

DECLARATION OF VIVIAN S. GAGEN


I, Vivian S. Gagen, declare:

1. This declaration is based upon matters within my personal knowledge.
2. I am an Administrative Assistance for the Catholic Diocese of Cleveland, a position I have held for approximately 10 years.
3. The meeting minutes and other materials relating to the Finance Council were maintained in binders stored at the Finance Office. The binders were distributed to Finance Council members at the beginning of meetings and collected after meetings. I assisted in adding minutes and other materials to the binders before and after meetings.
4. In January 2004, Joe Smith was placed on leave and his assistant, Janice Hesselton, went on medical leave.
5. Thereafter, Kevin O'Donnell, a Finance Council member, began giving me instructions.
6. In late January or early February, Mr. O'Donnell removed documents from one of the Finance Council binders and instructed me to "get rid of" those same documents from all of the other Finance Council binders, which I did. I did not keep a record of what documents were removed and discarded.
7. In July 2007, I discussed this with John Maimone, the CFO of the Diocese.

I declare under penalty of perjury that the foregoing is true and correct, pursuant to 28 U.S.C. § 1746.



Vivian S. Gagen



Date