

Hardoon & Ball

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February 10, 1994

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

Re: [REDACTED] et al.

Dear Mr. Rodgers:

In an effort to present the claims of [REDACTED] and four other clients in a coherent fashion, I have compiled the enclosed outlines with supporting documents.

Either I or an investigator involved in this case have personally contacted and spoken with seven actual victims of Cotter's abuse and two intended victims. In addition we are aware of several others that we have not yet confirmed.

Most were molested while Cotter was at St. Theresa's in West Roxbury between 1964 and 1974.

Two were molested after Cotter was transferred from St. Theresa's to St. John's in Beverly, Mass. after the Archdiocese was fully informed of Cotter's sexual molestation from several sources.

We have as yet been unable to locate any direct evidence of the Archdiocese's knowledge of Cotter's sexual abuse of children until towards the end of his tenure at St. Theresa's. Whether our ongoing investigation ultimately develops this evidence remains to be seen.

At the present time, the claims on behalf of the St. Theresa's parishioners from West Roxbury are based on the doctrine of respondeat superior with each episode of abuse constituting a separate event; I am aware that you disagree as to the applicability of the doctrine legally and/or factually in these cases. I am also evaluating these claims in terms of a negligent supervision theory that may be supportable based on the overall picture of Father Cotter's behavior as described by the many

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victims. Additionally, this may be a suitable case to pursue the tort of "clergy malpractice". I have included a brief article on the subject for you to read.

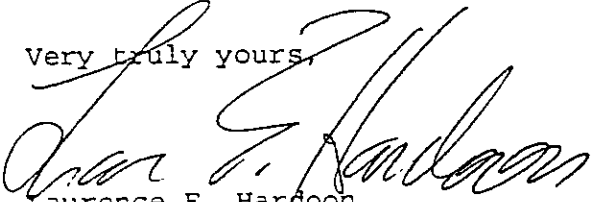
The claim on behalf of [REDACTED], a former parishioner at St. John the Evangelist in Beverly, is predicated on actual negligence in failing to supervise Father Cotter after Monsignor Sheehan and others learned of his acts of child sexual molestation while at St. Theresa's. Naturally, I consider his claim to be the strongest from a legal perspective.

Obviously all the claimants rely upon the delayed discovery doctrine and recently enacted legislation to overcome the statute of limitations issue.

If the Archdiocese is interested in reasonably resolving these claims I believe we could create a framework for doing so successfully. I have included forensic evaluations regarding Mr. Costello and Mr. [REDACTED]. Other forensics would be provided upon an indication from you that they would be helpful.

I do propose that we arrange a meeting at your earliest convenience to discuss the Father Cotter claims as there are certain filing and discovery deadlines that need to be met.

Very truly yours,



Laurence E. Hardoon

LEH/veb
Enclosures

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