

Redacted February 2014
TMJA
Released April 2014

INVESTIGATORS

INTERVIEWS AND BACKGROUND CHECKS

Redacted February 2014
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Released April 2014

FOR THE CONFIDENTIAL USE OF THE CLIENT ONLY

01

Re: Allegations of [REDACTED]
Interview of [REDACTED]

File: GI-024-11

CONFIDENTIAL

November 10, 2011

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Re: Allegations of [REDACTED]
File: GI-024-11
Thursday, November 10, 2011

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On this date, Investigator Steven L. Kirby met with and interviewed [REDACTED] regarding his allegations of sexual abuse by a former priest of the Joliet Diocese identified by [REDACTED] as Lawrence Gibbs. The interview was conducted in the presence of Mr. [REDACTED]'s attorney, David Argay, at the office of Kerns, Frost, & Pearlman, 70 W. Madison, Suite 5350, Chicago IL. Also present during the interview was James Byrne, attorney for the Joliet Diocese. The following is a summary, and unless in quotes not verbatim, of statements made by Mr. [REDACTED] during an approximate two hour interview:

Summary

- He stated that he was sexually abused by Lawrence Gibbs when he was eight years of age on approximately eight occasions.
- The abuse consisted of fondling; both parties performing oral sex on each other; anal intercourse against [REDACTED] Gibbs forcing [REDACTED] to urinate on his pants; and Gibbs watching [REDACTED] urinating in the school bathroom.
- The abuse occurred at Christ the King parish in Lombard IL over an approximate year. The subject was back and forth on how long a period of time the abuse occurred. At one point he claimed it started when Gibbs first came to the parish until the spring of 1980. Then he claimed that Gibbs "was grooming a solid 1½ to 2 years." Eventually the subject stated that "I can't say a time frame from the first event to the last."
- He said that memory of the abuse was repressed until 2010 when he suffered an anxiety attack [REDACTED] That caused him to seek counseling and during the counseling sessions his recall of the events began to clarify.
- He has had a history of instability, including drug abuse; unstable job history; sleep disorder; and mental health issues, including anger and depression, all of which he attributes to the molestations he suffered from Gibbs.

Background

- He was born [REDACTED] He grew up in [REDACTED] IL at [REDACTED] where he resided with his parents until leaving home in 1992 or 1993. His parents still reside at that address.
- Since leaving home, around the age of [REDACTED], the subject has resided in [REDACTED] where he currently lives [REDACTED]

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- He has an older brother named [REDACTED], who currently resides [REDACTED]. The subject stated that he has lost touch with [REDACTED] over time. [REDACTED]
- He is married to [REDACTED]. [REDACTED]
- He attended public schools [REDACTED]. He dropped out [REDACTED] and has not received a GED.
- He has had numerous jobs over the years. [REDACTED]. The subject acknowledged that he has had difficulty getting and holding jobs. He is currently working as a cook [REDACTED]
- He admitted using drugs illegally including, but not limited to, marijuana, cocaine, ecstasy, and heroin. [REDACTED]
- The subject also admitted to selling illegal drugs on a regular basis [REDACTED]
- He admitted being arrested and convicted three times in Du Page County IL for two misdemeanors and one felony. All of the three charges related to possession and/or sale of marijuana or other related charges. [REDACTED]

Involvement at Christ the King

- He attended Christ the King CCD classes for approximately three years from 1977 to 1980. [REDACTED]
- He was an altar server at Christ the King parish serving mass on [REDACTED] for at least one year.
- After being abused he stopped attending church and CCD. He stated that after his mother dropped him off for CCD classes he would [REDACTED] hide.

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- He made both his first confession and first communion at Christ the King.
- He knew he was confirmed at Christ the King but did not recall the circumstances and did not recall attending CCD in preparation for confirmation.
- He recalled a Father Ryan at Christ the King. He was not abused or bothered by Father Ryan and the subject stated that he liked Father Ryan.
- His mother was at one time very active at Christ the King, but not recently.

Allegations regarding Lawrence Gibbs

- He alleged that he was sexually abused by Gibbs approximately eight times over an approximate one year period (1980), however he said he cannot recall the exact time period of the abuse. He initially stated that he believed it started shortly after Gibbs arrived at Christ the King but could not be sure.
- Most of the abuse occurred on Saturdays at CCD when the subject would encounter Gibbs in the school halls [REDACTED]. According to [REDACTED], Gibbs would then lead him from the hallway to a private area where he would molest him.
- [REDACTED] reported that he was molested by Gibbs twice in the school bathroom; once or twice behind the stage; at least once in the school kitchen; once in the janitor's closet; and the time in the rectory.
- The subject recalled that the first time he was abused by Gibbs was in the school bathroom when Gibbs came in and watched him urinate, telling [REDACTED] "I need to watch you" and "it's okay that I watch you."
- On a second occasion, Gibbs took [REDACTED] into a janitor's closet at the school and had him stand in the washtub. According to [REDACTED], Gibbs made him urinate on himself while Gibbs watched. The subject claimed that he can now recall the smell of rusty water that was in the closet. [REDACTED] recalled going home and being asked about the urine on his pants. He stated that he told his mother that he had an accident with no mention of Gibbs.
- The third occasion involved Gibbs bringing him behind the stage area under a pretense to try on altar server robes. According to [REDACTED], Gibbs made him undress and at this time fondled [REDACTED]'s genitals. The subject also alleged that Gibbs made him put on a cloth diaper. The subject had limited recall as to how the diaper was attached and what else, if anything, Gibbs did.

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- [REDACTED] also recalled being in the school kitchen with Gibbs but could not recall what, if anything, occurred at that encounter.
- The most serious allegation involved an encounter in the rectory. [REDACTED] stated that Gibbs telephoned [REDACTED] mother to have [REDACTED] come to the rectory to prepare for his first communion. He stated that Gibbs took him into either an office or a bedroom, but said it was the first or second door to the left of the entry. Gibbs allegedly gave him a full chalice of sacramental wine to drink. He said Gibbs then told him to get on his knees and made [REDACTED] perform oral sex on Gibbs. The subject stated that he thought this may have occurred on a Friday night.
- Later in the interview, when asked if Gibbs ever had intercourse with him, [REDACTED] replied in the affirmative, stating that Gibbs penetrated him anally that same evening in the rectory. [REDACTED] stated that he had a bloody rectum. He recalled asking his mother why he would be bleeding but he never told her that it was caused by Gibbs. When asked why he didn't say anything to his mother at the time [REDACTED] replied, "Because I was a scared little kid."
- [REDACTED] thought that on at least one occasion, Gibbs performed oral sex on him but couldn't recall for sure and could not offer any details.
- After the encounter in the rectory, the next time [REDACTED] went to confession, Gibbs was the priest. Gibbs reportedly told him not to say anything about the molestation, that if he did "God would punish him." The subject claimed that he began cursing Gibbs, yelling obscenities, and then ran out of the confessional and church. He stated that was the last time he saw or had any contact with Gibbs.
- [REDACTED] said on one occasion after that, when he was in the wooded area near Christ the King with [REDACTED] he and she saw a man in the wooded area wearing a diaper that he thought may have been Gibbs.
- He said that he was never given any gifts or anything of value by Gibbs. He was given wine but no illegal drugs or other alcohol.
- He never took trips with Gibbs or traveled to Gibb's cabin, which the subject said was in Wonder Lake.
- To his knowledge, no else ever witnessed the molestations and to his knowledge no one from Christ the King or the Joliet Diocese knew about the molestations..
- At the time of the abuse he never complained or reported it to anyone.

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Re: Allegations of [REDACTED]
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Allegations of other abuse

- [REDACTED]
- He stated that he believed that Gibbs abused a friend of his who [REDACTED] refused to name. He said that he believed this because this friend also attended CCD at the same time he did and that on one occasion at the age of 13 or 14 [REDACTED] and the other boy engaged in anal intercourse with each other. [REDACTED] state that he felt the only way they would know of this behavior was from being abuse by Gibbs.
- The subject stated that he was never molested by anyone else associated with Christ the King, the Joliet Diocese, or anyone else.

Recollection of Gibbs abuse

- The subject claimed that he had repressed his memory of any of the abuse until July 2010 but always had bad dreams and nightmares, but not specifically about the abuse.
- He stated that over the years he has also had flashbacks but nothing specific.
- [REDACTED] stated that on July 7, 2010, he was working for [REDACTED] and suddenly felt panicky. He stated that he became extremely anxious to the point that he could not work. Over next few weeks and months he came to recall the abuse from Gibbs more clearly.
- He reported that in September 2010 he started attending counseling sessions at the [REDACTED]. He stated that he began seeing a therapist and then was given extensive "in home care" therapy. After three months his therapy was reduced to once a month sessions, which is what he is currently undergoing. He denied ever being hospitalized for his mental health issues. He stated that he has discussed his abuse and repressed memories with his therapist and since undergoing therapy has begun to recall with more specific detail. He also has been "journaling" at the suggestion of his therapist.
- He acknowledged that when Gibbs began receiving media notoriety in 1995, he "had a clue something happened to me." He felt that one of the reasons he couldn't recall clearly at the time was due to his drug abuse.

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Re: Allegations of [REDACTED]

File: GI-024-11

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- [REDACTED] said at that time he discussed Gibbs and the charges against Gibbs with his mother but did still not recall that he had been abused so he did not reveal that to her.
- [REDACTED] stated that he first told his parents about the abuse in July 2010.
- [REDACTED] he first told his wife that he was abused between July and September.

End of report.

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OF COUNSEL
GLENN P. EIDEN
U.S. CUSTOMS RET.

August 12, 2011

James C. Byrne, Esq.
Spesia & Ayers
1415 Black Road
Joliet, Illinois 60435

Re: [REDACTED]
Our File No. GI-024-11

Dear Jim:

Per your request, our office conducted a court search for any criminal or civil cases identifiable with [REDACTED] born [REDACTED]. Our search consisted of court indices in Cook; DuPage; Will; and Kane County, Illinois, as well as the United States District Court.

In those five jurisdictions, we found no record of any civil suits, liens or judgments identifiable with the subject.

In regard to criminal court cases, we found no cases identifiable with the subject in Cook, Kane or Will County, as well as the United States District Court.

In DuPage County, we found three criminal cases (all convictions) identifiable with the subject. One was a felony and two were misdemeanors. The subject pleaded guilty to each case and received probation. Those cases are as follows:

[REDACTED] - PEOPLE OF THE STATE OF ILLINOIS vs. [REDACTED]

The subject was charged with a Class Four Felony, possession of more than thirty grams, but not more than five hundred grams, of a substance containing cannabis. After a number of court hearings and motions, on [REDACTED] 1993, the subject pleaded guilty and was found guilty. The subject was given eighteen months probation and fined \$500 and other fees. On [REDACTED] 1994, the subject's probation was discharged satisfactorily. It is noted that the subject was charged with two additional defendants, [REDACTED] and [REDACTED], under consecutive indictments, [REDACTED] and [REDACTED].

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JAMES C. BYRNE, ESQ.
SPESIA, AYERS & ARDAUGH

FRIDAY, AUGUST 12, 2011

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[REDACTED] - PEOPLE OF THE STATE OF ILLINOIS vs. [REDACTED]
[REDACTED]

The subject was charged by the Lisle Police Department for illegal transportation or possession of alcohol in a vehicle. This misdemeanor case was apparently consolidated with the aforementioned felony case, as on [REDACTED] 1993, the subject pleaded guilty and was given twelve months probation and fined \$200, plus additional court costs and fees. The subject's probation was reported as satisfactorily completed on [REDACTED] 1994.

[REDACTED] - PEOPLE OF THE STATE OF ILLINOIS vs. [REDACTED]
[REDACTED]

The subject was charged with misdemeanor possession of cannabis (less than 2.5 grams). On [REDACTED] 1993, the subject pleaded guilty and was given probation to run concurrent with [REDACTED]. The subject's probation was terminated on [REDACTED], 1994. The subject was also ordered to attend drug and alcohol counseling, as well as submit to drug and alcohol testing as deemed appropriate by the Probation Department.

We found no other criminal cases in any of the jurisdictions, including DuPage County identifiable with the subject. Certified copies of the three aforementioned cases accompany this report.

In addition to the three criminal cases described earlier in this letter, three traffic cases were found under the subject's name in DuPage County; one from 1989 and two from 1990. Because of the age of these cases, no information was available on the computer and the files are believed to have been destroyed. The docket numbers of those traffic offenses are [REDACTED] and [REDACTED].

This completes our assignment and; therefore, we are including our invoice in this case. Upon review, if you have any questions or we can of further assistance in this of any other matter, please do not hesitate to contact our office.

Very truly yours,

EDWARD R. KIRBY & ASSOCIATES, INC.

Steven L. Kirby
Chairman

SLK/AMD

ENCLOSURE

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000001

INVESTIGATIVE REPORT

ALLEGATIONS OF [REDACTED]

OUR FILE NO. PT-053-04

CONFIDENTIAL

TUESDAY, DECEMBER 14, 2004

*This report is a confidential communication for the client's use only in defense of pending litigation.
It may contain strategies, impressions and opinions and is considered work product.*

This report has been exclusively prepared by Edward R. Kirby & Associates, Inc. for the confidential use of the client only. If prepared under the direction of an attorney, it was done so in anticipation of litigation. This report is confidential and privileged communication. The information contained within is provided in good faith and has been gathered by sources deemed reliable. However, no guarantee or other representation is made to its accuracy or its suitability for any particular purpose. Neither Edward R. Kirby & Associates Inc. nor its employees and agents shall be held responsible for any inaccuracies in public record information or any other information as it has been presented herein. By acceptance of this report, the client accepts full responsibility for any use or disclosure of this report or its contents.

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Redacted February 2014
TMJA Our File No.
Released April 2014 Date:

Diocese of Joliet - Allegations of [REDACTED]
PT-053-04
Tuesday, December 14, 2004

000002

*This report is a confidential communication for the client's use only in defense of pending litigation.
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On Wednesday, December 8, 2004, Investigator Steven L. Kirby met with and interviewed Father Joseph Shimanek at the Rectory of St. Joseph Parish, 235 West North Street, Manhattan, Illinois. Father Shimanek was the pastor of St. Pius X Church in Lombard, Illinois from July of 1976 through June of 1989. Allegations were made that Father Richard Bennett had sexually abused a male grade school parishioner on several occasions in the mid to late 1970's. The Diocese's records indicate that Father Bennett served at Pius the X parish from June of 1975 through July of 1979.

Father Shimanek recalled that he served at Pius X Parish from July 1, 1976 through 1989. He stated he recalled those years because he remembered his start date and that he served one year longer than that twelve years he would have normally been assigned to that parish. He recalled that during the mid to late seventies, he served that parish with four other priests. He identified those priests as Father Phil Dedera, Father Richard Bennett, Father Robert Perkins and Father Bernard Ryan. He stated that Father Dedera and Father Bennett were associates at the parish and Father Perkins and Father Ryan were residents. He stated that Father Perkins was a priest from the Archdiocese of Chicago who was serving in the Joliet diocese after having difficulties with then Cardinal Cody. According to Father Shimanek, Father Perkins did not spend much time at the rectory, as he was actively involved working with refugees from Vietnam who were settling in the area. Father Perkins was also attending Loyola Law School. He stated that, at times, Father Perkins lived at Catholic Charities working with the refugees. He stated that Father Ryan was a Maryknoll priest who was semi-retired. He inferred that Father Ryan had a drinking problem. He stated that neither Father Ryan nor Father Perkins had anything official to do with any of the students at Pius X School.

He stated that Father Dedera was the priest that was most involved with the school children, acting as a Youth Minister. He stated that Father Bennett was more involved with liturgical matters and less involved with the school children, although both Father Dedera and Father Bennett would, on occasion, go over to the school.

Father Shimanek stated that he never observed Father Bennett engaging in any suspicious or inappropriate contact with any of the youths. He stated that he never knew Father Bennett to have any students or youths from the parish alone in his company, either in his car or in his living quarters. In fact, Father Shimanek stated that Father Bennett was quite vocal about keeping the living quarters of the rectory private and not accessible by students and other visitors. Father Shimanek recalls Father Bennett stating that the living quarters were for the priests and that there were other places to meet with visitors. Father Shimanek stated that even in hindsight, considering what he now knows about indicators of inappropriate behavior, he does not recall Father Bennett ever being in a situation that could be considered as inappropriate. He advised that Father Bennett was one of the more serious priests in the parish; as opposed to some of the other priests who were more inclined to be "happy go lucky."

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Re: Diocese of Joliet Allegations of [REDACTED]
Our File No. PT-053-04
Date: Tuesday, December 14, 2004

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Father Shimanek was shown a diagram of Pius X Rectory and he recalled Father Dederer having the bedroom that was adjacent to the common showers. He further recalled Father Bennett and Father Ryan living in the rooms across the hallway from Father Dederer and that Father Perkins lived in the bedroom suite across from the Pastor's suite.

When asked if he recalled the complainant's family, Father Shimanek stated that he knew the name but "not the person." He stated he had never recalled any of the priests alone with the complainant and never recalled any complaints of any inappropriate or suspicious behavior involving any of the priests and the complainant.

THIS INVESTIGATION IS CONTINUING WITH SUPPLEMENTAL REPORTS TO FOLLOW.

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000104

INVESTIGATIVE REPORT

ALLEGATIONS OF 

OUR FILE NO. PT-053-04

WEDNESDAY, DECEMBER 22, 2004

COPY

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Re: Diocese of Joliet – Allegations of [REDACTED]

Case File No. PT-053-04

000005

Date: Wednesday, December 22, 2004

*This report is a confidential communication for the client's use only in defense of pending litigation.
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In the continuing investigation, on Saturday, December 18, 2004, Investigator Steven L. Kirby met with and interviewed Phil Dedera, a former associate at St. Pius X Parish in Lombard, Illinois. According to the diocese's records, Phil Dedera was assigned to that parish from January 27, 1976 through February 28, 1979.

The interview was conducted at Phil Dedera's current residence, [REDACTED] Wheaton, Illinois. He resides in a basement apartment in this residential home. This residence is listed as being owned by [REDACTED]. There was a green Chevrolet parked in the driveway, Illinois license plate [REDACTED], that registers to the Diocese of Joliet, St. Patrick's Residence, 1400 Naper, Naperville, Illinois 60563.

During the course of the interview, Phil Dedera was reluctant to discuss the events and circumstances during the time he was assigned to St. Pius X Parish. He claimed that he could not recall any specifics of that time, stating that it was 25 years ago. When he was asked specific questions as to whether or not he was aware of any inappropriate behavior at St. Pius X Parish during that time, he became visibly and verbally upset stating, "I don't want to talk about 25 years ago." Further, he volunteered little information and would only respond to specific questions. Phil Dedera stated that it was his understanding that the investigator was coming to talk with him just to determine his current residential and employment status and did not know that the investigator was going to be discussing the events of 25 years ago. The investigator asked who informed him of this and he stated that no one did but that was just his assumption. He claimed that he spoke with Bishop Imish a few days ago and that during the course of that conversation Bishop Imish "confronted him." He stated that Bishop Imish's comments upset him. When the investigator asked what the Bishop confronted him about, he then recanted and stated that he really wasn't confronted but was just upset with the investigator asking him questions dating back 25 years. The investigator explained that the complainant in this case had raised the issues and that they needed to be addressed. The investigator explained that his sole purpose in these questions was to get to the truth, as to what may or may not have occurred at that point and time and that the questions were not meant to be judgmental or confrontational but simply meant to get to the truth of the issue.

During the course of the interview, Phil Dedera did make the following statements and/or observations:

- He confirmed that during the time he was at St. Pius X Parish, he served with Father Shimanek, Father Bennett, Father Ryan and Father Perkins. He readily recalled the names of those priests except for Father Perkins but subsequently recalled that name.
- He denied knowing or recalling anyone by the name of [REDACTED], any students by the name of [REDACTED] or any parishioners at the parish with the last name [REDACTED].

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Released April 2014

RE: Diocese of Joliet – Allegations of [REDACTED]

Our File No. PT-053-04

Date: Wednesday, December 22, 2004

000006

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- He denied knowing of any inappropriate or suspicious behavior involving Father Bennett.
- He denied having any knowledge or suspicions of any of the priests at that time engaging in any acts of misconduct or suspicious behavior.
- He stated he did not recall ever bringing any students or young people into the living quarters or his room. When advised that other priests who were interviewed said that it was common for him to bring young people into his room, he acknowledged that, "If that's what they said, then that probably happened. I don't remember."
- He denied recalling having any conversations with any of the priests who may have expressed being upset about him having children in the private living quarters of the rectory.
- He confirmed that his bedroom was the room that was adjacent to the shared bathroom. He stated he recalled that Father Bennett and Father Ryan lived across the hall from him and that Father Perkins resided across from the Pastor's (Father Shimanek's) Suite.
- He stated that Father Bennett was the person who primarily worked with the students from St. Pius X School. (It is noted that this is in direct conflict with what Father Shimanek said in his interview.)
- Phil Dederer stated that he recalled hearing about possible issues with Carroll Howlin, whom he replaced. He stated he did not know or recall what the trouble was other than "it was some trouble." He further alleged that Father Bennett was upset about his replacing Carroll Howlin. When pressed as to the reason for Father Bennett being so upset, he was unable to answer.
- During the course of the interview, Phil Dederer mentioned that he still says daily Mass. He commented that he is currently working as a casual laborer for someone that builds homes.

THIS INVESTIGATION IS CONTINUING WITH SUPPLEMENTAL REPORTS TO FOLLOW.

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INVESTIGATIVE REPORT

ALLEGATIONS OF [REDACTED]

OUR FILE NO. PT-053-04

THURSDAY, JANUARY 06, 2005

COPY

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Released April 2014

Re: Diocese of Joliet – Allegations of [REDACTED]

000008

File No. PT-053-04

Date: Thursday, January 06, 2005

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In the continuing investigation, on Friday, December 31, 2004, Investigator Steven L. Kirby met with and interviewed Father Richard Bennett at his residence at [REDACTED] Naperville, Illinois 60564.

During the course of an approximate one hour interview, Father Bennett made the following relevant statements:

- He received a copy of the allegations, including [REDACTED] email to Mike Finnegan, from Bishop Inesch on November 9, 2004.
- He categorically denied any sexual contact with [REDACTED] or any other minors (male or female). This would include any sexual activity of any kind with any juveniles.
- He stated that he did not recall [REDACTED] or the [REDACTED] family.
- He stated that he was assigned to Pius X from June of 1975 through 1979. This was his second assignment. He confirmed that he served there initially with Monsignor Wagner and Carroll Howlin. He stated that subsequently, Howlin had a major disagreement over issues relating to Reconciliation with Monsignor Wagner, which caused him to be transferred to St. Paul the Apostle in Joliet. He stated that Howlin was replaced by Phil Dederda. He further stated that shortly after his arrival, Monsignor Wagner transferred and was replaced by Father Shimanek. He further confirmed that Father Perkins resided at the rectory, as did a priest from the Maryknoll order whose name he believes was Regan. When asked if that would be Father Ryan, he stated that he was certain his name was not Ryan. He stated that Father Regan had an alcohol problem.
- He described his assignment history as follows:

St. Dennis Parish
Lockport, Illinois
1972 to 1975

St. Pius X Parish
Lombard, Illinois
1975 to 1979

St. Raphael Parish
Naperville, Illinois
1979 to 1984

St. Mary's Parish
Downers Grove, Illinois
1984 to 1986

Sacred Heart Parish
Joliet, Illinois
1986 to 1998

Holy Spirit Parish
Naperville, Illinois
1998 to present

He stated he has been Pastor at both Sacred Heart and Holy Spirit.

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Re: Diocese of Joliet – Allegations of [REDACTED]

000009

Our File No. PT-053-04

Date: Thursday, January 06, 2005

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involved in any type of activity involving minors. He stated that his suspicions were then confirmed in the late eighties when Dederera was pulled from his assignment in Momence.

- He stated he last spoke with Phil Dederera in the spring of 2004. He stated that he had heard that Dederera was depressed. Father Bennett said he got his address from the Bishop's office and sent a brief note to him. He stated that awhile later, Phil Dederera stopped by Holy Spirit Church one day, unexpectedly, when Father Bennett was about to do a wedding. Father Bennett stated he told Dederera that he could see him later and tried to set a time for lunch but they never did go to lunch. He stated that this occurred in the spring of 2004 and that was the only time within the last four to five years that he has spoken with Phil Dederera.
- When asked why he felt [REDACTED] would make this allegation, he stated he did not know.
- When asked if [REDACTED] could be confusing him with another one of the priests that was assigned there, he remarked that he thought that he, Father Perkins and Phil Dederera all were similar in size, age, hair color and all wore glasses.
- He stated that he had heard rumors that Father Perkins was a homosexual and is believed to have died of AIDS.
- When asked if he would be willing to submit to a polygraph (lie detector) test, Father Bennett stated that he would.

End of Report

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Released April 2014

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INVESTIGATIVE REPORT

ALLEGATIONS OF
[REDACTED]

OUR FILE NO. GI-042-09

CONFIDENTIAL

TUESDAY, DECEMBER 29, 2009

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Re: Allegations of [REDACTED]

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File: GI-042-09

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Tuesday, December 29, 2009

000002

PREDICATION

The client requested that this office assist in an investigation into allegations of [REDACTED], born [REDACTED] (43 years of age). Mr. [REDACTED] currently resides at [REDACTED]. He informed the Diocese of Joliet that when he was grade school student at Saint Pius X School in Lombard IL he was sexually molested by Father Philip Deder. According to the subject, he recently recalled a repressed memory that sometime in the 5th or 6th grade he was fondled by then Fr. Philip Deder in the rectory on two or three occasions.

INVESTIGATION

Interview Summary

In the initial investigation, on Tuesday, December 15, 2009, Investigator Steven L. Kirby met with and interviewed [REDACTED] in the presence of his legal counsel, Michael L. Brooks of the law firm Kerns, Frost, & Pearlman, LLC at their office 70 W. Madison St., Chicago IL. Also present was James Byrne, attorney for the Dioceses of Joliet. During the course of an approximate forty-five minute interview, Mr. [REDACTED] made the following relevant statements (in summary and unless in quotes not verbatim).

Background

Mr. [REDACTED] identified himself as [REDACTED] but stated most people call him [REDACTED]. He stated that he was raised in a Catholic family, the youngest of seven children. [REDACTED]

He stated that he attended St. Pius X for four years, [REDACTED]. Prior to that time he attended [REDACTED]. He described himself as an average student, but admitted that he never liked school and dropped out of high school [REDACTED] after his sophomore year, received a GED, and joined the Army. [REDACTED]

The subject stated that he served honorably in the U.S. Army Reserves [REDACTED]

The subject said that he works [REDACTED] in Du Page County. For the past several months he has been unemployed [REDACTED]. The subject stated that several years ago he owned his own business, [REDACTED]

The subject advised that he was married [REDACTED] and is currently divorced [REDACTED]. He has joint custody of [REDACTED] his only child. He is currently engaged to be married.

Counseling history

The subject [REDACTED] he denied any specific suicidal thoughts. He stated that he checked into the psych ward at St. Joseph Hospital where he was prescribed anti-depressant medication and underwent counseling. He stated that he is currently [REDACTED]

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taking Depakote (500mg), Lexapro (10mg), and Seroquel (100mg) and they have all been working for him. He is also going to regular counseling with [REDACTED]

The subject advised that he has had previous in patient counseling when he was a teenager [REDACTED]

[REDACTED] The subject stated that he also went to Alcoholics Anonymous in his twenties.

Abuse allegation

He stated that while he was at St. Joseph in [REDACTED] 2009, he told the social worker, "I know something happened to me. I've been pissed off for the last twenty-five years." He stated that after a priest from the hospital visited him he had a dream that he had been molested. He stated that while he could not at the time of the interview recall the name of the social worker or priest, he said that he is sure he has their business cards and could find and provide their names.

Mr. [REDACTED] recalled that he had been molested by Philip Dedera on at least two occasions. When asked how he recalled that it was Dedera, he simply stated that Dedera was who he specifically recalled molesting him and he was sure of it. He stated that he recalls that Dedera washed him in a shower on one occasion and fondled the subject's penis to ejaculation on a second occasion. He stated that both incidents occurred in the St. Pius X rectory. He recalled that the first event occurred on what the subject believed was the last day of sixth grade. He recalled that the school was having a field event outing on the school grounds and that Dedera had him come into the rectory to shower. He recalls that Dedera was in the shower with him washing him. He also recalls that a few days later he was again in the rectory with a friend [REDACTED]. He recalled that for some reason [REDACTED] left and he was alone with Dedera. He recalls Dedera starting to talk about sex and then recalls Dedera removing [REDACTED] pants and his own pants. He recalls Dedera masturbating him and he touching Dedera's penis, but doesn't believe that Dedera ejaculated. He also recalled Dedera telling him not to tell anyone about this because "even if you do no one will believe you."

He stated that this was the extent of the molestation and that there were never any incidents of oral sex or intercourse. He stated that there may have been one other time he was molested by Dedera but that he cannot recall any specifics. He also stated that Dedera was the only person who ever molested him at any time in his life.

He recalls feeling upset by the incident and purposely staying away from Dedera after those two events. He stated that he never discussed the molestations with anyone until this past year during counseling at St. Joseph. Since that time he has discussed this with his sister [REDACTED] his fiancée [REDACTED] his lawyers, his counselors, two people from the Joliet Diocese and representatives of SNAP.

Repercussions from the abuse

Mr. [REDACTED] stated that he has had anger issues throughout high school and as an adult. He stated that he got into fights in high school and was suspended for fighting and cutting class. He stated that he also began to hate school and had disciplinary problems in 7th and 8th grade at St. Pius X.

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As an adult, he has been arrested in Cook and Du Page County for a variety of offenses including two DUIs, battery, and disorderly conduct. He stated that he was also convicted of felony driving on a suspended license in Du Page County.

He stated that he has been successful both in the Army and in his professional life. He stated that he has never been fired from a job for cause.

* * *

Background Investigation

In the continuing investigation, a search of criminal court indices revealed the following cases identifiable with the subject:

Du Page County Criminal Court

██████████ – Reckless driving and Resisting arrest. The subject was convicted of the resisting arrest charge and sentenced to one year probation.

██████████ – Domestic battery case in which the subject was accused of causing bodily harm to ██████████. The subject entered a not guilty plea and was found not guilty.

██████████ – Disorderly conduct; Criminal damage to property; Resisting a peace officer. Subject received a sentence of one year conditional discharge including 50 hours of community service. Subsequently a petition to revoke his probation as filed and he was then sentenced to 240 days in the Du Page County Jail in a work release program. The sentence was later modified to run concurrent with sentences handed out in cases ██████████

██████████ – Multiple counts including Criminal damage to state land; Driving under the influence of alcohol; Driving with license revoked; Speeding; Operating an uninsured motor vehicle; Battery; Resisting or obstructing a police officer. This file was sealed and marked confidential so the investigator was unable to review the file for details. The computer indicated that pleaded guilty to Driving under the influence of alcohol; Driving with license revoked; and Speeding and was sentenced to some time in jail as indicated in the case file ██████████

██████████ – Driving while license revoked. This case was consolidated with ██████████ and ██████████. This file was also sealed and therefore unavailable for inspection.

██████████ – Driving while license revoked. The subject was convicted and sentenced to 2 years in the Illinois Department of Corrections (IDOC) with credit for time served. This case was consolidated with ██████████

██████████ – Driving while licensed revoked; Driving under the influence of alcohol; Improper lane usage. The charges were nolle prose.

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[REDACTED] – Driving while license revoked. This case was consolidated with [REDACTED]

[REDACTED] – Driving while licensed revoked. This case was consolidated with [REDACTED]

[REDACTED] – Disorderly Conduct (2 counts) – This file was destroyed and therefore unavailable for review. The computer indicated that the subject pleaded guilty and was assessed fines and court costs.

[REDACTED] – Multiple counts including: Resisting a police officer; Disorderly conduct; and Aggravated battery (to a police officer). The subject pleaded guilty to one felony count and was sentenced to eighty days of periodic jail time; 24 months probation; and ordered to pay \$400 to an anti-crime organization.

Du Page County Civil Court

[REDACTED] – In which [REDACTED] filed for an order of protection.

[REDACTED] – Petition of Dissolution of Marriage – [REDACTED]

Cook County Criminal Court

[REDACTED] – Telephone harassment. The case was dismissed when the complaining witness failed to appear in court.

[REDACTED] – Deceptive practice for writing a bad check. The case was nolle prose.

[REDACTED] – Deceptive practice for writing a bad check. This appears to be the same case as [REDACTED]. The last entry on the docket sheet was a memorandum of judgment dated [REDACTED]

[REDACTED] – Battery and Possession of cannabis. The subject was convicted and sentenced to 38 days in the Cook County Jail with time considered served while he was held on bail.

End of Report.

GATO DS

EDWARD R. KIRBY & ASSOCIATES, INC.

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CHIEF INVESTIGATOR

JILL M. LONGMIRE
DIRECTOR OF RESEARCH

KAY M. HALL
SR. INVESTIGATOR

OF COUNSEL
GLENN P. EIDEN
U.S. CUSTOMS RET.

January 14, 2010

James C. Byrne, Esq.
Spesia, Ayers & Ardaugh
1415 Black Road
Joliet, Illinois 60435

Re: Allegations of [REDACTED]
Our File No. GI-042-09

Dear Mr. Byrne:

Supplementing our office's report of September 29, 2009, per your instructions, I located [REDACTED] ex-wife of [REDACTED]. She is currently residing at [REDACTED] telephone [REDACTED].

On Wednesday, January 13, 2010, I met and briefly spoke with Mrs. [REDACTED] at the above listed address. I identified myself as an investigator representing the Joliet Diocese regarding a claim Mr. [REDACTED] has made against the diocese. Mrs. [REDACTED] stated that approximately [REDACTED] years ago, her husband, on one or two occasions, mentioned to her that he was abused by a member of the Diocese; however, she stated he did not provide her with any of the specifics or details of the alleged abuse. She was sure of the time frame because at the time he told her he had been abused, they were having marital difficulties and were in the process of divorcing. She stated that he was telling her about the abuse as an excuse for his troubled behavior. She said that she had already made a final decision to divorce the subject so she was not moved by his disclosure to change her feelings. She stated that she has not discussed it since that time with him although she does keep in touch with him as they have a [REDACTED] daughter. Mrs. [REDACTED] stated that she had no further information about the abuse and did not know whether or not it was true. At this time, I thanked Mrs. [REDACTED] for her assistance in this matter and departed the area.

Upon receipt, if you have any questions or require further assistance in this matter, please do not hesitate to call.

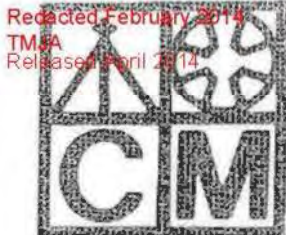
Very truly yours,

EDWARD R. KIRBY & ASSOCIATES, INC.

Steven L. Kirby
President

SLK/amd

COPY



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000106

February 21, 2006

Mr. James C. Byrne
James C. Byrne & Associates
815 N. Larkin Street, Suite 202
Joliet, IL 60435-3440

RE: [REDACTED]

Dear Mr. Byrne:

Please find attached a summary of my interview with [REDACTED]. This interview was conducted on Friday February 17, 2006 in my office. [REDACTED] was accompanied by [REDACTED] at the time of this interview.

Please contact me to discuss this matter further at your convenience.

Very Truly Yours

James R. Wright
Claims/Risk Manager

JRW:emd

St. Charles Pastoral Center
402 S. Independence Blvd.
Romeoville, IL 60446-2264
(815) 838-2142
Facsimile (815) 834-4079

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Summary

Interview of [REDACTED]
February 17, 2005

000102

After meeting with you on Thursday, February 16, 2005, I did make contact with [REDACTED] [REDACTED] later that afternoon to attempt to schedule a meeting with [REDACTED]. [REDACTED] advised that he was to be out of town the coming weekend and through Wednesday February 22, 2006. It was suggested we meet the afternoon of Thursday February 23, 2006 and he suggested we meet at my office, which I agreed to. [REDACTED] called later that day, after office hours, and left a message that I call him. I followed up with him on Friday morning, February 17th, and he indicated that I had "caught him off guard" on Thursday and he wanted more information as to why a meeting was necessary as he had already meet with the Bishop and Sister Mary Francis Seeley and thought they had all the information needed. I advised that that was not the case and additional information was needed so that we could review the case more completely and work towards a possible resolution. He indicated he would call me when he returned from out of town to see if we could meet on Wednesday if possible. I received a follow-up call a few minutes later from [REDACTED] indicating he could meet with me later Friday morning. We agreed to meet at 10:30 am in my office. [REDACTED] arrived at that time with [REDACTED] and we talked for about an hour and fifteen minutes.

[REDACTED] He is well groomed and was apparently coming to the interview from work. He was wearing jeans and a sweater. [REDACTED] [REDACTED] He indicated he wanted [REDACTED] to sit in on the meeting and I advised that was perfectly fine. [REDACTED] appears to be about the same age and she indicates [REDACTED] but did not say in what capacity. [REDACTED] [REDACTED] is articulate and did a good deal of the speaking as she indicates this is hard for [REDACTED] to talk about this. At first they did not know what additional information was needed and they also wondered why, after notifying the diocese in June of last year, the process has taken so long to get a response. They both indicated they thought the matter had been referred to the insurance long ago. [REDACTED] indicates that they are also very upset that Father Gibbney may have been involved in abuse cases before being transferred to [REDACTED], St. Francis of Assisi in Bolingbrook. She mentioned she was aware of a case in a parish in Elmhurst. In the conversation [REDACTED] indicated she thinks the delay was caused by the diocese waiting for the outcome of appeals that were recently decided.

I apologized to them for any delays involved or any miscommunications they feel there has been in this case. I indicated that I had recently been assigned to the matter and that, as I explained in our phone conversations, I needed additional information to review the matter more completely so that we could possibly resolve his case. They wondered how much longer the process would take and I indicated that dependent on how the meeting went we could possibly get back to them in a three week time period with a more definitive answer.

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██████████ indicated that he went to the public school in Bolingbrook and became an altar boy when he was in the 6th grade and continued being an altar boy through his freshman year in high school. He states that Gibbney was in charge of the altar boys and would put together trips that he would take some altar boys on. The first trip ██████████ went on was a trip to Minnesota where only he and Gibbney went. Gibbney, as a wedding gift was to cook a gourmet meal for a couple he knew and he took ██████████ along to be a server at the meal. ██████████ could not remember exactly when this occurred, he thinks he was 12 years old and does not know if it happened when he was in the 6th or 7th grade. He indicates he and Gibbney stayed one night in a hotel room and that Gibbney fondled him during the night to ejaculation. ██████████ states he could not believe what had happened and he felt it was like a "dream". He indicates that this was the first time that he had ever had the experience of ejaculating.

██████████ indicated that Gibbney organized other summer trips and he thinks he went on a trip each year that he was an altar boy. Usually the trips were 4-5 days and they involved 4-5 other altar boys and Gibbney. He says Gibbney at first had or had use of a motor home that they went in and later they would go in a camper. He remembers Gibbney would have one of the kids keep track of the gas mileage and would have the others do other activities to keep them involved during the trip. He also indicates that they did take a longer trip, he thought about 10 days, when they went around Lake Michigan. He believes he was in the 8th grade but does not remember if this was the summer before he started 8th grade or the summer after he graduated. He states that the same type of fondling/ejaculation happened on this trip and he indicates that it happened "a couple of times" during the course of this trip as he did not sleep in the camper with Gibbney each night. There was not enough room for all the boys to sleep in there and they were rotated each night. He does not know if the other boys had the same experiences. When pressed, ██████████ could not recall to where they went on the other trips and he could not be specific other than saying that the same type of fondling/ejaculation occurred on these trips "a couple of times" each trip. In addition to the trips, ██████████ states that he did go to the rectory 2-3 times each year where this type of activity took place in the rectory. When asked if things ever went any further with Gibbney he indicated there may have been one time. ██████████ was reluctant to talk about this and appeared to be uncertain if it happened. He had to be prodded into talking about this incident, which may have involved penetration, unknown type. Although this is an important point, it appeared to upset ██████████ and it was felt better to move on rather than dwell on the specifics at that time. I can't provide any real specifics regarding this allegation.

██████████ indicate they believe these events have influenced him greatly and it was not until his daughter turned 12 last year that he thought about these events and actually told someone else about them. He told his wife then. ██████████ had a daughter together in 1992 and they married in July 1993 and they have had a strained relationship most of their marriage. She says she often wondered what happened to ██████████ as a child to make him the way he was and she says she even confronted his parents about this, thinking it was something they did. It was not until she heard about the alleged abuse that she could understand why he was so "messed up". She says he has self

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esteem, commitment and trust issues that have affected their relationship in addition to his alcohol use.

██████ says that he started using marijuana and alcohol regularly in sophomore year at high school and while he would go to school, he would frequently ditch and spend the days drinking and smoking. He stayed 5 years in high school but never received a diploma. He says that he was bright and others thought he could go places but for the drinking and drugs. He thinks he could have done more in life if he went to college. He said in our interview he received his first DUI at age 18. He started working in high school as a helper for an owner operator for United Van Lines and worked at this job until 1995 when he became an owner operator himself with United in partnership with his brothers-in-law. He got a second DUI in 1998 and he was stopped in 2002 and ticketed for possession of open alcohol in his vehicle and he lost his qualification to drive his truck after that. ██████ indicates as a driver he made up to \$90,000 a year. And since 2002 he has had a drastic reduction in pay. He was able to get a job with United as a dispatcher and now makes about \$45,000/year. He has been at this job since March 2005. He indicates during about 18 months in 1998-9, he could not drive and was reduced to helper status where he only made between \$20,000-\$30,000 per year. They think his alcohol use is tied to the abuse.

██████ cited other issues contained in his July 1, 2005 letter. They indicate that they wanted to keep this matter between themselves and the diocese. ██████ stated his attorney thought he was "nuts" and when questioned he says he has not consulted an attorney about this case specifically but did mention it to his DUI attorney. I did not ask who this was. We did talk briefly about their demand and I told them frankly that that was an issue and an offer would likely not be anywhere near that amount. We did not talk about any offer amount the diocese would make. They indicated they understood that if they got an attorney involved the attorney would likely get a third of the settlement but they said no amount would be adequate to compensate for the troubles that have been caused by these incidents.

They both indicated they appreciated the opportunity to talk about this incident and they are anxious to conclude this matter and move on. I advised them that I would try to get back to them in a 3 week time period and would also advise if any additional information is needed.



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000401

February 5, 2008

Mr. James C. Byrne
Spesia, Ayers and Ardaugh
1415 Black Road
Joliet, Illinois 60435

Dear Mr. Byrne,

After receipt of information from your office on January 23, 2008, I was able to make contact with [REDACTED] on January 25, 2008. At that time, we scheduled a meeting for Monday February 4, 2008 at [REDACTED]

I met with [REDACTED] on February 4th and spent about 50 minutes discussing the abuse that took place, [REDACTED] life since these acts and his expectations of the Diocese. In my initial phone conversation, [REDACTED] indicated he did not feel a meeting was necessary as he felt he explained the circumstances involved and his expectations quite clearly. I advised him that I would need to secure additional information and also indicated we would need a better understanding of how the abuse may have impacted his life. At the outset of our meeting, [REDACTED] presented me with the attached letter addressed to the bishop and dated February 3, 2008. The letter briefly outlines a suicide attempt he made in 1977, recurring nightmares involving Gibbney, two divorces, drug and alcohol abuse, some health problems and a general feeling of low self esteem and confidence he attributes to the abuse.

After review of this letter, we did discuss the episodes of abuse he was subjected to, however, he did not elaborate much further on the details over what information he provided in his letter dated December 10, 2007. When discussing the abuse, [REDACTED] did become emotional and would take a brief time to compose himself and we would continue with our meeting. [REDACTED] indicated he initiated his pursuit of recompense for the abuse he suffered after he was sued by a parish [REDACTED]

[REDACTED] explained that, as part of the divorce settlement with his first wife, it was her responsibility to pay the tuition. The judge ruled both parents were responsible and after the court hearing, the attorney for the parish pastor contacted [REDACTED] to discuss payment. The details of that conversation were covered in [REDACTED] correspondence entitled "addendum" and dated December 20, 2007. After that contentious conversation, [REDACTED] became quite upset and contacted the Chancellor

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for the Archdiocese of Milwaukee. He indicates the Archdiocese had the suit vacated and he also indicated, for the first time, he broached the topic of the abuse that he had been subjected to. The Archdiocese of Milwaukee then contacted the Archdiocese of Chicago, through whom, [REDACTED] was referred to the Diocese of Joliet.

[REDACTED] indicates this whole turn of events regarding the tuition payments resurrected deep feelings about the abuse and he felt he did not want to be subjected to more pain from the church on this matter. He indicated that it has been very difficult on him and his family and basically ruined the holiday season. He also indicates that he had never told his family about the abuse he suffered at the hands of Gibbney and he finally did tell his brother and sister about these incidents before Christmas. [REDACTED] advised his [REDACTED]

[REDACTED] He states Gibbney was a friend of a friend of their family and he and his parents met Gibbney while they were living in Westmont. [REDACTED] was a student at Holy Trinity Parish and his parents were quite faithful and believed Gibbney, a seminarian at the time, would be a good mentor for their son. [REDACTED] parents liked Gibbney quite well and when Gibbney would ask to have [REDACTED] accompany him to the pastoral center they readily agreed.

The initial event took place when [REDACTED] believes he was 12 or 13. He and several friends from Holy Trinity accompanied Gibbney to the pastoral center for basketball. It was during this time that Gibbney took each of the boys into a darkroom area to talk about photography and he exposed his genitals to them. Sometime after this, [REDACTED] is not certain about timing, Gibbney arranged with [REDACTED] to accompany him back to the pastoral center ostensibly to use the gym. This time [REDACTED] was alone with Gibbney and they visited Gibbney's room where he showed off his stereo and tape system. Gibbney undressed and had [REDACTED] do the same. He then forced [REDACTED] to the bed, put Vaseline between [REDACTED] thighs and Gibbney rubbed his penis in this area until ejaculation. The third incident occurred again after Gibbney arranged a visit to the pastoral center for [REDACTED] indicates the two played basketball and when everyone else who was in the area left, Gibbney and [REDACTED] went to the showers and Gibbney approached [REDACTED] from the rear and through the thighs and rubbed his erect penis there until ejaculation. The last and final time occurred when [REDACTED] indicates he was 16 or 17 years old. Gibbney picked him up at home and took him to a parish rectory where Gibbney was staying. Gibbney made an alcoholic beverage for each, then removed his clothes and asked [REDACTED] to do the same. [REDACTED] refused, Gibbney then masturbated and drove [REDACTED] indicates that was basically the last time he saw Gibbney, except when his mother died in 1975. Gibbney arranged to concelebrate the funeral Mass, which horrified [REDACTED]

[REDACTED] He says he received much of his high school education through a correspondence course and then received a GED. I could not actually determine why he did not attend a conventional high school. He did say his parents were ardent [REDACTED] and traveled around a

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great deal in their trailer, but I am not sure if this had anything to do with his education. He did not go to college, but had an uncle and cousin who were [REDACTED]

[REDACTED]
30 years. He lived a while in Atlanta and Seattle before moving back to Chicago in 1988. He claims he met [REDACTED] and when they moved back to Chicago [REDACTED]

[REDACTED] did not elaborate on his second marriage other than saying his lack of self esteem and confidence has led him to choose partners who were unfaithful. When questioned further about his drug and alcohol abuse, he indicates he does not drink anymore and he only abused drugs for a brief time in the 1980's. He says he was living in Seattle and cocaine was a socially accepted drug to do at that time. It appears he got involved with this drug more as an outgrowth of his friends and acquaintances, rather than any outlet for pain or anguish from the abuse incidents. He did not elaborate as to whether his drinking required any intervention or he was able to control this on his own.

[REDACTED] He presents a good appearance and his well spoken. He was neat and fashionably dressed and his hair, as expected from his profession, is well coiffed. Contrary to his description of lacking self esteem and confidence, I found [REDACTED] to be confident and in control during our meeting, with the exception of the times he became emotional talking about the abuse. At the end of our meeting, he did broach the topic of his \$250,000 demand. He stated that that was not a number that he "pulled out of a hat" but one that had been researched with the assistance of a third party. He indicated that that was a number he was comfortable with and he "did not want to be a brinksman in a chess game". When asked to clarify, he stated that he has numerous clients who work for major law firms in Chicago and he was able, through very limited input by himself, to benefit from research which indicated that his demand was reasonable to him and the Diocese. He further indicated that he was aware of how the Diocese of Joliet had treated abuse victims in the past and this has not been good. He stated he hopes the "new bishop" will deal with these cases in a better manner. He also indicated that he remains a practicing Catholic through all of this and he believes that is a benefit to the Diocese.

Given a somewhat strident stance on his demand, I asked [REDACTED] if his demand was at all negotiable. Rather than say no, he did indicate he had nothing to negotiate with. From this I sense he will negotiate but can't say how much. Rather than make an offer to him at the end of our meeting, I did advise [REDACTED] that I would get back to him in 2 weeks and attempt to resolve his claim. I did indicate the Diocese was interested in doing this. As an aside, [REDACTED] did ask about Catholic Mutual's involvement. I did advise Catholic Mutual has a relationship handling property and liability claims for the Diocese, but this is not a case we are involved in as far as insurance coverage is concerned. I did advise I was asked by the Diocese to assist in his matter, in an attempt

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to come to a reasonable resolution. He seemed to know about Catholic Mutual, the Diocese and Gibbney.

Prior to entering negotiations, I thought it would be appropriate for you to review this information and [REDACTED] stance. My initial plan, given the statute considerations, was to initiate negotiations in the \$45000-\$50000 range. Given [REDACTED] correspondence to the Bishop, and, perhaps, his view of me as a middleman, I am uncertain whether he will attempt to try to negotiate, via letter, with the Diocese or Bishop himself. Please let me know your thoughts regarding the initial offer and I will proceed.

Sincerely yours,

James R. Wright
Claims/Risk Manager



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000001

October 18, 2006

Personal & Confidential

Mr. James C. Byrne
Spesia, Ayers and Ardaugh
1415 Black Road
Joliet, Illinois 60435

RE: [REDACTED]

Dear Mr. Byrne,

I met with [REDACTED] on Thursday, October 12, 2006 at which time we had a lengthy discussion regarding his case. I met [REDACTED] where he is currently residing. [REDACTED] is not employed at this time and claims he last worked about 3 months ago. [REDACTED]

Regarding the incident, [REDACTED] believes it occurred the August [REDACTED] or in 1978. The incident occurred just before he was to enter the 8th grade at Mary Queen of Heaven School in Elmhurst. He indicates that Father Michael Gibbney visited his home to ask him if he would like to accompany him and other parish boys on a 10 day trip around the Great Lakes. [REDACTED] indicated he was happy to go and his parents consented. He indicates that he and four-five other boys went. [REDACTED] was the youngest and he thinks the other boys were either in high school or were just starting high school. They took the trip in a Winnebago RV.

As the RV did not have enough beds to sleep everyone, they had to "double up". One night early in the trip, [REDACTED] slept in the same bed as Father Gibbney. At some point during the night, [REDACTED] awoke and indicates that Gibbney was fondling him in the genital area. Once [REDACTED] recognized what was happening, he says he rolled over and pretending to fall back asleep. Nothing was said and nothing further happened that night. [REDACTED] indicates he had not yet reached puberty and says he did not become erect or have an ejaculation.

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James R. Wright *Claims/Risk Manager*

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000102

The next morning Gibbney was going to go fishing or hiking with the boys. Everyone else went but [REDACTED] stayed back as he wanted to try to call his parents and tell them what happened. He attempted to call at a local store/tavern but did not have any money to do so and he did not know how to make a collect call. He then says he hid in the woods and eventually hid in the campsite bathrooms where he says Gibbney found him later crying. Though the incident was never mentioned, Gibbney told him everything was OK and he could call home the next day. The other boys wondered what was wrong and Gibbney told them [REDACTED] was just sick.

A day or two later [REDACTED] was able to call home and he told his parents something bad had happened and he wanted to come home. He does not remember if he explicitly told them he had been touched or whether they "figured it out". A flight home was arranged for him from Duluth, Minnesota.

[REDACTED] did attend eighth grade at Mary Queen of Heaven, although he stated he would have preferred not to. The principal, Sister Honorata, and his teacher, Sister Alberta, talked to him after he had started as they heard he had returned early from the trip. [REDACTED] told them Gibbney touched him in a bad way and he wanted to leave school. The nuns indicated they would take care of the issue and [REDACTED] believes they may have talked to a priest named Bennett Funk who came from a large family in the parish and he believes he was an influential priest. Funk may not have been associated with the Diocese.

Within a week or so, Sister Alberta told [REDACTED] that Gibbney had been "scolded" and that he was not to be alone with [REDACTED] at anytime. [REDACTED] was an altar boy and if he was to serve a mass with Gibbney, Gibbney was not to come back to the altar boys area until a few minutes before Mass. [REDACTED] says he finished 8th grade, was a good student and also helped train new altar boys that year.

He indicates that once in eighth grade he was reprimanded by Gibbney. While training altar boys he went up to the choir loft and found a can of peanuts. He and other boys threw some peanuts on the boys below. Later they also lit some votive candles. A day or two later Gibbney came to class and asked if anyone knew who stole some peanuts and lit votive candles at church. At lunch, [REDACTED] told the other boys they would have to tell. The other boys went to the rectory and told. Later Gibbney came to class and asked to see [REDACTED] in the principal's office. [REDACTED] went there and was alone with Gibbney for about 10 minutes while Gibbney talked to him about the incident. When Sister Alberta heard he was alone with Gibbney, she reprimanded Gibbney for this.

The only other contact with Gibbney after this was when [REDACTED] went on a weekend retreat in freshman year of high school. [REDACTED] and some others brought some alcohol and were caught by Gibbney. Gibbney advised he would report this to all the parents and did call all of them but [REDACTED] parents.

[REDACTED] and says he did not do well. He did not want to go to school. He began to see psychotherapist [REDACTED] then and still sees him off and on to this day. He did tell [REDACTED] of this incident. He claims he saw him frequently

through junior year of high school for depression and "post-traumatic stress". After this he would see [REDACTED] periodically for several weeks/months over the years. He says he always acted tough in high school, but thinks he was in denial.

He believes the root cause of all of his problems is this incident. He claims to have panic attacks, is depressed, has guilt feelings and is angry at "everything". He says he tried blocking this out of his mind until he was about 25. He then started to have nightmares; he went to his doctor and also a psychiatrist. He was having panic attacks about once a day in his twenties and says he has them now about once a week.

[REDACTED] also attributes his drinking to this incident, but stated he did start drinking in the 5th grade as "kid stuff". He says he began "self-medicating" with alcohol in the 8th grade after this trip. He drank to calm his nerves. He alleges Gibbney gave him beer 2-3 times on the trip and he estimates he was on the trip for 5 days. [REDACTED] has had 2 DUI's, both in 1999. He started to use marijuana in the 8th grade and used it throughout high school and appears to still use it. He was caught with marijuana in 1999 at the time of his 2nd DUI arrest. He lost his license at that time.

Currently he indicates he takes the medications Clonapin and Cymbalta.

[REDACTED] did not go to college and has worked on and off on a number of jobs over the years. He never has held a job for any more than a year or two and most often less than this. He has worked for Jewel, a book store, a repair shop and most recently worked as a handyman with a company that handled maintenance at his parent's town home complex. [REDACTED] where he lived out of his van for about a year before returning here in 1997 or 1998.

In addition to treating with [REDACTED], [REDACTED] has treated with DuPage County since about 2000. He was seen by a psychiatrist and social worker and was in group therapy for a while. He claims to never have mentioned this incident until after his first social worker passed away and he was assigned another social worker about 2 years ago. He told her about the incident and this was also about the time incidents like this began to become more widely reported in the media.

[REDACTED] also says he called SNAP about 2 years ago and talked to Barbara Blaine, she referred him to Jeff Anderson. He says he talked to Mike Finnegan, an associate, and also to Anderson. He is not represented by them. They did state the statute of limitations are up on his case, but this may change. He has also talked to a DuPage attorney he identified as Terry Erle.

Early this year [REDACTED] says he got on the internet and investigated Gibbney and that is what made him contact the Diocese about 2 months ago. He wants to get this issue behind him and live a "normal" life. He wants to marry, have children, send them to Catholic school and "be a part of the Diocese of Joliet". He says he has a meeting scheduled with the bishop, November 28, 2006. He knows there were other incidents before him involving Gibbney and he believes the "negligence" is great given the Diocese did not do anything

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INVESTIGATOR RECORDS**

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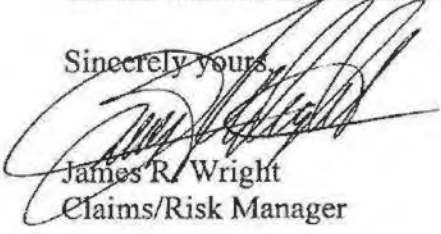
000004

to prevent further occurrences. He indicates his parents are very upset about this and they are not in good health. He wants to settle this to have closure for him and them.

When asked what resolution he is looking for, he says he can't even put a number on what he is looking for. He says he has had 30 years of not really earning anything, is not concerned about his name being in the paper and thinks the statute of limitations issue may change. In the next breath he feels bad the church has gotten a "bad rap" and he is not angry at the church. He is aware of many settlements and high dollars paid on high profile cases. He never did make a specific demand. I did not engage him in talks on settlement with the exception to expel any notion that this is a seven figure case or a case that is worth a quarter of that amount.

I advised [REDACTED] I would relay his information and would try to get back with him as quickly as possible. Once you have had a chance to review this letter, please call me to discuss what further information or investigation may be needed.

Sincerely yours,



James R. Wright
Claims/Risk Manager



CATHOLIC MUTUAL GROUP®

servicing the temporal needs of the church since 1889

000100

June 20, 2006

000101

Mr. James C. Byrne
James C. Byrne & Associates
815 N. Larkin Street, Suite 202
Joliet, IL 60435-3440

RE: [REDACTED]

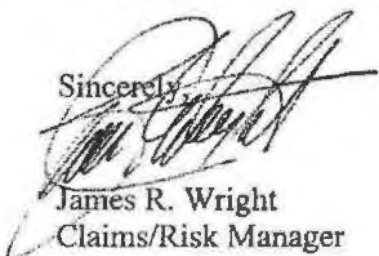
Dear Mr. Byrne,

Please find attached a summary of my interview with [REDACTED]. The interview was conducted on June 12, 2006. [REDACTED] works construction and was not able to schedule time to meet until that date. I met [REDACTED] at his sister's home and she was present during the interview. His brother-in-law also joined the interview about half way through our meeting. He dominated the meeting after that point and [REDACTED] did not have much to add after that. Following the meeting, [REDACTED] called my office and indicated he would put additional thoughts in writing. A copy of his fax dated June 19th is also attached.

[REDACTED] is relatively quiet and did not provide a great deal of information without prompting. He attributes a "lack of self-esteem, lack of self-confidence, depression, confusion and other personal problems" to these incidents. He also believes these incidents also caused a loss of faith in the Church and a loss of a desire to attend Catholic school further in high school. He believes had he attended Catholic high school he may have gone to college and secured better jobs. These were generalizations that he did not elaborate on further.

After your review of these items, please call me to discuss what additional information we may need to secure on this case.

Sincerely,


James R. Wright
Claims/Risk Manager

James R. Wright *Claims/Risk Manager*

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Summary of Interview

June 12, 2006

000002

Met with [REDACTED] on June 12, 2006 at the home of [REDACTED] and [REDACTED]

[REDACTED] At the beginning of our interview, his sister sat in on the meeting and about half way through, his brother-in-law also joined the meeting and spent much time expounding on his views about the church generally and his feelings about the local parish. Much of the latter part of the meeting was unrelated to [REDACTED] claim and dominated by his brother-in-law.

[REDACTED] and was a member of a devout Catholic family. He attended the parish school. He indicates that during the years of about 1967-68 through 1970, or when he was about 12-14 years old, he was an altar boy in the parish. He is not certain exactly what year, but during this period, Father Donald O'Connor invited him to accompany him on a visit to the Museum of Science and Industry in Chicago, which would include an overnight stay in a hotel. His parents gave their permission and he was glad to go.

They drove to Chicago and spent the day at the museum and he thinks they also ate dinner at the Museum and went to a hotel for the evening. He and Father O'Connor shared a room. [REDACTED] does not remember if he had anything to eat or drink at the hotel. He believes he went to bed shortly after arriving. Sometime during the night he awoke and claims O'Connor was standing over him in his underwear and he also indicates that another man was in the room who he could not identify. He indicates he never saw this person before or after the incident. [REDACTED] says his underwear had been removed and the front of his body was covered with shaving or whipped cream or some other similar substance and that a "smiley face" was drawn on his stomach. He indicates that he fell back to sleep quickly and wonders if he had been drugged. He did not voluntarily take any drug or alcohol that evening. He indicates that when he awoke it was still dark so the incident may have occurred in the late night or very early morning hours.

At one point in the conversation [REDACTED] indicated he was "raped" by O'Connor, asked to clarify this statement he indicated that that is what he believes happened but could not say for sure what really did happen. Asked if anal penetration was involved he responded "no" but, again, cannot say for sure what did happen that night.

[REDACTED] stated when he awoke the next morning he did not say anything to O'Connor about this incident and they drove home. He never reported this to his parents or anyone else until recently. [REDACTED] states that following this there were a number of times he was groped by O'Connor in the crotch area in the sacristy of the church before or after serving as an altar boy. When asked to clarify the number of occasions this occurred he said each time he served Mass or about once per week "for a couple of years".

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After graduating from the parish school, [REDACTED] was no longer an altar boy and did not have contact with O'Connor. His parents wanted him to go to Catholic high school but he wanted to go to Coal City High School instead. He dropped out of school in 1974, his sophomore year. After that, he worked in a gravel pit, strip mine and at odd factory jobs. He then worked for 18 years as a laborer and was a member of the laborers union. For the last 10 years, he has been a member of the operating engineers union, Local 150, and has worked jobs primarily as a scraper and bulldozer operator. He generally has been working 6-9 months per year and is making \$40/hour now. He feels if these incidents did not happen, he probably would have gone to a Catholic high school and would have gotten better jobs.

He also feels that these incidents have caused a general lack of trust and faith in his life. His family thinks he also has insecurity problems and self-confidence issues that are attributable to these experiences. He lost faith in the Church and found it hard to trust anyone.

[REDACTED] married and was divorced this year, he says he was married for 30 years and the first 25 years were relatively good and the last 5 not so good. He thinks his lack of trust and faith in people also affected his marriage. He has [REDACTED] and claims he has "a great relationship" with the kids.

He claims to have thought about these incidents regularly over the years, sometimes on a daily basis. He states that O'Connor was assigned back to the parish and he began seeing him around town which upset him greatly. He thought about the incidents more after that and after another incident was reported about O'Connor in the Coal City Chronicle about 2002. It was only about a year ago when his sister encouraged him to go back to church that he began to talk about it and tell his family. He has told his sister, wife and children.

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000104

**TO:
JIM WRIGHT
FAX NO:
815-834-4079**

FROM:



DATE: JUNE 19, 2006

Redacted February 2014
TMJA
Released April 2014

To: Jim Wright
Date: June 19, 2006

000005

In reference to our conversation on June 12, 2006, I am submitting additional information that I feel is necessary for you to proceed with my case.

I feel the sexual abuse I received from Father O'Connor has shattered my hopes and dreams, destroyed my life and faith in god and the Catholic Church. I have been suffering in silence for more than 30 years. It has affected my education, work ethics and marriage. The abuse caused inappropriate sexual activity at a young age (19), which resulted in a pregnancy [REDACTED] I was not prepared for marriage at the time. I have suffered from low self-esteem, lack of confidence, depression, confusion and numerous other personal problems.

I thought I would get over what happened. I never told anyone until about 2 years ago when I discussed it with my now ex-wife. I sent an e-mail to the Chicago Diocese. I did not receive a response.

As time went on and I started to hear more and more about sexual abuse in the Joliet Diocese I told my sister. My sister suggested I start going to church and that is when I explained to her why I haven't been able to attend church for the last 30 plus years. I told her the sexual abuse had destroyed my life and faith in god and the Catholic Church.

I am just now realizing that being introduced to sex at such a young age has caused all of the problems above.

I questioned myself for a long time. I always thought I was to blame, but now I know I was not.

Please pray for the healing of all those that have been affected.

You can contact me [REDACTED]
[REDACTED]

Thank you,
[REDACTED]

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met with [REDACTED] Monday May 17, 2010 at 4:00 pm to discuss issues relating to her son [REDACTED] her son, sat in our meeting and also contributed to it. For sake of clarity, I will cover material pertinent to [REDACTED] first and then give details regarding [REDACTED]. Our meeting lasted about an hour and I basically let them talk, so information was presented in a less than chronological fashion.

[REDACTED]
[REDACTED]
newer townhouse which is neat and well appointed. [REDACTED] She is employed [REDACTED] and has worked with the same company for the last 14 years. [REDACTED]
[REDACTED]

She became aware of her son's abuse by Father O'Connor [REDACTED] but did not become fully aware as to the extent of the abuse until March or early April of this year. She indicates the abuse went on for 2-3 years and could not bring herself to talk about it. She was vague or uncertain on some dates when asked. She was understandably very emotional during the course of our meeting and indicated she may not have been thinking straight during some of our time together, which may have contributed to some lapses in memory. [REDACTED] knows what happened and did indicate his mother could go into another room and he could discuss this with me. Given the uneasy situation, I advised if we needed this information, I could talk or meet [REDACTED] at another time.

[REDACTED]
child. The family lived in [REDACTED] and, at about the age of 10 or 11 years, [REDACTED] became close with Father O'Connor. She indicates both of her boys looked up to father. At one point O'Connor visited the family home and asked if [REDACTED] could accompany him on a fishing trip. [REDACTED] loved to fish and the family had no qualms with letting him go with the priest. [REDACTED] went on the trip and everything seemed to go fine. She indicates that over the next few years, O'Connor would call the home and ask if [REDACTED] could come over and help him with different things at the parish or to go different places and she always let him go as she felt there was no problem with this relationship.

She says [REDACTED] was an overachiever and in retrospect he may have been trying to compensate for what happened to him at the hands of O'Connor. [REDACTED] was state champ in track and was good in sports and also did well in academics. In senior year of high school (1986) he joined the air force for a six-year stint without consulting his parents and this always puzzled them. She now believes this was a way for him to get away from all the bad memories in [REDACTED]. He spent [REDACTED]

[REDACTED] good life, beautiful family, good job and seemed to have everything going well for him. He loved to fish and was able to get out and do that until about the age of 28 or 29, when his life began to fall apart. He was in and out of hospitals in psychiatric wards,

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became estranged from his wife and lost his job. She could not understand what happened to him and felt helpless to deal with his problems. [REDACTED] himself, he told his therapist and brother the full extent of his abuse, which went on for 2-3 years, and she feels this tormented him his entire adult life [REDACTED]

[REDACTED] couldn't function, she had a hard time concentrating, and she lost her job, her marriage fell apart and she was in despair. After a while, she started counseling and continues counseling now and is on Prozac and Xanax. [REDACTED] she had to go to his house to retrieve some items and is still tormented by the memory of the [REDACTED]

[REDACTED] considered herself a devout Catholic and this denial only added to her anguish. She is now a member of a Protestant congregation and receives counseling with her pastor.

[REDACTED] states that causing further grief to the family is the fact that the [REDACTED]

[REDACTED] She says she has not seen her grandson since. As this was another emotional moment in our conversation, I did not question her further about this. I am not certain whether the boy lived with his mother, other family or was placed in foster care.

[REDACTED] other people may have come forward and made allegations against Father O'Connor and indicated that the police should contact [REDACTED] as he spent time with the priest. [REDACTED] met with the Braidwood Police and the Will County State's Attorney at this time [REDACTED] was questioned about any issues with the priest. He denied there were any instances of abuse and [REDACTED] asked him to be truthful and open and he continued to indicate nothing had happened. This is another thing that haunts her, as she now believes he could have been helped had she only known what had happened then. She is still uncertain whether or not [REDACTED] may have been abused by Father O'Connor. She again asked him about this in my presence and [REDACTED] indicated that nothing ever happened with him.

Since finding out about the full extent of her son's abuse earlier this year, [REDACTED] indicates she has been depressed, can't concentrate at work, thinks about this all the time and goes through many emotional and crying spells all day long. She feels like a "zombie". She believes someone should be held accountable for what has been done to her family as it has ruined their lives. She says the Church protected O'Connor for 30 years, he was moved from parish to parish and the Church should have known he was not to be trusted. She believes, despite his dementia, O'Connor should be prosecuted and jailed.

She indicates that her insurance covers all of her expenses associated with counseling and that she can go to counseling from now until the day she dies, but nothing will ever ease the pain of now knowing her son was abused and she didn't know and didn't do anything thing to stop it or help him. She indicated she will never be able to lead a "normal" life and she worries about

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losing her job. She also worries about her financial future and does not know if she will ever be able to retire. [REDACTED] she helped him financially the years he was going downhill, she paid for his funeral and she has helped [REDACTED] with bills and expenses during his troubled times to the tune of over \$25,000. This has depleted her savings.

After about an hour, I decided to end our visit as it appeared to be too draining [REDACTED]

[REDACTED]

[REDACTED] He was present during my meeting with his mother.

[REDACTED]

[REDACTED] he had a lengthy conversation with him where [REDACTED] described the full extent of the abuse he suffered from Father O'Connor over the course of 2-3 years. [REDACTED] asked that [REDACTED] never tell his mother or anyone else about what happened to him. Again given the circumstances, I did not get into any of these details during this meeting. [REDACTED] indicated his mother could go into another room, however, I felt it might be better to get the details at a later date from [REDACTED] should we need them.

[REDACTED] he also had problems coping. He was working at a [REDACTED] in Joliet at the time and was in the [REDACTED] office. He had a [REDACTED] [REDACTED]

His boss was not very understanding and put negative comments about [REDACTED] work and behavior in his reviews. [REDACTED] was then able to subsequently appeal these to his boss' superiors and wrote a rebuttal for his personnel file. Things were never the same [REDACTED] he ended up leaving. I am not certain if he was fired or quit. [REDACTED]

[REDACTED] indicates that over the last 10-12 years he has seen 3-4 different psychiatrists for his anxiety and depression. He has been on and off medication and would typically have greater problems when he weaned himself from the medication. During this time he developed marital problems, which ended in divorce and he lost his home. For a time, he was not involved in his son's life but he is now. He began to drink heavily and had really never drank before. He ended up with financial problems and filed for bankruptcy. He agrees his mother helped him out a great deal financially.

[REDACTED] indicates he too began to consider suicide and his life degenerated quickly until February of this year when he was admitted for in-patient psychiatric treatment at St. Joseph Hospital in Joliet. Since being released, he has been going for counseling with a [REDACTED] and has been attending AA meetings and has not had a drink since [REDACTED]

He believes that the "burden" of keeping [REDACTED] abuse a secret is the basis of his problems. He also indicates there were several instances after learning of the abuse where he saw Father

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O'Connor and had to control himself from causing harm. On one occasion, after moving to a neighborhood near the church, he saw Father O'Connor walking in the neighborhood with other people [REDACTED] got extremely upset but did not confront O'Connor. He also indicates he was at the wedding of a cousin in Coal City and Father O'Connor was there. [REDACTED] got so upset that he had to leave the church and did not attend the wedding or reception. These "sightings" and the fact that Father O'Connor has never been prosecuted for what he has done infuriated [REDACTED] and increased his anger, anxiety and depression.

[REDACTED] indicates that, other than modest out of pocket expenses, his counseling and psychiatric treatment has been covered by insurance. He recently has been covered under a COBRA plan and this is expiring soon. He does not know when [REDACTED] would start to cover his counseling costs but is trying to find out.

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Released April 2014

Summary of
2nd Interview [REDACTED]
June 2, 2010

000105

I met with [REDACTED] to discuss further information regarding [REDACTED] case. My purpose was to learn additional information regarding [REDACTED] the nature of the abuse [REDACTED] may have been subjected to. [REDACTED] is well spoken and was fairly well composed during my visit, which lasted about 45 minutes. He did become somewhat emotional when talking about specific abuse [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

were very involved in the Church. They were altar boys, [REDACTED] counted money after Masses on Sundays and [REDACTED] was also a commentator and involved with the Knights of Columbus. For a few years they worked at the same company together. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED] He told him he and his parents loved him and that they would do anything to help him. They did not understand what [REDACTED] problems were but wanted to help him get through things. It was then that [REDACTED] talked about his abuse and swore [REDACTED] never to tell anyone, including his mother and step-father. [REDACTED] felt [REDACTED] needed to unburden himself and that he felt ashamed, embarrassed, was frightened and devastated by what happened to him. [REDACTED] did not know how to react and, unfortunately, his [REDACTED]

[REDACTED] indicates [REDACTED] says the abuse all started when he was about 10 or 11 years old or about 1978 when Father O'Connor asked his parents if [REDACTED] could go with him on an overnight fishing trip. [REDACTED] was excited to go and the parents agreed. [REDACTED] also wanted to go, but all felt he was too young. [REDACTED] indicated on the night of the trip Father O'Connor laid down in bed next to him and put his hands down [REDACTED] underwear and fondled him. [REDACTED] resisted and "wrestled" with O'Connor but was just a boy and not a match for him. [REDACTED] was made to perform oral sex on O'Connor that night and also indicates he was sodomized that evening. [REDACTED] stated that he was told by [REDACTED] that he was sodomized 5-6 times over the 2-3 year period that the abuse occurred. These experiences were very painful.

[REDACTED] indicated the abuse, to some degree or another, happened once a month or so during this period. Many times it would occur on Sundays while he counted money or after serving Mass. Other times, O'Connor would call the house and ask if [REDACTED] come over to the Church and help with different tasks. Frequently the abuse would happen then. [REDACTED] would always ask to go along with his brother as he looked up to both [REDACTED] and Father O'Connor. [REDACTED] would always say no and [REDACTED] now knows why he did.

[REDACTED] did not tell [REDACTED] specifics as to dates and times when the actual abuse occurred. As to the nature, he did say some of the other incidents were as simple as O'Connor putting his hands down the boy's pants and fondling him when [REDACTED] was alone with him at the Church to other times when [REDACTED] was made to perform oral sex on O'Connor and times when O'Connor performed oral sex on him. This went on for the 2-3 year period and [REDACTED] did not know what to do or who to tell. [REDACTED] O'Connor threatened him by telling him he would call the police and tell them that [REDACTED] stole money from the collections if he ever thought of telling anyone about the abuse. Consequently, [REDACTED] never did tell anyone, even when the local police were investigating other allegations against the priest when he was about 12 or 13.

[REDACTED]

family. While his mother has a general knowledge that abuse occurred, she does not know the specifics and she asks [REDACTED] about this on an almost daily basis. He will not tell her. He feels simply knowing about the abuse has ruined her life and knowing the full extent may kill her.

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Released April 2014

THOMPSON COBURN

Thompson Coburn LLP

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Memorandum

To: James C. Byrne

From: A. Pat Williams, Jr.

Date: December 17, 2007

Re: [REDACTED] v. Father Gibbs and the Roman Catholic Diocese of Joliet

000001

[REDACTED]
Illinois Department of Correction [REDACTED]
Menard Penitentiary
Chester, IL
618-826-5071

Julie Potts
Legal Department
618-826-1130

(Ms. Potts is the individual to contact to set up a visitation [REDACTED])

Background

[REDACTED] attended St. James School from the fourth through the eighth grade and then transferred to Glenhar West South from the tenth until the twelfth. He has some college credits which he obtained at DuPage College which is located in the Chicago area. He had a history of getting trouble while in elementary and high school, mainly kid stuff, as he put it to me. He didn't like school, for he had never excelled. He described to me that he had a feminine way about himself in high school and that created numerous problems. He was also known as a snitch in high school. I did not elaborate on this matter.

Military Service

[REDACTED] was in the Army from 1975 through 1977. He obtained basic training at Fort Leonard Wood, Missouri. He then went to Fort McCullen for MP school, to Fort Bliss, and then to Fort Sam Houston and transferred into the medical field. He was stationed in Fort Jackson, South Carolina when he received a general discharge. When I inquired from him why he only served two years in the service, he stated that he was given an option to either receive a general discharge from the service or a dishonorable discharge. When I asked the reason for the discharge, [REDACTED]

[REDACTED]. He did not receive any psychological evaluations or counseling while in the military.

Family

His father died at the age of 84 [REDACTED]. [REDACTED] does not know the cause of death. His mother died in 2001 from cancer. [REDACTED]

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Chicago, and is a manufacturer's representative. [REDACTED] does not know his home address, [REDACTED] He gave me a phone number of [REDACTED] He has no contact with his brother at the present time. In fact, he hasn't had any contact with his brother in several years.

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Father Gibbs

[REDACTED] stated to me that the abuse pertaining to Father Gibbs began in 1968 or 1969 when he was approximately 12 years old. He was an altar boy at the church. He was Father Gibbs' favorite altar boy. He describes Father Gibbs as 5 feet, 10 inches to 6 feet tall, with short, dark hair. He was medium weight and appeared to be physically fit. His interest in sports pertained to the professional teams in Chicago - the Cubs and the Bears. He also had an interest in the basketball team at the St. James School. He does not remember any scars on Father Gibbs' body. He stated that Father Gibbs befriended him and that was when he began to ride his bicycle over to the rectory. He described getting to the rectory as going north on Park Boulevard; the rectory was located on the right-hand side of the road. A diagram of the rectory will be included with this report sent to you. He does not remember any other boys in the rectory at any given time. He does remember when he arrived at the rectory that there would be an older white lady at the residence and he does not know whether she was a cook, maid or what her function was. She left each time he came to visit Father Gibbs. There would not be anyone else present at the rectory during his visits.

He stated to me that he would either go in the garage door, which was located on the east side of the residence, or walk around and come in the kitchen door. The only two rooms that he was allowed to go in were the kitchen and the den area. He stated that the den had two couches - one located on each end of the den area. This is where the abuse took place. He remembers a picture window located in the middle of the front of the house. At the time the abuse was taking place, he remembers that there were two associate priests also living at the rectory. He stated that he would go to the rectory approximately two times during the week and stay at the rectory from one to two hours each time. His parents did not have any idea where he was when he went to visit Father Gibbs at the rectory.

He did state to me that there was another altar boy who went with him one time, [REDACTED] but there was no abuse when this individual was with him. [REDACTED] was killed either in the late 1980s or the early 1990s. [REDACTED] also learned in the 1990s that Father Gibbs had allegedly abused other boys at the rectory. He learned this from a friend of his, [REDACTED] who was also an inmate at the Menard Prison facility in Chester. [REDACTED] was convicted of murder and received a life sentence in 1979. [REDACTED] were childhood friends in the Chicago area. It also should be noted at this time [REDACTED] has full access to the Internet and also access to numerous newspapers, and particularly the Chicago newspapers.

When I inquired of [REDACTED] as to the changes that occurred after the abuse, he stated that his parents did not believe him and told him to never speak of this again. It harmed him knowing that his parents did not believe him and therefore he was afraid to be around Father Gibbs. His brother [REDACTED] became aware of the circumstances, but he never talked directly with

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him about the abuse pertaining to Father Gibbs. He put it out of his mind, blocked it out for several years. He doesn't remember what made him start thinking about the abuse again.

Marriages

[REDACTED]

Church

[REDACTED] is still close to the Church, supposedly. He stated to me that he goes to Mass once a month. He has not had any type of counseling or psychiatric help while in the Illinois Department of Corrections.

Compensation

When we arrived at the point where we started to discuss compensation, in the beginning [REDACTED] put a figure of \$300,000 to \$400,000 on the table. I explained to him that the Diocese of Joliet would be fair and reasonable, but it was my thought that at the present time his demand was way out of line. We discussed this a little bit more and he came back with a figure of \$250,000. At the time, I discontinued talking about the settlement or what type of compensation he would be looking for and changed the subject. After about 15 minutes, I came back to the subject and gave him an example with reference to the annuity that the diocese would purchase for him. I tried to explain to him the way that this would work. He had a hard time understanding that, so I just put it to him in plain layman's terms and explained to him that by no means am I putting this on the table for you. I said, what the diocese would do, for an example, would be to buy an annuity for you for \$40,000 and then over a span of four years, pay you \$10,000 for each of those years. I did that as a purpose to explain to him how the diocese would elect to pay compensation to him. After I explained it to him that way, he was in agreement. By no means did he receive the message that I offered him \$40,000. I did that as an example so that he would understand what I was talking about. [REDACTED] did state that any settlement papers should include a stipulation stating that if he dies before he receives his total payment of compensation, that he would like for any remaining money to go to a charity for battered women within the Diocese of Joliet.

At the conclusion of my interview with [REDACTED], he was cooperative, pleasant to talk with and very interested in reaching a compromise that would be beneficial to himself and also the Diocese of Joliet.