholas Aguilar, please identify the
4 name of the individual(s) with whom Cardinal Rivera has had verbal communication(s).

5 **RESPONSE TO INTERROGATORY NO. 29:**

6 Cardinal Rivera incorporates by reference his Preliminary Statement and General
7 Objections set forth above. Subject to and without waiving his objections, Cardinal Rivera
8 responds as follows:

9 Cardinal Rivera has had no verbal communications with the Roman Catholic Archbishop
10 of Los Angeles regarding Fr. Aguilar.

11 **INTERROGATORY NO. 30:**

12 If Cardinal Rivera ever had a verbal communication(s) with The Roman Catholic
13 Archbishop of Los Angeles, A Corporation Sole, regarding Nicholas Aguilar, please identify the
14 subject matter of the communication(s).

15 **RESPONSE TO INTERROGATORY NO. 30:**

16 Cardinal Rivera incorporates by reference his Preliminary Statement and General
17 Objections set forth above. Subject to and without waiving his objections, Cardinal Rivera
18 responds as follows:

19 Cardinal Rivera has had no verbal communications with the Roman Catholic Archbishop
20 of Los Angeles regarding Fr. Aguilar.

21 **INTERROGATORY NO. 31:**

22 If Cardinal Rivera ever had a verbal communication(s) with The Roman Catholic
23 Archbishop of Los Angeles, A Corporation Sole, regarding Nicholas Aguilar, please state
24 whether notes are in existence which document the subject matter of the communication(s).

25 **RESPONSE TO INTERROGATORY NO. 31:**

26 Cardinal Rivera incorporates by reference his Preliminary Statement and General
27 Objections set forth above. Subject to and without waiving his objections, Cardinal Rivera
28 responds as follows:

7/11/2017

1 Cardinal Rivera has had no verbal communications with the Roman Catholic Archbishop
2 of Los Angeles regarding Fr. Aguilar.

3 **INTERROGATORY NO. 32:**

4 Has Cardinal Rivera ever had verbal communication(s) with Cardinal Roger Mahony,
5 regarding Nicholas Aguilar?

6 **RESPONSE TO INTERROGATORY NO. 32:**

7 Cardinal Rivera incorporates by reference his Preliminary Statement and General
8 Objections set forth above. Subject to and without waiving his objections, Cardinal Rivera
9 responds as follows:

10 Cardinal Rivera has had no verbal communications with Cardinal Roger Mahony
11 regarding Fr. Aguilar.

12 **INTERROGATORY NO. 33:**

13 If Cardinal Rivera has had a verbal communication(s) with Cardinal Roger Mahony,
14 regarding Nicholas Aguilar, please identify the date(s) of the communication(s).

15 **RESPONSE TO INTERROGATORY NO. 33:**

16 Cardinal Rivera incorporates by reference his Preliminary Statement and General
17 Objections set forth above. Subject to and without waiving his objections, Cardinal Rivera
18 responds as follows:

19 Cardinal Rivera has had no verbal communications with Cardinal Roger Mahony
20 regarding Fr. Aguilar.

21 **INTERROGATORY NO. 34:**

22 If Cardinal Rivera has had a verbal communication(s) with Cardinal Roger Mahony,
23 regarding Nicholas Aguilar, please identify the subject matter of the communication(s).

24 **RESPONSE TO INTERROGATORY NO. 34:**

25 Cardinal Rivera incorporates by reference his Preliminary Statement and General
26 Objections set forth above. Subject to and without waiving his objections, Cardinal Rivera
27 responds as follows:

28 Cardinal Rivera has had no verbal communications with Cardinal Roger Mahony

11/10/18

1 regarding Fr. Aguilar.

2 **INTERROGATORY NO. 35:**

3 If Cardinal Rivera has had a verbal communication(s) with Cardinal Roger Mahony,
4 regarding Nicholas Aguilar, please state whether there are any writings which document the
5 subject matter of the communication(s).

6 **RESPONSE TO INTERROGATORY NO. 35:**

7 Cardinal Rivera incorporates by reference his Preliminary Statement and General
8 Objections set forth above. Subject to and without waiving his objections, Cardinal Rivera
9 responds as follows:

10 Cardinal Rivera has had no verbal communications with Cardinal Roger Mahony
11 regarding Fr. Aguilar.

12 **INTERROGATORY NO. 36:**

13 Has Cardinal Rivera every had any conversation(s) with Nicholas Aguilar in which the
14 subject of Aguilar's transfer to California was discussed.

15 **RESPONSE TO INTERROGATORY NO. 36:**

16 Cardinal Rivera incorporates by reference his Preliminary Statement and General
17 Objections set forth above. Cardinal Rivera further objects to this Interrogatory because Plaintiff
18 has exceeded the maximum number of special interrogatories authorized by Section 2030.030 of
19 the California Code of Civil Procedure and declines to respond to this Interrogatory on the same
20 grounds.

21 **INTERROGATORY NO. 37:**

22 If Cardinal Rivera has had a conversation with Nicholas Aguilar in which the subject of
23 Aguilar's transfer to California was discussed, please describe the date of the conversation(s).

24 **RESPONSE TO INTERROGATORY NO. 37:**

25 Cardinal Rivera incorporates by reference his Preliminary Statement and General
26 Objections set forth above. Cardinal Rivera further objects to this Interrogatory because Plaintiff
27 has exceeded the maximum number of special interrogatories authorized by Section 2030.030 of
28 the California Code of Civil Procedure and declines to respond to this Interrogatory on the same

CONFIDENTIAL

1 grounds.

2 **INTERROGATORY NO. 38:**

3 If Cardinal Rivera has had a conversation(s) with Nicholas Aguilar in which the subject
4 of Aguilar's transfer to California was discussed, please describe the substance of the
5 conversation.

6 **RESPONSE TO INTERROGATORY NO. 38:**

7 Cardinal Rivera incorporates by reference his Preliminary Statement and General
8 Objections set forth above. Cardinal Rivera further objects to this Interrogatory because Plaintiff
9 has exceeded the maximum number of special interrogatories authorized by Section 2030.030 of
10 the California Code of Civil Procedure and declines to respond to this Interrogatory on the same
11 grounds.

12 **INTERROGATORY NO. 39:**

13 If Cardinal Rivera has had a conversation(s) with Nicholas Aguilar in which the subject
14 of Aguilar's transfer to California was discussed, please state whether there are any writings
15 which document the subject matter of the conversation(s).

16 **RESPONSE TO INTERROGATORY NO. 39:**

17 Cardinal Rivera incorporates by reference his Preliminary Statement and General
18 Objections set forth above. Cardinal Rivera further objects to this Interrogatory because Plaintiff
19 has exceeded the maximum number of special interrogatories authorized by Section 2030.030 of
20 the California Code of Civil Procedure and declines to respond to this Interrogatory on the same
21 grounds.

22 **INTERROGATORY NO. 40:**

23 Has Cardinal Rivera had any written communication(s) with Nicholas Aguilar in which
24 the subject of Aguilar's transfer to California was discussed.

25 **RESPONSE TO INTERROGATORY NO. 40:**

26 Cardinal Rivera incorporates by reference his Preliminary Statement and General
27 Objections set forth above. Cardinal Rivera further objects to this Interrogatory because Plaintiff
28 has exceeded the maximum number of special interrogatories authorized by Section 2030.030 of

7/15/05

1 the California Code of Civil Procedure and declines to respond to this Interrogatory on the same
2 grounds.

3 **INTERROGATORY NO. 41:**

4 If Cardinal Rivera has had written communication(s) with Nicholas Aguilar in which the
5 subject of Aguilar's transfer to California was discussed, please describe the date of the
6 communication(s).

7 **RESPONSE TO INTERROGATORY NO. 41:**

8 Cardinal Rivera incorporates by reference his Preliminary Statement and General
9 Objections set forth above. Cardinal Rivera further objects to this Interrogatory because Plaintiff
10 has exceeded the maximum number of special interrogatories authorized by Section 2030.030 of
11 the California Code of Civil Procedure and declines to respond to this Interrogatory on the same
12 grounds.

13 **INTERROGATORY NO. 42:**

14 If Cardinal Rivera has had written communication(s) with Nicholas Aguilar in which the
15 subject of Aguilar's transfer to California was discussed, please describe the substance of the
16 communication(s).

17 **RESPONSE TO INTERROGATORY NO. 42:**

18 Cardinal Rivera incorporates by reference his Preliminary Statement and General
19 Objections set forth above. Cardinal Rivera further objects to this Interrogatory because Plaintiff
20 has exceeded the maximum number of special interrogatories authorized by Section 2030.030 of
21 the California Code of Civil Procedure and declines to respond to this Interrogatory on the same
22 grounds.

23 **INTERROGATORY NO. 43:**

24 Does Cardinal Rivera own any property in California, United States of America?

25 **RESPONSE TO INTERROGATORY NO. 43:**

26 Cardinal Rivera incorporates by reference his Preliminary Statement and General
27 Objections set forth above. Cardinal Rivera further objects to this Interrogatory because Plaintiff
28 has exceeded the maximum number of special interrogatories authorized by Section 2030.030 of

7/11/18

1 the California Code of Civil Procedure and declines to respond to this Interrogatory on the same
2 grounds.

3 **INTERROGATORY NO. 44:**

4 If Cardinal Rivera does own property in California, United States of America, please
5 identify the property.

6 **RESPONSE TO INTERROGATORY NO. 44:**

7 Cardinal Rivera incorporates by reference his Preliminary Statement and General
8 Objections set forth above. Cardinal Rivera further objects to this Interrogatory because Plaintiff
9 has exceeded the maximum number of special interrogatories authorized by Section 2030.030 of
10 the California Code of Civil Procedure and declines to respond to this Interrogatory on the same
11 grounds.

12 **INTERROGATORY NO. 45:**

13 If Cardinal Rivera does own property in California, United States of America, please
14 state the date the property was acquired.

15 **RESPONSE TO INTERROGATORY NO. 45:**

16 Cardinal Rivera incorporates by reference his Preliminary Statement and General
17 Objections set forth above. Cardinal Rivera further objects to this Interrogatory because Plaintiff
18 has exceeded the maximum number of special interrogatories authorized by Section 2030.030 of
19 the California Code of Civil Procedure and declines to respond to this Interrogatory on the same
20 grounds.

21 **INTERROGATORY NO. 46:**

22 If Cardinal Rivera does own property in California, United States of America, please
23 describe the nature of use of the property.

24 **RESPONSE TO INTERROGATORY NO. 46:**

25 Cardinal Rivera incorporates by reference his Preliminary Statement and General
26 Objections set forth above. Cardinal Rivera further objects to this Interrogatory because Plaintiff
27 has exceeded the maximum number of special interrogatories authorized by Section 2030.030 of
28 the California Code of Civil Procedure and declines to respond to this Interrogatory on the same

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grounds.

Dated: May 18, 2007

MAYER, BROWN, ROWE & MAW LLP
MICHAEL L. CYPERS
STEVEN R. SELSBERG
EVAN M. WOOTEN

By: 
Evan M. Wooten

Attorneys for Defendants Appearing Specially
CARDINAL NORBERTO RIVERA AND THE
DIOCESE OF TEHUACAN

10/11/07

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VERIFICATION

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

Dated: 05 - 07, 2007

By: *J. M. Card. Rivera*
Cardinal Norberto Rivera Carrera

NOV 14 2007

1 **PROOF OF SERVICE**

2 I, Haewon Park, declare:

3 I am employed in Los Angeles County, California. I am over the age of eighteen years
4 and not a party to the within-entitled action. My business address is 350 South Grand Avenue,
5 25th Floor, Los Angeles, California 90071-1503. On May 18, 2007, I served a copy of the
6 within document(s):

7 **DEFENDANT CARDINAL NORBERTO RIVERA'S RESPONSES TO**
8 **PLAINTIFF'S INTERROGATORIES REGARDING JURISDICTION**

- 9 by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- 10 by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below.
- 11
- 12 by placing the document(s) listed above in a sealed UPS envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a UPS agent for delivery.
- 13
- 14 by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- 15

16 *Please see attached service list.*

17 I am readily familiar with the firm's practice of collection and processing correspondence
18 for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same
19 day with postage thereon fully prepaid in the ordinary course of business. I am aware that on
20 motion of the party served, service is presumed invalid if postal cancellation date or postage
21 meter date is more than one day after date of deposit for mailing in affidavit.

22 I declare under penalty of perjury under the laws of the State of California that the above
23 is true and correct.

24 Executed on May 18, 2007, at Los Angeles, California.

25 

26 Haewon Park

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40/11/07

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SERVICE LIST

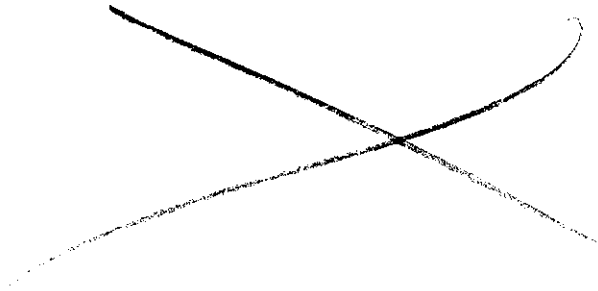
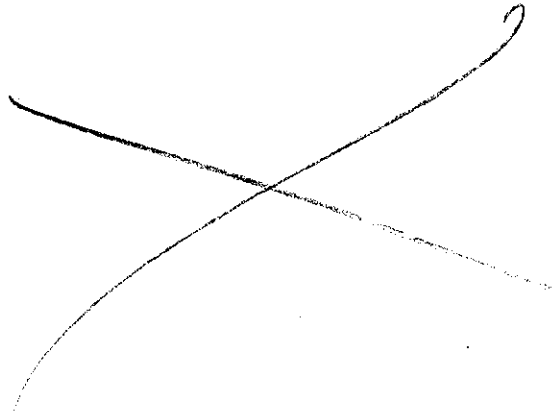
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Fax: (213) 694-1234

10/15/09



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**Exhibit
No. C**

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

LIMITED LIABILITY PARTNERSHIP

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

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(1958-2005)

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

MATTHEW J. McNAUGHTON
Of Counsel

July 11, 2007

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

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

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

Dear Counsel:

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

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

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

Sincerely,

CARCIONE, CATTERMOLE, DOLINSKI, ET AL.

By: 

Gary W. Dolinski, Esq.

7/15/07

GWD/hs
opeiu3-afl-cio(259)

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

Attachments: Declarations for Additional Discovery (2).

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

1/1/07

1 Lawrence E. Drivon, Esq. (State Bar No. 46660)
David E. Drivon, Esq. (State Bar No. 158369)
2 Robert T. Waters, Esq. (State Bar No. 196833)
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Telephone: (651) 227-9990

8 Joseph W. Carcione, Jr., Esq. (State Bar No. 56693)
9 Gary W. Dolinski, Esq. (State Bar No. 107725)
Mara W. Feiger, Esq. (State Bar No. 143247)
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P.O. Box 3389
12 Redwood City, CA 94064
Telephone: (650) 367-6811

13 Attorneys for Plaintiff:
14 JOAQUIN AGUILAR MENDEZ

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

19 JOAQUIN AGUILAR MENDEZ,

Case No. BC358718

20 Plaintiff,

21 vs.

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

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

25 Defendants.
26 _____ /
27
28

1.

Plaintiff's Counsel Declaration For Additional Discovery re:
Special Interrogatories, Set No. 1, to Defendant Cardinal Rivera

DECLARATION OF COUNSEL

I, Gary W. Dolinski, on oath state:

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

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

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

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

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

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

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

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

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

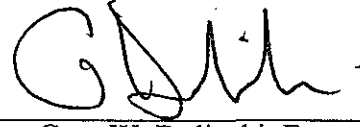
2 (9) None of the Special Interrogatories in this set were propounded for any
3 improper purpose, such as to harass the party, or attorney for the party, to whom it is directed,
4 or to cause unnecessary delay or needless increase in the cost of litigation.

5

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

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

9



10 _____
11 Gary W. Dolinski, Esq.

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

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

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

13 Attorneys for Plaintiff:
14 JOAQUIN AGUILAR MENDEZ

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

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

Case No. BC358718

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

DECLARATION OF COUNSEL

I, Gary W. Dolinski, on oath state:

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

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

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

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

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

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

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

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

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

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

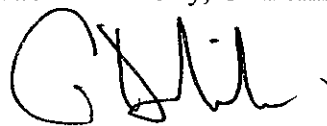
5

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

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

9

10



Gary W. Dolinski, Esq.

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 *** MULTI TX/RX REPORT ***

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

LIMITED LIABILITY PARTNERSHIP

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

DANIELLE UKSHINI
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 AARON B. MARKOWITZ
 NEAL A. MARKOWITZ
 MARA W. FEIGER
 HILLARY A. HEARNING

MATTHEW J. McNAUGHTON
 Of Counsel

July 11, 2007

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

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

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

Dear Counsel:

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

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

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

*** ERROR TX REPORT ***

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

LIMITED LIABILITY PARTNERSHIP

JOSEPH W. CARCIONE, JR., P.C.
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JOSHUA S. MARKOWITZ
JOHN P. CARCIONE

DANIELLE UKSHINI
(1958-2005)

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

MATTHEW J. McNAUGHTON
Of Counsel

July 11, 2007

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

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

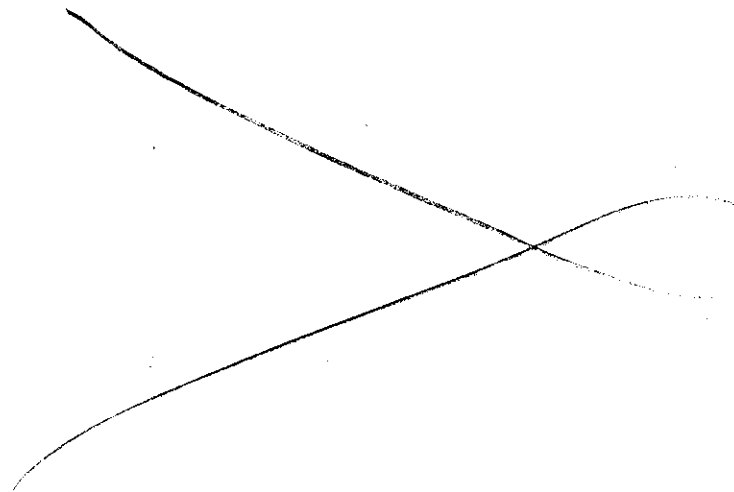
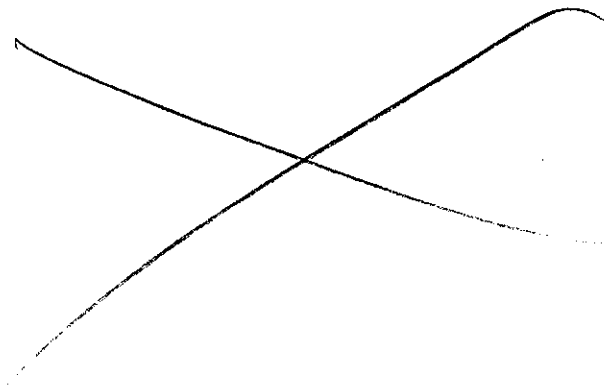
Re: *Joaquin Mendez v. Cardinal Roger Mahony, et al.*
[Los Angeles County Superior Court No. BC358718]

Dear Counsel:

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

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



40/11/11

**Exhibit
No. D**



July 13, 2007

BY FAX

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

Mayer, Brown, Rowe & Maw LLP
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Los Angeles, California 90071-1503

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

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

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

Dear Mr. Dolinski:

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

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

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

EXD

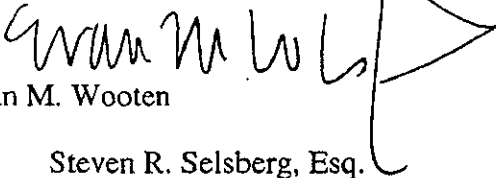
Mayer, Brown, Rowe & Maw LI

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

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

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

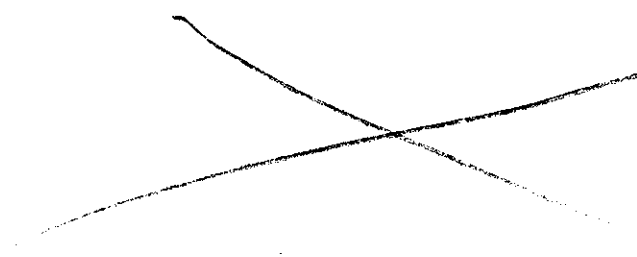
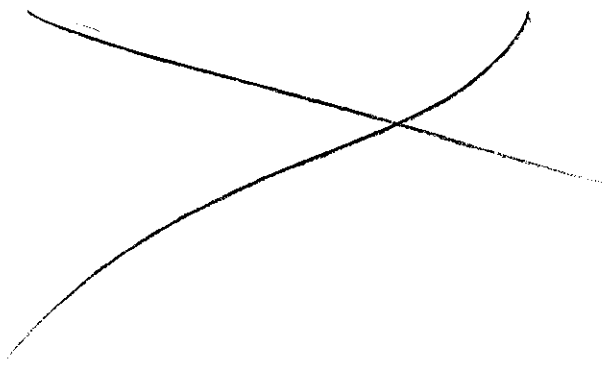
Sincerely,



Evan M. Wooten

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

7/13/07



10/11/04

**Exhibit
No. E**

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

LIMITED LIABILITY PARTNERSHIP

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



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

MATTHEW J. McNAUGHTON
Of Counsel

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

DANIELLE UKSHINI
(1958-2005)

July 13, 2007

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

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

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

Dear Counsel:

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

Plaintiffs will proceed to motion practice.

Sincerely,

CARCIONE, CATTERMOLE, DOLINSKI, ET AL.

By: 

Gary W. Dolinski, Esq.

GWD/hs
cpeiu3-afl-cio(259)

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

EX E

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

- cc: Laurence E. Drivon, Esq.
David E. Drivon, Esq.
Robert T. Waters, Esq.
Stockton Attorneys for Plaintiff
[by telecopier, only (209) 463-7668]

- cc: Michael Finnegan, Esq.
St. Paul Attorney for Plaintiff
[by telecopier, only (651) 297-6543]

- cc: Martin D. Gross, Esq.
Santa Monica Attorney for Plaintiff
[by telecopier, only (310) 861-1359]

7/13/07

*** MULTI TX/RX REPORT ***

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

LIMITED LIABILITY PARTNERSHIP

JOSEPH W. CARCIONE, JR., P.C.
GREGORY C. CATTERMOLLE
GARY W. DOLINSKI
GERALD K. OKIMOTO
ROGER W. STUCKY
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NEAL A. MARKOWITZ
MARA W. FEIGER
HILLARY A. HERNING

MATTHEW J. McNAUGHTON
Of Counsel

July 13, 2007

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

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

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

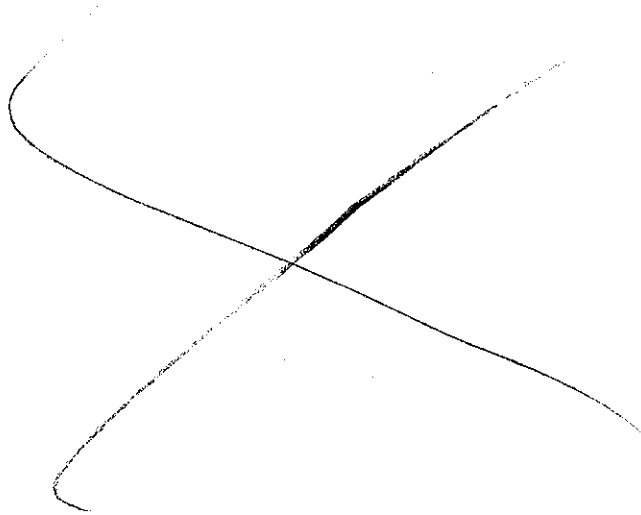
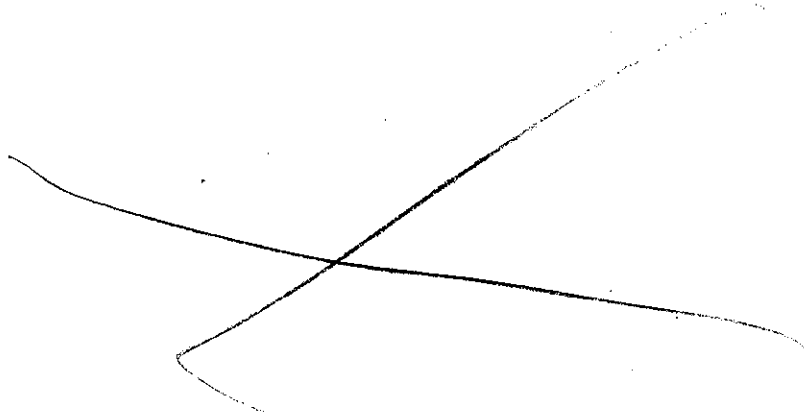
Dear Counsel:

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

Plaintiffs will proceed to motion practice.

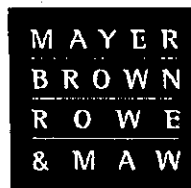
Sincerely,

CARCIONE, CATTERMOLLE, DOLINSKI, ET AL.



CONFIDENTIAL

**Exhibit
No. F**



July 13, 2007

BY FAX

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

Mayer, Brown, Rowe & Maw LLP
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Main Fax (213) 625-0248
www.mayerbrownrowe.com

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

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

Dear Mr. Dolinski:

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

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

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

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

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

EXF

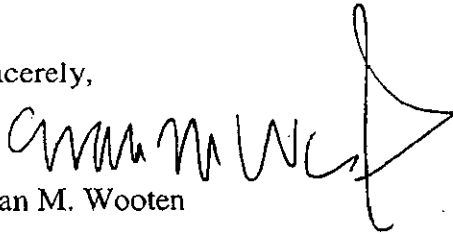
Mayer, Brown, Rowe & Maw LLP

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

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

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

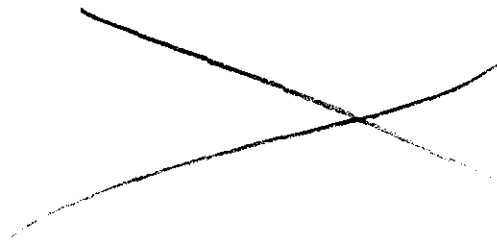
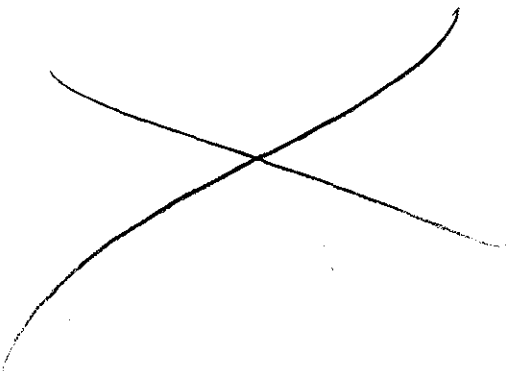
Sincerely,



Evan M. Wooten

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

7/13/07



2/11/07

**Exhibit
No. G**

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

LIMITED LIABILITY PARTNERSHIP

JOSEPH W. CARCIONE, JR., P.C.
GREGORY C. CATTERMOLE
GARY W. DOLINSKI
GERALD K. OKIMOTO
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JOHN P. CARCIONE

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AARON B. MARKOWITZ
NEAL A. MARKOWITZ
MARA W. FEIGER
HILLARY A. HERNING

MATTHEW J. McNAUGHTON
Of Counsel

July 16, 2007

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

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

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

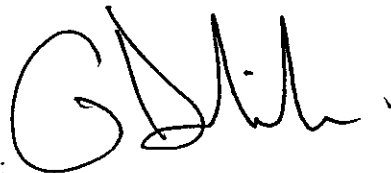
Dear Counsel:

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

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

Sincerely,

CARCIONE, CATTERMOLE, DOLINSKI, ET AL.

By: 

Gary W. Dolinski, Esq.

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GWD/hs
opeiu3-afl-cio(259)

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

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

7/16/07

 *** MULTI TX/RX REPORT ***

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

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 AARON B. MARKOWITZ
 NEAL A. MARKOWITZ
 MARA W. FEIGER
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 Of Counsel

July 16, 2007

BY TELECOPIER ONLY [(213) 625-0248]

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

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

Dear Counsel:

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

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

Sincerely,

CARCIONE, CATTERMOLE, DOLINSKI, ET AL.