

ORDER NO 1

Entered by
Judge Powers
4/31/2013: with
Exhibits
T.M.
4/31/2013

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
WILL COUNTY, ILLINOIS

DAVID RUDOFSKI)

Plaintiff,)

vs.)

No. 07 L 283

ROMAN CATHOLIC DIOCESE OF JOLIET, a Trust;)

FR. JAMES BURNETT,)

Defendants.)

ORDER
MODIFYING PREVIOUSLY ENTERED PROTECTIVE ORDERS

THIS CAUSE COMING TO BE HEARD upon the Plaintiff's Motion entitled, "Motion to Modify the Previously Entered Protective Orders to Permit the Disclosure of Certain Documents Pertaining to 15 Priests Who Have Been Credibly Accused of Sexual Misconduct/Abuse with Minors and Who Have Served in the Diocese of Joliet" due notice having been given, and after the filing of briefs and exhibits, and after oral argument,

IT IS HEREBY ORDERED:

1. That the Plaintiff's Motion to Modify the previously entered Protective Orders as to the "Designated Documents" listed on Exhibit 1 attached to this order is granted, subject to redaction of the names of the victims and their family members. Such redaction as described in paragraph 6 below.

Thus, this Order modifies existing Protective Orders entered in this case by excluding from the prior orders the "Designated Documents" listed on Exhibit 1 attached to this Order. All existing protective orders shall remain in full force and effect except to the extent that they are modified by this Order.

2. The previously entered Protective Orders entered in this case include the Protective Order entered on December 3, 2009, the Protective Order entered on March 11, 2011, and the Protective Order entered on August 30, 2012. A copy of these three Protective Orders are attached as Exhibit 2 to this Order.
3. **Compelling Public Interest to Protect Children and Privacy Rights:** The Court further finds that there is a compelling public interest to protect children from being sexually exploited and abused, and consistent with that interest, that it is appropriate to release to the public the documents designated by Plaintiff as detailed in the tables attached as Exhibit 1. Any claims of privacy rights of any of the individual priests listed below or any confidentiality rights claimed by the Diocese of Joliet except for privileged documents, must yield to the State's public interest to protect children in releasing documents listed in Exhibit 1 to the public.

4. **Privilege Log Documents Withdrawn by Plaintiff:** At the December 7, 2012 hearing, the Plaintiff withdrew from the Designated Documents the "Privilege Log" Documents. That withdrawal is marked on the List of Designated Documents attached as Exhibit 1.
5. **Designated Documents:** The Court notes that the Designated Documents pertain, for the most part, to the following priests who have been "credibly accused" of sexual misconduct/abuse with minors while serving as priests in parishes of the Diocese of Joliet:

1. Fr. Salvatore Formusa, deceased.
2. Fr. Leonardo Mateo, deceased.
3. Fr. Donald Pock, deceased.
4. Fr. James Frederick, deceased.
5. Fr. John Slown
6. Fr. Carroll Howlin
7. Fr. Donald O'Connor, deceased.
8. Fr. James Burnett
9. Fr. Michael Gibbney
10. Fr. Frederick Lenczycki
11. Fr. Philip Dederá
12. Fr. Anthony Ross
13. Fr. Lawrence Gibbs
14. Fr. William Virtue
15. Fr. Lawrence Mullins

A list of Designated Documents is attached as Exhibit 1

6. **Redaction of Victims Names and Family Members:** The Court further orders that if the Plaintiff releases the "Designated Documents" to the public pursuant to this Order, the names of victims and their family members shall be redacted prior to disclosure.

However, if the names of victims appeared in newspapers or Complaints at Law in the Designated Documents (as produced by the Diocese of Joliet to the Plaintiff), then such newspaper articles or Complaints at Law may be re-released to the public without redaction under the terms of this Order.

7. **Findings as to Fr. Virtue:** The court further finds that an allegation of sexual abuse of a minor against Fr. Virtue has previously been made public in a civil lawsuit in the case of Tim Shanahan v. Fr. Virtue et al. (06 L 528), Circuit Court of DuPage County.
8. **Severability:** If Fr. Virtue or a priest/respondent appeals this Order as to the Designated Documents of that priest/respondent's file, the Order shall remain in force as to all documents contained within the files of the non-appealing priest/respondents.

Thus, if priest A appeals this Order as to his records that the Plaintiff has designated,

then this Order shall remain in force as to all other Designated Documents of non-appealing priests.

9. **Stay of This Order for 40 Days:** This Order will be stayed for 40 days to allow a respondent to consider an appeal of this Order or to documents of that respondent.

The Court notes the parties have a written Agreement that states if the Court grants the Plaintiff's Motion, the parties have agreed that the Order will be stayed for 40 days.

The 40 day stay contained within this Order in relation to all non-appealing priests shall be lifted on the 40th day after the entry of this Order, which is March 12, 2013.

10. This cause is continued to March 12, 2013 at 9:30 a.m. for further status.
11. The court finds that there is no just cause to delay the enforcement or appeal of this Order.

Entered: _____

Judge Michael J. Powers

Date: _____

1-31-13

Attached as Exhibit 1 and 2:

1. Tables listing the Designated Documents (45 pages)
2. Existing Protective Orders (Dated 12/30/09, 3/11/11 and 8/30/12)

Prepared by:

EXHIBIT 1

EXHIBIT 1.0

LIST OF DOCUMENTS PROPOSED BY PLAINTIFF TO BE MADE PUBLIC IN RE: "PLAINTIFF'S MOTION TO MODIFY PROTECTIVE ORDER, ETC."

Note: Revised by Plaintiff with Leave of Court on December 7, 2012 to Redact Privilege Log Documents from the Attached Tables of Designated Documents. TMJ

December 2012

	<u>PRIEST</u>	<u>DATE OF ORDINATION</u>
1.	Fr. James Janssen	March 9, 1948
2.	Fr. Salvatore Formusa, dec.	April 27, 1935
3.	Fr. Leonardo Mateo, dec.	March 17, 1956
4.	Fr. Donald Pock, dec.	June 7, 1958
5.	Fr. James Frederick, dec.	May 30, 1959
6.	Fr. John Slown	May 30, 1959
7.	Fr. Carroll "Pud" Howlin	May 27, 1961
8.	Fr. Donald O'Connor, dec.	June 13, 1964
9.	Fr. James Burnett	May 25, 1968
10.	Fr. Michael Gibbney	October 21, 1972
11.	Fr. Frederick Lenczycki	October 21, 1972
12.	Fr. Phillip Dederá	November 1, 1972
13.	Fr. Anthony Ross	November 11, 1972
14.	Fr. Lawrence Gibbs	May 12, 1973
15.	Fr. William Virtue	November 29, 1975
16.	Fr. Lawrence Mullins	October 15, 1977
17.	Misc. Documents	NA
18.	Plaintiff's Additional Designations	NA

TMJ/F


2.0 FR. SALVATORE FORMUSA, dec.


Documents Proposed By Plaintiff to Be Made Public
 In re: "Plaintiff's Motion to Modify Protective Order, etc."

September 2012

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
1	Not Numbered
2-4	Withdrawn - Privilege Log
5	Not Numbered
37	23
52	35
53	00300 (illegible)
54-55	36-37
59-61	41-43
68-69	49-50
87	68
91	72
94-95	75-76
101-02	82-83
114	96
137	119
144-45	126-27
148-49	130-31
170	152
172	163
200	191
264-65	255-56
283-290	272-279
412	387
420	0,1,2, (Three numbers on one page)
421	0, 2,9, (Three numbers on one page)
422	3
424	5
425	7
427-28	9,10A
429	10B
436-440	17-21
442	24A

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
443	124B
446	27
447	31 A
448	131B
456-57	48 A&B
460-64	51-55
465-66	56 A&B
468	58
477-78	69-70
485	78
486-89	79-82
491	84
494	88A
495	88B
499	92
500-01	95-96
503	98
508-09	104-05

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TMJ/F


3.0 FR. LEONARDO MATEO, dec.

Documents Proposed By Plaintiff to Be Made Public
 In re: "Plaintiff's Motion to Modify Protective Order, etc."
 September 2012

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
1-2	Not Numbered
3-4	Withdrawn - Privilege Log
11-22	1-12
24	1
55	31A
61	32
62-65	33-36
66-88	37-59
90-105	61-64, 65A&B, 66-74, 75B
106-07	76-77
109-10	80-81
111-14	86-89
116-18	92-94
132-35	106-09
138-39	112-13
141-43	115-17
144	119
149	126
151	129
155-59	133-37
164-67	142-45
169-71	147-50
173	151
176	154
177-79	155 A, B, C
180-87	156-63
193	171
196-98	174-76
203-04	181-82
206-208	184-86
214-28	192, 193A&B, 194 A&B, 195A&B, 196-203

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
230-32	205 A&B, 206
241-43	215-17
251	225
260-61	234-35
267-68	241-42
280	308
281	309
282	309 [double-numbered]
294	321
296-98	323-25
309	336
312	339

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4.0 FR. DONALD POCK, dec.

Documents Proposed By Plaintiff to Be Made Public
In re: "Plaintiff's Motion to Modify Protective Order, etc."

September 2012

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
1	Not Numbered
2-14	Withdrawn - Privilege Log
15	Not Numbered
16	01
25	000010
35	000020
78	65
98	83
149-50	130-31
160	142
161-62	143-44
171	156
172	157
177	161
187-88	171-72
193	177
221-224	207-10
225-26	213-14
238-40	243-45
293	331
294-96	332-34
327	379
408	484
409	485
410	486
416-18	492-94
419	495
426	502
430	506
432	508
433	509
434	510
435	511
438	514

FR. POCK DESIGNATED DOCUMENTS
In Re: "Plaintiff's Motion to Modify Protective Order"
September 2012
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Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
439	515
441-42	517-18
450	525
451	526
453	528
454	529
456	531
458	533
459	534
478	553
490-91	564-65
509-23	584-98
524	599
535	613
536-37	614-15
581	668

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5.0 FR. JAMES FREDERICK, dec.

Documents Proposed By Plaintiff to Be Made Public
 In re: "Plaintiff's Motion to Modify Protective Order, etc."
 September 2012

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
1	Not Numbered
2-3	Page 2 Withdrawn - Privilege Log
4	000002
5	000001
6	0002
72	66
136	130
194	186
195	188
196	189
200	202
201	203
209	210 A
210	210 B
211	211
212	212
213	213
214	214
217	217
220-21	220-21
223	224
226	227
232	233
248	249
269-70	270-71
273-74	274-75A
275	275
276-77	276-77
279-80	279-80
283-85	288-90
286	291
288-89	296-97
298	306
341	348

FR. FREDERICK DESIGNATED DOCUMENTS
In Re: "Plaintiff's Motion to Modify Protective Order"
September 2012
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Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
342	349
343	350
451	455

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6.0 FR. JOHN SLOWN

Documents Proposed By Plaintiff to Be Made Public
 In re: "Plaintiff's Motion to Modify Protective Order, etc."
 September 2012

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
1-2	Not Numbered
3-9	Withdrawn - Privilege Log
10	000001
11	2
15	6
16	7
19-20	10A&B
23	13
26	16
27	17
28-29	18A&B
34-35	23A&B
40-41	28A&B
43-44	30A&B
47	33
49-50	35A&B
51-52	36-37
67	Not Numbered
69-70	53A&B
71	54
73	56
78-79	61A&B
80	62
82	66
87	70
93-95	76-78
96	79
97-100	80A,B,C,D
101-02	81A&B
104	83
105	84
107	87
108	88
109-10	89-90

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
111-14	92-95
117-22	99-104
124-28	106-10
130-31	112A&B
132-36	113-17
139-42	120-23
144	125
145-48	126A,B,C,D
149-53	127-31
158-59	136-37
161-72	139-50
173-76	151-54
177-79	155 A, B, C
180-88	156-64
189-97	166-74
198-99	175A&B
200-01	176A&B
202	177
203-04	178A&B
205-31	179-205
232-33	206A&B
234-36	207-09
241-46	213-18
250	220
252-54	222-24
255	225
256	226
257	228
258	229
259	231
261	233
262-65	234-37
266-70	238-42
276	246
278	248
280	250
286	252



Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
288	254
291	256
295	258
297	260
299	262
302	264
303-05	265-67
306	268
307-09	269 A, B, C
310	270
312	278
313	279
314-19	280-85
320-22	286A, B, C
323	287
324-25	288 A & B
326	289
327-33	290-96
334-37	297 A, B, C, D
338-40	298-300
341-42	301 A&B
343-47	302-06
348-49	307A&B
350	308
351	316
352-53	318-19
354-57	320 A, B, C, D
358-62	321-25
363-65	326 A, B, C
366-68	327-29
369-70	332 A&B
371-74	333-36
375-76	337 A&B
377-78	347-48
379-80	351 A&B
381-82	252-53
383-90	357-364

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
391	368
393-96	370-73
397-99	377-79
400-02	380 A, B, C
403-05	381 A, B, C
406-07	382 A& B
408-12	383-87
413-414	388 A& B
415-18	389-92
419-20	393 A&B
421-26	394-99
427-29	400 A, B, C
430-34	401 A, B, C, D, E
435-37	402 A, B, C
438-41	403-06
442-46	407 A, B, C, D, E
447-48	408-09
449-50	410 A&B
451-56	411-17
465-67	419-21
468-70	422 A, B, C
471-480	423-32
481-87	438--44
488	449
492-95	456 A, B, C, D
496-503	457-64
504-17	466-79
519	484
520-22	487 A, B, C
523-26	488-91
527-30	492 A, B, C, D
531	493
532-33	496-97
534	502
535-36	507-08
537-50	514-27
551-59	535-43

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
560	Not Numbered
561-75	544-58
576-88	560-72
589-90	573 A&B
591-94	574-77
595	582
597	586
602	613
603-04	614 A& B
605-10	615-20
616-31	626-41
632-37	643-48
638-66	650-78
667-69	680-82
670-78	685-93
679-88	698-707
689-91	714-16
692-96	723-27

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7.0 FR. CARROLL HOWLIN

Documents Proposed By Plaintiff to Be Made Public
 In re: "Plaintiff's Motion to Modify Protective Order, etc."
 September 2012

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
1-3	Not Numbered
3-4	Not Numbered
5	000001
6-9	Withdrawn - Privilege Log
11	2
13-14	4-5
16-17	7-8
18-19	10-11
21	13
22	Not Numbered
25	16
47-48	37-38
50-52	40-42
55-61	45-51
65	54
74	63
76-80	65-69
83-84	72-73
103	90
106	93
113	100
116	103
127	112
136-38	121-123
140	125
142	127
148-51	133-36
153-54	138-39
155-59	141-45
160	146
161-81	147-67
183-85	169-71
188	175
189-94	177-82

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
195	Not Numbered
196-201	183-88
202	180 [Double Numbered]
203-13	190-200
215	204
216-217	213-14
220-23	224-27
222-23	226-27
225-39	229-43
241-44	246-49
246-47	251-52
251	256
245	259
253-56	261-64
257-59	267-69
263-64	277-78
274	295
275-81	303-09
283-85	313 A&B, 314
286	316
287	318
288-89	319-20
290-93	322-25
294	327
295	Not Numbered
296-310	328-42
329-43	360-74
350-376	381-407
382-402	413-433
403-30	434-61
431-37	463-69
463-83	500-20
485-97	523-35
500-02	537-39
503-19	541-57
520-39	559-78
540-46	580-86
547-57	588-98
559-71	601-10, 611 A, B, C

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
572-580	612-13, 614 A through G
581-601	615-36
602-05	637-640
606-29	642-65
632-40	668-76
641-42	681-82
643-51	696-704
652-56	707-11
657-62	715-20
663	Not Numbered
664-69	721-26
671	733
672-73	Page 673 Withdrawn - Privilege Log
674-91	4-21
692-94	1-3
695-750	22-77
751-52	84-85
753-55	87-89
756-77	93-94
758-64	96-102
765-66	104-05
767-69	Page 769 Withdrawn - Privilege Log
770-72	1-3
773	Not Numbered
774-815	4-45
816-32	47-63
833	Not Numbered
834-43	64-73
844	Not Numbered
845-87	74-116
888-95	1-8
896-1075	Page 1075 Withdrawn - Privilege Log
1076	245
1077-78	295-96
1079	Not Numbered
1080-1219	104-243
1220-1242	244-66
1243-59	266 A through Q
1261-70	Not Numbered

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
1271-78	1-5, 5 A, B, C
1279-1322	6-49
1323-39	53-55, 55A&B, 56-67
1340-62	68, 68 A through E, 69-85
1363-66	86, 86A, 87-88
1367-93	89, 89 A through Z
1394-1408	89AA, 90-103
1409	Not Numbered
1410-56	439-40, 440 A, B, C, 441-82
1457-61	483, 483A, 484-86
1462-82	487, 487 A&B, 488-505
1483-1540	506, 506 A&B, 507-61
1541-1543	Not Numbered
1544-45	268-69
1546-82	297-333
1583-1683	333A, 334-431, 431 A&B
1684-91	432-35, 435A, 436-38
1692-95	Not Numbered
1696-1707	1-12
1708	Not Numbered
1709-1955	13-259
1956-63	260-67
1964-69	Not Numbered
1970-92	1-19, 19A, 20-22
1993-2007	23, 23A, B, C, 24-34
2008-16	35, 35A, 36-42
2017-25	43, 43 A&B, 44, 45, 45 A through D
2026-44	46-48, 49, 49 A, B, C, 50-61
2045-75	62, 62 A through D, 63-88
2076	Not Numbered
2077-2232	90-244
2233-68	246-61, 262, 262A, 263-280
2269-73	290-94
2274-2433	Not Numbered

FR. HOWLIN DESIGNATED DOCUMENTS
In Re: "Plaintiff's Motion to Modify Protective Order"
September 2012
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8.0 FR. DONALD O'CONNOR, dec.

Documents Proposed By Plaintiff to Be Made Public
In re: "Plaintiff's Motion to Modify Protective Order, etc."

September 2012

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
1	Not Numbered
2-11	Withdrawn - Privilege Log
12	1
24	14
40	36B
162	142
163	143
171	154
181	162
242	214
254	226
318-19	284-85
321	287
322	288
323-24	289-90
327	293
328	294
332	298A
333	298B
334	299
337	302
338	303
339-40	304-05
345	310
363	327
364	328
366	330
372	336
373	337
379	343
404-07	368-71
416	380
418	382
432	395



Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
447	411
449	413
452	416
467	429
470	432
471	433
491-92	451-52
498	457
499	458
500	459
501	460
502-03	461-62
551	509
612	584
613	585
614	587

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9.0 FR. JAMES BURNETT

Documents Proposed By Plaintiff to Be Made Public
 In re: "Plaintiff's Motion to Modify Protective Order, etc."
 September 2012

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
1-8	Not Numbered
9-16	Withdrawn - Privilege Log
17-18	Not Numbered
19-21	1-3
119	94
121-22	96-97
123	98
128-29	102-03
130	104
133-34	107-08
141	115
186	163
231	206
189	166
233-48	208-223
249	228
250-53	229, 230 A&B, 231
255-60	233-38
262-68	240-46
285-86	263-64
299-301	277-79
308-09	336-37
396	374
400-07	380-87
408-09	389-90
429-31	410-12
442-44	422-24
446	426
449-55	429-35
458	438
460	440
462	446
468	454
470	458

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
485-87	474-76
488-91	479-82
492-93	484-85
494-95	491-92
496-97	494-95
504	503
505-06	505-06
516	515B
525-26	525-26
533	533
553	552
554-57	553-56
559-62	558-61
567	566
590-91	589-90
594	594
596-97	596-97
598-601	601-04
602	608
603-04	609 A&B
610	620
612-13	623-24
614-16	628-630
617-621	638-42
622-23	656-57
624	658
625	659
626	662
627	Not Numbered
628-708	JB1-JB81
709-49	Page 747 Withdrawn - Privilege Log
750-56	1-7
757	Not Numbered
758-64	8-14
765	Not Numbered
766-68	15-17
769	Not Numbered
770-75	18-23
776	Not Numbered

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
777-81	24-28
782	Not Numbered
783-85	29-31
786	Not Numbered
787	32
788	Not Numbered
789-92	33-36
Not Provided	37
793	38
794	Not Numbered
795-808	1-14
809-10	Not Numbered
811	1
846-47	29-30
872	53
909	Not Numbered
910-12	89-91
913-16	92-95
933	112
937-38	115-16
939	117
940	118
941	119
944	Not Numbered
945	122
947	Not Numbered
948-50	124-26
951	Not Numbered
952-55	127-30
956	Not Numbered
957-59	131-33
960-62	Not Numbered
963-72	1-10
973-74	Not Numbered
975	1
976	Not Numbered
977	1
980-95	1-16
996-97	Not Numbered

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
998-1001	1-4
1002	Not Numbered
1003-23	5-25
1024-25	Not Numbered
1026-27	589-90
1028-29	601-02
1030	609B
1031	620
1032-34	628-30
1035	642
1036-37	656-57
1038-55	Page 1041 Withdrawn - Privilege Log
1056-63	1-8
1064	Not Numbered
1065-71	9-15
1072	Not Numbered
1073-77	16-17, 17A, 18, 18A
1078	Not Numbered
1079-84	19-24
1085	Not Numbered
1086-90	25-29
1091	Not Numbered
1092-94	30-32
1095	Not Numbered
1096	33
1109	Not Numbered
1110-12	45-47
1113	Not Numbered
1114-16	48-50
1117	Not Numbered
1118-21	51-54
1122	Not Numbered
1123-24	55-56
1125	Not Numbered
1126-27	57-58
1128	Not Numbered
1129-32	59-62
1133	Not Numbered
1134-36	63-65

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
1137	Not Numbered
1138-39	66-67
1140	Not Numbered
1141-44	68-71
1145	Not Numbered
1146	72
1147-1298	Not Numbered
1299-1306	1-8
1307	Not Numbered
1308-14	9-15
1315	Not Numbered
1316-17	16-17
1318	17A
1319	18
1320-21	Not Numbered
1322-27	19-24
1328	Not Numbered
1329-33	25-29
1334	Not Numbered
1335-37	30-32
1338	Not Numbered
1339	33
1340	Not Numbered
1372	Not Numbered
1373-76	59-62
1377	Not Numbered
1378-80	63-65
1381	Not Numbered
1382-83	66-67
1384	Not Numbered
1385-88	68-71
1389	Not Numbered
1390	72
1391-97	Not Numbered
1398-1411	1-14
1412-13	Not Numbered

FR. BURNETT DESIGNATED DOCUMENTS
In Re: "Plaintiff's Motion to Modify Protective Order"
September 2012
Page 6 of 6



Finis.



10.0 FR. MICHAEL GIBBNEY

Documents Proposed By Plaintiff to Be Made Public
 In re: "Plaintiff's Motion to Modify Protective Order, etc."
 September 2012

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
1-2	Not Numbered
44	40
49	4
59	56
60-78	57-75
79	76A
80	76B
81	76
83-87	78-82
92-95	87-90
97-98	92-93
100	95
131-33	128-30
134	136
154-55	156-57
174	174
179-81	215-17
193	Not Numbered
201-02	269-70
233	318
235-37	320-22
238-42	323-27
247-49	333-35
263-64	359-60
272	373
268-70	374-76
273-77	379-83
279-282	385-88
328-31	433-36
332	438
333-37	439-43
338-39	445-46
340-42	448-50
343-46	451-54



Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
347	457
348-49	458-59
351-77	461-87
378-80	490-92
398-399	519-20
414-18	535-39
435-36	561-62
463-65	602-04
550-52	706-08
559-62	729-32
565-73	740-48
575-81	750-56
586	775
594	785
595	Not Legible
596	788
597-98	Page 598 Withdrawn - Privilege Log
599-602	28-31
603	Not Numbered
604-30	1-27
631-51	32-52

FINIS.

11.0 FR. FREDERICK LENCZYCKI

TMJ/F



Documents Proposed By Plaintiff to Be Made Public
In re: "Plaintiff's Motion to Modify Protective Order, etc."

September 2012

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
1-2	Not Numbered
3-14	Pages 4-14 Withdrawn - Privilege Log
15	Not Numbered
25	10
225	199
235	207
243	215
244	216
245	216½
246	217A
247	Not Numbered
248-49	217 B, C
251-52	219 A&B
254	221
259-60	231 A&B
264	238
268-69	242 A&B.
270-71	243 A&B
272-74	244-46
276	252
277-79	253 A&B, 254
280-82	255-57
283-284	258 A&B
285	269A
286	269B
287-88	260 A&B
293-94	267 A&B
297-98	271-72
300	274
304-05	278 A&B
314-17	287, 288, 289 A&B
318-20	291-93
321-22	294 A&B
328-29	302 A&B
342	312
355-57	324 A&B, 325
375	343
385	351
388-89	354-55

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
391-92	357-58
397-99	363-65
407	373
409-11	380-82
420-22	401-03
431	411-12
436-38	415-17
445-49	425-29
451-52	431-32
458	437
474-75	452-53
478	456
480	458
481	459
486	464
494-96	472-74
500-01	483-84
522-24	506-8
544-46	529-31
562-63	555-56
565	560
570-71	564-65
583	575
590-595	582-87
599-600	591-92
602-08	594-600
611-13	603-05
621-24	613-16
626	618
636-669	628-61
686-88	682-84
706-07	699-700
712-14	705-07
779	767
865-68	848-51

FINIS.

12.0 FR. PHILIP DEDERA


Documents Proposed By Plaintiff to Be Made Public
 In re: "Plaintiff's Motion to Modify Protective Order, etc."
 September 2012

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
1	Not Numbered
2-12	Withdrawn - Privilege Log
14-18	Not Numbered
19	1
20	4
25	7
26	8
27	Not Numbered
28-29	9-10
31	12
32	13
39	20
44-45	25A&B
53	34
55	36
57-59	38-40
77	57
84-86	64-66
94	74
96-101	76-81
103	83
105	85
108	88
113-14	93-94
141	115
147-48	121-22
151	125
163	135B
164-72	139-47
180-81	157-58
182-95	160-172, 172A
202	179
207-08	183-84
210	186
212	188
213-16	194-97
218-24	199-205

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
226	207
231-34	211-14
237-39	217-19
246-47	224-25
251-56	229-232, 233A&B
278	255
285-87	261-63
289	265
296-305	271-80
308-14	282,283,283A,284-87
316-26	292-98, 299A&B, 300-01
329-34	304-09
337-38	312-13
341-43	316-18
351	326
354	328
356-61	330-32, 333 A&B, 334
368	341
391-92	363-64
408-10	380-81
411-12	382 A & B
438-40	407-09
441	421
442-47	459-62, 463A, 464
448-51	465 A, B, C, D
452-58	466-72
459-62	483 A, B, C, D
463-68	484-89
469-70	506-07
471-73	515A&B, 516
474-75	528-29
476-81	561-66
482	567
483	597
484	614
489	653
491-92	665-66
498-99	684-85
501	688
502	698
503-04	711-12

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
505	715
506-08	722-24
509	730
510-511	732-33
512-13	741-42
514	749
517	754
518-20	761-63
528	771
534-539	782-87
541-42	789-90
543	793
562-64	812-14
565-67	815-17
576	826A
577-78	827 B, C
579-80	827-28
583-86	831, 832 A, B, D
601-13	844-56
614-15	857 A&B
616-31	858-73
634-42	877-79,880 A&B,881-84
643-680	886-923
681-82	924 A&B
685	926
688	930B
689	931
697-699	937 A&B, 938
700-09	939-48
710-27	950-52, 853A&B,954-66
728-33	967-72
748	985
750-64	987-1001
765-73	1003 A&B, 1004-10
776	1017
777-787	1024-34
788-92	1037-41

FINIS.

TMJ/F


13.0 FR. ANTHONY ROSS

Documents Proposed By Plaintiff to Be Made Public
In re: "Plaintiff's Motion to Modify Protective Order, etc."
September 2012

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
1	Not Numbered
2	1
3-7	Withdrawn - Privilege Log
205	223
210	232
214-15	236-37
223	281
229-30	288-89
249-73	322-46
282-83	355-56
287-90	360-63
302-04	376-78
321-22	395-96
328-330	405-07
334	413
343-44	422-23
349	428
351	430
353	Not Numbered
355-56	434 A&B
368-69	446-47
375	453
379-85	457-63
386-91	464-69
397	475
403-13	481-91

FINIS.

14.0 FR. LAWRENCE GIBBS

Documents Proposed By Plaintiff to Be Made Public
 In re: "Plaintiff's Motion to Modify Protective Order, etc."
 September 2012

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
1-2	Not Numbered
3-13	Withdrawn - Privilege Log
14	Not Numbered
54	38
90	75
91	76
141-43	122-24
146	127
147	135
150-51	138-39
171	160
243-44	232-33
253-55	242-44
304	292
312	300
316-17	304-05
352	337
355	340
375	360
377	362
380	365
448	431
467	450
528	510
612-13	591-92
634	612
635-646	613 A through L
648	615
651	618
662	635
666	639
704	677
748	724
806	792

FR. GIBBS DESIGNATED DOCUMENTS
In Re: "Plaintiff's Motion to Modify Protective Order"
September 2012
Page 2 of 2

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
841	827
1075-76	1164-65
1080	1174
1087-1181	Not Numbered
1182-83	Not Numbered
1184-92	1185-93

FINIS.

TMJ/F


15.0 FR. WILLIAM VIRTUE

Documents Proposed By Plaintiff to Be Made Public
 In re: "Plaintiff's Motion to Modify Protective Order, etc."
 September 2012

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
1-2	Not Numbered
3-7	Withdrawn - Privilege Log
8	Not Numbered
9-15	1-7
16-24	8-16
26	18
28-30	20-22
33-37	25-29
41-50	33-42
52	48
53	50
54-59	51-56
60	62
61	64
62-68	65-71
74-79	77-82
81-91	84-94
92-95	97-100
96-108	101-113
109	117
110	120
112-17	122-27
118-21	133-36
122-145	140-63
146-53	164-71
154-77	172-95
179	204
180-88	207-15
190	217
191	Not Numbered
192	Not Numbered
193-230	218-255
231-238	256-263
239	Not Numbered

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
240-46	264-70
248-75	272-99
276-78	300-02
279	Not Numbered
283-88	305-310
289-323	311-345
324-39	346-61
340-62	362-84
363-80	392-409
381-83	412-14
384-87	416-19
388-93	420-25
394-410	427-43
412-14	445-47
415-16	448-49
417	Not Numbered
418-23	450-55
425-490	456-520 A&B
491-95	521-25
498	Not Numbered
499-505	1-7

FINIS.

TMJ/F



16.0 FR. LAWRENCE MULLINS

Documents Proposed By Plaintiff to Be Made Public
In re: "Plaintiff's Motion to Modify Protective Order, etc."
September 2012

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
1	Not Numbered
2-10	Withdrawn - Privilege Log
11	Not Numbered
168	157
169	161
171	186
203-05	215-17
206-07	253-54
211	258
216	284
219-21	290-92
224	295
235	312
246-47	326-27
253-55	333-35
263--319	348-98
329-30	408-09
331-39	411-19
349-58	429-38
383-84	463-64
386-89	468-71
396	485
398-400	487-89

FINIS.

17.0 MISCELLANEOUS RECORDS RECEIVED FROM THE DIOCESE OF JOLIET IN 2012

TMJ/F


- 16.1 Bishop Imesch Records
- 16.2 Chancellor Sr. Davies Records
- 16.3 Outside Investigator Records
(Kirby, Catholic Mutual Insurance (J. Wright),
Thompson & Coburn)
- 16.4 Victim Files
- 16.5 Specter, Inc. (Randy Murbach) Records

**Documents Proposed By Plaintiff to Be Made Public
In re: "Plaintiff's Motion to Modify Protective Order, etc."**

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
Miscellaneous Documents Produced by the Diocese of Joliet on July 25, 2012	
16.1 Bishop Imesch Records	
1-2	Not Numbered
3-4	1-2
Not Produced	3-10
5-30	11-36
Not Produced	37-39
31-87	40-96
Not Produced	97-100
88-118	101-31
Not Produced	132-34
119-121	135-37
122-147	138-63
148-49	164-65
150-67	166-83
Not Produced	184-85
168-84	186-202
Not Produced	203-207
185-222	208-245
Not Produced	246-48
223-55	249-68, 269 A&B, 270 A&B, 271-79
256-71	280-95
272-317	296-341
Not Produced	342-43
318-323	344-49
Not Produced	350

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
324-26	351-53
327	Not Numbered
328-429	355-456
Not Produced	457
430-44	458-72
Not Produced	473
445-46	474-75
16.2 Chancellor Sr. Davies Records	
447-50	Page 450 Withdrawn - Privilege Log
451-55	1-5
Not Produced	6
456-491	7-42
16.3 Outside Investigator Records	
492-94	Not Numbered
495-532	1-38
533-41	1-9
542-659	1-118
660	Not Numbered
661-64	1-4
665-68	1-4
669-72	1-4
673-76	1-4
677-81	1-5
682-87	1-6
688	Not Numbered
689-91	1-3
16.4 Victim Files	
692-97	Not Numbered
698-702	1-5
723-53	1-31
754-55	Withdrawn - Privilege Log
756-63	1-8
764	12
765-90	32-57
791-814	68-91
815-839	92-116
Not Produced	117
840-63	118-141
Not Produced	142
864-877	143-156
Not Produced	157
878-891	158-71
892-948	1-57
949	Withdrawn - Privilege Log

DESIGNATED DOCUMENTS -- MISCELLANEOUS
AS PRODUCED BY THE DIOCESE OF JOLIET
In Re: "Plaintiff's Motion to Modify Protective Order"
September 2012
Page 3 of 4

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by Diocese)
950-983	1-34
984-1037	48-101
1038-41	106-09
1042-47	116-21
1048-56	123-31
1057	Withdrawn - Privilege Log
1058-63	1-6
1064	Withdrawn - Privilege Log
1065-66	13-14
1067	38
1068-77	39-48
1078-85	1-8
1086-91	14-15, 20-23
1092-1122	26-56
1123	Withdrawn - Privilege Log
1124-32	1-9
1133-45	11-23
1146-65	1-20
Miscellaneous Documents Produced by the Diocese of Joliet on September 6, 2012	
16.5 Specter, Inc. (Randy Murbach) Records	
1-2	Not Numbered
3-65	1-63
66	Not Numbered
67-87	1-121
88	Not Numbered
89-196	1-108

DESIGNATED DOCUMENTS - - MISCELLANEOUS
AS PRODUCED BY THE DIOCESE OF JOLIET
In Re: "Plaintiff's Motion to Modify Protective Order"
September 2012
Page 4 of 4



FINIS.

18. Plaintiff's Additional Designations

Red Bates Stamp Number (Numbered by Plaintiff)	Corresponding Diocese of Joliet Bates Numbers (Numbered by the Diocese)
Fr. James Burnett	
1414-16	Not numbered
1417	Withdrawn – Privilege Log
1418-22	Not Numbered
1423-33	000001-11
1434	Not Numbered
Not Produced	457
1435-40	000012-17
1441-43	Not Numbered
1702-04	Not Numbered
1705-06	00 589-90
1707-08	00 601-02
1709	000609B
1710	000620
1711	000628
1712-13	000629-30
1714	000642
1715-16	000656-57
1717-18	Not Numbered
1719-20	000663-64
1721	000668
1722	Withdrawn – Privilege Log

Miscellaneous Documents Produced by Diocese of Joliet on September 18, 2012 Victim Assistance Coordinator Records	
1-4	Not Numbered
4-15	1-12
16	Not Numbered
17-26	1-10
27	Not Numbered
28-36	1-9
37	Not Numbered
38-54	1-17
55	Not Numbered
56-59	1-4

EXHIBIT 2

copy

IN THE CIRCUIT COURT FOR THE TWELFTH JUDICIAL CIRCUIT
WILL COUNTY, ILLINOIS

DAVID RUDOFSKI

Plaintiff,

v.

ROMAN CATHOLIC DIOCESE OF JOLIET,
a Trust; FR. JAMES BURNETT,

Defendants.

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NO. 07 L 283

PROTECTIVE ORDER

This CAUSE coming on to be heard on the Motion of The Roman Catholic Diocese of Joliet, Inc., a Trust (the "Diocese") for a Protective Order concerning the disclosure of documents and information to be produced in discovery, and the Court having made a ruling on November 6, 2009 after reviewing Briefs and hearing arguments of counsel.

IT IS HEREBY ORDERED AS FOLLOWS:

1. That this Protective Order is hereby entered and shall apply to:

The names of victims of child sexual abuse (except for those who have filed lawsuits in their own names); or those whose names have been published by disclosures in newspapers, television or radio

and

Personnel files produced in discovery;

and

May be disclosed only to:

- a. Attorneys of Record;
- b. Consulting or testifying experts designated as such by Supreme Court Rule;
- c. Investigators of Attorneys of Records;
- d. Parties to this lawsuit;

That the above individuals may use any protected information and documents in the course of an investigation and may use protected information and documents during depositions.

2. That prior to any disclosures to the above mentioned individuals, such person shall be provided with a copy of this Order by counsel proposing a disclosure, and prior to such disclosure, such person shall be bound by the Order of this Court.
3. That no exhibits of Protected material shall be filed with the Clerk of the Court. No exhibits of protected material shall be attached to a motion, nor a deposition and shall only be identified in the Motion, and the actual exhibits submitted to the Court as courtesy copies.
4. That nothing in this order shall preclude Bishop Sartain from disclosing the existence of a third allegation by a John Doe.
5. This order shall be interpreted consistent with the Court's Rulings as indicated in the Transcript of Proceedings for the hearing on December 3, 2009, which will be transcribed, and which are incorporated by reference.

Dated: December 3, 2009

Entered: _____


Judge Michael Powers

IN THE CIRCUIT COURT FOR THE TWELFTH JUDICIAL CIRCUIT
WILL COUNTY, ILLINOIS

DAVID RUDOFSKI,

Plaintiff,

vs.

ROMAN CATHOLIC DIOCESE OF JOLIET,
a Trust; FR. JAMES BURNETT,

Defendants.

NO. 07 L 283

AMENDED
PROTECTIVE ORDER
of
March 11, 2011

This CAUSE coming on to be heard on the Motion of The Roman Catholic Diocese of Joliet, Inc., a Trust (The "Diocese") for a Protective Order concerning the disclosure of documents and information to be produced in discovery, and the Court having made a ruling on November 6, 2009 after reviewing Briefs and hearing arguments of counsel, *and a further Ruling on March 11, 2011.*

IT IS HEREBY ORDERED AS FOLLOWS:

1. That this Protective Order is hereby entered and shall apply to:

The names of victims of child sexual abuse (except for those who have filed lawsuits in their own names); or those whose names have been published by disclosures in newspapers, television or radio

and

Personnel files produced in discovery; (*including allegations of child sexual abuse contained in said files*)

and

The Diocesan Review Committee Records, investigative records (internal & external), any in-camera records that the Court held were discoverable and parish personnel records

and

May be disclosed only to:

- a. Attorneys of Record;
- b. Consulting or testifying experts designated as such by Supreme Court Rule;
- c. Investigators of Attorneys of Records;
- d. Parties to this lawsuit.

That the above individuals may use any protected information and documents in the course of an investigation and may use protected information and documents during depositions.

- 2. That prior to any disclosures to the above mentioned individuals, such person shall be provided with a copy of this Order by counsel proposing a disclosure, and prior to such disclosure, such person shall be bound by the Order of this Court.
- 3. That no exhibits of Protected material shall be filed with the Clerk of the Court. No exhibits of protected material shall be attached to a Motion, nor a deposition and shall only be identified in the Motion, and the actual exhibits submitted to the Court as courtesy copies.
- 4. That nothing in this Order shall preclude Bishop Sartain from disclosing the existence of a third allegation by a John Doe.
- 5. This Order shall be interpreted consistent with the Court's Ruling as indicated in the Transcript of Proceedings for the hearing on December 3, 2009, which will be transcribed, and which are incorporated by reference, and a transcript of proceeding of March 11, 2011.

Date: _____, 2011

Entered: _____

James C. Byrne
 Spesia & Ayers
 Attorney for Defendant Roman Catholic Diocese of Joliet
 1415 Black Road
 Joliet, Illinois 60435
 (815) 726-4311

TJ
TMI: 8/29/2012

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
WILL COUNTY, ILLINOIS

DAVID RUDOFSKI,

Plaintiff,

v.

ROMAN CATHOLIC DIOCESE OF JOLIET, a Trust;
FR. JAMES BURNETT,

Defendants.

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No. 07 L 283

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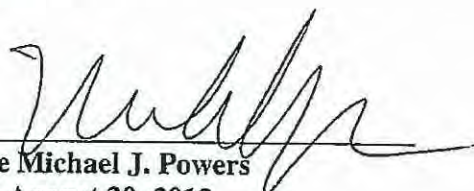
**PROTECTIVE ORDER
ON RESPONDENTS (PRIESTS OR FORMER PRIESTS)
In Re: Plaintiff's Motion to Modify Certain Protective Orders**

This cause coming to be heard upon Court Ordered Status, due notice having been given and the Court being duly advised in the premises.

IT IS HEREBY ORDERED:

1. A Protective Order is hereby entered with respect to any pleading or document that any Respondent (priests or former priests) may receive in this case.
2. This Protective Order shall prohibit any Respondent from copying or making such documents available to any person other than the Respondents' attorneys, who shall be similarly bound by this Protective Order, until further order of court.

ENTERED:



Judge Michael J. Powers
Date: August 30, 2012

Terrence M. Johnson, Esq.
North Pier Chicago
455 East Illinois Street
Chicago, Illinois 60611
(312) 922-4022
ARDC No: 3121797