

1 50. Question:

2 Q What was Monsignor Curry's role in – beyond

3 12:52:56 10 advising him that he was under suspicion and a full

4 11 investigation was to be taking place, role in Aguilar's

5 12 departure from L.A.?

6 Response/Objection:

7 13 MR. WOODS: Same objection, same instruction.

8 Reason answer should be compelled:

9 Any party may obtain discovery regarding any matter, not privileged, that is relevant to
10 the subject matter involved in the pending action or to the determination of any motion made
11 in that action, if the matter either is itself admissible in evidence or appears reasonably
12 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*
13 *2017.010.*) At issue in this matter is the sexual abuse of plaintiff, what defendants knew of
14 Father Nicholas Aguilar Rivera's proclivities to engage in child sexual abuse, when they knew
15 it and what they did with that information. Defendants Cardinal Norberto Rivera and The
16 Diocese of Tehuacan were aware of Father Nicholas Aguilar Rivera's unfitness for priestly
17 duties prior to sending Father Nicholas Aguilar Rivera to the Archdiocese of Los Angeles. On
18 January 8, 1988 the Archdiocese of Los Angeles became aware of allegations of Father
19 Nicholas Aguilar Rivera committing child sexual abuse and thereby his unfitness for priestly
20 duties. On January 9, 1988 Bishop Curry met with Father Nicholas Aguilar Rivera. The Los
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22 1988. During the three day delay in reporting the allegations to authorities, Father Nicholas
23 Aguilar Rivera left Los Angeles never to return and thereby avoided capture. From January 9,
24 1988 until present Father Nicholas Aguilar Rivera has remained a priest incardinated in the
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26 Curry plaintiff's counsel attempted to inquire as to what was said between Cardinal Mahony
27 and Bishop Curry, Bishop Curry and Father Nicholas Aguilar Rivera, and Bishop Curry and
28 Father McClean when these individuals became aware of the allegations leveled against Father

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3 Father Nicholas Aguilar Rivera's diocese The Diocese of Tehuacan was discussed and if it was
4 not discussed the reasons therefore. It is clear that while Father Nicholas Aguilar was an
5 extern priest in Los Angeles he remained under the authority of his bishop, Bishop Norberto
6 Rivera. It is also clear that while an extern priest in Los Angeles up until present Father
7 Nicholas Aguilar Rivera must obey orders from the Bishop of the Diocese of Tehuacan. The
8 questions blocked by defense attorney's improper instruction precludes plaintiff from inquiring
9 into relevant matters that will shed light on whether California Courts may exercise
10 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full
11 and complete inquiry can be made.

12 **51. Question:**

13 Q Was Auxiliary Bishop or Father Stephen Blaire
14 16 involved in Nicolas Aguilar's departure in any way?

15 **Response/Objection:**

16 17 MR. WOODS: Same objection, same instruction.

17 **Reason answer should be compelled:**

18 Any party may obtain discovery regarding any matter, not privileged, that is relevant to
19 the subject matter involved in the pending action or to the determination of any motion made
20 in that action, if the matter either is itself admissible in evidence or appears reasonably
21 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*
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17 questions blocked by defense attorney's improper instruction precludes plaintiff from inquiring
18 into relevant matters that will shed light on whether California Courts may exercise
19 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full
20 and complete inquiry can be made.

21 **52. Question:**

22 Q Did you ever discuss with Stephen Blaire the
23 12:53:28 20 suspicions of sexual abuse by Nicolas Aguilar?

24 **Response/Objection:**

25 21 MR. WOODS: Same objection, same instruction.

26 **Reason answer should be compelled:**

27 Any party may obtain discovery regarding any matter, not privileged, that is relevant to
28 the subject matter involved in the pending action or to the determination of any motion made

1 in that action, if the matter either is itself admissible in evidence or appears reasonably
2 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*
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4 Father Nicholas Aguilar Rivera's proclivities to engage in child sexual abuse, when they knew
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16 Curry plaintiff's counsel attempted to inquire as to what was said between Cardinal Mahony
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18 Father McClean when these individuals became aware of the allegations leveled against Father
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26 questions blocked by defense attorney's improper instruction precludes plaintiff from inquiring
27 into relevant matters that will shed light on whether California Courts may exercise
28 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full

1 and complete inquiry can be made.

2 53. Question:

3 Q Did Stephen Blaire -- was Stephen Blaire at
4 24 this time in residence at St. Bernadette's?

5 Response/Objection:

6 12:53:49 25 MR. WOODS: Same objection, same instruction.

7 Reason answer should be compelled:

8 Any party may obtain discovery regarding any matter, not privileged, that is relevant to
9 the subject matter involved in the pending action or to the determination of any motion made
10 in that action, if the matter either is itself admissible in evidence or appears reasonably
11 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*
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13 Father Nicholas Aguilar Rivera's proclivities to engage in child sexual abuse, when they knew
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18 Nicholas Aguilar Rivera committing child sexual abuse and thereby his unfitness for priestly
19 duties. On January 9, 1988 Bishop Curry met with Father Nicholas Aguilar Rivera. The Los
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6 Nicholas Aguilar Rivera must obey orders from the Bishop of the Diocese of Tehuacan. The
7 questions blocked by defense attorney's improper instruction precludes plaintiff from inquiring
8 into relevant matters that will shed light on whether California Courts may exercise
9 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full
10 and complete inquiry can be made.

11 **54. Question:**

12 Q Was he involved in this in any way?

13 **Response/Objection:**

14 3 MR. WOODS: Same objection, same instruction.

15 **Reason answer should be compelled:**

16 Any party may obtain discovery regarding any matter, not privileged, that is relevant to
17 the subject matter involved in the pending action or to the determination of any motion made
18 in that action, if the matter either is itself admissible in evidence or appears reasonably
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15 questions blocked by defense attorney's improper instruction precludes plaintiff from inquiring
16 into relevant matters that will shed light on whether California Courts may exercise
17 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full
18 and complete inquiry can be made.

19 **55. Question:**

20 Q Was there any attempt to -- by Archdiocesan
21 16 officials to contact Mexican police authorities?

22 **Response/Objection:**

23 17 MR. WOODS: Object to the question as beyond the
24 18 scope of this deposition and instruct the witness not to
25 19 answer.

26 **Reason answer should be compelled:**

27 Any party may obtain discovery regarding any matter, not privileged, that is relevant to
28 the subject matter involved in the pending action or to the determination of any motion made

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2 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*
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27 into relevant matters that will shed light on whether California Courts may exercise
28 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full

1 and complete inquiry can be made.

2 **56. Question:**

3 Q Was there any attempt by you or anybody at
4 22 your request to keep Aguilar in the country so he would
5 23 not go back to Mexico?

6 **Response/Objection:**

7 24 MR. WOODS: Argumentative, beyond the scope of
8 12:54:52 25 jurisdiction, instruct the witness not to answer.

9 **Reason answer should be compelled:**

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11 the subject matter involved in the pending action or to the determination of any motion made
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10 into relevant matters that will shed light on whether California Courts may exercise
11 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full
12 and complete inquiry can be made.

13 **57. Question:**

14 Q Did the Archdiocesan officials advise the
15 3 police that he was staying with -- that Nicolas Aguilar
16 4 was staying with members -- with members of his family
17 12:55:08 5 and had an intention to return to Mexico?

18 **Response/Objection:**

19 6 MR. WOODS: Same objection, same instruction.

20 **Reason answer should be compelled:**

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22 the subject matter involved in the pending action or to the determination of any motion made
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21 into relevant matters that will shed light on whether California Courts may exercise
22 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full
23 and complete inquiry can be made.

24 **58. Question:**

25 Q On January 11th, police records indicate that

26 18 Sister Renee reported to police. Are you aware of that?

27 **Response/Objection:**

28 19 MR. WOODS: Object to the question as beyond the

1 12:55:51 20 scope of jurisdiction and instruct the witness not to

2 21 answer.

3 Reason answer should be compelled:

4 Any party may obtain discovery regarding any matter, not privileged, that is relevant to
5 the subject matter involved in the pending action or to the determination of any motion made
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5 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full
6 and complete inquiry can be made.

7 **59. Question:**

8 Q It states, "On January 8th, 1988, Mrs.
9 7 "blank" contacted Our Lady of Guadalupe Church and
10 8 revealed the allegations of molestation. The pastor,
11 9 Father McClean, immediately notified Monsignor Curry."

12 12:57:51 10 Did you know that to have been the case?

13 **Response/Objection:**

14 11 MR. WOODS: Object to the question as beyond the
15 12 scope of jurisdiction or with Mexican nationals who are
16 13 defendants and instruct the witness not to answer.

17 **Reason answer should be compelled:**

18 Any party may obtain discovery regarding any matter, not privileged, that is relevant to
19 the subject matter involved in the pending action or to the determination of any motion made
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19 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full
20 and complete inquiry can be made.

21 **60. Question:**

22 ... Do you know how Father Aguilar got to the
23 21 airport and out of the country?

24 22 A No.

25 23 Q Who in the L.A. Archdiocese may know that?

26 **Response/Objection:**

27 24 MR. WOODS: I'm going to -- hold on. I'm going
28 01:00:12 25 to object to the question as beyond the scope of the

1 01:00:14 1 jurisdictional issues and instruct the witness not to

2 2 answer. It also calls for speculation.

3 **Reason answer should be compelled:**

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5 the subject matter involved in the pending action or to the determination of any motion made
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5 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full
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7 **61. Question:**

8 ... My question to you is are you aware that Ann
9 01:05:09 20 Curry called up Tehuacan and actually talked to Norberto
10 21 Rivera as reported by the police?

11 **Response/Objection:**

12 22 MR. WOODS: Objection. Object to the
13 23 question as --

14 24 MR. SELSBERG: Objection; assumes facts not in
15 01:05:23 25 evidence.

16 01:05:24 1 MR. WOODS: Object to the question as beyond the
17 2 scope of jurisdiction and instruct the witness not to
18 3 answer.

19 **Reason answer should be compelled:**

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21 the subject matter involved in the pending action or to the determination of any motion made
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23 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*
24 *2017.010.*) At issue in this matter is the sexual abuse of plaintiff, what defendants knew of
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2 Nicholas Aguilar Rivera committing child sexual abuse and thereby his unfitness for priestly
3 duties. On January 9, 1988 Bishop Curry met with Father Nicholas Aguilar Rivera. The Los
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9 Curry plaintiff's counsel attempted to inquire as to what was said between Cardinal Mahony
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15 not discussed the reasons therefore. It is clear that while Father Nicholas Aguilar was an
16 extern priest in Los Angeles he remained under the authority of his bishop, Bishop Norberto
17 Rivera. It is also clear that while an extern priest in Los Angeles up until present Father
18 Nicholas Aguilar Rivera must obey orders from the Bishop of the Diocese of Tehuacan. The
19 questions blocked by defense attorney's improper instruction precludes plaintiff from inquiring
20 into relevant matters that will shed light on whether California Courts may exercise
21 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full
22 and complete inquiry can be made.

23 **62. Question:**

24 Q At this time on January 8th through
25 6 January 11th, 1988, were you laboring under the belief
26 7 that Norberto Rivera was not accessible to you and your
27 8 designees by telephone?

28 **Response/Objection:**

1 9 MR. WOODS: I'm going to object to the question
2 01:05:54 10 as beyond the scope of jurisdiction and instruct the
3 11 witness not to answer.

4 **Reason answer should be compelled:**

5 Any party may obtain discovery regarding any matter, not privileged, that is relevant to
6 the subject matter involved in the pending action or to the determination of any motion made
7 in that action, if the matter either is itself admissible in evidence or appears reasonably
8 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*
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13 duties prior to sending Father Nicholas Aguilar Rivera to the Archdiocese of Los Angeles. On
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15 Nicholas Aguilar Rivera committing child sexual abuse and thereby his unfitness for priestly
16 duties. On January 9, 1988 Bishop Curry met with Father Nicholas Aguilar Rivera. The Los
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22 Curry plaintiff's counsel attempted to inquire as to what was said between Cardinal Mahony
23 and Bishop Curry, Bishop Curry and Father Nicholas Aguilar Rivera, and Bishop Curry and
24 Father McClean when these individuals became aware of the allegations leveled against Father
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2 Rivera. It is also clear that while an extern priest in Los Angeles up until present Father
3 Nicholas Aguilar Rivera must obey orders from the Bishop of the Diocese of Tehuacan. The
4 questions blocked by defense attorney's improper instruction precludes plaintiff from inquiring
5 into relevant matters that will shed light on whether California Courts may exercise
6 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full
7 and complete inquiry can be made.

8 **63. Question:**

9 Q Was there something, Cardinal, that kept you
10 14 from making the call that Ann Curry made as reflected in
11 01:06:07 15 this report to Norberto Rivera?

12 **Response/Objection:**

13 16 MR. WOODS: I object to the question as beyond
14 17 the scope of jurisdiction and instruct the witness not
15 18 to answer.

16 **Reason answer should be compelled:**

17 Any party may obtain discovery regarding any matter, not privileged, that is relevant to
18 the subject matter involved in the pending action or to the determination of any motion made
19 in that action, if the matter either is itself admissible in evidence or appears reasonably
20 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*
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6 Curry plaintiff's counsel attempted to inquire as to what was said between Cardinal Mahony
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13 extern priest in Los Angeles he remained under the authority of his bishop, Bishop Norberto
14 Rivera. It is also clear that while an extern priest in Los Angeles up until present Father
15 Nicholas Aguilar Rivera must obey orders from the Bishop of the Diocese of Tehuacan. The
16 questions blocked by defense attorney's improper instruction precludes plaintiff from inquiring
17 into relevant matters that will shed light on whether California Courts may exercise
18 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full
19 and complete inquiry can be made.

20 **64. Question:**

21 Q Was there something that kept Monsignor Curry
22 21 from making the call?

23 **Response/Objection:**

24 22 MR. WOODS: Same objection, same instruction.

25 **Reason answer should be compelled:**

26 Any party may obtain discovery regarding any matter, not privileged, that is relevant to
27 the subject matter involved in the pending action or to the determination of any motion made
28 in that action, if the matter either is itself admissible in evidence or appears reasonably

1 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*
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24 Nicholas Aguilar Rivera must obey orders from the Bishop of the Diocese of Tehuacan. The
25 questions blocked by defense attorney's improper instruction precludes plaintiff from inquiring
26 into relevant matters that will shed light on whether California Courts may exercise
27 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full
28 and complete inquiry can be made.

1 65. Question:

2 Q When Nicolas Aguilar first served, it was at
3 6 Our Lady of Guadalupe? He went to Our Lady of Guadalupe
4 7 and then was moved to St. Agatha's. What do you know
5 8 about that?

6 Response/Objection:

7 9 MR. WOODS: Object. The question is beyond the
8 01:29:05 10 scope of jurisdiction over Mexican nationals and
9 11 instruct the witness not to answer.

10 12 MR. SELSBERG: I object. It's vague.

11 Reason answer should be compelled:

12 Any party may obtain discovery regarding any matter, not privileged, that is relevant to
13 the subject matter involved in the pending action or to the determination of any motion made
14 in that action, if the matter either is itself admissible in evidence or appears reasonably
15 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*
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11 questions blocked by defense attorney's improper instruction precludes plaintiff from inquiring
12 into relevant matters that will shed light on whether California Courts may exercise
13 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full
14 and complete inquiry can be made.

15 66. **Question:**

16 Q And why did you write the letter, Cardinal?

17 **Response/Objection:**

18 01:30:50 10 MR. WOODS: I'm going to object to the form --

19 11 strike that.

20 12 I'm going to object to the question as beyond

21 13 the scope of the jurisdictional issues and instruct the

22 14 witness not to answer. His state of mind has nothing to

23 01:31:05 15 do with jurisdiction.

24 **Reason answer should be compelled:**

25 Any party may obtain discovery regarding any matter, not privileged, that is relevant to
26 the subject matter involved in the pending action or to the determination of any motion made
27 in that action, if the matter either is itself admissible in evidence or appears reasonably
28 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*

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25 into relevant matters that will shed light on whether California Courts may exercise
26 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full
27 and complete inquiry can be made.
28

1 67. Question:

2 Q At the time that you wrote this letter,

3 21 Nicolas Aguilar was under the exclusive control of

4 22 Bishop Rivera as his Ordinary, was he not?

5 Response/Objection:

6 23 MR. SELSBERG: Objection; assumes facts not in

7 24 evidence.

8 01:31:45 25 MR. WOODS: I'm going to object that it's beyond

9 1 the scope of the jurisdictional issues and instruct the

10 2 witness not to answer.

11 Reason answer should be compelled:

12 Any party may obtain discovery regarding any matter, not privileged, that is relevant to
13 the subject matter involved in the pending action or to the determination of any motion made
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