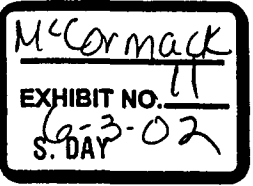


ECKERT SEAMANS CHERIN & MELLOTT

ATTORNEYS AT LAW



September 27, 1993

CONFIDENTIAL

One International Place 18th Floor
Boston, MA 02110
Telephone 617/342-6800
Facsimile 617/342-6899

PERSONAL AND CONFIDENTIAL

Wilson D. Rogers, Jr., Esquire
Dunn & Rogers
20 Beacon Street
Boston, MA 02108

Re: Allegations of Sexual Abuse Against Priests in the Archdiocese of Boston

Dear Wil:

We have recently been contacted by numerous additional individuals alleging sexual abuse by priests operating within the Archdiocese of Boston ("the Archdiocese"). These new allegations concern the actions of eight current or former Archdiocesan priests: Father Bernard J. Lane, Father C. Melvin Surrette, Father Allan Roche, Father Eugene O'Sullivan, Father Ernest Tourigney, Father Paul J. Mahan, Father Robert Towner, and Father Paul Shanley. When added to the other nine men who we are currently representing in claims of sexual abuse involving Archdiocese of Boston priests, and who we have previously notified you about, the striking coincidence of so much predatory abuse occurring in the Archdiocese during roughly the same period of time is an astounding event which reveals an extremely disturbing pattern of institutional and pastoral negligence on the part of the Archdiocese, as the facts below will amply substantiate.

Moreover, while at this stage twenty-two more men and women have come forward with these fresh allegations, several of our clients have provided us with solid additional information which shows that there are a great deal more victims of these abusers who have yet to come forward. Based on what they have reported to us, and what has been verified by independent sources, we have every reason to believe their accounts as true. Therefore we believe that if these matters proceed to litigation, many others will come forward and join this action.

What follows is necessarily only a brief precis of each of the most recent allegations we have received, followed by a status report on similar claims which we have already brought to your attention, and which are awaiting your prompt response:

Boston

Pittsburgh

Harrisburg

Allentown

Philadelphia

Buffalo

Fort Lauderdale

Boca Raton

Miami

Tallahassee

Washington, D.C.

I. Father Bernard J. Lane, Father C. Melvin Surrette (Alpha-Omega, Inc.)

In the most alarming and far-reaching charge to come to our attention since the recent matter of Father James Porter, [REDACTED] has notified this office about the repeated sexual molestation of himself and potentially hundreds of other youths who were enrolled

RODRICK MACLEISH JR.
617/342-6820

ECKERT SEAMANS CHERIN & MELLOTT

ATTORNEYS AT LAW

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 2

in the Alpha-Omega program in Littleton, Massachusetts, during the 1970s. The number of possible claimants in this action alone is vast. We make such a bold estimate only after carefully reviewing the highly credible information we have received from Mr. [REDACTED], judging the number of young men who progressed through the Alpha-Omega program, and learning from Mr. [REDACTED] the average number of young men who were, at any one time, being rotated through this facility. Our initial estimates, therefore, are not casual hyperbole. I would also urge you to speak with Sister Catherine Mulkerrin, who met with Mr. [REDACTED] on July 30 regarding these charges.

Mr. [REDACTED] claims that, for years, Fr. Lane and Fr. Surrrette openly and systematically abused a great many of the young men who passed through this treatment program for troubled adolescents. Mr. [REDACTED] is ready to show, in addition to basic charges of sexual molestation on an enormous scale, that Fr. Lane and Fr. Surrrette, two current priests of the Archdiocese of Boston, colluded openly in their abusive actions, sometimes abusing young men simultaneously in neighboring beds in Fr. Lane's bedroom. The events herein described were accomplished under the guise of a novel treatment program at Alpha-Omega, supported in whole or in part by the Archdiocese of Boston, which gave Fr. Lane and Fr. Surrrette unlimited and unimpeded access to their victims. Our client, however, is quite prepared to show that the Archdiocese, through its agents, knew or should have known that vast numbers of youth placed in its care were being regularly and systematically preyed upon by some of its own employees, acting in concert with one another, who to this day — despite confirmed reports of sexual abuse being made against either one or both of them — continue to enjoy the Archdiocese's blessing to have access to youth.

Fr. Bernard Lane

Mr. [REDACTED] first became associated with Fr. Lane in the fall of 1971. Mr. [REDACTED] was [REDACTED] years old, and had just become a resident at the Alpha-Omega program in Littleton, Massachusetts. During the time that Mr. [REDACTED] was a resident at Alpha-Omega, he claims that he was repeatedly sexually abused by Fr. Lane and Fr. Surrrette, on various occasions and in various locations, between October 1971 and the Fall of 1972. At any one time, Fr. Lane oversaw a community of some 18-20 adolescents, and lived on-site during the entire time that Mr. [REDACTED] was a resident there.

Mr. [REDACTED] asserts that the abuse by Fr. Lane began after the priest had spent several years gaining the boy's trust through therapy meetings and social outings, either alone or with other individuals. Fr. Lane began requesting Mr. [REDACTED] to remove different articles of clothing during their private therapy sessions. Fr. Lane would insist on giving Mr. [REDACTED] backrubs and full-body massages, calling these massages "rushes." According to Fr. Lane, the massages were necessary since he was merely teaching the boys how to satisfy women when they eventually graduated from the Alpha-Omega program. From this point on, the nature of the abuse escalated. Fr. Lane began

ECKERT SEAMANS CHERIN & MELLOTT

ATTORNEYS AT LAW

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 3

concentrating these massages on Mr. [REDACTED]'s genital area; then Fr. Lane began masturbating Mr. [REDACTED], and rubbing his erect penis against Mr. [REDACTED]'s body. Fr. Lane would climb on top of Mr. [REDACTED], place his penis against Mr. [REDACTED]'s stomach and genital area, and begin "humping" Mr. [REDACTED] until Fr. Lane ejaculated. During the entire act, Fr. Lane would whisper promises to the boy to the effect that Fr. Lane would not "stick [his penis] in him." Again, Fr. Lane would justify these actions as therapy, claiming that the ultimate objective of such sessions was to teach Mr. [REDACTED] how to ejaculate simultaneously with another individual.

These abusive "sessions" occurred numerous times at Alpha-Omega, usually in Fr. Lane's private quarters. According to Mr. [REDACTED], Fr. Lane always had a few "favorites" among the young residents at Alpha-Omega, who were encouraged to sleep with Fr. Lane repeatedly. At any given time, there was usually always an Alpha-Omega resident staying overnight in Fr. Lane's bedroom and being subjected to this same treatment. From time to time, Fr. Lane also took some of the boys, either alone or in groups, to his lakeside cabin in New Hampshire. Mr. [REDACTED] was sexually abused on at least one occasion that he can recall during an overnight stay at this house, and he is aware of other boys being requested to sleep in Fr. Lane's bed with the priest. The abuse of Mr. [REDACTED] stopped when Mr. [REDACTED] "graduated" from Alpha-Omega, in 1976.

Fr. C. Melvin Surrrette

Fr. C. Melvin Surrrette was a friend of Fr. Lane, in addition to being a part-time counsellor at Alpha-Omega. According to our client, Fr. Surrrette would visit Alpha-Omega once or twice a week, on average. He invited Mr. [REDACTED] to his parish residence at a church in Cambridge, Massachusetts, and asked Mr. [REDACTED] to remove his shirt and lie on the floor. Fr. Surrrette proceeded to rub Mr. [REDACTED]'s back and buttocks, and then tried to convince Mr. [REDACTED] to remove his pants. Mr. [REDACTED] refused. Fr. Surrrette often invited some of his young counselees out for a sail on his 30-foot sailboat, out of Marblehead. On one occasion in particular, Fr. Surrrette invited Mr. [REDACTED] out for a sail. He encouraged Mr. [REDACTED] to remove his clothing, and then Fr. Surrrette removed his own. Fr. Surrrette held Mr. [REDACTED] close to him, requesting that his young counslee sit naked between Fr. Surrrette's legs while the priest operated the rudder. Fr. Surrrette would stare at Mr. [REDACTED] and take pictures of Mr. [REDACTED] while Mr. [REDACTED] was nude, steering the sailboat.

According to Mr. [REDACTED], there is substantial evidence to support the claim that Fr. Lane conspired with Fr. Surrrette to sexually abuse the young boys at Alpha-Omega, or at least knew that each other was abusing youths in their care. Not surprisingly, Fr. Surrrette employed the same methods for gaining the trust and confidence of the Alpha-Omega residents, and Fr. Surrrette invariably cultivated this "trust" with most of the same youths who Fr. Lane particularly favored and was able to sexually abuse. In addition,

ECKERT SEAMANS CHERIN & MELLOTT

ATTORNEYS AT LAW

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 4

Fr. Surrrette's abusive actions followed the same progression as Fr. Lane's: He began by encouraging youths to partially undress, and then gave them "rushes," all under the guise of therapy and mentoring. This eventually escalated to "humping," masturbating the youths, and possibly oral sodomy. Fr. Lane and Fr. Surrrette also both used the same pseudo-therapeutic "language" with regard to their sexual activities, to convince the youths that what they were engaging in was part of a process of "getting close" to other males. Finally, on at least one occasion, Fr. Surrrette was sexually abusing Mr. [REDACTED] in one bed in Fr. Lane's bedroom while Fr. Lane was simultaneously abusing another youth in an adjoining bed. In addition, only Fr. Lane was authorized to give permission for the Alpha-Omega residents to go sailing with Fr. Surrrette. All of this points directly and irrefutably to a highly collusive relationship between Fr. Lane and Fr. Surrrette with regard to the sexual abuse of youth in their care.

Mr. [REDACTED] claims that a great number of the residents at Alpha-Omega were similarly subjected to Fr. Lane's and Fr. Surrrette's sexually abusive "therapies." He describes how Fr. Lane often spent weeks attempting to gain a young resident's trust, even going so far as to declare to many of them on many occasions that he was the boys' true "father-figure." Mr. [REDACTED] estimates that nearly all of those residents who went on to become resident-counselors at Alpha-Omega had been put through Fr. Lane's peculiar form of therapy. He has already provided this office with a partial list of more than ten young men who he believes were sexually abused by Fr. Lane and/or Fr. Surrrette, and as his memory becomes clearer as to the identities of other victims, and word gets out about this case, we expect that list to grow substantially. He has also expressed a willingness to begin contacting these individuals in the coming weeks.

Mr. [REDACTED]'s claims represent one of the most serious and compelling charges of sexual abuse this firm has ever seen. If Mr. [REDACTED]'s estimates are accurate — and we have every reason to believe they are — then Fr. Lane's and Fr. Surrrette's sexually predatory actions have touched the lives of an enormous number of Massachusetts youth. It is shocking, too, that despite being cited for sexual abuse as far back as 1978, and with such certainty that he was apparently removed from Alpha-Omega, Fr. Lane is now in charge of a local church, Our Lady of Grace, in Chelsea-Everett, Massachusetts, which has a grammar school. Our client is deeply anguished by the fact that Fr. Lane continues to have unrestricted access to youth in the years since he was removed from Alpha-Omega, even though the Archdiocese was alerted to his ephebophilic habits as long as fifteen years ago.

Additionally, Fr. Surrrette has for several years been Director of Life Resources, Inc., a social service agency linked to the Archdiocese of Boston under the auspices of the Drug Commission of the Archdiocese of Boston. Mr. [REDACTED] is also profoundly anguished that Fr. Surrrette continues to have unrestricted access to youth, especially troubled youth, who he knows all too well from personal experience have a very great tendency to look up to and trust the clerical role models who oversee these treatment

ECKERT SEAMANS CHERIN & MELLOTT

ATTORNEYS AT LAW

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 5

programs. Fr. Surrette's predatory abuse of his priestly office at least during the years that Mr. [REDACTED] was a resident of Alpha-Omega give very good reason to believe that Fr. Surrette may well be pursuing his sexually abusive activities in his present environment. All of the clinical and pastoral literature dealing with the treatment of known pedophiles and ephebophiles indicates that these are in no way entirely "curable" or treatable conditions.

The damages that Mr. [REDACTED] has suffered as a result of these two priests' actions are permanent and profound. Reference is made to my September 8, 1993 demand letter to your office on behalf of [REDACTED], in which Mr. [REDACTED] asserts the specific financial and non-financial terms of his demand. Foremost among our concerns is that Fr. Lane and Fr. Surrette continue to have unsupervised access to youth. We must emphasize that Mr. [REDACTED]'s paramount hope in pursuing this case lies in ensuring that no more youths be exposed to Fr. Lane and Fr. Surrette. We expect a report from the Archdiocese immediately outlining the concrete steps it is taking toward a full accounting and investigation of these serious charges, and a report on precisely how the Archdiocese intends to deal with Fr. Lane and Fr. Surrette in a more permanent fashion other than merely moving these two known ephebophiles from one institution to another. In addition to these demands, as outlined in greater detail in our September 8 letter, Mr. [REDACTED] makes demand upon Fr. Lane, Fr. Surrette, Alpha-Omega, Inc., and the Archdiocese of Boston in the amount of [REDACTED]

2. Father Allan Roche (St. Monica's Church, Methuen, Massachusetts)

The specifics of [REDACTED]'s charges against Father Allan Roche constitute one of the most heinous and inhuman reports that I or anyone else in this firm has ever seen. Ms. [REDACTED] claims that she was raped innumerable times by Fr. Roche, often in the basement of [REDACTED], where Fr. Roche frequently [REDACTED]. The abuse began in approximately 19[REDACTED], when Ms. [REDACTED] was [REDACTED] years old, and lasted approximately 7 years. The abuse consisted of forcible vaginal (and perhaps anal) penetration of Ms. [REDACTED] by Fr. Roche's penis. She also remembers being forced to suck Fr. Roche's penis and swallow large amounts of ejaculate, to the point of gagging. She claims that in several instances, there was another, as yet unnamed priest present, who alternated with Fr. Roche in forcibly restraining Ms. [REDACTED] while one or the other raped her and orally and anally sodomized her. Ms. [REDACTED] also remembers many occasions in which Fr. Roche got into her bed while she lay sleeping, forcing her legs so far apart that she experienced wrenching pain, and raping her from behind on so many occasions that it began to feel like a "usual experience with [Fr. Roche] at this young age." He also performed these same actions on a table in her basement, forcing her legs so far apart that, to this day, Ms. [REDACTED] distinctly remembers the sound of her legs cracking in the joints as he did this. Fr. Roche repeatedly threatened that if Ms. [REDACTED] told her mother of the abuse, it "would kill" her. [REDACTED]

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 6

██████████

The injuries that Ms. ██████████ has suffered as the result of this alleged abuse are, as you can well imagine, extreme. For more than ██████████ years she has carried within her a most profound sense of her own shameful guilt. Her therapist, Dr. ██████████, reports that Ms. ██████████'s daily functioning has been violently impaired by recent memories of the period and particulars of her abuse, including numbing flashbacks and sudden panic attacks. She is suicidal and in constant terror. She is extremely hampered by a constant affliction with dissociative states, lethargy, impaired concentration, extreme fear and anxiety, and severe post-traumatic stress disorder. Due not only to the possible ritual aspect to her abuse but also to Fr. Roche's innumerable repeated threats to her if she reported the abuse, Ms. ██████████ possesses, even to this day, an "extreme fear of retaliation for telling these forbidden secret acts [which] increases with each new memory." The accumulation of suffering, as well as the recent appearance of the most wrenching flashbacks and body memories, has forced Ms. ██████████ out of a promising job and onto disability assistance. She is highly dependent on prescribed psychotropic medications because of the overwhelming sense of shame, self-hatred, and depression occasioned by these horrendous experiences. There is no prospect that she will ever work again, thereby putting a great strain on her husband and family.

You will soon receive a detailed demand letter from this office regarding this most serious claim. We appreciate that the Archdiocese is presently reimbursing part of Ms. ██████████'s considerable therapy and medical expenses. In the immediate interim, however, Ms. ██████████ requests from the Archdiocese explicit assurances that Fr. Roche is not still functioning in a position which gives him unsupervised access to youth. Ms. ██████████ has also claimed that, in the period immediately preceding Fr. Roche's abuse of her, he was suddenly transferred out of a promising Boston-area assignment to a remote parish in the Carolinas. He was then abruptly moved back to another parish in Boston. Such sudden movements seem to be in keeping with the Archdiocese's policy of shuffling abusive priests from one assignment to another whenever suspicions or allegations are made against them in the parish where they work. Furthermore, as you will note, *infra*, the alleged abuse perpetrated against several of our other clients by Father Ronald Pacquin at St. Monica's Church (Methuen) occurred while Fr. Allan Roche was the pastor of that church.

3. Father Paul J. Mahan (St. Joseph's Church, Needham, MA)

██████████ asserts that he was sexually molested by Fr. Paul Mahan repeatedly during the period 19██-██, when Mr. ██████████ was in the sixth and seventh grades at St. Joseph's in Needham. The abuse began when Fr. Mahan began asking Mr. ██████████ then ██████████ years old, to help move the priest's video equipment, assist in setting up audio-visual shows, and do work with the priest in his darkroom in the St. Joseph's rectory. The

ECKERT SEAMANS CHERIN & MELLOTT

ATTORNEYS AT LAW

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 7

abuse began with Fr. Mahan asking sexually leading questions during private confession, and dwelling on sexual topics. It also consisted of Fr. Mahan touching Mr. [REDACTED] inappropriately, constantly rubbing Mr. [REDACTED]'s shoulders, putting his hands down Mr. [REDACTED]'s pants, and touching the boy's genitals. After concluding these kinds of acts with the boys, our client reports that Fr. Mahan would say to them, "We'll just call that our little torture treatment," and on many occasions would threaten to give them "the torture treatment." In return for helping him with errands, Fr. Mahan would often give Mr. [REDACTED] and other boys amounts of money which, for their age, seemed quite large. Our client now believes that the money was used to keep him and his friends from reporting Fr. Mahan. He would also invite Mr. [REDACTED] and other boys out for rides in his car, during which rides Fr. Mahan would molest whatever child was sitting next to him. Mr. [REDACTED] describes how, whenever Fr. Mahan gathered a group of boys to accompany him on errands or trips in his car, the boys would always struggle quietly amongst themselves to avoid having to sit in the front seat, especially in the middle position, where it was common knowledge among them Fr. Mahan would be able to molest them, rubbing their crotches and forcefully placing their hands on his own groin. Mr. [REDACTED] reports that Fr. Mahan repeatedly attempted to take him and a friend out on the priest's sailboat, but Mr. [REDACTED] and his friend refused, fearful of what would happen there. He knows of many other boys who did go out on Fr. Mahan's boat, however, and claims that several of them developed severe psychological problems in the years since.

Mr. [REDACTED] states that Fr. Mahan was suddenly removed from St. Joseph's Church, "without warning," sometime around 1980 or '81, and transferred to St. Matthew's Church in Dorchester. (This memory is very clear, he says, because the custom around St. Joseph's Church had been that, whenever a priest was leaving or being transferred, there was always an announcement and a farewell party held for the departing priest. Fr. Mahan was suddenly and without explanation transferred out of St. Joseph's, "one day he was just gone," according to Mr. [REDACTED].) Mr. [REDACTED] further states that Fr. Mahan was recently removed from St. Joseph's in Dorchester under suspicion of sexual improprieties with a young girl, while assigned to St. Ann's, Neponset, approximately twenty years ago. The [REDACTED] family has also made us aware of the fact that at least two more people from St. Ann's Church have recently come forward with fresh allegations against Fr. Mahan for sexual improprieties.

[REDACTED] claims that he was molested by Fr. Mahan several times during the summer of 1970, just before Mr. [REDACTED] entered the sixth grade. The abuse took place primarily in the St. Joseph's Church rectory private quarters, during periods when Fr. Mahan had engaged Mr. [REDACTED] and other boys to help the priest carry video equipment and other heavy things. The abuse consisted of inappropriate touching, rubbing Mr. [REDACTED]'s shoulders, chest and stomach, and ending up with Fr. Mahan reaching down into Mr. [REDACTED]'s pants to touch Mr. [REDACTED]'s genitals. Fr. Mahan kept pressuring Mr. [REDACTED] to accompany him on sailing trips on Fr. Mahan's boat, but Mr. [REDACTED] refused. Fr.

ECKERT SEAMANS CHERIN & MELLOTT

ATTORNEYS AT LAW

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 8

Mahan also tried to gain the boys' trust by giving them large sums of money for doing small tasks like carrying Fr. Mahan's video equipment. (Mr. [REDACTED] reports that Fr. Mahan was widely referred to as "Fr. Feel-My-Hand" and "Big Balls Mahan" by the young boys in the parish.) The abuse ended when Mr. [REDACTED] and his best friend, [REDACTED], agreed together to stop having anything to do with Fr. Mahan. Since the commencement of the abuse, Mr. [REDACTED] has experienced feelings of extreme distrust of most authority figures, an inability to have faith in religions and especially the clergy, profound difficulty achieving intimacy in relationships, anxiety, anger, and general dysthymia.

4. Father Robert Towner (St. Mary of the Assumption Church, Brookline, and Family Counseling and Guidance, Boston)

[REDACTED] asserts that he was sexually molested repeatedly by Fr. Towner during the years 1966-67, while Fr. Towner was at St. Mary of the Assumption Church in Brookline, MA. At the time, Mr. [REDACTED] was around [REDACTED] years old, and in the eighth grade. The abuse began when Fr. Towner urged Mr. [REDACTED] to accompany him on an overnight trip to New Hampshire. They stayed at a lakeside cabin belonging to Fr. Towner. Though it was quite cool out, Fr. Towner told Mr. [REDACTED] that the custom "up here" was to swim naked in the lake, which they did. When it came time to sleep, Fr. Towner said that it was too cold for them to sleep in separate beds, and told Mr. [REDACTED] that they had to share the same bed. Mr. [REDACTED] woke up in the middle of the night to discover Fr. Towner sucking his penis. When he had finished, Fr. Towner forced Mr. [REDACTED] to perform oral sodomy on him. On another occasion, Mr. [REDACTED] reports being brought on another overnight trip to New Hampshire by Fr. Towner. On this occasion, however, they were accompanied by another priest, a Fr. Jack Craig, who also had a very young boy with him. The priests brought the two boys to a trailer, but at this point his memory fails him, and he can remember only vaguely what they may have done that night in the trailer. Mr. [REDACTED] reports that his own brother, [REDACTED], was also brought to that trailer in New Hampshire by Fr. Towner, and developed deep psychological problems in the months and years immediately following that visit.

There is strong evidence to show that the Archdiocese knew of Fr. Towner's abusive proclivities, but merely shuffled him from parish to parish to hide the true nature of his activities. Mr. [REDACTED] reports that, on one occasion, the pastor of St. Mary's, Fr. Frank Sexton, discovered Mr. [REDACTED] upstairs in the priests' private quarters, where he had been brought by Fr. Towner for the purpose of sexual activity. Fr. Sexton was "noticeably angry" that Mr. [REDACTED] was there. Fr. Towner was suddenly transferred to a parish in Weymouth right after this incident. It is worthwhile to note, in this regard, that at the time, Fr. Sexton was Chancellor of the Archdiocese, in charge of personnel transfers. He is retired and living in the Boston area.

ECKERT SEAMANS CHERIN & MELLOTT

ATTORNEYS AT LAW

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 9

██████████ reports that he was molested by Fr. Towner in 1983, when Mr. ██████████ was 14 years old. At the time, Fr. Towner was a counselor at Family Counseling and Guidance, in Boston, an organization sponsored, in part, by the Archdiocese of Boston. The alleged abuse began when Fr. Towner took Mr. ██████████ on an overnight trip to New Hampshire. Fr. Towner proceeded to get Mr. ██████████ drunk on a mixture of Kahlua and cream, and then put the young boy to bed. Fr. Towner removed Mr. ██████████'s clothes, and began to fondle him. At this point, Mr. ██████████ closed his eyes and passed out. Mr. ██████████ was still in counseling with Fr. Towner a few months later when the priest was transferred, abruptly and without warning. Despite repeated enquiries, no one from the counseling center or the Archdiocese would tell Mr. ██████████ or his mother where the priest was sent.

Mr. ██████████ has since learned that Fr. Towner left the priesthood and is now married with several children, and is a registered social worker living in Alton, NH. Several months ago, Mr. ██████████ telephoned Towner. During their conversation, Mr. ██████████ reports that Towner admitted to molesting Mr. ██████████ and was apologetic, stating that the abuse of Mr. ██████████ was an isolated incident.

██████████ alleges that she was molested by Fr. Towner in 19██, when she was 13 years old. At the time, Fr. Towner was assigned to St. Mary's of the Assumption Church in Brookline. She reports that on one occasion, Fr. Towner offered her a ride home from some school event. He then accompanied her into the kitchen of her parents' home; this seemed normal to Ms. ██████████ because Fr. Towner was a priest and a friend of the family who often spent a great deal of time with Ms. ██████████ brothers and their friends. As they entered the kitchen, Fr. Towner "attacked" Ms. ██████████, then a minor youth. Ms. ██████████ alleges that Fr. Towner grabbed her and began kissing her forcefully, shoving his tongue deep into her mouth as she struggled to break free. Ms. ██████████ eventually broke Fr. Towner's grip, and the abuse ended.

Ms. ██████████ claims that this incident made a deep and lasting impact on her life. From that day on, according to Ms. ██████████, she felt a profound suspicion of priests, and refused to attend church anymore. She claims to have been "stripped of the spiritual sense of things" by Fr. Towner's actions. She has not been able to believe in the Church anymore, and has deeply questioned the faith with which she was raised. Furthermore, Ms. ██████████ states that the abuse was all the more scarring because it occurred in her own home, at the hands of someone she had been taught to trust and look up to as a representative of God on earth. This undermined her sense of trust and safety. Since that point, Ms. ██████████ never once dated or had even a single boyfriend for 23 years, until she met her present husband. She attributes this severe avoidance of relationships to the fact that she could never trust people, and could never feel safe in the presence of a man, always suspecting his motives and keeping on guard.

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 10

5. Father Eugene O'Sullivan (St. Agnes Church, Arlington, and Our Lady of the Assumption, East Boston, Massachusetts)

██████████ informs us that he was sexually molested hundreds of times by Fr. O'Sullivan during the period 1974/75 through around 1980. The abuse began when Mr. ██████████ was ten years old. Fr. O'Sullivan repeatedly put his hands in Mr. ██████████'s pants pockets to "search for money," all the while molesting the young boy's genitals through his pants pocket. The priest then began performing oral sodomy on Mr. ██████████ in the church sacristy before and after Masses, where Mr. ██████████ was an altar boy. Mr. ██████████ began working in the rectory two or three nights a week, and every night Fr. O'Sullivan was on duty there, the priest would orally sodomize Mr. ██████████, and on several occasions, Fr. O'Sullivan forced Mr. ██████████ to perform oral sodomy on him. Additional acts of abuse took place in the high school's offices, the rectory garage, in Fr. O'Sullivan's car, and other places. Our client reports that Monsignor Lenihan knew of Fr. O'Sullivan's uncontrollable habit of sexual molestation, and yet did nothing to stop Fr. O'Sullivan. In 1980/81, when ██████████'s charges of sexual abuse against Fr. O'Sullivan earned wide publicity in the local media, Mr. ██████████ informed Monsignor Lenihan that others had been similarly victimized by Fr. O'Sullivan. The Monsignor replied that Mr. ██████████'s allegations were an isolated problem. Then Mr. ██████████ told the Monsignor that Fr. O'Sullivan had, in fact, abused Mr. ██████████. The Monsignor's reply was that "the situation is already being remedied," and that Fr. O'Sullivan was no longer a priest. However, during a recent visit to New Jersey this past spring, Mr. ██████████ read a newspaper account of Fr. O'Sullivan recently being suspended from three parishes in New Jersey for the sexual abuse of minors.

██████████ reports that he was sexually abused by Fr. O'Sullivan during the summer of 19██ or ██, at Our Lady of Assumption Church, in East Boston. At the time, Mr. ██████████ was a 10 or 11 year-old boy. The incident of abuse occurred when Fr. O'Sullivan requested that a group of boys to help him move some chairs in the basement of the church. After moving the chairs, Fr. O'Sullivan invited Mr. ██████████ to come to the rectory for some Cokes. While in the rectory basement, Fr. O'Sullivan came up behind Mr. ██████████ and said he could guess the boy's weight by picking him up, whereupon Fr. O'Sullivan reached around the front of Mr. ██████████ and put his hands in the boy's front pants pockets. Fr. O'Sullivan proceeded to fondle Mr. ██████████'s penis and genitals through the pockets. Mr. ██████████ struggled and broke free, and ran up the stairs and out of the front door of the rectory. Mr. ██████████ is certain of at least this incident of abuse, but suspects there were more. From this period on, he actively suppressed memories of the abuse, and forgot about it entirely, until his wife (who had no idea that Mr. ██████████ had been molested by a priest) offhandedly alerted him to a recent television documentary depicting the charges against a priest in New Jersey who had also been charged with sexual abuse in Massachusetts: The priest's name was Fr. O'Sullivan. Suddenly, Mr. ██████████ was flooded with memories about his own sexual

ECKERT SEAMANS CHERIN & MELLOTT

ATTORNEYS AT LAW

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 11

abuse. He promptly contacted the civil authorities mentioned in the documentary, and as recently as last week wrote a letter to Bernard Cardinal Law informing him of the abuse, which he only recently remembered.

The damage inflicted on Mr. [REDACTED] by Fr. O'Sullivan's abusive activities has been enormous. Mr. [REDACTED] recounts a profound distrust of clerics and other church authorities which he dates to the time of the abuse. He feels deeply betrayed by the Church, especially since he has learned that Fr. O'Sullivan abused so many people and yet was merely transferred from parish to parish — and even out of state — when allegations regarding his abusive behavior were made public. Mr. [REDACTED] feels that his religious faith has been irrevocably damaged by the Church's handling of Fr. O'Sullivan. He also feels that the shame and guilt from the abuse have limited him in his marriage and his career. Finally, since finding out through the print and broadcast media that Fr. O'Sullivan abused young men in the years after abusing him, Mr. [REDACTED] has expressed anguish and guilt over the fact that he did not do more to stop Fr. O'Sullivan from harming others again.

[REDACTED] charges that he was repeatedly sexually assaulted by Fr. O'Sullivan beginning when Mr. [REDACTED] was six years old. The abuse began with Fr. O'Sullivan fondling the boy's genitals and progressed to Fr. O'Sullivan orally sodomizing Mr. [REDACTED] and forcing the boy to perform oral sodomy on him. Fr. O'Sullivan attempted to anally penetrate Mr. [REDACTED] with his penis on many occasions. Fr. O'Sullivan digitally penetrated Mr. [REDACTED]'s anus many times, and forced the boy to pose naked while Fr. O'Sullivan took photographs of him. Fr. O'Sullivan even took a photo of his own erect penis and gave this photo to Mr. [REDACTED]. (Mr. [REDACTED] reports that Fr. O'Sullivan kept a box of sexually explicit photographs — all taken by Fr. O'Sullivan — in the priest's closet.) The priest abused Mr. [REDACTED] and Mr. [REDACTED]'s brother together in the basement of their family home. On many occasions, Fr. O'Sullivan would ask Mr. [REDACTED] to accompany him to the rectory at St. Agnes, claiming that there was someone there who Fr. Sullivan wanted the boy to meet. Mr. [REDACTED] refused to go into the rectory, but was molested instead in the priest's car while en route, in the church parking lot, in the rectory garage, and in various other places in and around Arlington. Fr. O'Sullivan wore his Roman collar at all times, and told Mr. [REDACTED] that he had to protect the boy. The priest also told Mr. [REDACTED] that the boy would get in trouble if he told anyone, and that no one would believe him anyway.

In the years since the commencement of the abuse by Fr. O'Sullivan, [REDACTED]'s life has been fraught with a suffering which is causally related to this abuse: suicidal ideation beginning at age eleven, a substance abuse history commencing in the eleven-year period of his abuse, and a highly promiscuous lifestyle occasioned by the confusing and unnatural experience of these years of abuse at the hands of a man he'd been taught

ECKERT SEAMANS CHERIN & MELLOTT

ATTORNEYS AT LAW

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 12

to respect as a representative of God on earth. Several years ago, Mr. [REDACTED] was diagnosed as having AIDS, which is now in an advanced stage. The extreme feelings of guilt, shame and self-hatred typically experienced by most victims of sexual abuse by priests is heavily compounded, in Mr. [REDACTED]'s case, by the fact that Fr. O'Sullivan [REDACTED]

6. Father Paul Shanley (St. Francis of Assisi Parish, Braintree, MA, and "Ministry to Alienated Youth 'On the Streets' of Boston," Roxbury, MA)

[REDACTED] claims that he was sexually molested by Fr. Paul Shanley in the Fall of 1970, when Mr. [REDACTED] was fifteen years old. Mr. [REDACTED] was referred to Fr. Shanley for counselling after running away from home. At the time, Fr. Shanley was a popular priest operating a novel "street ministry" which was sponsored and supported, in whole or in part, by the Archdiocese of Boston. Fr. Shanley did counseling and pastoral work out of a one-bedroom apartment and office located at 1 Warwick Street in Roxbury. According to our client, Fr. Shanley held himself out as a friend to alienated and troubled youth living on the streets, "a long-haired, radical priest" who gained the trust of runaway youths by living a non-traditional lifestyle and eschewing many of the formal trappings of a priest. Mr. [REDACTED] was invited by Fr. Shanley to come to the priest's office/apartment. Once there, the priest began fondling the fifteen-year old Mr. [REDACTED] and then quickly proceeded to perform oral sodomy on Mr. [REDACTED]. Fr. Shanley attempted to anally sodomize Mr. [REDACTED], but Mr. [REDACTED] resisted and left the office. Though Mr. [REDACTED] refused to have anything whatsoever to do with Fr. Shanley after that point, Fr. Shanley, through his friendship with Mr. [REDACTED]'s family, tried to invite Mr. [REDACTED] to visit Fr. Shanley after the priest had suddenly been moved out of the Archdiocese, to Weston, Vermont.

As recently as one and a half years ago, Mr. [REDACTED] learned that Fr. Shanley was "on medical leave," which, as you know, is a common designation for priests who have been accused of sexual improprieties. Yet he has also learned that Fr. Shanley was still serving Masses at St. Anne's Church in San Bernardino, California fairly recently, a most disturbing piece of information for Mr. Shanley. I do not think it requires much to impress upon you the profound anguish our client is experiencing at the prospect that Fr. Shanley is presently in a distant assignment with easy access to youths. Mr. Shanley demands a full accounting from the Church about Fr. Shanley's present situation with regard to his contact with youth, especially considering his sexual abuse of our client and his sudden transfers in the years thereafter. We especially request to understand the reasons behind his transfer out of the Archdiocese of Boston (where he is officially incardinated) to an assignment as distant as California, and the specific reasons why he is still listed as being on medical leave.

ECKERT SEAMANS CHERIN & MELLOTT

ATTORNEYS AT LAW

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 13

7. Father Ernest Tourigney (Immaculate Conception Church, Weymouth, and St. Mary's Church, Holliston)

You will soon be receiving from me a detailed demand letter on behalf of [REDACTED] and [REDACTED], who claim that they were repeatedly sexually abused by Fr. Ernest Tourigney during the late 1960s and early '70s, when they were both minor youth. The abuse occurred while Fr. Tourigney was stationed at Immaculate Conception Church in Weymouth, beginning in around 1965. Mr. [REDACTED] claims that Fr. Tourigney would invite him down to Fr. Tourigney's Cape Cod beach house for overnight visits. During the night, Fr. Tourigney would fondle Mr. [REDACTED]'s genitals. This abuse continued from approximately 1965, around which time Fr. Tourigney was transferred to St. Mary's Church in Holliston. The abuse of Mr. [REDACTED] continued even after Fr. Tourigney's transfer to St. Mary's, largely through the priest's continuing friendship with the [REDACTED] and [REDACTED] families. This alleged abuse by Fr. Tourigney reveals a tremendous betrayal of the trust and faith that these two families placed in their priest and in their Church.

Mr. [REDACTED] and Mr. [REDACTED] have previously met with Father John McCormack and Bernard Cardinal Law to discuss these serious allegations against Fr. Tourigney. Our clients are not presently pursuing this claim with the hope of securing some outright financial settlement with the Archdiocese for the very real trauma which they have experienced. Rather, their greatest concern is to request that the Archdiocese establish some explicit pastoral outreach to the many other young people who they know, from experience, were similarly injured by Fr. Tourigney. Our clients feel very deeply that there are perhaps a great deal more victims of Fr. Tourigney's predatory abuse, and would like nothing more than to see the Archdiocese use this opportunity to respond to this potentially vast group. Unfortunately, however, the Archdiocese has deflected our clients' efforts on behalf of other potential victims of Fr. Tourigney. Despite approaching the Archdiocesan representatives who are putatively charged with fashioning pastoral remedies for just this kind of situation, our clients have heard no response from the Archdiocese for over fourteen months now — and this, despite even Cardinal Law having firsthand knowledge of their simple requests, brought to his attention discreetly, with no fanfare.

In several days you will receive a more detailed restatement of my clients' requests for remedy, which are not new to the Archdiocese. My clients have chosen the route of attempting to fashion a novel pastoral solution to their very real personal pain, one which embraces equally the suffering of others. They have been attempting to fashion this remedy for over a year, but the Archdiocese has yet to respond even to this. Understandably, Mr. [REDACTED] and Mr. [REDACTED] are now feeling very frustrated with the Archdiocese. Because of what they are beginning to perceive as intransigence on the part of the Archdiocese, our clients are poised now to exercise all other options

ECKERT SEAMANS CHERIN & MELLOTT

ATTORNEYS AT LAW

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 14

permissible by law in the event that the Archdiocese does not provide outreach to other potential victims of Fr. Tourigney.

I hope that the Archdiocese will finally begin to address the concerns of these two men, as previously conveyed to Cardinal Law and Father McCormack.

* * * * *

We are hereby putting the Archdiocese of Boston on notice about these additional claims against the Archdiocese and Alpha-Omega, Inc., Fr. Lane, Fr. Surrutte, Fr. Roche, Fr. Shanley, Fr. O'Sullivan, Fr. Mahan, Fr. Tourigney, and former priest, Robert Towner. As with our other cases, we request that the Archdiocese execute tolling agreements and immediately agree to mediate these cases. In the meantime, we request that the Archdiocese advise our clients concerning the current status of those seven men who are still functioning as priests incardinated in the Archdiocese of Boston. Our clients wish to know whether or not any of these men continue to function in positions which give them access to youth, and if so, what exactly the Archdiocese (as their incardinating authority under Canon Law) is prepared to do to prevent these men from abusing again. Second, we fully expect that the Archdiocese has conducted its own investigations into these or similar charges involving the above-mentioned men. Our clients hereby request a copy of the results of any such investigation. Third, we also request that, as a basic interim measure, the Archdiocese make specific arrangements about reimbursing our clients for past and future therapy costs. Several of our clients are in vulnerable financial positions, and cannot afford to bear the cost of getting immediate and ongoing treatment for the emotional, spiritual and psychological wounds inflicted on them by these priests.

Next, as promised above, we refer you to our other claims against the Archdiocese and several other of its priests. We have previously notified you of all of these claims, so we set out the facts below by way of summary and to restate more emphatically our requests for immediate response from the Archdiocese with respect to the various issues and specific demands raised herein:

8. Father Philip Bretton

Reference is herein made to our August 12, 1993 demand letter to you regarding the sexual abuse of [REDACTED] by Father Phillip Bretton. As you will recall, Mr. [REDACTED] asserts that Fr. Bretton sexually molested him approximately twice a week over a four-month period in 1957. Mr. [REDACTED] met Fr. Bretton while Mr. [REDACTED] was recovering from a concussion at Cambridge City Hospital, where Fr. Bretton served as chaplain. Fr. Bretton invited Mr. [REDACTED] to become an altar boy and accompany the

ECKERT SEAMANS CHERIN & MELLOTT

ATTORNEYS AT LAW

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 15

priest on his pastoral rounds visiting physically deformed children and others at Cambridge City Hospital and Mt. Auburn Hospital. At the end of each visit, Fr. Bretton brought Mr. [REDACTED] to his apartment at the Holy Ghost Hospital for the Incurables. Once there, Fr. Bretton would undress fully, leaving only his Roman collar on, and perform oral and anal sodomy on Mr. [REDACTED], then a [REDACTED]-year old minor. Fr. Bretton tried to persuade Mr. [REDACTED] to perform these acts on him, but the boy consistently refused. Each time Fr. Bretton performed anal sex on Mr. [REDACTED], he would hold his hand over the boy's mouth to prevent him from expressing the excruciating pain of this abuse. And even after Mr. [REDACTED] fled Fr. Bretton for his parents' home in [REDACTED], Fr. Bretton persisted in his attempts to gain access to Mr. [REDACTED], visiting the [REDACTED] home and driving down the street alongside Mr. [REDACTED], all the while repeating over and over again that if the boy should tell anyone about this abuse, Fr. Bretton would "kill him." As you remember from our letter, Mr. [REDACTED] has information that, prior to abusing Mr. [REDACTED], Fr. Bretton was put on "sick leave" while serving at St. Louis DeFrance parish in Lowell, Massachusetts, for engaging in sexual acts with a child on a beach in Hampton, New Hampshire. Rather than remove Fr. Bretton from active duty after this "sick leave," he was reassigned to these city hospitals, where he would continue to have the high moral status which comes with being a priest, while also having unsupervised access to children like Mr. [REDACTED]. Mr. [REDACTED] also knows that, contemporaneous with the abuse inflicted on Mr. [REDACTED] in 19[REDACTED], another young male made charges against Fr. Bretton for sexual abuse, leading to Fr. Bretton's second "sick leave." And yet, despite these documented and confirmed activities, the Archdiocese continuously reassigned the predatory Fr. Bretton to several parishes thereafter, including St. Bridget's in Maynard and St. Anne's in Salem. Our client has also been in touch with another individual who claims to know the names of "many, many" people who were similarly abused by the prolific Fr. Bretton.

On Monday, September 13, we sent you a tolling agreement and monetary demand in the amount of [REDACTED]. I await your swift and affirmative response.

9. Father John Atwater (Cardinal Cushing Academy, Scituate, Massachusetts)

We have still not received any substantive response from you for nearly three months concerning claims of sexual abuse against Fr. John Atwater. As you will recall, [REDACTED] of our office sent you a demand letter on June 29, 1993 on behalf of [REDACTED] of [REDACTED], Connecticut. I refer you again to that letter, wherein our client states that, while a boarding student at Cardinal Cushing Academy in Scituate, Massachusetts, he was sexually abused by Fr. Atwater during his second year of school, from approximately August to September, 19[REDACTED]. Fr. Atwater was Director of the School, and had befriended Mr. [REDACTED] while trying to help Mr. [REDACTED] control his tendency to fight with other boys. Fr. Atwater knew that Mr. [REDACTED] was at that time having difficulties with his family, and he showed a great deal of favoritism for Mr.

ECKERT SEAMANS CHERIN & MELLOTT

ATTORNEYS AT LAW

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 16

██████████ The sexual abuse happened on a number of occasions and consisted of Fr. Atwater performing oral sodomy on Mr. ██████████; holding and rubbing the boy while he lay on his bed; masturbating Mr. ██████████ and forcing Mr. ██████████ to masturbate Fr. Atwater. The abuse took place in the evenings, after Mr. ██████████ had fallen asleep: the rooms at the School had no doors, and Fr. Atwater would often enter with a drink in his hand. During much of the abuse, Fr. Atwater spoke reassuringly to the frightened boy about the appropriateness of these activities, and urged him not to tell any other boys about what was happening between them. In the years since the commencement of the abuse, Mr. ██████████ has experienced profound suffering and is in constant need of therapeutic treatment, as is set forth in great detail in our June 29 letter. I must also restate our demand that we receive some word about Fr. Atwater's current whereabouts and priestly status. Our client is deeply anguished that Fr. Atwater continues to be in a position giving him ready access to trusting youth.

10. Father Barrett, Father Dwyer, Father Dunn (St. Mary's Church, Hull)

Again, I refer you to a demand letter on behalf of ██████████ to which the Archdiocese has made no substantive response for close to three months. It is because of this unique cluster of charges that we again demand, among other things contained in the June 23 letter herein referenced, that the charges against these three men be swiftly and vigorously investigated by the appropriate ecclesiastical organs, and a full accounting be made to our client post haste. It is very difficult to comprehend how the Archdiocese could just refrain from making some substantive reply to such a powerful charge as is being made by Mr. ██████████

As you will recall, Mr. ██████████ reports that he was repeatedly sexually molested by Fathers Barrett, Dwyer and Dunn while the three priests were assigned to St. Mary's Church, in Hull, Massachusetts, between the years 19██-██. At the time, Mr. ██████████ was 12-13 years old. He lived ██████████

██████████ Fr. Dwyer was the pastor of St. Mary's, and he would have Mr. ██████████ sit on his lap whenever the boy visited the rectory. Fr. Dwyer would urge Mr. ██████████ to rub his beard, and he would bear-hug the boy, during which embraces Fr. Dwyer would grope and fondle Mr. ██████████'s genitals inside his pants. Fr. Dunn asked Mr. ██████████ to answer the rectory phone in the evenings, and during his shifts Fr. Dunn would wrestle with Mr. ██████████ and "dry hump" the boy from behind. Sometimes during the "wrestling," Fr. Dunn would remove Mr. ██████████'s pants and begin "dry humping" Mr. ██████████ from behind. Both Fathers Dwyer and Dunn would often abuse Mr. ██████████ together. Fr. Dunn would hold Mr. ██████████ down while the pastor would pull the boy's pants off and fondle him. On one occasion, Mr. ██████████ was saved by the housekeeper, Mrs. ██████████, accidentally coming into the room. Mr. ██████████ was also abused by a curate at St. Mary's, Father Barrett. Fr. Barrett encouraged Mr. ██████████ to become a ██████████, and insisted that training take place at night. During the training, Fr. Barrett introduced Mr.

ECKERT SEAMANS CHERIN & MELLOTT

ATTORNEYS AT LAW

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 17

██████ to a 17-year old boy by the name of ██████. Mr. ██████ told Mr. ██████ that he should do everything that Fr. Barrett asked. In May or June, 19██, Fr. Barrett took Mr. ██████ and Mr. ██████ to Fr. Barrett's parents' lakeside house in Maine. On this trip, after Mr. ██████ had gone to bed, Fr. Barrett tried to get into bed with him. Fr. Barrett grabbed Mr. ██████'s genitals, at which point Mr. ██████ ran out of the house in his underwear and spent the night cowering in a boat.

The injuries that Mr. ██████ has suffered as a result of being sexually molested by three Catholic priests – two of them simultaneously – are extensive and severe. The letter referenced above contains the report of his therapist, ██████, LICSW. I urge you to revisit this letter so as to respond to this matter as soon as possible.

11. Father Thomas Forry (St. Francis-Cabrini Church, Scituate, Massachusetts)

I must register a feeling of surprise and bewilderment at the fact that the Archdiocese has yet to respond, in any substantive manner since March 23, 1993, to the charges of sexual abuse being made by ██████ against Fr. Thomas Forry. Again, I refer to an outstanding request of nearly three months' age for some response from your client. I must again remind you of the information shared with you at your office on March 4, 1993 regarding threats made by Fr. Forry against Mr. ██████'s family, and the fact that Fr. Forry has, in the past, in an act of rage, severely beaten our client. It only increases our client's anxiety and bitterness toward the Catholic Church to see his very substantial issues treated so lightly, with such delay, by the Archdiocese of Boston and its representatives.

To restate Mr. ██████'s claim: Fr. Thomas Forry was a parish priest at St. Francis-Cabrini Church in Scituate, Massachusetts when he began a romantic relationship with ██████. This relationship led to the breakup of Mr. ██████. Fr. Forry, a frequent visitor to the ██████ home, would abuse Mr. ██████ by stroking Mr. ██████'s back, thighs and legs while the boy (then nine years old) watched television or sat at a table. Fr. Forry would reach up higher than the boy felt was normal and appropriate. This eventually led to Fr. Forry fondling Mr. ██████'s genitals while Fr. Forry commented on the progress of Mr. ██████'s "manhood and puberty." Other incidents of abuse took place at Fr. Forry's house on Cape Cod and at the priest's home in Marshfield, MA. Fr. Forry would drop ice cubes down Mr. ██████'s pants and then reach in and grope around for them, all the while fondling Mr. ██████'s genitals. Fr. Forry would "wrestle" with Mr. ██████, rubbing his erect penis against the boy and whispering obscene and inappropriate words into the boy's ear. Fr. Forry had once severely beaten Mr. ██████ while in a rage, and demanded the boy's silence about what he had done to Mr. ██████. About a year and a half later, Mr. ██████ reported the abuse to his parents separately. Mrs. ██████ then reported the abuse to the church, and Fr. Forry was transferred immediately thereafter. The whole period of abuse lasted from

ECKERT SEAMANS CHERIN & MELLOTT

ATTORNEYS AT LAW

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 18

approximately 19[redacted] - 19[redacted], when Mr. [redacted] was between 9 and 13 years old.

The damages that Mr. [redacted] has sustained as a result of this abuse are substantial, as confirmed in the report of Dr. [redacted] PhD, which you have had in your possession for close to three months now. Stated very simply, these damages include (but are not limited to) extreme dissociative and anxiety symptoms, intrusive memories and imagery, flashbacks and hyper-reactivity to various trigger stimuli. Dr. [redacted] has diagnosed Mr. [redacted] with post-traumatic stress syndrome and multiple personality disorder, which problems are a direct causation of the abuse which Fr. Forry, with his threats of retaliation, continues to inflict upon him. I urge your client, in the strongest possible terms, to make some substantive response to this man's claims, which have been set out in greater detail in our June 24, 1993 letter.

12. Father Ronald Pacquin (St. Monica's Church, Methuen, Massachusetts)

On September 13, 1993, we sent you a revised demand and new tolling agreements on behalf of three men who were similarly sexually abused by Fr. Ronald Pacquin. While we are hopeful that the Archdiocese will see fit to respond in a prompt and substantive fashion to these very real and alarming charges, our recent experience with the Archdiocese's attempts to needlessly prolong this otherwise straightforward process gives us good reason to be circumspect. For the record, I will restate the facts below, all of which were presented to your office over one month ago, in my August 12 letter to you:

[redacted] reports that he was sexually abused by Fr. Pacquin while in the [redacted] grade at St. Monica's Church in Methuen, Massachusetts. At the time, Mr. [redacted] was an altar boy, which put him in direct and frequent contact with Fr. Pacquin who, at the time, was assigned the duty of overseeing all of the altar boys at St. Monica's. On numerous occasions, Fr. Pacquin would invite Mr. [redacted] over to the rectory to assist him with school projects. In one of these instances, Fr. Pacquin invited the boy to the priest's third-floor bedroom, ostensibly to watch television. Fr. Pacquin began telling Mr. [redacted] what an extraordinary person he was, all the while stroking the boy's hands, fingers, and thighs. Then, quoting from the scriptures, Fr. Pacquin began telling Mr. [redacted] that he should give no part of his body any more attention than any other part. Fr. Pacquin proceeded to unzip the boy's pants, pulled out his penis and said he was going to give Mr. [redacted] "a good feeling." Fr. Pacquin then began to masturbate Mr. [redacted]. Incidents of this sort occurred several times throughout the seventh and eighth grades and into Mr. [redacted]'s high school years. While Mr. [redacted] attended St. John's Seminary (at Fr. Pacquin's urging), Fr. Pacquin invited him over to the rectory to help him move some belongings from St. Monica's to a parish located in Haverhill. After finishing the task, Fr. Pacquin asked Mr. [redacted] to go up to his room and rest while the priest attended to some other matters. While Mr. [redacted] rested, Fr. Pacquin entered the room, unzipped Mr. [redacted]'s pants, and

ECKERT SEAMANS CHERIN & MELLOTT

ATTORNEYS AT LAW

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 19

placed his mouth over Mr. [REDACTED]'s penis. Sensing Mr. [REDACTED]'s revulsion, Fr. Pacquin ceased performing oral sodomy. Though most of the abuse perpetrated by Fr. Pacquin on Mr. [REDACTED] occurred in Fr. Pacquin's bedroom at the rectory (usually during afternoon hours, and sometimes lasting well into the night), the abuse was not confined to this location alone. One incident occurred while on a trip back to St. Monica's from Brockton, when Fr. Pacquin masturbated Mr. [REDACTED] while driving his automobile on Route 93.

Similarly, [REDACTED] asserts that he was also sexually molested by Fr. Pacquin while in the fourth or fifth grade at St. Monica's and thereafter. Like Mr. [REDACTED] Mr. [REDACTED] was considered by Fr. Pacquin to be one of his "special" altar boys. This gave them added privileges, like being able to serve at funerals and travel with Fr. Pacquin to serve at Masses outside St. Monica's. The abuse of Mr. [REDACTED] began in Fr. Pacquin's car. While the vehicle was in operation, Fr. Pacquin reached over the passenger seat and began caressing Mr. [REDACTED]'s thigh, making his way up Mr. [REDACTED]'s leg to the point where he began fondling Mr. [REDACTED]'s penis and testicles through his pants. Mr. [REDACTED] was approximately 11 years old at the time. On one occasion, Fr. Pacquin brought Mr. [REDACTED] up to his bedroom on the third floor of the St. Monica's rectory. The priest asked Mr. [REDACTED] to sit on the edge of the bed. While engaging in harmless conversation, Fr. Pacquin asked the boy if he had ever masturbated. When Mr. [REDACTED] replied no, Fr. Pacquin reached over and began massaging Mr. [REDACTED]'s penis through his pants, informing Mr. [REDACTED] that such an action was okay because no part of his body was more special than any other. Fr. Pacquin then removed Mr. [REDACTED]'s pants and underwear, and began masturbating the boy. When Mr. [REDACTED] had not ejaculated, Fr. Pacquin asked that Mr. [REDACTED] close his eyes and focus on his favorite girlfriend. Finally, after ejaculating, Fr. Pacquin wiped the semen off Mr. [REDACTED]'s chest with his handkerchief, held it to his nose, and said, "manna from heaven." Fr. Pacquin also expressed amazement at how far the semen had gone up Mr. [REDACTED]'s chest. Incidents such as this occurred frequently, during the afternoon and evening when other priests were in the rectory.

In fact, we have substantial evidence which proves that the Archdiocese knew or should have known about Fr. Pacquin's profoundly tortious actions, and yet did nothing to prevent him from injuring young boys again and again and again. Mr. [REDACTED] alleges that, when he was a [REDACTED] in high school, he visited Fr. Pacquin at the rectory. Upon Fr. Pacquin's insistence, Mr. [REDACTED] masturbated Fr. Pacquin. After ejaculating, Fr. Pacquin informed Mr. [REDACTED] that the lack of semen produced was due to the fact that it had been "the fourth time" he had ejaculated that day. After Fr. Pacquin had cleaned himself off, sniffed his handkerchief's contents and proclaimed, "Manna from Heaven," someone knocked at the door. Fr. Pacquin asked who it was and two young boys responded promptly. Fr. Pacquin turned to Mr. [REDACTED] and said, "Here comes number five today." On his way out of the rectory, Mr. [REDACTED] saw Father Allan Roche [see above, pp. 5-6], then Pastor of St. Monica's, watching television. Distraught by

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 20

the event, Mr. [REDACTED] confronted Fr. Roche, telling him that he must go to Fr. Pacquin's bedroom immediately because something terrible was about to happen. When asked what he meant, Mr. [REDACTED] told Fr. Roche that Fr. Pacquin was going to masturbate two boys as he had done to Mr. [REDACTED] for the last several years. Fr. Roche, as he walked past Mr. [REDACTED], said, "I always thought something funny was going on up there." Fr. Roche went up the stairs and pounded on Fr. Pacquin's door. When the door was opened, Fr. Roche began yelling at Fr. Pacquin, who had been caught with the two young boys in medias res. Fr. Roche demanded he leave the room, and remained in Fr. Pacquin's room with the two boys. Fr. Pacquin came down the stairs and asked Mr. [REDACTED] why he had betrayed him. And yet, despite meeting Fr. Roche at the rectory several times thereafter, neither Fr. Roche nor Fr. Pacquin ever discussed the incident with Mr. [REDACTED].

[REDACTED] also claims that he was sexually molested by Fr. Pacquin while Mr. [REDACTED] was in the [REDACTED] grade at St. Monica's grammar school. At the time, Mr. [REDACTED] was having difficulty finding a girlfriend, and went to Fr. Pacquin for advice. Fr. Pacquin told him that he needed "therapy." The first session occurred in Fr. Pacquin's car while on Route 110 in Dracut, Massachusetts. While the vehicle was parked in a gas supply shop parking lot overlooking the Merrimac River, Fr. Pacquin began to caress Mr. [REDACTED]'s thigh and eventually his penis. Soon Fr. Pacquin was unzipping Mr. [REDACTED]'s pants and masturbating him in the car. This form of "therapy" continued for approximately three years. Each meeting would typically consist of Fr. Pacquin caressing Mr. [REDACTED]'s penis, often preceded by Fr. Pacquin suggesting that he give Mr. [REDACTED] "a good feeling." As in Mr. [REDACTED]'s case, on several occasions, Fr. Pacquin would wipe Mr. [REDACTED]'s semen from his stomach, sniff its contents and hold it to his nose, saying, "Manna from Heaven." In several instances, Fr. Pacquin instructed Mr. [REDACTED] to bring a Penthouse magazine to his room so that it would be easier for Mr. [REDACTED] to become erect before masturbation. Fr. Pacquin validated his "therapy" with books he said were from the College of Cardinals or works of the Pope. Eventually, Fr. Pacquin's "therapy" included urging Mr. [REDACTED] to masturbate him. The abuse ended when Fr. Pacquin left St. Monica's Church.

From the above summary, it is abundantly clear that other employees of the Archdiocese either knew or should have known that Fr. Pacquin was engaged in improper sexual contact with children. Father Jose Matos and Fr. Allan Roche, the pastor, viewed Fr. Pacquin taking these children up to his room and remain behind closed doors for lengthy periods of time. To underscore this, Fr. Matos' was directly opposite Fr. Pacquin's room. On a number of occasions, Fr. Matos witnessed these boys entering Fr. Pacquin's room, the door being shut and locked behind them, and significant amounts of time elapsing before their departure from the room. As I noted in my August 12 letter to you, we are informed that Father James Carroll addressed the issue with Fr. Matos, and Fr. Matos replied that he knew strange things were happening in Fr. Pacquin's bedroom. And most notably, as described above, Mr. [REDACTED] notified Fr. Roche of Fr. Pacquin's

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 21

abuse, causing Fr. Roche to catch Fr. Pacquin in flagrante delicto, and yet nothing was done to remove this priest from active duty while a full investigation was done, or even conducting an investigation at all. Instead, the matter was swept under the rug. It is my firm belief that many other employees of the school and the Archdiocese were aware of Fr. Pacquin's highly improper conduct, and yet took no action to prevent it.

As one might expect, the damage which Mr. [REDACTED], Mr. [REDACTED], and Mr. [REDACTED] suffered as a result of Fr. Pacquin's actions has been substantial. For example, Mr. [REDACTED] began drinking alcohol in the seventh grade — during the period of the abuse — and became a teenage alcoholic, which nearly ended his life. After being cited several times for drinking while under the influence, he was involved in an accident which left him in a coma and temporarily paralyzed. Likewise, Mr. [REDACTED] while a teenager, experienced acute depression which led to a suicide attempt. With regard to all of these individuals, each suffers from extreme low self-esteem, an inability to form lasting relationships, a profound distrust of authority figures, severe depression, dissociative disorders, sexual dysfunction, substance abuse, loss of religion, and post-traumatic stress disorder. Each of these men is entitled to some form of compensation for the vast injuries they have sustained. I expect to hear from you shortly regarding our most recent demand for executed tolling agreements and compensation in the amount of [REDACTED] for each man, among other things.

13. Father Jay Mullin

We reiterate here the very solid claims of [REDACTED] against the Archdiocese of Boston and Fr. Jay Mullin for sexual abuse of Mr. [REDACTED] by Fr. Mullin. The abuse began in 1970, when Mr. [REDACTED] was [REDACTED] years old and a parishioner and student at St. Anthony's Church in Allston, Massachusetts, and lasted for approximately 18 months. Fr. Mullin became close friends with Mr. [REDACTED]'s family, and befriended Mr. [REDACTED] during an altar boy outing to Rocky Point Park. Fr. Mullin arranged for Mr. [REDACTED] to work as a custodian at the rectory, school, and church, and would often take the boy out for dinner. The sexual abuse began at the same time this job was arranged. On church property was a shack where Mr. [REDACTED] would sit at a desk after the completion of his custodial work, prior to going home. Fr. Mullin would stop by to talk, and on one occasion began rubbing Mr. [REDACTED]'s neck, moving his hands down to Mr. [REDACTED]'s chest while holding Mr. [REDACTED] in place in the desk chair. Mr. [REDACTED] became frightened, and asked Fr. Mullin to stop. Similar incidents with neck rubs happened on several occasions. Mr. [REDACTED] was distraught and afraid to tell anyone, fearful that his parents would blame Mr. [REDACTED] for lots of things he had never done. On another occasion, Mr. [REDACTED] was in the sacristy when Fr. Mullin followed him in and grabbed him from behind. Fr. Mullin grabbed [REDACTED]'s crotch and began to rub it, all the while attempting to kiss Mr. [REDACTED] and telling him how much he loved him. Fr. Mullin also pulled down Mr. [REDACTED]'s pants, took out his penis, and began masturbating the

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 22

boy; the priest then took out his own penis and told Mr. [REDACTED] to masturbate him at the same time. On yet another occasion, while driving in Fr. Mullin's car, Mr. [REDACTED] fell asleep, and woke up to find Fr. Mullin rubbing Mr. [REDACTED]'s crotch. Fr. Mullin then pulled into a rest area, pulled down Mr. [REDACTED]'s pants and performed oral sex on Mr. [REDACTED].

There is clear evidence indicating that the Archdiocese knew or should have known of Fr. Mullin's activities, and yet did nothing to protect our client (and perhaps a great deal of other boys) from this predatory cleric. Our client reports that both Father Foley and Father Murphy were aware of Fr. Mullin's sexual involvement with Mr. [REDACTED]. Father Mullin had actually shared information with Mr. [REDACTED] that Fr. Murphy felt that Father Mullin and Mr. [REDACTED] were having an affair.

Mr. [REDACTED] has suffered and continues to suffer profoundly from these abusive actions. Referring you to our demand letter of June 17, 1993, Mr. [REDACTED]'s therapist reports damages to Mr. [REDACTED] including (to list just a few) impaired sexual relationships, concerns over sexual identity, and an inability to maintain congenial relationships with authority figures, which has cost him several jobs over the years. His unwillingness to trust, coupled with a profound sense of worthlessness, loneliness, and substance abuse problems fueled by a need to numb himself against the pain of his abuse, has caused him to be overbearingly concerned for the safety of his children. This reaction, and periods of depression, anger, and withdrawal, have taken a tremendous toll on his family; and the general lack of any sense of personal dignity, causally related to the way he was abused by Fr. Mullin, has caused him to get languish in low-paying jobs which provide no health insurance benefits either for himself or for his family.

14. Father Gerald Hickey (St. Bridget's Church, Abington, MA)

[REDACTED] asserts that he was abused in a most predatory manner by Fr. Gerald Hickey, beginning when Mr. [REDACTED] was [REDACTED] years old. We have already been in touch with your office regarding this case [see our letter to you of April 21, 1993], and have worked out, through your office, a mechanism by which the Archdiocese makes payment for Mr. [REDACTED]'s substantial ongoing therapy expenses. You will shortly be receiving a demand letter from us on Mr. [REDACTED]'s behalf. What follows below is a short precis of the basic facts asserted by Mr. [REDACTED].

Mr. [REDACTED] states that he was repeatedly sexually molested by Fr. Gerald Hickey beginning in the summer of 1969, when Mr. [REDACTED] was [REDACTED] years old. At the time, Fr. Hickey was assigned to St. Peter and Paul Church in South Boston. Initially, the abuse took place at St. Mary's of [REDACTED] Church in [REDACTED]. Fr. Hickey took the boy to the Church's back bathroom. Fr. Hickey then removed Mr. [REDACTED]'s pants and underwear so that the boy's entire penis, genitals, and pelvic area

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 23

were exposed. The priest placed his fingers on Mr. [REDACTED]'s penis and tickled and stretched it, all the while singing a nursery rhyme. The next incident of abuse occurred in the same church bathroom, perhaps even the same day. Fr. Hickey pulled the boy's pants and underwear down, and then pulled his own pants down, pulling his own penis out through a hole in his underwear, after rubbing it to make it erect. Fr. Hickey continued masturbating until he ejaculated in front of and on Mr. [REDACTED]'s face, causing the boy to cry. While wiping the semen off Mr. [REDACTED] Fr. Hickey got some of the semen in the boy's mouth. He shook Mr. [REDACTED] to make the boy stop crying, and then hit Mr. [REDACTED] across the face. The next act of abuse occurred when Mr. [REDACTED] was approximately [REDACTED] or [REDACTED] years old, at a cottage in Popponessett, Massachusetts. (This abuse would have happened during the time Fr. Hickey was assigned to St. Paul's Church, Dorchester, Massachusetts.) In an upstairs loft/bedroom, Mr. [REDACTED] was naked from the waist down, perhaps preparatory to being [REDACTED] by Fr. Hickey. Instead, Fr. Hickey kept touching the boy in his crotch area. Mr. [REDACTED]'s brother [REDACTED] suddenly entered the room, and Fr. Hickey made [REDACTED] go back downstairs. In succeeding incidents of abuse, Fr. Hickey pulled Mr. [REDACTED]'s pants down and played with his penis in a bathroom at Mr. [REDACTED]'s parents' house; and in a cottage near the Popponessett Community Center on Cape Cod, Fr. Hickey awakened Mr. [REDACTED] in the middle of the night by the sensation of Fr. Hickey lying next to him and playing with Mr. [REDACTED]'s penis while Mr. [REDACTED] slept on a pullout couch. These last two incidents occurred at approximately ages [REDACTED], respectively.

Mr. [REDACTED] has suffered to an enormous degree as a direct result of these highly predatory and tortious acts by Fr. Gerald Hickey, which were carried out over an approximately [REDACTED]-year period. He has experienced profound identity and sexuality problems in the years since this abuse, as well as difficulty in forming healthy intimate relationships, extreme self-doubt and self-esteem problems, and a tremendous inability to trust other people. These problems are all highly consistent with those normally experienced by victims of sexual abuse, especially one who was victimized repeatedly and in the very earliest years of his life, when all his basic impressions are being formed. The total damage that Fr. Hickey has caused [REDACTED] is staggering, not least due to the fact that, [REDACTED], Fr. Hickey is [REDACTED]. Our demand letter to you will set out these issues, damages, and demands in greater detail.

* * * * *

As stated above, we are also still in the process of interviewing several more potential new clients, their clinicians and witnesses. We will present these cases to you as well. Even with our existing clients (a total of 22 clients involving 17 priests of the Archdiocese of Boston alone) it is clear that these cases together reflect a systemic pattern of abuse within the Archdiocese and an alarming pattern of institutional negligence on a disturbingly large scale. Most church hierarchies defend the problem of clerical sexual abuse by contending that it represents the problem of a few errant priests who go astray.

September 27, 1993

Wilson D. Rogers, Jr., Esquire
Page 24

That defense would certainly be clearly inapplicable in this case.

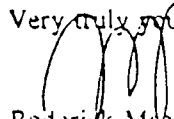
You have been very gracious on a personal level in your dealings with us, but it is apparent that these cases have not commanded the attention which they deserve from your clients. As you know, we have yet to receive the tolling agreements which we have been promised and there has been no response to demand letters which have been outstanding for an inordinate period of time. In fact, despite assurances that formal responses would be forthcoming in or about July 1993, we have recently been told by you that the Archdiocese's new projected date for their response to these longstanding claims is sometime in mid-October, 1993. I can no longer explain to clients who have been waiting for months for a response why they should have to wait any longer. In addition, our clients have not received the full story as to what happens to these priests once allegations are made and substantiated. It is therefore imperative that we meet with you to discuss these matters at your earliest possible convenience.

As you can see from this letter, our clients are making both financial and non-financial demands. They have grown increasingly frustrated with the needless delays in this process, and have authorized us to prepare a single complaint listing all of them as plaintiffs. We hope this will not be necessary. We are fully prepared, however, to explore all reasonable alternatives, including mediation.

Many of our clients are pleased that the Archdiocese of Boston has adopted some important steps to meaningfully address the issue of clerical sexual abuse in the future. However, the problem of clerical sexual abuse cannot simply be solved by creating a new policy which addresses the needs of future victims. It is apparent that, within the Archdiocese of Boston, there are numerous victims of sexual abuse — far more than I had anticipated — who are still suffering the psychological and emotional trauma of sexual abuse inflicted upon them by priests of the Archdiocese. In sum, if the Archdiocese is to have a comprehensive policy to address this issue, it must address the needs of the past victims. Only by doing so can it be said that the Archdiocese will have responded to this extraordinary moral, social and pastoral crisis humanely as opposed to bureaucratically denying the very real suffering of these very real victims.

I look forward to meeting with you immediately to discuss these outstanding matters and hopefully to work together to bring about a fair and just result.

Very truly yours,



Roderick MacLeish, Jr.

RMJR/pjm