Diocese of Orange
Documents

John Lenihan

Redacted
<table>
<thead>
<tr>
<th><strong>ORDAINED FOR DIOCESE OF</strong></th>
<th>Los Angeles, California</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date and Place</td>
<td>15 JUNE 1949, ALL HALLUS, MILWAUKEE</td>
</tr>
<tr>
<td>Ordaining Prelate</td>
<td></td>
</tr>
<tr>
<td>If incardinated in Los Angeles, Date</td>
<td>JUNE 17 1961 (TENURE)</td>
</tr>
<tr>
<td>IF NOT INCARDINATED IN LOS ANGELES:</td>
<td></td>
</tr>
<tr>
<td>Date of Arrival</td>
<td></td>
</tr>
<tr>
<td>What letters from own Ordinary or Superior?</td>
<td>COPY</td>
</tr>
</tbody>
</table>

| Length and purpose of stay: |                                  |
| Residence:                 | 917 SOUTH ELECTRIC AVENUE, Phone No. 4, TIERC A.S. WAUKE |

| Birth: Date and Place      | 5th MARCH 1944, BALLINRAW, CARRICKONED, (BEER, IRELAND) |
| Baptism: Date and Place    | ST. BRENDAN'S, CHURCH, RAPID CITY, IOWA, 10TH MARCH 4 |
| Present Citizenship       | IRISH                                          |

| If Naturalized, Date and Place: |                                  |

|                                     | CLOHER NATIONAL SCHOOL, G. TERRY |

| High School—Dates and Places: |                                  |

|                               | SALESIAN SECONDARY COLLEGE, CA. LMERICK |

|                               | ALL HALLUS, DUBLIN |

| Post-Graduate Work—Dates and Places: |                                  |

| Degrees—Dates and Places: |                                  |

| What foreign languages can you speak? | IRISH, SPANISH                    |

| Father's and Mother's (maiden) Name: | Redacted |

| Name and address of nearest relative or friend: | Redacted |

Please type answers in full and return to the Chancery Office, 1531 West Ninth Street, Los Angeles 15, California.
List of Appointments since Ordination

<table>
<thead>
<tr>
<th>TOWN</th>
<th>PARISH</th>
<th>CAPACITY</th>
<th>DATES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alhambra</td>
<td>All Souls</td>
<td>Assistant</td>
<td>Aug, 1969</td>
</tr>
<tr>
<td>Brea</td>
<td>St. Angela's</td>
<td>Associate</td>
<td>Aug 1, 1974</td>
</tr>
<tr>
<td>Orange</td>
<td>St. Norbert</td>
<td>Associate</td>
<td>July 20, 1977</td>
</tr>
<tr>
<td>Assignment</td>
<td></td>
<td>Dioc. Consultant</td>
<td>June 9, 1980</td>
</tr>
<tr>
<td>Anaheim</td>
<td>St. Boniface</td>
<td>Pastor</td>
<td>November 1, 1982</td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td>Chairman of the</td>
<td>November, 1983</td>
</tr>
<tr>
<td>assignments</td>
<td></td>
<td>Personnel Board</td>
<td></td>
</tr>
<tr>
<td>Dana Point</td>
<td>St. Edward</td>
<td>Pastor</td>
<td>7/1/95</td>
</tr>
<tr>
<td>Bishop</td>
<td></td>
<td>Resignation as</td>
<td></td>
</tr>
<tr>
<td>requested</td>
<td></td>
<td>Pastor of St.</td>
<td></td>
</tr>
<tr>
<td>Edwards</td>
<td></td>
<td>Active</td>
<td>9/1/01</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sick Leave</td>
<td>9/1/01</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Administration Leave</td>
<td>12/21/01</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Inactive Leave</td>
<td>12/21/01</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Laicized</td>
<td>6/21/02</td>
</tr>
</tbody>
</table>

List of ecclesiastical dignities and date of reception

State any special work or assignment and give dates

Please type answers in full and return to the Chancery Office, 1531 West Ninth Street, Los Angeles 15, California

LA_2013_11_21_Lenihan_000003
October 11th, 1963

Redacted

Dublin, 9
Ireland

Dear Father Redacted

Monsignor Hawkes has given me your letter of October 4th. On behalf of, and anticipating the approval of His Eminence, I am happy to welcome the five students listed as candidates for the Archdiocese of Los Angeles. [Redacted] is a nephew of Father [Redacted], and he will be the fourth generation of that family to serve in the Archdiocese.

I have just returned from Rome after a wonderful trip to Lourdes and Spain with Bishop [Redacted] and Monsignor [Redacted]. Needless to say, one of the highlights of our trip was the visit to All Hallows and that wonderful dinner at the O'Shea's.

With kindest regards to Father [Redacted] and the other members of the faculty, I am

Very sincerely yours,

Timothy Manning
Auxiliary Bishop of Los Angeles
Vicar General
4th October, 1963.

Rt. Reverend Monsignor Benjamin G. Hawkes,
Chancellor,
100 Fremont Place,
Los Angeles, California.

Dear Monsignor Hawkes,

Some of the new students who came to us last month, are willing to go to Los Angeles, and I beg to submit some names for His Eminence's kindly consideration. They are:-

The first of these [name] has been with us for a year and is now reading for the S.T.L. He has been quite satisfactory in every way and has an average in ability. I beg to recommend him for the S.T.L.

I am in a position to recommend a Second Philosopher [name], and I trust quite a number of the Los Angeles students will be of this secularia. We lost four students in all, [name] and [name]. I am sorry the casualties were so high, but there was really nothing we could do about it.

All the other students are getting on well. [name] has just completed his B.A. at the National University, and I am able to report that he graduated with Honours. Father Murphy enjoyed his trip to Los Angeles during the Summer and is much appreciative of the hospitality shown him, as indeed we all are.

We were very happy to have a visit from Bishop Manning and quite a number of the Los Angeles priests. It was nice to hear that the four young men who went out in August are so happily settled in their new appointments.

With all good wishes,

Sincerely yours,
Name: Lenihan, John
Diocese: Los Angeles
Class: I Divinity

EXAMINATION RESULTS

Dogmatic Theology  A
Moral Theology  B
Sacred Scripture  A
Introduction to Sacred Scripture  B
Sacred Eloquence  C
Canon Law  B
Ecclesiastical History  B
Sacred Liturgy  B
Elocution  C
Gregorian Chant  C
Spanish  B
Patrology  -
Psalter  -
Catechetics  -
Sociology  -
Physical Education  -

(Grading: Each letter used indicates a combination of factors: intellectual capacity, proficiency in studies, application to work. The grading is based on viva voce and written examinations and assessments by the individual Professors.

A—Very Good; B—Good; C—Average; D—Fair).

Observations: A good student.

Date: 7 April, 1966.

Redacted

Nita - Rector
The undersigned, Archbishop of Los Angeles in California, according to the terms of Canon III, paragraph 2, of the Code of Canon Law, and the reply of the Pontifical Commission for the Interpretation of the Code dated July 24, 1939, herewith requests that

JOHN LENIHAN

be promoted by his proper Ordinary to First Clerical Tonsure for the service of the Archdiocese of Los Angeles.

This instrument will serve as the expression of our consent that thereby he may be incardinated into this Archdiocese according to the previous Canon III, paragraph 2.

Delegation is hereby given to institute the usual canonical inquiries and administer all the oaths and professions of Faith according to the requirements of the Canons for promotion of the candidate to all the Orders leading to the Priesthood for the Archdiocese of Los Angeles.

Archbishop of Los Angeles

Dated at Los Angeles, California, this 14th day of April, 1966.

De Mandato Eminentissimi ac Reverendissimi Archiepiscopi

Cancellarius
Dilecto Nobis in Christo Domino

JOANNE LENIHAN

subdito Nostro, salutem et benedictionem in Domino.

Cum plene Nobis constet te ex legitimis, catholicis, honestisque parentibus progenitum, rite
baptizatum et confirmatum, bonis moribus debitisque qualitatibus ad normam Sacrorum Can-
onum praeditum esse, neque ullo irregularitate aliqua impedimento detentum nullaqua censura,
quod sciamus, innodatum esse, et canonico de annis cursus theologiae, ad tramitem turis, docu-
mento Nobis exhibito, per praeentes tibi licentiam et facultatem largimur et libenter concedi-
mus, ut ad omnes ordines minores

ab Exmo ac Revmo. Joanne Carol McQuaid, Archiepiscopo Dublinensis,

cum a quocumque Catholico Antistite gratiam et communionem Sedis Apostolicae habente,
valide ac licite promoveri possis et valeas.

Volumus tamen ut praedictae litterae Nostrae nonnisi accedente Superiorum Seminarii con-
sensus atque testimonio effectum sortimur.

Servatis in relictuo de ture servandis. Contrariis quibuscumque non obstantibus.

Datum ex aedibus cancellariorum Nostrae, sub signo sigillloque Nostri, ac Cancellarii Nostri
subscriptione, anno Domini 1966, die vero 14 mensis Aprilis.

ARCHIEPISCOPUS ANGELORUM

DE MANDATO EMI AC REVMI ARCHIEPISCOPI

CANCELLARIUS
JOHN LENIHAN

John Lenihan has been with us for six years and read the ordinary course in Philosophy and Theology. He, too, is very talented and should certainly get an opportunity of post-graduate work. Again I would suggest that he should be consulted in regard to the field of his preference, but I would say that it should be some branch of Theology although he, too, has a very good background in Philosophy. He is a fine character and has a pleasant manner as well as a cheerful disposition.
ALL HALLOWS COLLEGE, DUBLIN

REPORT

Name
Lenihan, John

Diocese
Los Angeles

Class
II Divinity

EXAMINATION RESULTS


Dogmatic Theology        B        A
Moral Theology            B        C
Sacred Scripture         A        A
Introduction to Sacred Scripture A        A
Sacred Eloquence         B        B
Canon Law                C        C
Ecclesiastical History   A        A
Sacred Liturgy           A        A
Elocution                B        B
Gregorian Chant          C        C
Spanish                  B        B
Patrology                -        -
Psalter                   -        -
Catechetics              -        -
Sociology                -        -
Physical Education       -        -

(Grading: Each letter used indicates a combination of factors; intellectual capacity, proficiency in studies, application to work. The grading is based on *viva voce* and written examinations and assessments by the individual Professors.

A—Very Good; B—Good; C—Average; D—Fair).

Observations: A good student.

Date: 18 March, 1967.

Redacted

Vice-Rector
By virtue of the faculties granted to His Eminence,
James Francis Cardinal McIntyre, Archbishop of Los Angeles
in California, in Motu Proprio De Episcoporum Muneribus, dated
June 15, 1966, he hereby grants a dispensation from the lack of
sufficient age for ordination to the Sacred Priesthood in favor of
JOHN LENIHAN. This dispensation is granted provided the
Rector and Faculty of All Hallows College are of the opinion that
John Lenihan possesses maturity of mind and judgment to assume
the sacerdotal office. The Reverend Mr. Lenihan lacks eight
months, twenty days, for Canonical age.

Archbishop of Los Angeles

Dated: February 13, 1969
June Twelfth
1969

Redacted

ALL HALLOWS COLLEGE
Dublin 9, Ireland

Very Reverend and dear Father Redacted

I trust that the three young men destined to
come to Los Angeles have been able to complete arrangements for
clearance of their visas with the American Consulate.

We should appreciate your kindness in
forwarding to us your assessments of

John Lenihan

This will be of help in assigning these young men to their first parishes.

Would you be kind enough also to advise them
that they may plan on coming in to the Chancery Office on Friday morning,
August 1st, at 10:15 o'clock, to receive their first appointments from His
Eminence, the Cardinal. These will be effective on Saturday, August 2nd.

With personal regards, I remain

Sincerely yours in Christ,

(Reverend Monsignor Benj. G. Hawkes)
Chancellor

P.S. When ready to make arrangements for travel to Los Angeles these young
men may contact Mr. Redacted of the TWA Office, 44 Upper O'Connell Street,
Dublin. Transportation is handled through Mr. Redacted Redacted of the TWA
office here in Los Angeles through their Dublin office.
Iacobus Franciscus Cardinalis McIntyre
Dei et Apostolicae Sedis Gratia
Archiepiscopus Angelorum
in California

Dilecto Nobis in Christo Domino

subdito Nostro, salutem et benedictionem in Domino.

Cum plene Nobis constet te ex legitimis, catholicis, honestisque parentibus progenitum, rite
baptizatum et confirmatum, bonis moribus debitissque qualitatibus ad normam Sacrorum Can-
onum praeditum esse, neque ulia irregularitate aliove impedimento detentum nullaqua censura,
quod sciamus, inmodatum esse, et canonical de annis cursus theologiae, ad tramitem iuris, docu-
mento Nobis exhibito, per presentes tibi licentiam et facultatem largimur et libenter concedi-

mus, ut ad Subdiaconatum et Diaconatum

ab Exc.mo ac Rev.mo JOANNII CAROLO McQUAID, Archipiscopo Dublinensis
aut a quocumque Catholico Antistite gratiam et communionem Sedis Apostolicae habente,
valide ac licite promoveri possis et valeas.

Volumus tarnen ut praedictae litterae Nostre nonnisi accedente Superiorum Seminarii con-
sensus etque testimonio effectum sortiantur.

Servatis in reliquio de lute servandis. Contraribus quibuscumque non obstantibus.

Datum ex aedibus cancellariae Nostre, sub signo sigilloque Nortris, ac Cancellarii Nostri
subscriptione, anno Domini 1968, die vero 15a mensis Martii

ARCHIEPISCOPUS ANGELORUM

DE MANDATO EI MI AC REV. MI ARCHIEPISCOPI

CANCELLARIUS
In virtue of a special faculty transmitted in a letter from the Apostolic Delegate of the United States (Prot. no. 1279/67) dated April 4, 1967, we hereby allow the ordination to the diaconate at the end of Third Divinity in the case of the following candidates, provided that each will be at least twenty-two years of age and all other requirements for validity and licentity are fulfilled:

[Redacted]

We also dispense from the interstices before diaconate in each of these cases.

In the case of [Redacted], we also dispense from the bans which are required before diaconate.

Given at Los Angeles, California, this 15th day of March, 1968.

Archbishop of Los Angeles
Jacobus Franciscus Cardinalis McIntyre
Dei et Apostolicae Sedis Gratia
Archiepiscopus Angelorum
in California

Dilecto Nobis in Christo Domino JOANNI LENIHAN
subdito Nostro, salutem et benedictionem in Domino.

Cum plene Nobis constet te ex legitimis, catholicis, honestisque parentibus progenitum, rite
baptizatum et confirmatum, bonis moribus debitisque qualitatibus ad normam Sacrorum Can­
onum praeditum esse, neque ulla irregularitate aliove impedimento detentum nullaqua censura.
quod sciamus, innodatum esse, et canonico de annis cursus theologiae, ad tramitem iuris, docu­
mento Nobis exhibito, per praesentes tibi licentiam et facultatem largimur et libenter concedi­
mus, ut ad Sacrum Presbyteratum
ab Exc.mo ac Rev.mo Joanne Carolo McQuaid, Archiepiscopo Dublinois
aut a quocumque Catholico Antistite gratiam et communionem Sedis Apostolicae habente. 
valide ac licite promoverti possis et valeas.

Volumus tamen ut praedictae litterae Nostrae nonnisi accedente Superiorum Seminarii con­
sensus atque testimonio effectum sortiatur.

Servatis in reliquo de iure servandis. Contraris quibuscumque non obstantibus.

Datum ex aedibus cancellariae Nostrae, sub signo sigilloque Nostri, ac Cancellarii Nostri
subscriptione, anno Domini 1969, die vero 13a mensis Februarii.

ARCHIEPISCOPUS ANGELORUM

DE MANIATO EMI AC REV.MI ARCHIEPISCOPI

CANCELLARIUS
October 20, 1969

Reverend John Lenihan
ALL SOULS RECTORY
17 South Electric Avenue
Alhambra, California 91801

Reverend and dear Father Lenihan:

Enclosed you will please find Account Book listing your personal indebtedness to the Archdiocese of Los Angeles. Should you have any question regarding the amount given we will be happy to discuss this with you at your convenience.

When payments are made to this office the passbook should accompany your check for proper billing of your account. It is the known policy of the Archdiocese to write off the remaining balance of such indebtedness when 50% has been paid.

We trust you will give this matter your conscientious attention. This will enable us to advance the same courtesy to other students in preparation for the Priesthood.

With personal regards, I remain

Sincerely yours in Christ,

Reverend Monsignor Benj. G. Hawkes
Chancellor
June 16, 1970

TO WHOM IT MAY CONCERN:

This is to certify that

REVEREND JOHN LENIHAN

is a duly ordained Catholic Priest in the Archdiocese of Los Angeles, and is presently assigned as an Assistant at All Souls Parish, Alhambra.

By virtue of his being a Roman Catholic Priest, he is exempt from selective service.

Sincerely yours,

Reverend Monsignor John A. Rawden
Chancellor
July 8, 1974

Reverend John Lenihan
ALL SOULS CHURCH
17 S. Electric Avenue
Alhambra, California 91801

Dear Father Lenihan:

Enclosed is your official appointment as ASSOCIATE PASTOR
to Reverend Monsignor Emmett McCarthy, S.T.A. ANGELA
MERICI CHURCH, Brea, which His Eminence, Cardinal Manning, has directed me to forward to you.

This assignment will become effective on Thursday,
August 1, 1974.

Sincerely yours in Christ,

Reverend Monsignor John A. Rowden
Chancellor

fd
encl.
June 23, 1976

Reverend John Lenihan
St. Angela Merici Church
Box 296
Brea, California 92621

Dear Father Lenihan:

His Eminence, Cardinal Manning, for pastoral reasons, has granted the faculties of the Archdiocese of Los Angeles on an annual basis to every priest assigned in parishes in the Diocese of Orange immediately adjacent to the Orange-Los Angeles County line.

The faculties of the Archdiocese of Los Angeles have, therefore, been extended to you. These faculties will expire on October 31, 1976, or the date of termination of your present assignment at the above parish, whichever date occurs earlier.

A petition for renewal must be submitted to the office of the Chancellor, Los Angeles, on or about October 10 of each year.

Sincerely yours in Christ,

Reverend Monsignor John A. Rawden
Chancellor
June 13, 1977

Rev. John Lenihan
St. Angela Merici Church
P. O. Box 296
Brea, CA 92621

Dear Father Lenihan:

His Excellency, Bishop William E. Johnson, has directed me to confirm your appointment as

ASSOCIATE PASTOR

at

ST. NORBERT'S CHURCH
ORANGE

This appointment will become effective on Wednesday, July 20, 1977.

Praying for God's every blessing upon you and your work I remain

Sincerely yours in Christ,

Reverend Michael P. Driscoll
Chancellor-Secretary to the Bishop

cc: Rev. Msgr. Redacted
    Rev. Redacted
Cardinal Timothy Manning
1531 West 9th Street
Los Angeles, California 90015

Your Eminence:

This is in regard to a Father John Lanahan who is assigned to St. Norbert Parish in or near Anaheim, and my step-daughter, Redacted, age 15, who has lived for the past two years, with her step-mother, at Redacted, Anaheim, 92807.

Redacted has been living in California by choice, but asked to spend this summer with my wife (her natural mother) and I. She has received several letters from a Father John whom she identified as her church counselor. My wife also accepted a telephone call from him and let him talk to Redacted. I became suspicious and read his letters which were romantic and contained sexual innuendo. I questioned Redacted very intensely and she admitted having intimate physical relations with him but denied sexual intercourse. I immediately telephoned Lanahan who knew exactly who I was. He readily admitted having a romantic attachment to Redacted, having physical knowledge of her, but denied intercourse or self-exposure to her.

I have informed Redacted's step-mother that Redacted will not be returning to Los Angeles. Father Lanahan wrote a letter to me which I threw away. I have promised Redacted that no one will be told of this affair outside of this immediate family. I cannot remain silent about this 32 year old priest who may need more help than the teens he is assigned to counsel.

I propose to leave this matter entirely in your hands, Sir. It is repugnant to me and since I am not of your faith, my anger is high. You may respond or not, as you desire.

Sincerely,

Redacted
Mr. Redacted

Dear Mr. Redacted

Please accept this response to your letter of September 1st to Cardinal Manning.

We appreciate deeply the kindly manner in which you have expressed your distress and the confidence which you indicate in leaving this matter to our decision.

Since Father Lenihan is in the Diocese of Orange, I am referring this matter to the bishop's office there.

With kind regards, I am

Sincerely yours,

Reverend Monsignor Clement J. Connolly
Secretary to the Cardinal

cc: Fr. Driscoll
September 8, 1978

Dear Mike:

The attached correspondence is self-explanatory.

Hope you are well.

Personal regards,

[Signature]
September 12, 1978

Mr. Redacted

Dear Mr. Redacted

Monsignor Clement Connelly, Secretary to His Eminence, Cardinal Manning, has forwarded me your letter of September 1, 1978.

I wish to inform you that I will be speaking with Father John Lenihan regarding the matter you have stated in your letter and appreciate the confidentiality in which you tend to handle the matter within your family.

Please be assured of my prayers for you and your family.

Sincerely yours,

Reverend Michael P. Driscoll
Chancellor-Secretary to the Bishop

MPD.jr
I, JOHN LENIHAN, chosen as CONSULTOR, born: MARCH 5, 1946, promise and pledge to carry out faithfully the responsibility and the office assigned me as sincerely and objectively as I can. I promise, further, to keep secret whatever knowledge comes to me in the discharge of this office. So help me God.

Given this 9th day of June 1980 at the Pastoral Services Office, in Orange, California before me:

[Signature]

Michael .Russell
The Ordinary or His Delagate
PROFESSION OF FAITH

JOHN LENIHAN

1. with firm faith, believe and profess all and everything that is contained in the Symbol of Faith, that is:

I believe in one God, the Father Almighty, Maker of heaven and earth, and of all things visible and invisible. And I believe in one Lord, Jesus Christ, the only-begotten Son of God. Born of the Father before all ages. God of God, Light of Light, true God of true God. Begotten, not made, of one substance with the Father. By Whom all things were made. Who for us men and for our salvation came down from heaven. And He became flesh by the Holy Spirit of the Virgin Mary; and was made man. He was also crucified for us, suffered under Pontius Pilate, and was buried. And on the third day He rose again, according to the Scriptures. He ascended into heaven and sits at the right hand of the Father. He will come again in glory to judge the living and the dead. And of His kingdom there will be no end. And I believe in the Holy Spirit, the Lord and Giver of life, Who proceeds from the Father and the Son. Who together with the Father and the Son is adored and glorified, and Who spoke through the prophets. And one, holy, Catholic and Apostolic Church. I confess one baptism for the forgiveness of sins. And I await the resurrection of the dead. And the life of the world to come.

I firmly embrace and accept all and everything which has been either defined by the Church's solemn deliberation or affirmed and declared by its ordinary magisterium concerning the doctrine of faith and morals, accordingly as they are proposed by it, especially those things dealing with the mystery of the Holy Church of Christ, its sacraments and the sacrifice of the Mass, and the primacy of the Roman Pontiff.

Signature (In presence of Delegate)

DATE: June 9, 1980

Signature of Witness/Delegate
October 6, 1982

Reverend John Lenihan  
St. Norbert Church  
300 East Taft Avenue  
Orange, California 92665

Dear Father Lenihan:

His Excellency, Bishop William R. Johnson, has directed me to confirm your appointment as

PASTOR (PAROECIAE AMOVIBILIS)  
ST. BONIFACE CHURCH  
ANAHEIM, CALIFORNIA

This appointment will become effective on Monday, November 1, 1982.

Will you kindly come to the Pastoral Services Office to take the usual oath for newly appointed pastors?

Praying for God's every blessing upon you and your work, I remain

Sincerely yours in Christ,

Reverend Monsignor Michael P. Driscoll  
Chancellor

jr

cc: Rev. Redacted  
Rev. Redacted  
Rev. Redacted  
Redacted  
Redacted
I, REVEREND JOHN LENIHAN, with firm faith, believe and profess all and everything that is contained in the Symbol of Faith, that is:

I believe in one God, the Father Almighty, Maker of heaven and earth, and of all things visible and invisible. And I believe in one Lord, Jesus Christ, the only-begotten Son of God. Born of the Father before all ages. God of God, Light of Light, true God of true God. Begotten, not made, of one substance with the Father. By Whom all things were made. Who for us men and for our salvation came down from heaven. And He became flesh by the Holy Spirit of the Virgin Mary, and was made man. He was also crucified for us, suffered under Pontius Pilate, and was buried. And on the third day He rose again, according to the Scriptures. He ascended into heaven and sits at the right hand of the Father. He will come again in glory to judge the living and the dead. And of His kingdom there will be no end. And I believe in the Holy Spirit, the Lord and giver of life, Who proceeds from the Father and the Son. Who together with the Father and the Son is adored and glorified, and Who spoke through the prophets. And one, holy, Catholic, and Apostolic Church. I confess one baptism for the forgiveness of sins. And I await the resurrection of the dead. And the life of the world to come.

I firmly embrace and accept all and everything which has been either defined by the Church's solemn deliberation or affirmed and declared by its ordinary magisterium concerning the doctrine of faith and morals, accordingly as they are proposed by it, especially those things dealing with the mystery of the Holy Church of Christ, its sacraments and the sacrifice of the Mass, and the primacy of the Roman Pontiff.

SIGNATURE (In presence of Delegate)

DATE: OCTOBER 15, 1992

SIGNATURE OF WITNESS/DELEGATE
THE OATH TO FAITHFULLY FULFILL
AND KEEP THE OFFICE BESTOWED

I, REVEREND JOHN LENIHAN, chosen as
PASTOR, ST. BONIFACE PARISH,
born: MARCH 5, 1946, promise and
pledge to carry out faithfully the responsibility and
the office assigned me as sincerely and objectively as I
can. So help me God.

Given this 15th day of OCTOBER 1982 at the Pastoral Services Office, in Orange, California before me:

[Signature]

Michael Russell
The Ordinary or His Delegate
Dear Bishop Johnson,

Please accept my thanks, praise, and prayers for Lenihan sending Father John to our parish.

I have 4 children ranging from 3 to 16 and they all love him dearly. They become excited when they know he will serve mass and are disappointed when he is not.

My husband is an and his reaction is the same as the kids!

I work in the office and I am overjoyed, pleased, and proud with every decision he has made. He has tackled personalities, ethnic groups, divisions of people, and become a beacon...
for all of us to follow.

He is accepting the administration and problems of this "plant" and not making fast changes but is listening to the people to understand their needs and problems.

And above all he is a minister to all of us.

His sermons carry you from one Sunday to the next.

Perhaps I sound a bit gushy or maybe like I am over-blown it - I just want you - our Bishop - to know you wise and guided - your decision to send Father John to us is a thank you.
February 2, 1983

Reverend John Lenihan
St. Boniface Church
120 North Janss Street
Anaheim, California 92801

Dear Father Lenihan:

On January 3, 1983, Bishop John N. Wurm, Bishop of Belleville, Illinois, wrote Bishop Johnson regarding the following person

Anaheim, California 92801

I am enclosing Bishop Wurm's letter to Bishop Johnson as well as his form letter of December 21, 1982 which will make the reason for my letter to you self-explanatory. Perhaps you would like to follow up on Bishop's Wurm's contact.

With prayerful best wishes, I remain

Sincerely yours in Christ,

Reverend Monsignor Michael P. Driscoll
Chancellor

end.
February 8, 1983

Mrs. [Name]
Anaheim, California 92801

Dear Mrs. [Name]:

This will acknowledge receipt of your letter of January 12, 1983. I am sure that the Diocesan Personnel Board as well as Father John Lenihan will be happy to know of your enthusiasm for the work which he is doing at St. Boniface Parish. Being a pastor is a taxing responsibility. I do hope that you and your family, as well as others in the parish will continue to support Father Lenihan in the work which he is doing.

Sincerely yours in Christ,

Most Reverend William R. Johnson
Bishop of Orange

WRJ/s
February 23, 1983

Reverend John Lenihan
Pastor
St. Boniface Church
120 North Janss Street
Anaheim, California 92805

Dear John:

After my conversation with you the other day I came across the enclosed pamphlet in the mail. I thought perhaps it might be worthwhile to bring it to your attention since it may be useful to you in the work you are doing in developing a parochial catechesis on the sacrament of Penance. You will undoubtedly remember that Fr. Champlin gave us our retreat two or three years ago.

With blessings and best wishes for much continued success, I am

Fraternally in Christ,

Most Reverend William R. Johnson
Bishop of Orange

WRJ:ds

Enclosure
I am told the privilege of working a lot closer with you in recent years and that I feel my relationship with you uniquely. I grew up and lived my early priesthood with a very exaggerated sense of the office of Bishop which rendered me reluctant of even speaking to you.

I realized how I erred in calling you, my uncle, Uncle. I realized how I erred in calling you, my uncle, Uncle. I needed reconciliation with you on elements of that problem. I have not yet been able to relate to you truly personally out of a bypass and in care of the office. I am still not fully at ease with you and I am sure this communicative itself, as a result, I have also failed to affirm you and be warm and personal with you. I have sensed him by what I have failed to do. I must also admit that I have spoken very well of you but I sometimes add it a bit. During this recent week when I have been asking about you I have stressed your goodness in your humanity, and openness and openness is consultation and your enlightened approach to personal problems but I had myself placing your liturgical style and lack of public charisma. I am truly sorry for trying to see him on other my image of a Bishop. I think God often for being grateful being your your example in one very special local church but I have not told you that. I need reconciliation with you for deferring my sense of the existence of your priesthood by placing the grace of a parish level. I must admit that I have seldom even mentioned you outside the charismatic praxis. I realize that I am beginning to feel that a parish is basically autonomous, linked to the diocese by cathedricalism and chosen directives. I met our extended campaign of unity and you with love.
November 3, 1983

Reverend John Lenihan
Pastor
St. Boniface Church
120 North Janss Street
Anaheim, California 92805

Dear Fr. John:

This will confirm in writing the information I conveyed to you verbally following the meeting of the Priests' Council last Friday morning. You are hereby appointed as a member of the Orange Diocesan Personnel Board and to serve as its Chairman.

During your term as an elected member of the Personnel Board you made a tremendous contribution to the priests of our Diocese and I am sure they will welcome the news that you will be continuing to serve on the Board and to serve as its Chairman.

With prayerful good wishes for your success in this office and with much appreciation for your willingness to accept this responsibility, I am

Fraternally in Christ,

Most Reverend William R. Johnson
Bishop of Orange

WRJ:ds

C. Rev. Msgr. Michael P. Driscoll
Chancellor
I, REVEREND JOHN LENIHAN, born: MARCH 5, 1946, promise and pledge to carry out faithfully the responsibility and the office assigned me as sincerely and objectively as I can. I promise, further, to keep secret whatever knowledge comes to me in the discharge of this office. So help me God.

Given this 16th day of December 1983 at the Pastoral Services Office, in Orange, California before me:

[Signature]

[The Ordinary or His Delegate]
May 22, 1984

Reverend John Lenihan
St. Boniface Church
120 North Janss Street
Anaheim, California 92804

Dear John:

I have been informed by St. John's Seminary that there is a convocation of priests and deacons to be held on June 18, 1984 from 10-3 P.M. at Our Lady Queen of Angels Seminary in San Fernando. Because you are the supervisor of a deacon this summer, I believe that you are required to attend.

You may wish to verify this by contacting Father Redacted, the Head of Deacon Placements at St. John's Seminary. He can be reached at (805) 482-2755. It is also very possible that he would be in contact with you as he knows that you will be a supervisor for a deacon this summer.

With prayerful best wishes, I remain

Sincerely yours in Christ,

Reverend Monsignor Michael P. Driscoll
Chancellor

jr
June 22, 1984

The Most Reverend William R. Johnson, D.D.
Holy Family Cathedral
566 South Glassell Street
Orange, California 92666

Dear Bishop Johnson:

I am in hopes that this letter will reach you personally. I am a parishioner of St. Boniface Catholic Church here in Anaheim. I feel sometimes that one's accomplishments is not always realized by certain people. I would simply like to thank you personally for sending us Father John Lenihan. Since his arrival, I have seen such a change in our parish attitude. We now have the love and concern of the people of the church which has been lacking for such a long time. Father John has been such a blessing to those of us at the parish. There seems to be no limit to his love and understanding. He gives so much of himself to us and the community that I feel we can now go forward with his guidance. He is a very special man and I'm sure an asset to our Diocese. He has brought the message of Christianity back again to our community, not only by his words, but with his actions as well.

I'm sure I speak for all of us at St. Boniface, that having the leadership of Father John in our parish, makes us all proud to be part of this growing family. And again, thank you Bishop Johnson for sending us this very special man.

In Christ's Love:

[Signature]

[Address]
July 11, 1984

Mr. [Redacted]
Anaheim, California 92805

Dear [Redacted],

This responds to your letter of June 22, 1984, commending Fr. John Lenihan for the fine work that he has done as the pastor of St. Boniface Parish in Anaheim. I am happy to know that you, as well as so many others, are pleased with his efforts. The spirit in the parish has obviously improved substantially since his arrival. I am very grateful to you for taking the time to write and to let us know that you are pleased with his work.

With good wishes, I am

Sincerely yours in Christ,

Most Reverend William R. Johnson
Bishop of Orange

WRJ:ds
November 6, 1984

Reverend John Lenihan
St. Boniface Church
120 North Janss Street
Anaheim, California

Dear Father Lenihan:

The enclosed letter to [REDACTED] of St. Boniface Church is self-explanatory. Although retired as Pastor from the parish of St. Boniface, he is not a retired priest of the Diocese of Orange and, therefore, should be receiving his honorarium directly from the parish which employs him for services. Effective the end of this month, you should be giving [REDACTED] his honorarium as the Diocese will no longer issue honorarium checks to him.

I am sorry for this confusion that this matter has caused in the past and hope that this will clarify the issue.

With prayerful best wishes, I remain

Sincerely yours in Christ,

[Signature]

Reverend Monsignor Michael P. Driscoll
Chancellor

cc:  [REDACTED]
December 3, 1984

Reverend John Lenihan  
St. Boniface Church  
120 North Janss Street  
Anaheim, California

Dear Father Lenihan:

I am enclosing a copy of Reverend Mr. Redacted's letter of assignment to St. Boniface Parish. Please note the mention of the convocation of Deacons and Supervisors to be held on January 16, 1985 at Our Lady Queen of Angels Junior Seminary.

With prayerful best wishes, I remain

Sincerely yours in Christ,

Reverend Monsignor Michael P. Driscoll  
Chancellor
Dear Father John,

Thank-you for your letter dated January 22, 1986. I have received and would like to comment on the same.

My husband and I moved to California last summer and attended your church which we found to be quite comfortable. Shortly thereafter, we registered as members in your parish. Within two weeks we received envelopes, BUT to our surprise, no welcoming letter, phone call or home visit... JUST envelopes!

Yes, in this world of junk mail, false promises and broken dreams, it seems that a church would be the most appropriate place to turn to.

Religious leaders ponder the question as to why young people have fallen away from the church. This seems to be a perfect example in which one couple felt unwelcome.

We are not asking for a calvary of recognition. Maybe some sort of acknowledgement would be appropriate. Perhaps one of these suggestions may be helpful:

1. A standard form letter welcoming new members.
2. A brief phone call.
3. A schedule of current events happening in the church.
4. A list of clubs to participate in.
5. A listing of mass times.

Yes, for us your envelopes are junk mail. We are requesting that you delete our name as members in your parish.

I have been a Catholic all my life and have been an active member in such activities as the folk group, teaching CCD (while I was in college), retreats, as well as attending catholic school. I am sorry a situation like this has occurred. I only hope this letter will encourage you to welcome new members in the future.

Please understand that I in no way mean to accuse you specifically.

Yours in Christ Jesus,

cc: Bishop Johnson
Diocese of Orange

000023
January 22, 1986

Dear Parishioner,

This is an age of junk mail and much unsolicited mail. I think it would be a great tragedy if your church envelopes fell into that category. Our records show that you have made a contribution of $10 or less through your weekly envelopes during the past year. I would rather not burden you and save ourselves the expense of mailing at the same time if you do not plan to use our envelopes this coming year.

Accordingly, if we do not receive further instructions from you, we will delete your name from our envelope user lists. I am aware that your choice may be to contribute loose cash or that you keep a personal record through checks and do not mean to imply that you do not give.

I assure you this does not affect your status as registered parishioners in good standing.

Your sincerely in Jesus Christ,

Fr. John
After: Bishop of Orange

Orange, CA

3811 Wilco Road

Cathedral Diocese of Orange

Amtham, CA 92861

[Stamp: 3]
June 3, 1986

Reverend John Lenihan
St. Boniface Church
120 North Janss Street
Anahiem, California 92805

Dear Father Lenihan:

Bishop Johnson has asked me to forward to you the enclosed "decree of Ecclesiastical Recognition" for the Nocturnal Adoration Society of St. Boniface Parish. It would be appropriate to display this decree in some public place in the church building.

Thank you for promoting the Perpetual Adoration Program in your parish. It is important that each parish take its turn for a full twenty-four hours. May others be inspired by the example of the people of St. Boniface Parish. This Nocturnal Adoration Society will do so much to insure that parishioners will be present in the church throughout the night hours on your day of participation in this Diocesan program.

Fraternally yours in Christ,

Reverend Monsignor Michael P. Driscoll
Chancellor

cc: Right Rev. Msgr. Redacted
   Director, Perpetual Adoration Program.
September 29, 1986

Reverend John Lenihan
Saint Boniface Church
120 North Janss Street
Anaheim, California 92805

Dear Father Lenihan,

Recently you received an invitation from Mr. Redacted to attend a Campaign briefing session Thursday, October 16. Bishop Steinbock and I do hope you will join Mike, members of the Cabinet and other area pastors for what promises to be an informative and enjoyable luncheon.

Sincerely yours in Christ,

[Signature]

Reverend Monsignor Michael P. Driscoll
Chancellor
April 2, 1987

Reverend John Lenihan
Saint Boniface Church
120 North Janss Street
Anaheim, California 92805

Dear Father Lenihan:

His Excellency, the Most Reverend Norman F. McFarland, has asked me to confirm your re-appointment as:

CONSULTOR
DIOCESE OF ORANGE

This appointment is effective on Friday, March 27, 1987, and will expire on December 1, 1988.

May the Lord bless you in your ministry for the Diocese of Orange.

Fraternally yours in Christ,

Redacted

Redacted

Redacted

ds

000029
FROM THE DESK OF...

Bishop McFarland

Mike -

I do not know what we might have

I received a phone call 5-25-88
from a Mrs.

Her daughter, now 24 years of
age, is in counseling. Problems:
about 8 years ago "She was
sexually abused by a priest."

The priest? "John Lenihan."

She might have telephoned him
to speak about this (it. Mrs
Redacted -- she is not too clear
in phone). I asked Mrs. to

Redacted 5-25-88
WHILE YOU WERE OUT

Redacted

Phone: Redacted

<table>
<thead>
<tr>
<th>Area Code</th>
<th>Number</th>
<th>Extension</th>
</tr>
</thead>
<tbody>
<tr>
<td>TELEPHONED</td>
<td>PLEASE CALL</td>
<td></td>
</tr>
<tr>
<td>CALLED TO SEE YOU</td>
<td>WILL CALL AGAIN</td>
<td></td>
</tr>
<tr>
<td>WANTS TO SEE YOU</td>
<td>URGENT</td>
<td></td>
</tr>
</tbody>
</table>

RETURNED YOUR CALL

Message: Ms. Kerson asked her to make an appointment. She left for the day but plans to call after 8:30 a.m. tomorrow. She closed.
9/1/78 - Redacted

"Carol Manning"

9/8/78 - Redacted

Mrs. Connolly wrote

+ referred letter to me.

9/12/78 - Redacted

Mrs. Connolly wrote

+ assumed there I would speak

up to Senator.

Date unknown - Met up with John.

5/23/ff - Redacted

Met with

+ Mr. Ireland

Redacted

+ took up

Redacted

Met up

Redacted

on phone - want to

confirm John -
Confidential

not here for revenge

believe state & limipost

to John - sweet gentle man

daughter is at time

mom didn't quite right - openly for much time. She

took down out 9 month. Mary Ann -
told mom he wanted more sex. My dad - she not understand

afraid getting too close to close.

went to see natural birth 3 girls - dr. Joh wrote very

explicit letter - sent exp. jewelry - present - anyway

everything

Redacted

1963

@ 1978-80

raised by some 3 - single mother

@ 18 return to her

Redacted

Redacted

25 - has 2 children

just recently talked to mom

was in counseling

Consultant said he is reporting to his clinic -

before (Xmas)

Now - fast from dau -

- want - something done

Redacted
I still need counselling.

Single door relation is between Max and Len.

This is not a normal relationship.
June 14, 1988

Reverend John Lenihan  
Saint Boniface Church  
120 North Jansa Street  
Anaheim, California 92805

Dear Father Lenihan:

His Excellency, The Most Reverend Norman F. Mc Farland, has asked me to confirm your appointment as:

APPOINTED MEMBER  
Council of Priests  
and

CONSULTOR  
Diocese of Orange

This becomes effective on JUNE 17, 1988.

May the Lord bless you in this ministry to the Diocese of Orange.

Fraternally yours in Christ,

Redacted

Redacted

ds
March 14, 1989

Reverend John Lenihan
St. Boniface Church
120 North Janss Street
Anaheim, CA 92805

Dear Father Lenihan:

This letter is to confirm the oral permission granted by me on March 13, 1989, with regard to assisting All Hallows Seminary Building Program.

The priests alumni of All Hallows who are currently engaged in active ministry in the Diocese of Orange may, at the parishes to which they are assigned, disseminate the promotional literature concerning the building program and invite the people of those parishes to examine it, hopefully thereby having them becoming encouraged to contribute in the attached envelopes to the project, especially as a mark of gratitude for the ministry of all those priests from All Hallows who have served here in Southern California.

A special collection in the usual form, however, is not to be taken up although the contributors to All Hallows may transmit their gifts by way of the collection basket. I will later on see if our cash flow will permit the Diocese itself to make a nominal contribution to the cause.

Hoping for the success of your efforts and with all good wishes for a Blessed Easter, I am

Sincerely in Christ,

Most Reverend Norman F. McFarland
Bishop of Orange
Building on today for tomorrow

All Hallows

All Hallows, Gracepark Road, Drumcondra, Dublin 9, Ireland. Telephone: (01) 373745.
To: 

From: OMF 9-16-98

John Lenihan has to be tied to pay the bills that are submitted pertaining to the work that is done on his behalf and that he is also responsible for any "settlement expenses" that pertain to him. He should use any and all resources he has. If he should happen to run out of sufficient funds for this, he can apply for a loan from the Diocese which may be granted on the same terms as any loan from the P+L. This is not a proper matter for Diocesan Relief Fund.
<table>
<thead>
<tr>
<th>DATE</th>
<th>DESCRIPTION AND/OR INVOICE NO.</th>
<th>AMOUNT</th>
<th>REFERENCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-07-91</td>
<td>Loan to Rev. John Lenihan.</td>
<td>12,500.00</td>
<td>130041</td>
</tr>
<tr>
<td>1-07-91</td>
<td>CHECK NUMBER 147783</td>
<td>12,500.00</td>
<td></td>
</tr>
</tbody>
</table>

And check cannot be cashed. To be personally delivered. For office 1-7-91. To be personally delivered. For office 1-7-91.
Jeffrey A. Milman, Esq.
2700 N. Main St., Tenth Fl.
Santa Ana, CA 92701

RE: Redacted v. Lenihan

Dear Mr. Milman:

The purpose of this letter is to confirm our telephone conversation of Tuesday, January 15, indicating that the case had settled and that your client had signed the release. You asked for some verification that Father John Lenihan would be seeing Dr. Mark Gamson and you asked that you be kept advised of the fact of when he actually begins treatment and when he concludes it. As I indicated to you, Dr. Redacted son is located at Redacted Los Angeles, CA 90024 and his telephone number is

Thank you very much for your courtesy and cooperation while this matter was pending. I realize this was a very difficult case for all of us and I really do appreciate the professional way in which you conducted yourself.

Very truly yours,

CALLAHAN, McCUNE & WILLIS

PETER M. CALLAHAN

PMC:df

ACS0001
C01161.003
February 5, 1991

The Most Rev. Norman F. McFarland
Bishop of the Diocese of Orange
Marywood Center
2811 E. Villa Real Drive
Orange, CA 92667

Dear Bishop McFarland:

We were very disturbed and annoyed to read article in the Santa Ana Register on February 4, 1991 regarding our Pastor and my personal friend, Father John Lenihan, concerning the sexual abuse lawsuit of 1990 filed by a young lady called Redacted. We feel that this article and story smacks at yellow journalism and is the type of publicity and smear campaign you would expect from the National Enquirer Magazine and not from a syndicated paper such as the Register. It is to bad that when an important paper like the Register cannot find more current events to write about rather than dig up trash from the past to fill their papers. It has all of the earmarks of sensationalism designed to condemn and destroy a great religious and spiritual leader and priest as Father John.

We are certainly not condoning the intent of the act nor the moral aspect of the deed. However, why after 12 years later did the Register decide to run a full blown story condemning a repentant human being and priest when all of this notoriety could have been settled amicably and in private without all of the fanfare and scandalous remarks made by the press and the editor. I truly wonder if the editor of the paper can look in the mirror each morning and say that he is without guilt, fault and sin? He certainly is a man that needs our help and our prayers.

We are staunch supporters of Father John because he is a very fine and dedicated priest. We feel fortunate to have him as a Pastor of one of the counties largest and oldest Catholic Church. He is a hard working, energetic, caring and loving priest who has gained and earned the respect of his fellow man and parishioners.

Being a parishioner of St. Boniface Church for over years I can truthfully say that Father John has done more for attendance at Mass and Holy COMMunion and brought a host of new programs to the
Church that are designed for the poor, homeless, the youth and the school. Father John has melted all ethnic groups together in a spirit of harmony, mutual understanding and cooperation than any other priest serving at St. Boniface over the past century. He is an exceptionally capable young priest who puts a lot of enthusiasm and drive into anything he undertakes and we are indeed sorry to see his good name and that of the Church be subjected to malicious scandal and disparaging remarks.

As a and businessman and a devoted Catholic we want you to know, Bishop McFarland, that Father John has many friends and followers and all that know him offer him our support, our prayers, our encouragement and our love. We want him to stay and be the heart and soul of our great St. Boniface Parish.

Sincerely,

cc: Bishop Michael Driscoll
    Father John Lenihan
    Santa Ana Register-Attn:

Redacted
June 21, 1991

Reverend John Lenihan  
Saint Boniface Church  
120 North Janss Street  
Anaheim, California 92805  

Dear Father Lenihan:

Your dedicated service to the priests and people of our Diocese in your fourteen year tenure on the Priest Personnel Board has been a great gift to the Church here. And your wise counsel has certainly served me extremely well in this regard over the past four and one-half years. I am very grateful to you.

You have indicated on occasion that you would not at all be saddened to be relieved of this responsibility! I have hesitated to accede to your wishes simply because I so highly value your insights and evaluations which have always been for the overall good of the people of the Diocese, as well as the priests who served them. Again, I deeply appreciate the many hours you have given to this important work over the years, but I agree that you now deserve some Fridays without commuting to Marywood! I am, therefore -- and very reluctantly indeed -- going to relieve you of this burden and appoint a replacement for you on the Board.

May God continue to bless you and your ministry to the people of Saint Boniface Parish. Please know that you will have a fond and grateful remembrance in my prayers.

With all good wishes, I am

Sincerely in Christ,

Most Reverend Norman F. McFarland  
Bishop of Orange

000044
February 13, 1992

Mr. Peter M. Callahan, Esq.
CALLAHAN, McCUNE & WILLIS
111 Fashion Lane
Tustin, CA 92680-3397

Re: Redacted vs. Lenihan

Dear Mr. Callahan:

Please be advised I am in receipt of your correspondence dated December 18, 1991. I apologize for the delay in responding to your letter, however with the holidays and transmitting a copy of your letter to Ms. Redacted this is my first opportunity to contact you.

It is my recollection that our agreement was that Ms. Redacted would receive periodic progress reports and eventually a final report concerning Mr. Lenihan's treatment. Although I am not asking for copies of the medical records or a formalized report, I would appreciate receiving correspondence from you and/or the treating psychologist to this effect.

If you would be so kind, I would also appreciate receiving copies of the billings being paid for these counseling sessions so that Redacted may verify and confirm the counseling is being attended.

It is my understanding that as part of the psychological healing process it is often therapeutic for a session to be held between the aggressor and victim. My client stands ready to cooperate in that process in the event the treating psychologist wishes to arrange a session with Redacted and Mr. Lenihan in order to "clear the air" and continue the healing process. Please relay this offer at your earliest convenience.

Please contact me if you have any questions regarding this letter. Otherwise, I shall expect to receive continued "progress reports" and copies of the billings. I wish to thank you for your anticipated consideration and cooperation.

Very truly yours,

LAW OFFICES OF JEFFREY A. MILMAN

JEFFREY A. MILMAN

JAM: kc

cc: Redacted
In response to your February 13 letter, please find confirmation of payment of billings between March, 1991 and the end of January of this year. I've asked Father Lenihan and the psychologist in question to tell me when the treatment terminates and I will pass that information on to you.

I will also pass on your suggestions regarding some sort of a joint session, but frankly I doubt that it would serve any useful purpose. When your client saw Dr. Redacted, she was extremely hostile in her attitude and stated that talking to him "was like being molested all over again". He found her only to be marginally cooperative, and her actions in turning over transcripts to the newspapers (which I assume you made available to her) seem to be more vindictive than healing in my opinion. However, I am no
psychologist and I will pass your suggestions on to people who are more knowledgeable in that arena.

Very truly yours,

CALLAHAN, McCUNE & WILLIS

PETER M. CALLAHAN

PMC:df

Encl: Copies of various letters re payments

ACS0001\C02182.003
July 13, 1992

Mr. Redacted
Vice President/Regional Manager
CBS - Channel 2 TV
6121 Sunset Blvd.
Los Angeles, CA. 90036

Dear Mr. Redacted

In regards to your Action News Program of Sunday evening, July 12, 1992, at 6:45 P.M., one of your newscaster's made a statement and an accusation of "What is the Catholic Church doing about their Priests who have been accused of Sexual Harassment and Pedophilia Cases?"

In the evening broadcast, your newscaster made an incredulous statement against our Pastor, Father John Lenihan that is untrue and very damaging to him, our Diocese and the Catholic Church.

Your newscaster mentioned that Father John was charged with statutory rape some 12 years ago of a teenage girl. This is an outright distortion of the facts. Father John was charged with fondling a young girl and the charges were subsequently dropped by the girl and the District Attorney's Office.

We do not appreciate you and your station newscasters going on the air and making improper statements and bashing the Catholic Church. If your announcer is not familiar or cognizant of the true facts behind this particular case, then he should not be making these false charges about our Pastor and the Church.

We insist on a public apology from your newscaster and Channel 2 regarding Father John Lenihan. If it is not made within the end of this week, then we will file our "Letter of Protest" to the FCC against your station, CBS and your newscaster for making erroneous and libelous statements against our Pastor and the Catholic Church.

Yours truly,

[Signature]

000045

Avenue, Anaheim, California 92805 • Tel. (714) FAX (714)
September 30, 1992

Reverend John Lenihan
Saint Boniface Church
120 N. Janss Street
Anaheim, California 92805

Dear Father Lenihan:

Acting in accordance with the prescriptions of Canons 497.3 and 502.1, and Article III, Section 4.3 of the Constitution of the Council of Priests, on September 11, 1992, I assigned Reverend Redacted as one of my designated appointees to the Council of Priests and, flowing from that appointment, as a member of the College of Consultors, replacing in those positions Monsignor Redacted who had asked to be relieved of the responsibilities for reasons of health.

On that same date, I took the opportunity to renew, for a period of five years, your own assignment as my designated appointee to the Council of Priests and as a member of the College of Consultors. I thank you for your past dedicated service in these roles, and I am pleased that we will continue to have your wise counsel in the years ahead.

With all good wishes, I am

Sincerely in Christ,

Most Reverend Norman F. McFarland
Bishop of Orange
MEMORANDUM

TO: FILE
FROM: Monsignor Baird
RE: Father John Lenihan
DATE: March 24, 1993

The alleged incident occurred in 1978 and the matter was addressed by Bishop Johnson who acted in his best judgment.

A lawsuit was entered and the case was thoroughly aired and investigated. It was concluded to the satisfaction of all parties including Redacted

All stipulations were met. You may examine the court record.

It is difficult to understand Redacted motivation.

Are those with objections without any awareness of their own failings?

Father Lenihan has been an exemplary parish Priest. Ask the parishioners!

000047
MEMORANDUM

To: Bishop McFarland
From: Redacted, Director of Finance
Subject: Receivable from Fr. Lenihan

As you directed, I will be putting the accounts receivable from Fr. Lenihan for $13,558.79 into an inactive status (write-off from current accounts receivable listing) this month.

This memorandum is for your record.

15-Feb-94
May 24, 1995

Reverend John Lenihan
St. Boniface Parish
120 North Janss Street
Anaheim, CA 92805

Dear Father Lenihan,

I am pleased to appoint you as Pastor of St. Edward Parish in Dana Point effective July 1, 1995. I draw your attention to the provisions of Canons 515-552 of the Code of Canon Law pertaining to the obligations and rights of a Pastor.

This letter of appointment includes a dispensation from the requirements of Canon 527 that you be formally installed in order to take canonical possession of the parish and the dispensation takes effect when you communicate it is some form to the parish (e.g., by pulpit or bulletin notice). However, I encourage you to arrange for a liturgical Rite of Installation so that the people of the parish may witness your appointment as Pastor. If you decide to be installed, you may contact me so that we might arrange a convenient date for the event, and you then can contact the Office of Liturgy for the form of the installation ceremony so that I, or my delegate, may install you. In the meantime (i.e., before the installation or before its dispensation is effected) you are given the general faculty to witness all marriages within the confines of the parish (Canon 1111) and may sub-delegate this faculty to a particular priest or deacon for a particular marriage.

Canon 833, #6, requires that you make a Profession of Faith at the beginning of your term of office. You may do this by contacting Bishop Michael Driscoll, or I, to arrange to make a Profession of Faith at Marywood Center. May I also remind you of your obligation to offer Mass (Missa Pro Populo) for the people entrusted to you in accordance with the provisions of Canon 534.

I ask that you take a personal and special interest in promoting and praying for vocations to the Priesthood and Religious Life; one way of doing this is to encourage participation in the diocesan Eucharistic Adoration program within your parish.

Thank you for your past service as pastor at St. Boniface Parish. I wish you well in your new position and I am sure that the people of the parish will respond to your leadership. Please know that you can count on a remembrance in my prayers for the continued success of your ministry.

Sincerely in Christ,

Most Reverend Norman F. McFarland
Bishop of Orange

ks
June 19, 1995

Reverend John Lenihan
SAINT BONIFACE CHURCH
120 North Janss Street
Anaheim, CA 92805-2523

Dear Father Lenihan:

Welcome and congratulations on your appointment as Pastor at Saint Edward Parish! I am looking forward to working with you as you address the finances and material needs of the parish.

It is the policy of the Diocese to have a review of the financial operations of each parish and school when there is a change in administration. This review was conducted by Redacted, who has extensive practical experience with parish financial operations and financial statements. Jim also has a certificate in Lay Parish Administration from Loyola Marymount University. A copy of Jim's financial review of the parish and school is enclosed. Please review them and give Jim a call if you have any questions. Jim's phone number is 714-639-2858.

I suggest you review the recommendations with an eye to what is practical, given the size of the parish and its staff. If you would like, either Jim or I could discuss the recommendations with you and/or your Finance Council in order to determine an adequate and achievable balance of control and cost. For information on the signature account cards and on account mechanics, please contact Redacted, the Marywood Accounting Manager. His phone number is 714-282-3016.

In order that we can monitor the effectiveness of our Financial Review Program, I will plan a follow-up inquiry with you in mid-November.

I will appreciate your assistance with these matters. Please do not hesitate to call me directly at any time. Lean be of assistance with any questions you may have - office: 714-282-3011 - home: 714-770-2299.

Sincerely,

Redacted
Director of Finance

Enclosure

cc: Redacted

000051
OATH of FIDELITY

I, ________________, in assuming the office of ________________, promise that both in my words and in my conduct I shall always preserve communion with the Catholic Church.

I shall carry out with the greatest care and fidelity the duties incumbent on me toward both the universal Church and the particular Church in which, according to the provisions of the law, I have been called to exercise my service.

In fulfilling the charge entrusted to me in the name of the Church, I shall hold fast to the deposit of faith in its entirety, I shall faithfully hand it on and explain it, and I shall avoid any teachings opposed to that faith.

I shall follow and foster the common discipline of the whole Church and I shall observe all ecclesiastical laws, especially those which are contained in the Code of Canon Law.

In Christian obedience I shall unite myself with what is declared by the bishops as authentic doctors and teachers of the faith or established by them as those responsible for the governance of the Church; I shall also faithfully assist the diocesan bishops, in order that the apostolic activity exercised in the name and by mandate of the Church may be carried out in the communion of the same Church.

So help me, God, and God's Holy Gospels, on which I place my hand.

__________________________________________
SIGNATURE

DATE: __________

__________________________
SIGNATURE of WITNESS/DELEGATE

Effective: December 1990

LA_2013_11_21_Lenihan_000078
I, John P. Lenihan, with firm faith, believe and profess everything that is contained in the symbol of faith; namely:

I believe in one God, the Father, the Almighty, maker of heaven and earth, of all that is seen and unseen. I believe in one Lord, Jesus Christ, the only Son of God, eternally begotten of the Father, God from God, Light from Light, true God from true God, begotten, not made, one in Being with the Father. Through him all things were made. For us men and our salvation he came down from heaven. By the power of the Holy Spirit he was born of the Virgin Mary, and became man. For our sake he was crucified under Pontius Pilate; he suffered, died and was buried. On the third day he rose again in fulfillment of the Scriptures; he ascended into heaven and is seated at the right hand of the Father. He will come again in glory to judge the living and the dead, and his kingdom will have no end. I believe in the Holy Spirit, the Lord, the giver of life, who proceeds from the Father and the Son. With the Father and the Son he is worshiped and glorified. He has spoken through the Prophets. I believe in one, holy, catholic and apostolic Church. I acknowledge one baptism for the forgiveness of sins. I look for the resurrection of the dead, and the life of the world to come. Amen.

With firm faith I also believe everything contained in God's word, written or handed down in tradition and proposed by the Church, whether by way of solemn judgment or through the ordinary and universal magisterium, as divinely revealed and calling for faith.

I also firmly accept and hold each and every thing that is proposed definitively by the Church regarding teaching on faith and morals.

Moreover, I adhere with religious submission of will and intellect to the teachings which either the Roman Pontiff or the college of bishops enunciate when they exercise the authentic magisterium, even if they proclaim those teachings by an act that is not definitive.

DATE: 7-12-95

SIGNATURE

SIGNATURE OF WITNESS/DELEGATE

(000053)

Effective: Dec. 1990
1996 PERSONNEL BOARD INFORMATION

Name John P. Lenihan

Date of Ordination 6-15-69 If recently incardinated, what date:________

Current Assignment St. Edwards

since: July 15, 1995

My last meeting with the Personnel Board was: March, 1995

The languages I am able to minister in are: (circle the appropriate one(s) and indicate proficiency)

<table>
<thead>
<tr>
<th>Language</th>
<th>Fluent</th>
<th>Intermediate</th>
<th>Beginner</th>
</tr>
</thead>
<tbody>
<tr>
<td>English</td>
<td>√</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spanish</td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>Vietnamese</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

I would like to meet with the Personnel Board YES NO [Mark] 

I am interested in a change of assignment in July 1996 YES NO [Mark]

If YES, the type of assignment which interests me includes:

- [ ] Pastorate
- [ ] Associate
- [ ] Senior Priest
- [ ] Retirement
- [ ] Changing Pastorate
- [ ] Special Study
- [ ] Beginning New Parish (if available)
- [ ] Spanish Study
- [ ] Non-parochial ministry (type?)
- [ ] Other

Additional Comments

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Please return by DECEMBER 15, 1995 to

Redacted
Marywood Center
2811 E. Villa Real Drive
Orange, California 92667

000054
1997 PERSONNEL BOARD INFORMATION

Name: John P. Lenihan

Date of Ordination: 6-15-69 If recently incardinated, what date: 

Current Assignment: St. Edward Ave. Ft. since: 7-1-95.

My last meeting with the Personnel Board was: 1-1-95.

The languages I am able to minister in are: (circle the appropriate one(s) and indicate proficiency)

<table>
<thead>
<tr>
<th>Language</th>
<th>Fluency</th>
</tr>
</thead>
<tbody>
<tr>
<td>English</td>
<td>Fluent[X]</td>
</tr>
<tr>
<td>Spanish</td>
<td>Fluent[X]</td>
</tr>
<tr>
<td>Vietnamese</td>
<td>Fluent[X]</td>
</tr>
</tbody>
</table>

I would like to meet with the Personnel Board. Yes [X] No 

I am interested in a change of assignment in July 1997. Yes [X] No 

If YES, the type of assignment which interests me includes:

- Pastorate
- Associate
- Senior Priest
- Retirement
- Changing Pastorate
- Special Study
- Beginning New Parish (if available)
- Spanish Study
- Other

Comments

Please return by DECEMBER 1, 1996 to:

Redacted
Marywood Center
2811 E. Villa Real Drive
Orange, CA 92867-1999

000055
RECEIVED
oct 14 1997

County Scan
THE ORANGE COUNTY REGISTER

ESSING THE BEASTS: One dog seems excited about the blessing it received Thursday from the Rev. John Lenihan of St. Edward's Church in Dana Point. Lenihan blessed dogs, cats, birds, turtles and lizards belonging to members of his congregation. The event is a tribute to St. Francis of Assisi.
1998 PERSONNEL BOARD INFORMATION

Name: JOHN P. LENIHAN

Date of Ordination: 6/69

If recently incardinated, what date: ________________________________

Current Assignment: ST. EDWARD, DANA POINT

since: 7/95

My last meeting with the Personnel Board was: ______________________

The languages I am able to minister in are: (circle the appropriate one(s) and indicate proficiency)

<table>
<thead>
<tr>
<th>Language</th>
<th>Fluent</th>
<th>Intermediate</th>
<th>Beginner</th>
</tr>
</thead>
<tbody>
<tr>
<td>English</td>
<td>☑</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spanish</td>
<td></td>
<td>☑</td>
<td></td>
</tr>
<tr>
<td>Vietnamese</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

I would like to meet with the Personnel Board. Yes ☑ No

I am interested in a change of assignment in July 1998. Yes ☑ No

If YES, the type of assignment which interests me includes:

- Pastorate ☑
- Associate ☑
- Senior Priest ☑
- Retirement ☑
- Changing Pastorate ☑
- Special Study ☑
- Beginning New Parish (if available) ☑
- Spanish Study ☑
- Other ☑

Comments: __________________________________________________________

Please return by DECEMBER 1, 1997 to:

Redacted
Marywood Center
2811 E. Villa Real Drive
Orange, CA 92867-1999

RECEIVED

000057
February 2, 1998

TO WHOM IT MAY CONCERN:

REVEREND JOHN LENIHAN is a Roman Catholic Priest of the Diocese of Orange in California.

Father Lenihan is in good standing in the Diocese of Orange and currently serves as Pastor of St. Edward’s Parish in Dana Point, California.

Sincerely yours in Christ,

Redacted Hierarchy Name

DIOCESE OF ORANGE
September 3, 1998

Reverend John P. Lenihan  
St. Edward Parish  
33926 Calle La Primavera  
Dana Point, California 92629-2018  

Dear Father Lenihan,

Because of the gift of the Holy Spirit that has been given to you at your ordination, you are my indispensable helper and adviser in the ministry and in the task of teaching, sanctifying and shepherding the People of God. (Presbyterorum Ordinis, #7).

I wish to appoint you as my representative to the Presbyteral Council and, according to Canon 502.1 of the Code of Canon Law, appoint you as a member of the College of Consultors for a period of 5 years. This appointment is effective September 3, 1998.

In these positions of responsibility, you will be my close collaborator and share my pastoral concern for our church here in the Diocese of Orange.

May you join yourself with Christ in the recognition of the Father's will and in the gift of yourself to the flock entrusted to you. (Presbyterorum Ordinis, #14)

Given in Orange, California  
this 3rd day of September, 1998  
The Feast of St. Gregory the Great

Most Reverend Tod David Brown  
Catholic Bishop of Orange

Redacted Hierarchy Name
1999 PERSONNEL BOARD INFORMATION

Name: Lenihan

Date of Ordination: 6/7/69

Current Assignment: St. Edward

since: 1995

My last meeting with the Personnel Board was: ___________

The languages I am able to minister in are: (circle the appropriate one(s) and indicate proficiency)

- English: fluent [✓] intermediate [ ] beginner [ ]
- Spanish: fluent [ ] intermediate [✓] beginner [ ]
- Vietnamese: fluent [ ] intermediate [ ] beginner [ ]

I would like to meet with the Personnel Board. [Yes] [No]

I am interested in a change of assignment in July 1999. [Yes] [No]

If YES, the type of assignment which interests me includes:

- Pastorate [ ] Associate [ ] Senior Priest [ ] Retirement [ ]
- Changing Pastorate [ ] Special Study [ ] Beginning New Parish (if available) [ ]
- Spanish Study [ ] Other [ ]

Comments: __________________________

________________________

Please return by NOVEMBER 1, 1998 to:

Marywood Center
2811 E. Villa Real Drive
Orange, CA 92867-1999

Redacted

000060
April 19, 1999

Mr. [redacted]
San Juan Capistrano, CA 92675

Dear Mr. [redacted],

Bishop Brown is in receipt of your letter to him, dated last February 6. He is also aware of Fr. Lenihan's response to the concerns you expressed on that occasion. The Bishop has asked me to follow up this exchange.

Both the Bishop and I support the pastoral judgment of the pastor, Fr. Lenihan. He has been in communication with my office and I know of his desire to provide the best care possible to the people of St. Edward Catholic Church.

The growing reality of Hispanic ministry strains the limited pastoral and ordained resources of the Church. I can assure you that even though there is a growing Latino presence in Dana Point there are other areas in the Diocese where the Latino population is large and the nearest available pastoral services are remote.

Thanks to the generous efforts of many priests the Latino community in the southern part of the Diocese has relatively proximate access to quality pastoral care.

The aforementioned is not say that we cannot do better. As Fr. Lenihan remarked, your words make us restless to do more. I hope you will continue to cooperate with your pastor to stretch the hearts and minds of both Anglo and Latino parishioners alike. I particularly want to endorse the efforts to develop core lay leadership for the future. This is an essential step for building a Church equipped for the challenges of the next millennium.

Please accept the assurance of prayers that this Easter Season may be rich in blessings for you and your family.

Respectfully,

[Signature]

Rev. Msgr. Jaime Soto
Episcopal Vicar for the Hispanic Community

cc: The Most Reverend Tod D. Brown
Reverend John Lenihan
Dear Bishop,

I ask permission to be excused from our priest’s retreat this year. This is my first time in 30 years of priesthood making such a request. My niece, the eldest of that generation, is getting married on Saturday June 5th in the chapel of Trinity College in Dublin where she and her fiancé graduated. I have asked her to move the date and she was unable to do so because of the schedule of the university.

I will make alternate arrangements to have some retreat time, probably during my Irish stay. We have a famous penitential retreat place on Lough Derg that I have considered over the years but never been brave enough to experience.

Thanking you for your kind consideration of my request.

Your Servant in the Lord,

Rev. John P. Lenihan
Dear Father Lenihan,

Because of the gift of the Holy Spirit that has been given to you at your ordination, you are my indispensable helper and adviser in the ministry of service. (Lumen Gentium #29)

I hereby appoint you according to Canon 497.3 as a member of the Council of Priests, effective July 1, 1999, for a term of five years through June 30, 2004.

I hereby appoint you according to Canon 502.1 as a member of the Diocesan College of Consultors for the Diocese of Orange, effective July 1, 1999 for a term of five years through June 30, 2004.

In this position of responsibility, you will be my close collaborator and share my pastoral concern for our church here in Orange.

I look forward to working with you and receiving your advice and assistance in the pastoral care and governance of the Diocese of Orange. I expect you will support and implement in a positive and prompt way, diocesan policies in your own parish.

May you join yourself with Christ in the recognition of the Father's will and in the gift of yourself to the flock you will serve.

Given in Orange, California
This 29th day of June, 1999
Feast of SS. Peter & Paul

Most Reverend Tod David Brown
Roman Catholic Bishop of Orange

Notary
April 23, 1999

Reverend John Lenihan
St. Edward Catholic Church
33926 Calle La Primavera
Dana Point, CA 92629-2018

Dear John,

I received your letter on April 16, 1999 regarding your request to be excused from the Priest Retreat this year due to your niece’s wedding in Ireland.

Permission is granted.

May God continue to bless you especially during this Easter Season.

Fraternally yours in Christ,

[Signature]

Most Reverend Tod D. Brown
Bishop of Orange

TDB:sk

c: Reverend Redacted
2001 PERSONNEL BOARD INFORMATION

Name: John P. LANIHAN

Date of Ordination: 06-15-69 If recently incardinated, what date:  

Current Assignment: St. Edward, Dana Point

Date of Assignment: July 1st, 1995

My last meeting with the Personnel Board was: April 1995

The languages I am able to minister in are: (circle the appropriate one(s) and indicate proficiency)

- English: fluent [ ] intermediate [ ] beginner [ ]
- Spanish: fluent [ ] intermediate [ ] beginner [ ]
- Vietnamese: fluent [ ] intermediate [ ] beginner [ ]
- Korean: fluent [ ] intermediate [ ] beginner [ ]

I would like to meet with the Personnel Board. Yes [ ] No [x]

I am interested in a change of assignment in July 2001. Yes [ ] No [x]

If YES, the type of assignment which interests me includes:

Pastorate [ ] Parochial Vicar [ ] Senior Priest [ ] Retirement [x]

Changing Pastorate [x] Beginning New Parish (if available) [ ] Spanish Study [ ]

Special Ministry - Specify: ________________________________

Study: Moral Theology [ ] Social Work [ ] Biblical Theology [ ]

Comments: ____________________________________________

____________________________________________________

Please return by October 15, 2000 to:
Rev. Redacted 1

Marywood Center
2811 E. Villa Real Drive
Orange, CA 92867-1999

000067

LA_2013_11_21_Lenihan_000091
February 27, 2001

Redacted Hierarchy Name

Diocese of Orange
Marywood Center
P.O.Box 14195
Orange, CA. 92867-1999

Dear Redacted

I was recently asked to share with you the amount of financial compensation from St. Edward to Fr. John Lenihan.

When Fr. John resigned the parish in September, 2001, Bishop Tod Brown asked the parish to extend to Fr. John his salary and benefits until July, 2002. We readily agreed. And so, from this past September, St. Edward has sent to Fr. John his monthly salary of $1712.00 as well as paying into his pension plan to the cost of $2150.00.

It is now my understanding that the Diocese will accept the financial compensation for Fr. John beginning in March, 2002. If this is the case, then St. Edward will cease payment at the end of February, 2002. When you have a moment, please confirm this understanding with me. We continue to pray for John’s healing and peace.

Sincerely in Christ;

Redacted

Redacted Administrator

March 12, 2002

Redacted

Yes. beginning March 2002, St. Edward’s parish will not be responsible for any benefits/compensation for John Lenihan $000200

Redacted
Steve Lopez:
Points West
Catholic Church's Ultimate Hypocrisy Over Molestations

Redact says she was not quite 14 years old. A Christmas social had just ended, and a priest offered to give her a ride home. But the priest, who was youth minister at her Orange County church, decided to take a little detour.

Redact, an eighth-grader at the time, wondered what was going on as he pulled up to a vacant lot in the Nohl Ranch area. But the priest, 32, soon made his purpose clear.

"He said he wanted to touch my private parts, and he wanted me to touch his," says Redact. He took my hand and put it between his legs. . . . He told me it was something that God wanted to happen." God apparently wanted the diocese to keep the incident quiet too. When Redact's family complained about that and other sexual contact between her and the priest, diocese officials gave Father X a talking to and told him to stay away from Redact. But he was not disciplined.

Church officials didn't even bother interviewing Redact, nor did they offer an apology or any therapeutic help. And Father X was not asked the details of the liaisons, nor was he sent for therapy. He saw a therapist on his own.

Four years after the molestation began in the late 1970s, he was named pastor of another parish, where he took charge of both church and school. Not ever. Redact filed a 1990 lawsuit against him, settled by the diocese in 1991, stood in the way of Father X's progress. He was sent to run yet another parish and school, and he remains in charge there to this day.

"He belongs behind bars," Redact insists, indignant that confusion over the statute of limitations has twice figured in decisions against criminal prosecution. "I can't believe he's still a priest."

It was after talking to Redact that I called the priest, and since then we've had several conversations. I'm calling him Father X here because that's the
deal I struck with him. A little protection in return for some insights into how the Catholic church handles scandal, the curse of the celibacy policy for priests, and the price of one man's redemption.

Father X's behavior became a side issue last month in a heavily publicized sexual molestation case against a monsignor in the Diocese of Orange. Lawyers for the young man who claimed the monsignor molested him called former Bishop Norman F. McFarland in for a deposition.

The victim's lawyers wanted to talk to McFarland about Father X to establish that "diocese policy was that if they knew a priest was a molester, all they would do is send him into some kind of counseling and then put him back into circulation among minors," said one attorney, Katherine Freberg.

They asked Bishop McFarland how it could be that Father X, molester later became pastor of two major Orange County parishes, giving him authority over hundreds of schoolchildren.

Because Father X "had served well" McFarland answered. He condemned what Father X had done with Redact, but said there's a difference between molesting a 3-year-old and molesting a 15- or 17-year-old.

"I can understand the temptation of that more," he said. "She may be very, very precocious or adult-looking and everything else, and there would be a temptation there."

With all due respect, Father X was a priest, and Redact was a child less than half his age. The bishop's remark was the ultimate hypocrisy coming from an institution that publicly condemns any sexual contact between anyone other than husband and wife.

I called the bishop to give him a chance to explain himself, but he declined. He said a column of mine about the church's history of abuse and cover-up proved that I had "no integrity."

"I wouldn't talk to you if the pope told me to," he said.

Be that as it may, court documents suggest that the precocious one was not Redact, but Father X. In court records, he described being with Redact in her mother's bed, removing her panties and kissing her all over her body.

When I read the bishop's remarks to Redact, she said they made her ill. But she wasn't surprised.

"It's the classic denial and minimizing," said Redact, who has joined the Survivors Network of Those Abused by Priests. "I'm a child in the company of an authority figure I look up to, a priest who molestes me--and the church hierarchy's response is to blame me."

Father X says Redact, who came forward after several years of suppressing
the abuse, has either imagined or exaggerated the truth.

He did wrong, he admits, and might not have gotten off as lightly if the same thing happened today, now that the church's history of dark secrets has been exposed and prosecution is more likely. But he says there were only two incidents with Reda over six months beginning when she was 15, not dozens over the course of four years, as Reda claims. He reminded me that he has stood in front of his congregation and confessed his sins.

"I'm a fallible and frail human being, and I made a mistake," Father X told me. "I have suffered through it for 23 years."

If you enter a seminary young, you never deal with your sexuality in a normal way, Father X said. He thinks that reality, and the celibacy requirement, partly explain a legacy of scandal in the Catholic church.

Priests fall in love, he added, and don't know what to do with the feelings. More than once, it has happened to him.

Coming up next: I pay a visit to Father X, and I'm the one hearing confession.

* 

Steve Lopez can be reached at steve.lopez@latimes.com
Steve Lopez:

Points West

A Priest's Confession: 'Celibacy Is the Toughest Thing'

He left home at 12 for an all-boys boarding school, went straight into the seminary after that, and was ordained a Roman Catholic priest at 23.

"I never went to a dance, never went on a date, never had any real understanding of the opposite sex," says Father X.

In perfect irony, this man who had missed his adolescent years became an advisor to teens. He was youth minister at his Orange County church, and when he was 32, he molested a girl named Reda, who was less than half his age.

"At that stage of life, 30-plus, I went through my emotional adolescence," he says, now in his mid-50s.

If he had offered the self-analysis as an excuse, I wouldn't have given him the time of day. But he meant to explain that becoming a priest required a denial that he was a sexual being.

The lie left him confused, malformed, and, for a time, dangerous. He wasn't a pedophile, he claims. Just a normal male strangled by a tight collar.

"I think celibacy is the toughest thing in the priesthood," Father X told me in a typically candid moment. "I love being a priest. But I don't like being a celibate."

Father X and I talked several times by phone in connection with a recent scandal involving an Orange County monsignor who sexually abused several boys. The day I finally met him, he was even more candid. He believed God had forgiven him for what went on with Reda, but said he hadn't forgiven himself.

"I'd like to think I'm a good guy, and I'm clinging to my sense of self-
worth," he said. "I'd like to stand before my creator and say there was no malice in me." There is no question in his mind, Father X said, that the unnatural suppression of sexual desire among priests explains some of the sex abuse cases that have scandalized the church. Celibacy ought to be an option, not a requirement, he said, especially given the shortage of priests in the United States.

"Some of my friends have left the priesthood on these issues," says Father X.

I knew of an alleged relationship Father X had with an adult woman. When I asked about it, he surprised me.

"There were several relationships," he said. "Four serious ones."

He called one that took place in the mid-'80s "the big one," and said it lasted several years.

You had four relationships? I asked.

He nodded.

Four sexual relationships?

"I'm going to take the 5th Amendment on that."

Two of the four did not know the depth of his feelings, he said. He admits to having been in love more than once. In the case of "the big one," he had to finally decide between the woman and the priesthood.

"I have realized how hurtful it is to me and to others to have to end relationships like that. Oh yes. I hurt people."

Then why be a priest? Why not get married and serve the church some other way?

"I think it's the most meaningful thing I can do. I have a thousand opportunities to do things that sometimes can change someone's life for the better."

The relationships are behind him now, he claims. He says he is "absolutely committed" to celibacy.

I left the church that day with mixed feelings about Father X. With clear eyes and the wisdom of experience, he gets at the heart of church hypocrisy on the priesthood and sexuality. But he is part of the problem, too.

"If you're a celibate priest and then you end up having affairs with one, two, three, four women, what are you saying?" asks Redacted
former priest who writes about the church. "That it's OK to use these women in order to stabilize your sexuality?"

Sipe has heard all the rationalizations.

"I do good deeds, therefore I can use these women, I can use these kids, I can use the man, whatever the case may be. It's the kind of thinking that destroys the credibility of the religion."

Heterosexual and homosexual relations run from the top down in the church, says Sipe. But it's never addressed because the church teaches there can be no sexual thoughts, desires or actions outside of marriage.

"You have bishops involved in homosexual relationships," says "If you can't talk about it, then how can you deal with it?"

Quietly tolerating sexual activity is no different than condoning it, says. But he has one more explanation for the Vatican's silence on sex in the church.

"There is a system of blackmail, and the reason abusers often don't get touched is because they frequently have something on the higher-ups."

In my talks with Father X, the subject of forgiveness came up more than once. The church is about forgiving sins, he had said.

"The church is about reform, too," said Sipe. "We're all for love and good deeds and forgiveness. But if a system is perpetuating exploitation, then its need is for reform. Not forgiveness."
Most Reverend Tod D. Brown, DD
Marywood Center
Orange, California

18 September 2001

Dear Bishop:

In accordance with canons 184, 187 & 189, I offer my resignation from the ecclesiastical office of Pastor at Saint Edwards Parish in Dana Point effective immediately.

I also resign from the College of Consultors and the Council of Priests effective immediately.

Sincerely in Christ,

Reverend John Lenihan

Accepted by

+Tod D. Brown

09/18/01
September 19, 2001

Most Reverend Tod D. Brown, D.D.
Bishop of Orange
2811 East Villa Real Drive
P.O. Box 14195
Orange, CA 92863-1595

Your Excellency,

I formally withdraw my letter of resignation dated September 18, 2001 upon advice of counsel. The letter was signed under duress and without consultation. I will not vacate the priest dwelling pending further review of my options under Canon Law.

Your Servant in the Lord,

Reverend John P. Lenihan
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange

On Sept 19, 2001 before me, personally appeared JOHN PETER LENIHITE

Redacted Name and Title of Officer (e.g., "Jane Doe, Notary Public")

Name(s) of Signer(s)

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence
to be the person(ies) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed
the same in his/her/their authorized
capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s), or
the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document
and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Letter

Document Date: Sept 19, 2001 Number of Pages: 1 pg.

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer

Signer's Name:

☒ Individual
☐ Corporate Officer — Title(s): 
☐ Partner — Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other:

Signer is Representing:

Signature of Notary Public
September 22, 2001

Dear Brothers and Sisters in Christ.

As your Bishop and Shepherd, I am writing to you to let you know that Father John Lenihan will no longer be serving as Pastor of St. Edward’s Parish.

Father John and I have met other times to talk about past difficulties. During this last week I met with Father John and we discussed the most recent news articles about him in which he revealed information about his private life that was previously unknown. Father John acknowledged that the information given was correct. This self-revelation is a cause of scandal to many in the Church, and it is a cause of great concern to me.

Conscious of my personal responsibilities to you and to the entire Church of Orange, I asked Father John to resign as pastor of St. Edward’s Parish. Father John agreed to do so; his resignation was effective on Tuesday, September 18, 2001.

I met with the Father, deacon candidates, and the parish staff on Wednesday, September 19th to inform them of Father John’s resignation and to offer my support to them in the days ahead.

Father John’s future in priestly ministry is uncertain at this time. During the coming days, weeks, and months, I ask for your prayers for him.

Father John’s resignation does not negate any of the good that has been accomplished in the parish during his time as Pastor. St. Edward’s Parish is a faith filled, vibrant, and marvelous community. I am confident that you will weather this difficult moment and will move ahead into the future.
That you might have pastoral leadership at this time, I have appointed Father Redacted to serve as temporary Administrator of St. Edward’s Parish until a new Pastor is named. Father Redacted will also continue as Rector of Mater Dei High School during this time of transition.

I am aware that this announcement will be met with many emotions. This will not be an easy time for you. I am certain you will support one another in prayer and in the common bond of charity, which is our duty as Catholic Christians.

Please pray for me and be assured of my own prayers for you.

Sincerely yours in Christ,

Most Reverend Tod D. Brown
Bishop of Orange
MEMORANDUM

TO: File --- Fr. John Lenihan

FR: Reverend Redacted

DT: September 28, 2001

On September 18, 2001 Bishop Brown and I met with Fr. John Lenihan. Bishop asked if he granted an interview with a reporter from the Los Angeles Times. In the article the reporter speaks with a Fr. X. Bishop asked Fr. John if he was Fr. X. Fr. John admitted that he was. Bishop asked if the article was accurate. Fr. John said the part about celibacy was not what he said. Bishop asked if the information about Fr. John having had “relationships” with four women was true. Fr. John stated that it was true.

Bishop asked Fr. John to resign the parish effective immediately. Fr. John said he did not think that was necessary. Bishop explained that it was and asked he to sign a letter of resignation. That letter is in Fr. John’s file. After Fr. John signed the letter he said he was sorry, Bishop said he also was sorry he had to ask for his resignation. Fr. John asked if the Diocese of Orange would continue to support him, Bishop said yes. I walked Fr. John over to Fr. Redacted (Vicar for Priests) Office so that an evaluation could be arranged for Fr. John.

The next day when we arrived at the parish to inform the priests and the staff, Fr. John was there and he attempted to “take back” his resignation. After some discussion by phone with several Canon Lawyers Fr. John agreed to let his resignation stand.

As of September 18, 2001, Fr. John Lenihan is on Active Sick Leave.
Bishop Todd Brown  
Diocese of Orange  
2811 East Villa Real Drive  
PO Box 14195  
Orange, CA 92863-1595  
Phone number: 714-282-3000  

September 29, 2001

Your Excellency,

I would like to share some of my reflections on recent events. Obviously, my extraordinary lack of prudence in talking to the reporter and revealing personal failings on the commitment to celibacy, and his interpretation that I was challenging the laws, represent some big issues that need to be addressed. I am deeply contrite and ashamed of my behavior. I sincerely apologize for the embarrassment to you, my fellow priests, my parish and for the scandal to the community at large. As Bishop, you have the right and duty to act.

However, I believe your decision and methodology of removing me as pastor was severely flawed. I recollect a recent incident where a bishop was actually married, and was ordered to leave the woman, but remained a bishop. I believe your action added to the problem and did more damage to my reputation, your standing as a bishop, and the people’s faith in the church, than did my intemperate defensive remarks to the journalist. The scandal became much larger, created a lot more press, and further damaged me.

Furthermore, I believe my rights under the code of canon law were violated. There is a clearly delineated process that should have been followed and was denied to me. My resignation was forced upon me under reverential fear and a sense of obedience. My subsequent revocation the next day of my resignation by means of a notarized letter, which you refused to accept, could and should have been accepted. The threat of administrative suspension could not have been invoked in that situation. I continue to hold that letter as an exhibit in the possibility of future challenge under canonical law.

On the other hand, I am well aware of my need for counseling and I desire to find a way to satisfy all parties to this action. I know the original accusee Redacted will seek every opportunity to continue to blacken my name and create scandal for the church. I know recent allegations against me are a further factor but I was vindicated by court order and no factual evidence was forthcoming. I would like to find ways to compromise.

I believe the community of St. Edward stands ready to forgive, to accept me back and I can think of no place where I could be happier and secure. I am sure you are aware the parish is flourishing and there is no diminution of ministry. I have already received hundreds of letters of support and I am sure you have also. By all means let me be healed but do not take away my hope of returning to my parish. Your concern that I will be hounded in the future is valid, but I believe that with a supportive community I can
survive such attacks. Being a priest in another diocese might be counter-productive, if the accusations follow me again.

I am grateful for the time for assessment and reflection and thank you for the opportunity to do it. At the end of the process, I would like to be restored to the parish I have served for 6 years and the community that would welcome me back.

I would like to dialog about how I can return to your service as the effective pastor of St. Edward, Dana Point.

Yours in Christ,

[Signature]

Father John Lenihan.

PS I write this letter not to be disobedient or difficult, but to conform with the notification period and procedures laid out in canon law, which leave open all options to both you and I to resolve this to both our satisfaction.
<table>
<thead>
<tr>
<th>FROM</th>
<th>PHONE</th>
<th>TO</th>
<th>PHONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Redacted</td>
<td>Redacted</td>
<td>Redacted</td>
<td>Redacted</td>
</tr>
</tbody>
</table>

**POST OFFICE TO ADDRESSEE**

**ORIGIN (POSTAL USE ONLY)**
- Zip Code
- Delivery Location
- Flat Rate Envelope
- Weight
- Ins.
- Acceptance Code Initials

**DELIVERY (POSTAL USE ONLY)**
- Delivery Attempt
- Time
- Employee Signature
- Delivery Date
- Time
- Employee Signature
- Delivery Address
- Time
- Employee Signature
- Signature of Addressee or Agent

**CUSTOMER USE ONLY**
- TO FILE A CLAIM FOR DAMAGE OR LOSS OF CONTENTS, YOU MUST PRESENT THE ARTICLE, CONTAINER AND PACKAGING TO THE USPS FOR INSPECTION.

**WAIVER OF SIGNATURE (Domestic Only)**
- [ ] Waiver of Signature (Domestic Only) [ ] Waiver to be made without obtaining signature of addressee or addressee's agent. If delivery employee judges the article can be left in secure location and I authorize that delivery employee's signature constitutes valid proof of delivery.

**NO DELIVERY**
- [ ] Weekend [ ] Holiday

**Customer Signature**

**PACKAGE INFORMATION**

**PACKING INSTRUCTION**
- Redacted

**ADDRESS INFORMATION**
- Redacted

**RECEIPT INFORMATION**
- Redacted

**PICKUP OR TRACKING CALL**
- 1-800-222-1811
- www.usps.com
MEMORANDUM

TO: Father Redacted
FROM: Redacted
DATE: October 1, 2001
RE: Reverend John Lenihan

Dear Father Redacted,

On the above date, I received a call from Monsignor Redacted saying he was the uncle of Father John Lenihan. He told me that I would be receiving a fax this day from a Parishioner of St. Edwards Church, Redacted, who was sending this fax on Father John Lenihan's behalf regarding a letter dated September 19, 2001, formally withdrawing his letter of resignation and if I would just tear it up because this letter should have never been sent. Monsignor also said that I would be receiving a hard copy by mail and if I could also tear that up when it arrived in our office.

When you came into the office this same date, I informed you of the above.

On October 8, 2001, we received the hard copy via Express Mail.
Date: 10/1/2001
To: Bishop Todd Brown
Fax No: 714-282-3029
From: Father John Lenihan
Phone No: c/o 949-495-4578

# Of Pages (Including this sheet): 6

Message:

KEEP ORIGINALS BEING SENT REGISTERED EXPRESS MAIL FOR DELIVERY 10/1/2001 ON BEHALF OF FATHER LENIHAN
September 19, 2001

Most Reverend Tod D. Brown, D.D.
Bishop of Orange
2811 East Villa Real Drive
P.O. Box 14195
Orange, CA 92863-1595

Your Excellency,

I formally withdraw my letter of resignation dated September 18, 2001 upon advice of counsel. I will not vacate the priest dwelling pending further review of my options under Canon Law.

Your Servant in the Lord,

Reverend John P. Lenihan
Mater Dei High School
1202 West Edinger Avenue
Santa Ana, California 92707-2191
(714) 754-7711

Fax Cover Sheet
(714) 754-1880 Fax #

TO:    Redacted
FAX #: 714-282-3029
DATE: 10/4/01

NUMBER OF PAGES 1 (includes cover sheet)

ORIGINAL IN MAIL

TO:    Redacted
COMPANY: Diocese of Orange
FROM:  Redacted

COMMENTS:
Can't get them on e-mail
for some reason

Thank you.
Dear Parishioners,

It is with a profound sense of sadness, regret and self-reproach that I write. Obviously my extraordinary lack of prudence in talking to the reporter and revealing personal struggles with the commitment to celibacy, and his interpretation that I was challenging the law, represent some big issues that need to be addressed. I am deeply contrite and very ashamed, and apologize for the great hurt to you, my beloved community, my fellow priests, and scandal to the community at large. As I confront my issues, know I am being cared for and helped and I thank you for your great gift of prayer for me and for my future.

Please know my great concern at this moment is for you, the wonderful community of St. Edward parish and school, and for all we have planned and achieved together. It is my fervent wish and prayer that you will continue to build with all dedication and energy the spiritual and physical vision that with prayer and discernment we have worked so hard together to craft.

Know that in responding to a reporter, I sought only to correct false accusations and exaggerations. Over the years unscrupulous reporters in search of a sensational story have propagated unchallenged disingenuous and damaging accounts of an incident 23 years ago. Any discussion of priestly celibacy was purely philosophical, off the record, and never an admission of multiple sexual involvements. I waver between trying to grasp how I was that naïve, as an intelligent person, or had some unconscious inner cry that needed resolution. With professional counseling, prayer and reflection, over the next few months in a safe place I hope to emerge as one molded by God’s grace into a greater likeness of Christ and know His will for me.

Please stay the course we have set, building Christian Stewardship in every way and in enhancing the multitude of ministries, services, prayer and fellowship opportunities that make St. Edward such a vibrant community. Above all, I pray that spirit of love, hospitality and unity will continue to flourish.

Avoid all bitterness. I believe the Lord has a plan that will be unveiled. This present darkness cannot be compared to the light that is to come.

I miss you to the point of tears. I look forward to seeing you sometime in the future.

With all my love,

John
MEMORANDUM

TO: Redacted Redacted Redacted Redacted

FR: Redacted Redacted
Secretary

DT: October 15, 2001

RE: Clergy Changes

Please make the following changes, effective immediately:

Old Address

Reverend John Lenihan
St. Edwards Parish

Reverend[Redacted]

Reverend[Redacted]
Our Lady of Guadalupe Church
La Habra

New Address

Marywood Center
c/o Reverend Kerry Beaulieu

Leave of Absence
Effective[Redacted]

Leave of Absence
Effective[Redacted]

St. Anne Church
Santa Ana, CA 9270

000073
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE, CENTRAL JUSTICE CENTER

Plaintiff, v. THE ROMAN CATHOLIC BISHOP OF ORANGE, a corporation sole, THE ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES, a corporation sole, FATHER JOHN LENIHAN, and DOES 1 through 100, inclusive,

Defendants.

CASE NO. Redacted

COMPLAINT FOR:
(1) CHILDHOOD SEXUAL ABUSE
(2) ASSAULT
(3) BATTERY
(4) INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(5) FRAUD: CONCEALMENT OF FACTS
(6) VIOLATION OF STATUTE - ACCESSORY AFTER THE FACT
(7) NEGLIGENT SUPERVISION/RETENTION/HIRING
(8) NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
(9) VIOLATION OF STATUTE - PENAL CODE SECTION 11166

JUDGE ROBERT D. MONARCH DEPT. C29

Plaintiff, Redacted, alleges:

THE PARTIES

1. Plaintiff: Redacted ("Plaintiff") was previously a resident of County of Orange, State of California. Plaintiff is currently a resident of San Francisco County, California.
2. Plaintiff is informed and believes, and on that basis alleges, that Defendant The
Roman Catholic Bishop of Orange (hereinafter the "Orange Diocese"), a corporation sole is, and at
all times mentioned herein was, a religious corporation organized under the laws of the State of
California, having its principal office in the City of Orange, its jurisdiction and control extending
to and in the City of Orange and the City of Dana Point, County of Orange, State of California.

3. Plaintiff is informed and believes, and on that basis alleges, that Defendant The
Roman Catholic Archbishop of Los Angeles (hereinafter the "Los Angeles Diocese"), a
corporation sole is, and at all times mentioned herein was, a religious corporation organized under
the laws of the State of California, having its principal office in the City of Los Angeles, its
jurisdiction and control extending to and in the City of Los Angeles, County of Los Angeles, State
of California. Plaintiff is further informed and believes, and on that basis alleges, that the Los
Angeles Diocese had certain jurisdiction and control over other dioceses in Southern California,
including the Orange Diocese. The Orange Diocese and Los Angeles Diocese are sometimes
hereinafter referred to as the "Dioceses."

4. Defendant Father John Lenihan ("Father Lenihan") was a Roman Catholic priest.
Father Lenihan was an agent, employee, or servant of the Dioceses, and/or was under the
jurisdiction and control of the Dioceses. Plaintiff is informed and believes, and on that basis
alleges, that at some times, Father Lenihan was assigned as an associate pastor at St. Norbert
Catholic Church ("St. Norbert") located in the City of Orange, County of Orange, State of
California. Plaintiff is informed and believes, and on that basis alleges, that at some time later,
Father Lenihan was assigned as a pastor at St. Boniface Church, located in the City of Anaheim,
County of Orange, and as a pastor at St. Edward Roman Catholic Church ("St. Edward") located in
the City of Dana Point, County of Orange, State of California.

5. Plaintiff is informed and believes, and on that basis alleges, that St. Norbert, St.
Boniface, and St. Edward were owned by and under the jurisdiction and control of the Orange
Diocese, which was in turn, within the jurisdiction and control of the Los Angeles Diocese as to
certain matters.
6. Defendants Does 1 through 100, inclusive, are sued herein under fictitious names. Their true names and capacities, whether individual, corporate, associate, or otherwise, are unknown to Plaintiff. When their true names and capacities are ascertained, Plaintiff will amend this complaint by inserting their true names and capacities herein. Plaintiff is informed and believes, and on that basis alleges, that each of the fictitiously named Defendants is responsible in some manner for the occurrences herein alleged, and that Plaintiff's damages as herein alleged were proximately caused by those Defendants. The Doe Defendants, the Defendant Dioceses, and Defendant Lenihan are some times hereinafter referred to as the "Defendants."

7. Plaintiff is informed and believes, and on that basis alleges, that at all times mentioned herein, Defendants, and each of them, were the agents, servants, employers, masters, servants, or co-conspirators of each of the remaining co-Defendants, and in doing the things hereinafter alleged were acting within the course and scope of such relationship and with the permission, approval, ratification, or consent of their co-Defendants.

FACTS PERTAINING TO ALL CAUSES OF ACTION

Father Lenihan's Molestations Of Plaintiff

8. Plaintiff was born on August 25, 1964. Plaintiff was raised in the Roman Catholic Church.

9. In about the spring of 1978, when Plaintiff was 13 years old, her family attended Holy Family Cathedral, located in the City of Orange, County of Orange. At that time, Plaintiff was in the eighth grade, and attended St. Jeanne De Lestonnac, a Roman Catholic school located in the City of Tustin, County of Orange.

10. During this time, Plaintiff often played the guitar with the nuns during the masses conducted at St. Jeanne De Lestonnac. The masses would often be conducted by priests from the neighboring parishes, including Father Lenihan.

11. After one of the these masses, Father Lenihan approached Plaintiff. Father Lenihan told Plaintiff that he performed a weekly Sunday mass at the church where he was the associate pastor, St. Norbert in the City of Orange. Father Lenihan told Plaintiff that his 5:15 p.m. mass was full of young people and youthful music, where electric guitars and sometimes even...
drums were played. Father Lenihan arranged to have Plaintiff attend his masses and play her
guitar at the masses. When Father Lenihan learned that Plaintiff's family attended another church,
Holy Family in Santa Ana, he even offered to take Plaintiff home after his masses at St. Norbert.

12. At Father Lenihan's suggestion, Plaintiff began to attend Father Lenihan's
masses at St. Norbert on Sundays. Plaintiff also joined Father Lenihan's bible studies at St.
Norbert on Mondays. Plaintiff also joined Father Lenihan's youth group for Wednesday meetings
at St. Norbert, and played the guitar at the youth group meetings. Plaintiff also began to attend
music practices at St. Norbert on Thursdays, and often time, Father Lenihan would drop by for the
practices.

13. Father Lenihan often drove Plaintiff to and from these masses, bible studies,
youth group meetings, and music practices. At most times after the masses, Father Lenihan would
take a small group of people, including Plaintiff, to dinner after mass, and would drive Plaintiff
home after the masses and dinners. Father Lenihan oftentimes would also take a small group of
people, including Plaintiff, to the movies on Saturday nights, and would drive Plaintiff home after
the movies.

14. Thereafter, when Plaintiff was a adolescent and a minor, and continuing through
in or around 1982, when Plaintiff was around 18 years old, Father Lenihan began to molest, and
sexually, physically, and mentally abuse Plaintiff. The molestations and abuse by Father Lenihan
of Plaintiff included, but was not limited to, sexual intercourse, groping and fondling of Plaintiff's
breasts, groping and fondling of Plaintiff's genitals, oral copulation, forced oral copulation on
Father Lenihan, penetration of Plaintiff's genitals and anus with Father Lenihan's fingers,
masturbation, explicit sexual conversations, and other lewd and lascivious acts. At the time that
Father Lenihan began molesting and sexually abusing, Plaintiff was a virgin, and had not even
kissed a boy.

15. During the time that Father Lenihan was sexually abusing Plaintiff, Father
Lenihan encouraged Plaintiff to try to become emancipated from her parents.
Father Lenihan’s Arranging For Another Priest
To Have Sexually Relations With Plaintiff

16. During the time that Father Lenihan was molesting Plaintiff and during the time that Plaintiff was a minor, Father Lenihan told Plaintiff about a priest friend who Father Lenihan had gone to school with who had been removed from his church because of sexual misconduct. Plaintiff is informed and believes, and on that basis alleges, that the priest friend had been assigned to a position within the Los Angeles Diocese. Father Lenihan told Plaintiff that his friend was sad and needed friends to be close with. Father Lenihan told Plaintiff that his priest friend would buy Plaintiff dinner if Plaintiff kissed his priest friend.

17. Thereafter, at a time in which Plaintiff was a minor, Father Lenihan arranged to have his priest friend meet with Plaintiff. Thereafter, at a time in which Plaintiff was a minor, Father Lenihan’s priest friend did sexually, physically, and mentally abuse Plaintiff, including exposing his genitals to Plaintiff, kissing, and other lewd and lascivious acts.

The Dioceses Actual and Constructive Knowledge
of the Molestations Of Plaintiff By Father Lenihan

18. During the time period in which Father Lenihan began grooming Plaintiff as a victim, and during the time period that the molestations and abuses of Plaintiff occurred, Plaintiff was under the care and supervision of the Dioceses as a minor student of the schools owned, maintained, and controlled by the Dioceses, and as a minor parishioner of the churches owned, maintained, and controlled by the Dioceses.

19. Plaintiff informed and provided actual notice to the Dioceses that Father Lenihan was molesting and sexually abusing her. Specifically, in or around 1982, Plaintiff met with the Catholic priest at the church where her parents attended, Holy Family. In that meeting, Plaintiff informed the Holy Family priest of the molestations and sexual abuse of her by Father Lenihan. When Plaintiff disclosed some details of the molestations and abuse to the Holy Family priest, the priest hugged Plaintiff, and rubbed his genital area against the Plaintiff’s body. Plaintiff could feel that the priest had an erection. The priest also kissed the Plaintiff on the mouth. The priest then gave Plaintiff his telephone number where he could be reached at the new parish where he was going to be reassigned. Plaintiff is informed and believes, and on that basis alleges, that
the Holy Family priest failed to act on the information that Plaintiff had disclosed to him regarding the molestations. The Holy Family priest to whom Plaintiff disclosed the molestations and abuses is currently a Monsignor with the Orange Diocese.

20. Shortly thereafter, Plaintiff again informed and provided actual notice to the Dioceses that Father Lenihan was molesting and sexually abusing her. In or around 1982, Plaintiff met with another Catholic priest at Holy Family. In that meeting, Plaintiff informed that Holy Family priest of the molestations and sexual abuses of her by Father Lenihan. After a long silence, this Catholic priest began yelling at Plaintiff, "How long have you been telling this story? Who else have you told these lies to? Who do you think you are telling these stories." That Catholic priest then dismissed the Plaintiff, and told her he did not want to see her in his church again.

Plaintiff is informed and believes, and on that basis alleges, that the Holy Family priest failed to act on the information that Plaintiff had disclosed to him regarding the molestations. The Catholic priest to whom Plaintiff disclosed the molestations and abuses is also currently a Monsignor with the Orange Diocese.

21. Plaintiff is further informed and believes, and on that basis alleges, that Father Lenihan’s supervisor at St. Norbert was aware that Father Lenihan was sexually active, and that he may have known that Father Lenihan was molesting and abusing the Plaintiff. Specifically, Father Lenihan told Plaintiff that the pastor at St. Norbert was aware that Father Lenihan was sexually active, and that the pastor at St. Norbert had told Father Lenihan that it was necessary that he be "discreet."

22. Plaintiff is further informed and believes, and on that basis alleges, that at least one other employee of the Diocese knew or should have known of the molestations and sexual abuses by Father Lenihan of Plaintiff. Specifically, on numerous occasions, Father Lenihan molested Plaintiff in his office at St. Norbert, and an employee of the Diocese knew that Father Lenihan had Plaintiff in his office alone for long periods of time.

23. Even after Plaintiff disclosed this information to the Dioceses, Father Lenihan continued to molest and sexually abuse Plaintiff until in or around 1982.
The Dioceses' Continuing Coverup Of the Molestations of Plaintiff, And Plaintiff's Continuing Knowledge of the Coverup and Damages

24. Even though Plaintiff provided actual knowledge of the molestations to the Dioceses that Father Lenihan had molested and sexually abused her, and even though the Dioceses had actual and constructive knowledge of the molestations and sexual abuses, the Dioceses covered up the molestations and abuses by Father Lenihan, continued to allow Father Lenihan to act as a Catholic priest within the Dioceses, continued to hold Father Lenihan out as a Catholic priest who could be trusted with minor parishioners and minor students, continued to allow Father Lenihan to work with minor parishioners and minor students on a daily basis, and continued to move Father Lenihan around to different Catholic churches within the Dioceses. The knowledge by the Plaintiff that the Dioceses failed to act on the information that Father Lenihan had molested and abused her, continued to hold Father Lenihan out as a Catholic priest who could be trusted, failed to remove Father Lenihan from his positions within the Dioceses, and continued to allow Father Lenihan to work around other minors, caused Plaintiff great mental, emotional, spiritual, and physical pain and anguish.

Father Lenihan's Continuing Coverup Of the Molestations Of Plaintiff By Another Priest And Plaintiff's Continuing Knowledge of the Coverup and Damages

25. Furthermore, even though Father Lenihan had actual knowledge that his Catholic priest friend had molested and abused Plaintiff, Father Lenihan covered up the molestation and abuse by his friend, continued to hold that priest out as a Catholic priest who could be trusted with minor parishioners and minor students, continued to allow that priest to work with minor parishioners and minor students on a daily basis, and failed to report the molestation and abuse. The knowledge by the Plaintiff that Father Lenihan failed to act on the information that that his priest friend had molested and abused her, continued to hold his friend out as a Catholic priest who could be trusted, and continued to allow that priest to work around other minors, caused Plaintiff great mental, emotional, spiritual, and physical pain and anguish.
Father Lenihan's Molestations Of Another Minor, And The Dioceses' Actual Knowledge Of Those Molestations

26. Plaintiff is informed and believes, and on that basis alleges, that Father Lenihan molested another minor from on or around 1977 through on or around 1981, and that the Dioceses had actual knowledge of these molestations both before the molestations and abuses of Plaintiff, and during the time that Plaintiff was being molested and abused by Father Lenihan. Specifically, Plaintiff is informed and believes, and on that basis alleges, that:

A. From 1977 through 1981, Father Lenihan molested, and sexually abused Mary Grant, a minor parishioner who attended St. Norbert; that the molestations and sexual abuse by Father Lenihan of Mary Grant continued from the time shortly before Mary Grant turned 14 years old, until the time that she was 18 years old; and that the molestations and sexual abuses included groping and fondling of Plaintiff's breasts, groping and fondling of Plaintiff's genitals, kissing, masturbation, explicit sexual conversations, and other lewd and lascivious acts.

B. On September 1, 1978, Mary Grant's stepfather, Fred C. Clow, wrote a letter to Cardinal Timothy Manning of the Los Angeles Dioceses. In his letter, Mr. Clow notified Cardinal Manning that Father Lenihan had telephoned his stepdaughter and was writing his stepdaughter romantic letters which contained sexual innuendo. A true and correct copy of the letter is attached hereto as Exhibit A, and is incorporated by reference.

C. On September 8, 1978, Reverend Monsignor Clement J. Connolly, Secretary to Cardinal Manning, wrote Mr. Clow in response to his letter dated September 1, 1978. In his letter, Monsignor Connolly expressed his "deep appreciation" for the kindly manner in which Mr. Clow expressed his distress and the "confidence which Mr. Clow indicated in leaving this matter to the Archdiocese of Los Angeles' decision." Monsignor Connolly further went on to say that he was referring the matter to the Orange Diocese. A true and correct copy of the letter is attached hereto as Exhibit B, and incorporated by this reference.

D. On September 8, 1978, Reverend Monsignor Clement J. Connolly wrote a letter to Chancellor Michael Driscoll of the Orange Dioceses, as follows: "Dear Mike: The attached correspondence is self-explanatory. Hope you are well. Personal regards. Clement."
Monsignor Connolly attached the letter written by Mary Grant's stepfather. A true and correct copy of the letter is attached hereto as Exhibit C, and is incorporated by this reference.

E. Plaintiff is informed and believes, and on that basis alleges, that even though actual notice was given to the Dioceses in September of 1978 that Father Lenihan was molesting Mary Grant, a minor, Father Lenihan continued to molest and sexually abuse Mary Grant. Plaintiff is further informed and believes, and on that basis alleges, that in 1979, Mary Grant's sister found Father Lenihan molesting Mary Grant, and that shortly thereafter, Mary Grant's sister telephoned the Los Angeles Diocese to inform the Diocese of the molestation.

Plaintiff is informed and believes, and on that basis alleges, that even though actual notice was given to the Dioceses again in 1979 that Father Lenihan was molesting Mary Grant, a minor, Father Lenihan continued to molest and sexually abuse Mary Grant until 1981.

The Dioceses' Continuing Coverup Of the Molestations of Another Victim, And Plaintiff's Continuing Knowledge of the Coverup and Damages

27. Even though information had been disclosed to the Dioceses that Father Lenihan had had inappropriate sexual contact with Mary Grant, and that Father Lenihan had molested and abused Mary Grant, the Dioceses covered up the molestations and abuses by Father Lenihan, continued to allow Father Lenihan to act as a Catholic priest within the Dioceses, continued to hold Father Lenihan out as a Catholic priest who could be trusted with minor parishioners and minor students, continued to allow Father Lenihan to work with minor parishioners and minor students on a daily basis, and continued to move Father Lenihan around to different Catholic churches within the Dioceses.

28. Father Lenihan had disclosed to Plaintiff that the Dioceses were aware of his abuses of Mary Grant. The knowledge by the Plaintiff that the Dioceses failed to act on the information that Father Lenihan had molested and abused Mary Grant, continued to hold Father Lenihan out as a Catholic priest who could be trusted, failed to remove Father Lenihan from his positions within the Dioceses, and continued to allow Father Lenihan to work around other minors, caused Plaintiff great mental, emotional, spiritual, and physical pain and anguish.
29. Plaintiff is informed and believes, and on that basis alleges, that it was not until September of 2001 that the Dioceses removed Father Lenihan from his position as the pastor of St. Edward in Dana Point. Plaintiff is further informed and believes, and on that basis alleges, that the Dioceses removed Father Lenihan from that position in September of 2001 because Father Lenihan disclosed to the press that he had had sexual affairs with four adult women. Plaintiff is unaware at this time as to whether the Dioceses have moved Father Lenihan to another location within the Dioceses or within another Catholic Diocese.

FIRST CAUSE OF ACTION
(Childhood Sexual Abuse)
(Against Defendant Father Lenihan and Defendants Does 1 through 100, Inclusive)

30. Plaintiff hereby incorporates by reference and re-alleges all of the allegations contained in paragraphs 1 through 29, as though fully set forth herein.

31. During the time in which Plaintiff was a minor, Father Lenihan molested, and sexually, physically, and mentally abuse Plaintiff. The molestations and abuse by Father Lenihan of Plaintiff included, but was not limited to, sexual intercourse, groping and fondling of Plaintiff's breasts, groping and fondling of Plaintiff's genitals, oral copulation, forced oral copulation on Father Lenihan, penetration of Plaintiff's genitals and anus with Father Lenihan's fingers, masturbation, explicit sexual conversations, and other lewd and lascivious acts.

32. Father Lenihan's above-described acts constitute conduct in violation of the California Penal Code.

33. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was hurt and injured in her health, strength, and activity, sustained injury to her nervous system and person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional, spiritual, physical, and nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in continuing and permanent disability to her. As a result of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.
34. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from depression and frequent periodic episodes of anxiety, panic, fear, and other forms of emotional distress. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

35. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from severe headaches, nausea, and other physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

36. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been damaged in that she has been required, and will be required in the future, to expend money and to incur obligations for health care providers required in the treatment and relief of the injuries alleged, in an amount to be determined at the time of trial.

37. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages, and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

38. The above-described conduct of Father Lenihan was willful and outrageous, was committed in reckless disregard of the probability of causing Plaintiff severe emotional distress, mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein, Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an award of exemplary or punitive damages.
SECOND CAUSE OF ACTION
(Assault)
(Against Defendant Father Lenihan and Defendants Does 1 through 100, Inclusive)

39. Plaintiff hereby incorporates by reference and re-alleges all of the allegations contained in paragraphs 1 through 38, as though fully set forth herein.

40. At numerous times as described above, in the County of Orange, State of California, Father Lenihan, in asserting his position of authority and spiritual leader over Plaintiff, and in his position of trust and confidence, approached Plaintiff in a physically threatening manner, and placed her in fear of physical and sexual battery.

41. In doing the acts alleged above, Father Lenihan intended to cause and place, and did cause and place, Plaintiff in apprehension of offensive contact with Plaintiff's person.

42. As a result of Father Lenihan's acts alleged above, Plaintiff, in fact, was placed in great apprehension of offensive contact with Plaintiff's person.

43. Plaintiff did not legally consent to Father Lenihan's acts alleged above.

44. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was hurt and injured in her health, strength, and activity, sustained injury to her nervous system and person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional, spiritual, physical, and nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in continuing and permanent disability to her. As a result of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

45. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from depression and frequent periodic episodes of anxiety, panic, fear, and other forms of emotional distress. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.
46. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from severe headaches, nausea, and other physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

47. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been damaged in that she has been required, and will be required in the future, to expend money and to incur obligations for health care providers required in the treatment and relief of the injuries alleged, in an amount to be determined at the time of trial.

48. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages, and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

49. The above-described conduct of Father Lenihan was willful and outrageous, was committed in reckless disregard of the probability of causing Plaintiff severe emotional distress, mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein, Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an award of exemplary or punitive damages.

THIRD CAUSE OF ACTION
(Battery)
(Against Defendant Father Lenihan and Defendants Does 1 through 100, Inclusive)

50. Plaintiff hereby incorporates by reference and re-alleges all of the allegations contained in paragraphs 1 through 49, as though fully set forth herein.

51. On the occasions alleged above, Father Lenihan, in asserting his position of authority and trust over Plaintiff, and by means of approaching Plaintiff in a physically threatening manner, and by the use of physical force, seized and took hold of Plaintiff, and caused Plaintiff to submit to Father Lenihan's molestations and sexually, mental, and physical abuses.
52. In doing the acts alleged above, Father Lenihan acted with intent to, and did, make contact with Plaintiff's person in an offensive and outrageous manner.

53. Plaintiff did not legally consent to Father Lenihan's acts alleged above.

54. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was hurt and injured in her health, strength, and activity, sustained injury to her nervous system and person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional, spiritual, physical, and nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in continuing and permanent disability to her. As a result of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

55. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from depression and frequent periodic episodes of anxiety, panic, fear, and other forms of emotional distress. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

56. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from severe headaches, nausea, and other physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

57. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been damaged in that she has been required, and will be required in the future, to expend money and to incur obligations for health care providers required in the treatment and relief of the injuries alleged, in an amount to be determined at the time of trial.

58. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages, and will continue to lose wages, to her damage in an amount to be determined at the time of trial.
59. The above-described conduct of Father Lenihan was willful and outrageous, was committed in reckless disregard of the probability of causing Plaintiff severe emotional distress, mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein, Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an award of exemplary or punitive damages.

FOURTH CAUSE OF ACTION
(Intentional Infliction of Emotional Distress)
(Against All Defendants)

60. Plaintiff hereby incorporates by reference and re-alleges all of the allegations contained in paragraphs 1 through 59, as though fully set forth herein.

61. Father Lenihan occupied a position of authority, respect, and trust over Plaintiff in that Father Lenihan was an adult, an ordained priest, and the priest of Plaintiff's church. The Dioceses likewise occupied a position of authority, respect, and trust over Plaintiff in that they controlled and exercised jurisdiction over the churches and schools which Plaintiff attended.

62. Plaintiff felt great trust, faith and confidence in the Defendants.

63. Father Lenihan's above-described conduct was intentional and malicious and done for the purpose of causing Plaintiff to suffer humiliation, mental anguish, and emotional and physical distress. Father Lenihan's conduct in molesting and abusing Plaintiff, and in "offering" Plaintiff up to another Catholic priest to be molested and abused, continued during the time that Plaintiff was a minor; and Father Lenihan's conduct in continuing to cover up, and failing to act upon, the molestations and abuses of Plaintiff by the other Catholic priest continues through today.

64. Furthermore, the Dioceses' above-described conduct was intentional and malicious and done for the purpose of causing Plaintiff to suffer humiliation, mental anguish, and emotional and physical distress. The Dioceses' conduct in covering up the molestations and abuses by Father Lenihan, continuing to allow Father Lenihan to act as a Catholic priest within the Dioceses, continuing to hold Father Lenihan out as a Catholic priest who could be trusted with minor parishioners and minor students, continuing to allow Father Lenihan to work with minor
parishioners and minor students on a daily basis, and continuing to move Father Lenihan around to
different Catholic churches within the Dioceses, continued through at least September of 2001.

65. As a proximate result of the acts of the Defendants described herein, Plaintiff was
hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional,
spiritual, physical, and nervous pain and suffering. Plaintiff is informed and believes, and on that
basis alleges, that the injuries will result in continuing and permanent disability to her. As a result
of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
time of trial.

66. As a further proximate result of the acts of the Defendants described herein,
Plaintiff developed and continues to suffer from depression and frequent periodic episodes of
anxiety, panic, fear, and other forms of emotional distress. Plaintiff is informed and believes, and
on that basis alleges, that the injuries will result in some permanent disability to her. By reason
thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of
trial.

67. As a further proximate result of the acts of the Defendants described herein,
Plaintiff developed and continues to suffer from severe headaches, nausea, and other physical
ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in
some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages
in an amount to be determined at the time of trial.

68. As a further proximate result of the acts of the Defendants described herein,
Plaintiff has been damaged in that she has been required, and will be required in the future, to
expend money and to incur obligations for health care providers required in the treatment and relief
of the injuries alleged, in an amount to be determined at the time of trial.

69. As a further proximate result of the acts of the Defendants described herein,
Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
and will continue to lose wages, to her damage in an amount to be determined at the time of trial.
70. The above-described conduct of the Defendants was willful and outrageous, was
committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was
otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein,
Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an
award of exemplary or punitive damages.

FIFTH CAUSE OF ACTION
(Fraud; Concealment of Facts)
(Against All Defendants)

71. Plaintiff hereby incorporates by reference and re-alleges all of the allegations
contained in paragraphs 1 through 70, as though fully set forth herein.

72. Beginning in or around 1978, and continuing until today, Defendants had actual
and constructive knowledge that Father Lenihan had molested, and sexually, mentally, and
physically abused Mary Grant and Plaintiff. Furthermore, Father Lenihan had actual and
constructive knowledge that another Catholic priest had molested, and sexually, mentally, and
physically abused Plaintiff.

73. Plaintiff is informed and believes, and on that basis alleges, that Defendants
affirmatively represented to Plaintiff, Plaintiff's parents, other students and parishioners at churches
and schools owned, maintained, and controlled by the Dioceses in which Father Lenihan worked,
that Father Lenihan was safe, and morally and spiritually beneficial to all minors, students, minor
students, minor parishioners, and others under Father Lenihan's control, direction, and guidance.
Plaintiff is informed and believes, and on that basis alleges, that when Defendants made these
affirmative misrepresentations, Defendants suppressed the material facts that Father Lenihan had on
numerous occasions sexually, physically, and/or mentally abused Plaintiff and Mary Grant, and/or
knew of or learned of conduct by Father Lenihan's which placed Defendants on notice that Father
Lenihan was likely abusing other students and/or parishioners.
74. Plaintiff was a minor parishioner at St. Norbert, and was under Father Lenihan's supervision and care during these times, creating a special fiduciary relationship or special care relationship with Defendants, and each of them. As the responsible party and/or employer controlling Father Lenihan, and as the operators of a church where minors attended, Defendants were also in a special relationship with Plaintiff.

75. Plaintiff is informed and believes, and on that basis alleges, that before, during and after the time that Plaintiff was molested and abused by Father Lenihan, Defendants had a duty to disclose to Plaintiff, and minors, students, minor students, parishioners, minor parishioners, others under Father Lenihan's control, direction, and guidance, parents, and the authorities that Father Lenihan had been and was continuing to engage in sexually related conduct with minors, but intentionally suppressed and concealed this information. The duty to disclose arose by the special, trusting, confidential, and/or fiduciary relationship between Defendants and Plaintiff as alleged herein, pursuant to Tarasoff v. Regents Of Univ. of Cal., 17 Cal. 3d 425, 131 Cal. Rptr. 14, 23 (1976) and LiMandri v. Judkins, 52 Cal. App. 4th 326, 60 Cal. Rptr. 539, 543 (1997); by reason of the Defendants' duty to report, as child care custodians, known or suspected incidences of sexual molestation or abuse of minors to a child protective agency, pursuant to California Penal Code section 11166, enacted in 1980; by reason of the fact that Defendants made affirmative representations regarding Father Lenihan, but suppressed the material facts about the molestations, pursuant to Randi W. v. Muroc Joint Unified School, 14 Cal. App. 4th 1066, 929 P.2d 582, 592 (1997); by reason of the Defendants' duty to report Father Lenihan's sexual crimes to the California Department of Education, pursuant to California Code of Regulations, title 5, art. 7, § 701; by reason of the fact that the Defendants had exclusive knowledge of the material facts alleged herein regarding Father Lenihan which were not known to Plaintiff and/or not assessable to Plaintiff, pursuant to LiMandri v. Judkins, 52 Cal. App. 4th 326, 60 Cal. Rptr. 539, 543 (1997); and by reason of the fact that a special relationship, as employer/employee, existed between the Defendant Dioceses and Father Lenihan which imposed a duty upon the Defendants Dioceses to control Father Lenihan's conduct, pursuant to Tarasoff v. Regents Of Univ. of Cal., 17 Cal. 3d 425, 131 Cal. Rptr. 14, 23 (1976).
76. Plaintiff is informed and believes, and on that basis alleges, that said intentional and deliberate suppression and concealment of facts included, but was not limited to: transferring Father Lenihan from position to position whenever too many complaints or reports surfaced regarding his molestations in any one location; making no investigations; issuing no warnings; permitting Father Lenihan routinely and often to be alone with minors; not having adopted a policy to prevent permitting Father Lenihan routinely and often to be alone with minors; making no reports of any allegations of Father Lenihan's abuse and molestations; and assigning and continuing to assign Father Lenihan to duties which placed him in positions of authority and trust over minors in which Father Lenihan could easily be alone with such persons.

77. Plaintiff is informed and believes, and on that basis alleges, that Defendants, and each of them, made no attempt to take any negative action against Father Lenihan.

78. Plaintiff is informed and believes, and on that basis alleges, that said suppressions and concealment of facts were likely to mislead Plaintiff, her parents, parishioners, students, and others to believe that Defendants had no knowledge of any charges, or that there were no other charges of sexual misconduct against Father Lenihan, that Defendants were directly supervising and preventing Father Lenihan from contact with minors, students, or minor students, and that there was no need for them to take further action.

79. Plaintiff is informed and believes, and on that basis alleges, that Defendants, and each of them, knew at the time they suppressed and concealed the true facts regarding Father Lenihan's sexual molestations, that said suppressions and concealment of fact were misleading.

80. Plaintiff is informed and believes, and on that basis alleges, that Defendants, and each of them, suppressed and concealed the true facts with the intent to prevent Plaintiff, her parents, parishioners, and others, from learning that Father Lenihan had been and was continuing to molest minors, students, minor students, parishioners, minor parishioners, and others under Father Lenihan's control, direction, and guidance, with complete impunity; to induce people, including Plaintiff, her parents, other parishioners, benefactors, and donors to the Dioceses to participate and financially support, and to continue to participate in and financially support parishes, schools, camps and other Church money-making enterprises; to prevent further reports and outside
investigations into Father Lenihan's and Defendants' conduct; to prevent discovery of Defendants' own fraudulent conduct; to avoid damage to the reputations of Defendants; to protect their power and status in the Church hierarchy; to avoid damage to the reputation of the Church; and to avoid the civil and criminal liability of Defendants and of Father Lenihan.

81. Plaintiff is informed and believes, and on that basis alleges, that at all times mentioned herein, Defendants, with knowledge of the tortuous nature of their own and each others' conduct, knowingly and intentionally gave each other substantial assistance to perpetrate the fraud and deceit alleged herein.

82. Plaintiff is informed and believes, and on that basis alleges, that Plaintiff, her parents, students, benefactors, donors, parishioners, and others, were misled by Defendants' intentional suppressions and concealment of facts, and in reliance thereon, were induced to act or induced not to act exactly as intended by Defendants, and each of them, and specifically Plaintiff and her parents were induced to believe that there were no allegations of sexual abuse against Father Lenihan. Had Plaintiff, her parents, students, other parents, parishioners, and others, known the true facts and not been ignorant of the suppressions and concealment of facts and misrepresentations, they would have determined not to participate further or to further financially support the Dioceses' activities alleged herein; would not have allowed their children to go to a church under the control of the Defendants and Father Lenihan; would have reported the matters to the proper authorities, to other parishioners, to parents of and to minor students so as to prevent future recurrences; would not have allowed children, including Plaintiff, to be alone with or have any relationship with Father Lenihan; would have undertaken their own investigations which would have led to discovery of the true facts; and would have sought psychological counseling for Plaintiff, and other molested minor students.

83. Plaintiff is informed and believes, and on that basis alleges, that as a direct and proximate result of the wrongful conduct of said Defendants, Plaintiff was molested and sexually, physically, and mentally abused by Father Lenihan, as alleged herein.
Furthermore, the Defendants’ fraud, which continues through today, caused Plaintiff to experience recurrences of the severe mental distress, including fear, anger, shame, humiliation, helplessness, and guilt, that Plaintiff had experienced at the time Plaintiff was molested; and further caused Plaintiff to experience extreme and severe mental distress, manifested by the above feelings, that Plaintiff had been the victim of Defendants’ fraud, that Plaintiff had not been able to help other minors being molested because of the fraud, and that Plaintiff had not been able because of the fraud to receive timely psychological counseling Plaintiff needed to deal with problems Plaintiff had suffered and continues to suffer as a result of the molestations.

85. As a proximate result of the acts of the Dioceses described herein, Plaintiff was hurt and injured in her health, strength, and activity, sustained injury to her nervous system and person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional, spiritual, physical, and nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in continuing and permanent disability to her. As a result of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

86. As a further proximate result of the acts of the Defendants described herein, Plaintiff developed and continues to suffer from depression and frequent periodic episodes of anxiety, panic, fear, and other forms of emotional distress. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

87. As a further proximate result of the acts of the Defendants described herein, Plaintiff developed and continues to suffer from severe headaches, nausea, and other physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.
88. As a further proximate result of the acts of the Defendants described herein, Plaintiff has been damaged in that she has been required, and will be required in the future, to expend money and to incur obligations for health care providers required in the treatment and relief of the injuries alleged, in an amount to be determined at the time of trial.

89. As a further proximate result of the acts of the Defendants described herein, Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages, and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

90. The above-described conduct of the Defendants was willful and outrageous, was committed in reckless disregard of the probability of causing Plaintiff severe emotional distress, mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein, Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an award of exemplary or punitive damages.

SIXTH CAUSE OF ACTION
(Violation of Statute — Accessory After the Fact)
(Against All Defendants)

91. Plaintiff hereby incorporates by reference and re-alleges all of the allegations contained in paragraphs 1 through 90, as though fully set forth herein.

92. At all times mentioned herein, the conduct of Father Lenihan constitutes a felony under this state's criminal statutes. Furthermore, the conduct of the other Catholic priest who molested Plaintiff constitutes a felony under this state's criminal statutes.

93. Defendants, and each of them, had and continue to have, actual and/or constructive knowledge that Father Lenihan engaged in felonious conduct toward minors, students, minor students, parishioners, minor parishioners, and others under Father Lenihan's control, direction, and guidance. Furthermore, Father Lenihan has and continues to have, actual and/or constructive knowledge that another Catholic priest engaged in felonious conduct toward Plaintiff who was a minor.
94. With knowledge of Father Lenihan’s felonious acts, as alleged herein, Defendants, and each of them, unlawfully impeded justice by harboring, concealing and aiding Father Lenihan by transferring him from position to position; suppressing and concealing the true facts; permitting Father Lenihan routinely and often to have minors, students, minor students, parishioners, minor parishioners, and others under Father Lenihan’s control, direction, and guidance; keeping his criminal activities confidential; and harboring him within the protective cloak of the church. Father Lenihan thereafter continued to engage in his felonious acts with the knowledge and aid of Defendants, and each of them. Furthermore, with knowledge of the other Catholic priest’s felonious acts, as alleged herein, Father Lenihan unlawfully impeded justice by harboring, concealing and aiding the other Catholic priest by suppressing and concealing the true facts; permitting the other Catholic priest routinely and often to have minors under the other Catholic priest’s control, direction, and guidance; keeping the other Catholic priest’s criminal activities confidential; and harboring the other Catholic priest within the protective cloak of the church.

95. At all times mentioned herein there was in effect California Penal Code, Section 32 which prohibits knowingly providing aid to anyone who has committed a felony with the intent of allowing them to escape arrest, trial, conviction or punishment.

96. Plaintiff was within the class of persons to be protected by Penal Code, Section 32.

97. Nevertheless, Plaintiff is informed and believes, and on that basis alleges, that Defendants, and each of them, engaged in the actions alleged herein by knowingly harboring, concealing and aiding Father Lenihan in such felonies with the intent that Father Lenihan would avoid or escape arrest, trial, conviction or punishment. Furthermore, Father Lenihan engaged in the actions alleged herein by knowingly harboring, concealing and aiding the other Catholic priest in such felonies with the intent that the other Catholic priest would avoid or escape arrest, trial, conviction or punishment.
98. Plaintiff is informed and believes, and on that basis alleges, that Defendants and each of them, with knowledge of the tortuous nature of their own and each others' conduct, knowingly and intentionally gave each other substantial assistance to violate the statute, as alleged herein.

99. As a proximate result of the acts of the Defendants described herein, Plaintiff was hurt and injured in her health, strength, and activity, sustained injury to her nervous system and person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional, spiritual, physical, and nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in continuing and permanent disability to her. As a result of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

100. As a further proximate result of the acts of the Defendants described herein, Plaintiff developed and continues to suffer from depression and frequent periodic episodes of anxiety, panic, fear, and other forms of emotional distress. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

101. As a further proximate result of the acts of the Defendants described herein, Plaintiff developed and continues to suffer from severe headaches, nausea, and other physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

102. As a further proximate result of the acts of the Defendants described herein, Plaintiff has been damaged in that she has been required, and will be required in the future, to expend money and to incur obligations for health care providers required in the treatment and relief of the injuries alleged, in an amount to be determined at the time of trial.
103. As a further proximate result of the acts of the Defendants described herein, Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages, and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

104. The above-described conduct of the Defendants was willful and outrageous, was committed in reckless disregard of the probability of causing Plaintiff severe emotional distress, mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein, Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an award of exemplary or punitive damages.

SEVENTH CAUSE OF ACTION
(Negligent Supervision/Retention/Hiring)
(Against Defendants Dioceses and Defendants Does 1 through 100, Inclusive)

105. Plaintiff hereby incorporates by reference and re-alleges all of the allegations contained in paragraphs 1 through 104, as though fully set forth herein.

106. Plaintiff is informed and believes, and on that basis alleges, that as a result of the affiliation Plaintiff had with the church, with Father Lenihan, and with other church officials, a special fiduciary relationship, of human and spiritual trust, with concomitant in loco parentis duties (ie, providing a safe haven for Plaintiff, by providing for her physical and emotional care and safety) existed between Plaintiff and the Dioceses.

107. As alleged above, Plaintiff was sexually molested by Father Lenihan, with the molestations constituting a breach of duty owed to Plaintiff by the Dioceses to supervise Father Lenihan, and to provide a safe haven for Plaintiff.

108. Plaintiff is informed and believes, and on that basis alleges, that at no time during the periods of time alleged did the Defendants Dioceses have in place a system or procedure to supervise and/or monitor priests to insure that those priests did not molest or abuse minors in the Dioceses' care.
109. Plaintiff is informed and believes, and on that basis alleges, that those individuals employed or governed by the Defendants Dioceses were aware, and understood how vulnerable children were to sexual abuse by priests.

110. At the times that the Plaintiff was molested, Defendants Dioceses were placed on actual and constructive notice that Father Lenihan had molested another minor student, Mary Grant. Furthermore, during the time that Father Lenihan was molesting the Plaintiff, the Dioceses were put on notice that Father Lenihan was molesting the Plaintiff and Mary Grant. Even so, the Dioceses continued to retain Father Lenihan, and continued to fail to supervise Father Lenihan, through today's date.

111. As a proximate result of the acts of the Defendants described herein, Plaintiff was hurt and injured in her health, strength, and activity, sustained injury to her nervous system and person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional, spiritual, physical, and nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in continuing and permanent disability to her. As a result of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

112. As a further proximate result of the acts of the Defendants described herein, Plaintiff developed and continues to suffer from depression and frequent periodic episodes of anxiety, panic, fear, and other forms of emotional distress. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

113. As a further proximate result of the acts of the Defendants described herein, Plaintiff developed and continues to suffer from severe headaches, nausea, and other physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.
114. As a further proximate result of the acts of the Defendants described herein, Plaintiff has been damaged in that she has been required, and will be required in the future, to expend money and to incur obligations for health care providers required in the treatment and relief of the injuries alleged, in an amount to be determined at the time of trial.

115. As a further proximate result of the acts of the Defendants described herein, Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages, and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

116. The above-described conduct of the Defendants was willful and outrageous, was committed in reckless disregard of the probability of causing Plaintiff severe emotional distress, mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein, Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an award of exemplary or punitive damages.

EIGHTH CAUSE OF ACTION
(Negligent Infliction of Emotional Distress)
(Against Defendants Dioceses and Defendants Does 1 through 100, Inclusive)

117. Plaintiff hereby incorporates by reference and re-alleges all of the allegations contained in paragraphs 1 through 116, as though fully set forth herein.

118. Defendants Dioceses knew or should have known that Father Lenihan had been and was continuing to engage in sexually related conduct with Plaintiff and Mary Grant.

Defendants Dioceses had a duty to disclose to Plaintiff, and minors, students, minor students, parishioners, minor parishioners, others under Father Lenihan's control, direction, and guidance, parents, and the authorities that Father Lenihan had been and was continuing to engage in sexually related conduct with minors. The duty to disclose arose by the special, trusting, confidential, and/or fiduciary relationship between Defendants and Plaintiff as alleged herein, pursuant to Tarasoff v. Regents Of Univ. of Cal., 17 Cal. 3d 425, 131 Cal. Rptr. 14, 23 (1976) and LiMandri v. Judkins, 52 Cal. App. 4th 326, 60 Cal. Rptr. 539, 543 (1997); by reason of the Defendants' duty to report, as child care custodians, known or suspected incidences of sexual molestation or abuse of minors to a
child protective agency, pursuant to California Penal Code section 11166, enacted in 1980; by
reason of the fact that Defendants made affirmative representations regarding Father Lenihan as
alleged above, but suppressed the material facts about the molestations, pursuant to Randi W. v.
Muroc Joint Unified School, 14 Cal. App. 4th 1066, 929 P.2d 582, 592 (1997); by reason of the
Defendants' duty to report Father Lenihan's sexual crimes to the California Department of
Education, pursuant to California Code of Regulations, title 5, art. 7, § 701; by reason of the fact that
the Defendants had exclusive knowledge of the material facts alleged herein regarding Father
Lenihan which were not known to Plaintiff and/or not assessable to Plaintiff, pursuant to LiMandri
v. Judkins, 52 Cal. App. 4th 326, 60 Cal. Rptr. 539, 543 (1997); and by reason of the fact that a
special relationship, as employer/employee, existed between the Defendant Dioceses and Father
Lenihan which imposed a duty upon the Defendants Dioceses to control Father Lenihan's conduct,
pursuant to Tarasoff v. Regents Of Univ. of Cal., 17 Cal. 3d 425, 131 Cal. Rptr. 14, 23 (1976).

119. Plaintiff felt great trust, faith and confidence in Defendants Dioceses, as her
spiritual leaders and educators.

120. Defendants Dioceses negligently failed to disclose, suppressed, and concealed
this information regarding Father Lenihan, before Plaintiff was molested by Father Lenihan, during
the time that Plaintiff was molested by Father Lenihan, and after the time that Plaintiff was molested
by Father Lenihan.

121. Defendants Dioceses' hereinabove-described conduct caused Plaintiff to suffer
humiliation, mental anguish, and emotional and physical distress.

122. As a proximate result of the acts of the Defendants described herein, Plaintiff was
hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional,
spiritual, physical, and nervous pain and suffering. Plaintiff is informed and believes, and on that
basis alleges, that the injuries will result in continuing and permanent disability to her. As a result
of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
time of trial.
123. As a further proximate result of the acts of the Defendants described herein, Plaintiff developed and continues to suffer from depression and frequent periodic episodes of anxiety, panic, fear, and other forms of emotional distress. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

124. As a further proximate result of the acts of the Defendants described herein, Plaintiff developed and continues to suffer from severe headaches, nausea, and other physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

125. As a further proximate result of the acts of the Defendants described herein, Plaintiff has been damaged in that she has been required, and will be required in the future, to expend money and to incur obligations for health care providers required in the treatment and relief of the injuries alleged, in an amount to be determined at the time of trial.

126. As a further proximate result of the acts of the Defendants described herein, Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages, and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

127. The above-described conduct of the Defendants was willful and outrageous, was committed in reckless disregard of the probability of causing Plaintiff severe emotional distress, mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein, Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an award of exemplary or punitive damages.
NINTH CAUSE OF ACTION
(Violation of Statute — Penal Code Section 11166)
(Against All Defendants)

128. Plaintiff hereby incorporates by reference and re-alleges all of the allegations contained in paragraphs 1 through 127, as though fully set forth herein.

129. Under the Child Abuse and Neglect Reporting Act, the Defendants, by and through their employees and agents, were "child care custodians" and were "clergy members" under a statutory duty to report known or suspected incidences of sexual molestation or abuse of minors to a child protective agency, pursuant to California Penal Code section 11164.

130. Plaintiff is informed and believes, and on that basis alleges, that the Defendants knew, or should have known in the exercise of reasonable diligence, that Defendant Lenihan had sexually molested, abused, or caused touching, battery, harm and other injuries to Plaintiff, a minor, and to other minors, giving rise to a duty to report such conduct under section 11166 of the California Penal Code. Plaintiff is informed and believes, and on that basis alleges, that Father Lenihan knew, or should have known in the exercise of reasonable diligence, that his priest friend had sexually molested, abused, or caused touching, battery, harm and other injuries to Plaintiff, a minor, giving rise to a duty to report such conduct under section 11166 of the California Penal Code.

131. Plaintiff is further informed and believes, and on that basis alleges, that the Defendants knew, or should have known in the exercise of reasonable diligence, that an undue risk to minors, such as Plaintiff, existed because the priests, even though they had been advised or otherwise knew or should have known of the wrongful acts of the priests, did not comply with these mandatory reporting requirements.

132. By failing to report the continuing molestations known by the Defendants, and each of them, and by ignoring the fulfillment of the mandated compliance with the reporting requirements provided under California Penal Code section 11166, the Defendants created the risk and danger contemplated by the Child Abuse and Neglect Reporting Act, and as a result, unreasonably and wrongfully exposed Plaintiff and other minors to the molestation as alleged herein, thereby breaching Defendants' duty of care to Plaintiff.
133. Plaintiff was one of the class of persons for whose protection California Penal Code section 11166 was specifically adopted to protect.

134. Had the Defendants adequately performed their duties under section 11166 of the California Penal Code, and reported the molestation of Plaintiff and other minors, the report would have resulted in the involvement of trained child sexual abuse case workers for the purposes of preventing harm and further harm to Plaintiff and other minors, and preventing and/or treating the injuries and damages suffered by Plaintiff as alleged herein.

135. As a proximate result of the Defendants' failure to follow the mandatory reporting requirements of California Penal Code section 11166, and to report the acts of the priests, the Defendants wrongfully denied and restricted Plaintiff and other minors from the protection of child protection agencies which would have changed the then existing arrangements and conditions, which provided the access and opportunities for the molestation of Plaintiff.

136. The physical, mental, and emotional damages and injuries resulting from the sexual molestation of Plaintiff by the priests alleged herein, were the types of occurrences and injuries the Child Abuse and Neglect Reporting Act was designed to prevent.

137. The Defendants continue to violate these statutory sections because of their continued failure to report the abuse known to them.

138. As a proximate result of the acts of the Defendants described herein, Plaintiff was hurt and injured in her health, strength, and activity, sustained injury to her nervous system and person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional, spiritual, physical, and nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in continuing and permanent disability to her. As a result of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

139. As a further proximate result of the acts of the Defendants described herein, Plaintiff developed and continues to suffer from depression and frequent periodic episodes of anxiety, panic, fear, and other forms of emotional distress. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her.
thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

140. As a further proximate result of the acts of the Defendants described herein, Plaintiff developed and continues to suffer from severe headaches, nausea, and other physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

141. As a further proximate result of the acts of the Defendants described herein, Plaintiff has been damaged in that she has been required, and will be required in the future, to expend money and to incur obligations for health care providers required in the treatment and relief of the injuries alleged, in an amount to be determined at the time of trial.

142. As a further proximate result of the acts of the Defendants described herein, Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages, and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

143. The above-described conduct of the Defendants was willful and outrageous, was committed in reckless disregard of the probability of causing Plaintiff severe emotional distress, mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein, Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an award of exemplary or punitive damages.

WHEREFORE, Plaintiff prays judgment against Defendants, and each of them, as follows:

FOR ALL CAUSES OF ACTION

1. For past and future general damages in an amount to be determined at trial.

2. For past and future special damages in an amount to be determined at trial.

3. For past and future lost earnings in an amount to be determined at trial.
4. For punitive or exemplary damages in an amount appropriate to punish or set an example of Defendants.

5. For costs of suit.

6. For interest as allowed by law.

7. For such other and further relief as the court may deem proper.

DATE: December 12, 2001

Law Offices of FREBERG & ASSOCIATES

By: KATHERINE K. FREBERG
Attorneys for Plaintiff,

Redacted
December 21, 2001

Reverend John Lenihan
2/9 Southdown Institute
1335 St John’s Sideroad East
Aurora, Ontario L4G 3G8

Dear Father Lenihan,

Given recent allegations regarding Redacted and a lawsuit pending, I place you on Administrative Leave effective today.

During this Administrative Leave, your monthly salary and all other benefits will continue to be paid by Saint Edward the Confessor Parish.

This Administrative Leave will extend until further notice.

Be assured of my prayers for you during this difficult time. If at any time you need me, please do not hesitate to call me.

Fraternally yours in Christ,

Most Reverend Tod D. Brown
Bishop of Orange

TDB:td
March 28, 2002

His Holiness, John Paul II
Vatican City
Europe

Your Holiness:

Under the provisions of canon law, I humbly request a dispensation from the obligations connected with the priesthood, including priestly celibacy, and ask that I be returned to the lay state.

My name is John Peter Lenihan. I was born in County Kerry, Ireland on March 5, 1946. I was baptized into the Roman Catholic Church on March 6, 1946 at Ballymacelligott Parish, County Kerry Ireland.

I was committed to priesthood from a very early age and attended Salesian College, Pallaskenry, County Limerick, Ireland for high school at a boy's boarding school from 1958 at the age of twelve until 1963. I immediately entered All Hallows Seminary, Dublin, Ireland. I progressed through philosophy (no degree in those days) and theology and was ordained June 15, 1969 at the age of 23.

I immediately came to Los Angeles Archdiocese and was assigned as associate pastor at All Souls Church in Alhambra, California. I have been in parish work for all of my 33 years as a priest. I was removed as Pastor of St. Edward Parish, Dana Point, California on September 18, 2001 and spend four months in residential treatment at Southdown, Toronto, Canada.

I was totally celibate until 1978 when I became involved with a teenager and that was followed by a sexual relationship with another teen shortly afterward. Both have now come to light and resulted in lawsuits, one in 1991, the other in 2002. Subsequently I had a number of adult relationships. After counseling, spiritual direction and pressure from the diocese, media, and plaintiffs and in the hope of personal salvation and holiness I desire this dispensation.

It is with deep regret that I present this petition to you. When ordained, I had fully intended a life of faithful service to Christ and the Church as a priest. However, I am now convinced it is vital for my spiritual welfare and for the good of the Church to submit this petition. I do so after careful deliberation. I have left the active priestly ministry, but maintain a deep love for Christ and a desire to actively practice my faith. I do not believe the granting of a dispensation would create any new scandal. People are aware of my status and family and friends have been most supportive and understanding of my decision. Therefore, I humbly and prayerfully entrust this petition to you, asking for a favorable decision.

Sincerely yours in Christ,

John Peter Lenihan
P.O. Box 30012 #192
Laguna Niguel, CA 92677-6192
FOR IMMEDIATE RELEASE

Contact: Redacted Redacted
Director of Human Resources

DIOCESE OF ORANGE AND ARCHDIOCESE OF LOS ANGELES SETTLE THE LENIHAN CASE FOR $1.2 MILLION

This action settles the only sexual abuse litigation currently pending against the Diocese of Orange.

Orange, CA – APRIL 1, 2002 – Today, the Roman Catholic Diocese of Orange announced the settlement of a sexual abuse action brought by Redacted against Father John Lenihan, the Diocese of Orange and the Archdiocese of Los Angeles. This was the only pending sexual abuse litigation against the Diocese and a priest in Orange County. The Diocese of Orange and the Archdiocese of Los Angeles contributed to the settlement amount. A portion of the settlement funds will be contributed by insurance carriers, the balance from investment revenue. Contributions from the pastoral services appeal and other direct contributions were not used.

Father John Lenihan, a former pastor, was removed from public ministry last fall for other serious breaches of conduct, and shortly thereafter, Ms. Redacted filed her action. Lenihan was asked by Tod Brown, Bishop of the Roman Catholic Diocese of Orange to seek laicization, the canonical process to return a priest to the lay state, after which he lacks the ability to exercise Sacred Orders. Lenihan has agreed to leave the priesthood. It is anticipated that the Vatican will grant Lenihan’s petition for laicization.

According to Bishop Brown, “I am deeply sorry for the hurt caused by the actions of Father Lenihan, and extend my apology to Redacted and all victims of sexual abuse by clergy. I ask that the good people of the Diocese of Orange remember all victims of abuse in their prayers of renewed hope during this Easter Season. The very painful reality of the injury caused by attacks on the innocent and vulnerable by a few priests have profoundly affected all. The Church should be a safe place. We are taking every feasible step to make sure that clergy, religious and lay people who act in the name of the Catholic Church in
His Eminence,
Jorge Arturo Card. Medina Estévez
Congregation for Divine Worship and Discipline of the Sacraments
Palazzo delle Congregazioni
Piazza Pio XII, 10
00120 Vatican City State

Your Eminence:

I would like to take the opportunity to thank you sincerely for your careful and speedy help in processing the recent Petition for Dispensation from the Obligations of Ordination of John Peter Lenihan.

I also would like to officially notify your Congregation that the Rescript was communicated to and accepted by John Lenihan, as indicated by his signature on the Rescript, included with this letter. The Rescript was also communicated to the Ordinary of Domicile, Cardinal Mahony of Los Angeles in California.

This Petition involved a most difficult situation, and your gracious help and consideration in bringing it to a quick resolution is much appreciated.

I offer my prayerful thanks and best wishes to Your Eminence and all who work under your supervision in the Congregation.

Sincerely yours in Christ,

Most Rev. Tod D. Brown
Bishop of Orange in California

Date
Dear Father Cook:

Thank you for your kind letter of May 3, 2002, and enclosures.

Rest assured that the documentation for a Petition for Laicization for John Peter Lenihan will be duly forwarded to the Congregation for Divine Worship and the Discipline of the Sacraments as quickly as possible.

With cordial regards and best wishes, I am

Sincerely yours in Christ,

Archbishop Gabriel Montalvo
Apostolic Nuncio

Reverend Douglas Cook
Judicial Vicar, Instructor
Office of Canonical Services
Post Office Box 14195
Orange, CA 92863-1595
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE, CENTRAL JUSTICE CENTER

Case No. ____________

COMPLAINT FOR

1. BREACH OF FIDUCIARY DUTIES;

2. PROFESSIONAL NEGLIGENCE (Civil Code section 43.93 and Business & Professions Code 6146, subd. (c)(3))

3. GENERAL NEGLIGENCE;

4. SEXUAL HARASSMENT (Civil Code section 51.9)

5. VIOLATION OF STATUTE (Health & Safety Code sections 11150, 11153, 11154);

6. BATTERY;

7. CIVIL CONSPIRACY;

8. FRAUDULENT CONCEALMENT OF FACTS AND MISREPRESENTATION OF FACTS;

9. INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS;

10. NEGLIGENT SUPERVISION, RETENTION, HIRING;
(11) NEGLIGENT MISREPRESENTATION;
(12) NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

Plaintiff, Redacted, alleges:

THE PARTIES

1. Plaintiff, Redacted ("Plaintiff") is at all times hereinafter a resident of the County of Orange, State of California.

2. Plaintiff is informed and believes, and on that basis alleges, that Defendant THE ROMAN CATHOLIC BISHOP OF ORANGE (hereinafter the "Orange Diocese") is, and at all times mentioned herein was, a religious corporation sole organized under the laws of the State of California, having its principal office in the City of Orange, its jurisdiction and control extending to and in the City of Orange, the City of Laguna Niguel, and the City of Dana Point, County of Orange, State of California.

3. Plaintiff is informed and believes, and on that basis alleges, that Defendant THE ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES (hereinafter the "Los Angeles Diocese"), a corporation sole is, and at all times mentioned herein was, a religious corporation organized under the laws of the State of California, having its principal office in the City of Los Angeles, its jurisdiction and control extending to and in the City of Los Angeles, County of Los Angeles, State of California. Plaintiff is further informed and believes, and on that basis alleges, that the Los Angeles Diocese had certain jurisdiction and control over other dioceses in Southern
California, including the Orange Diocese. The Orange Diocese and Los Angeles Diocese are at all times hereinafter referred to as the "Dioceses."

4. Defendant Father John Lenihan ("Father Lenihan") was a Roman Catholic priest. Father Lenihan was an agent, employee, or servant of the Dioceses, and/or was under the jurisdiction and control of the Dioceses. Plaintiff is informed and believes, and on that basis alleges, that at some times, Father Lenihan was assigned as an associate pastor at St. Norbert Catholic Church ("St. Norbert") located in the City of Orange, County of Orange, State of California. Plaintiff is informed and believes, and on that basis alleges, that at some time later, Father Lenihan was assigned as a pastor at St. Boniface Church, located in the City of Anaheim, County of Orange, and as a pastor at St. Edward Roman Catholic Church ("St. Edward") located in the City of Dana Point, County of Orange, State of California.

5. Plaintiff is informed and believes, and on that basis alleges, that St. Norbert, St. Boniface, and St. Edward were owned by and under the jurisdiction and control of the Orange Diocese, which was in turn, within the jurisdiction and control of the Orange Diocese, which was in turn, within the jurisdiction and control of the Los Angeles Diocese as to certain matters.

6. Defendants Does 1 through 100, inclusive, are sued herein under fictitious names. Their true names and capacities, whether individual, corporate, associate, or otherwise, are unknown to Plaintiff. When their true names and capacities are ascertained, Plaintiff will amend this Complaint by inserting their true names and capacities herein. Plaintiff is informed and believes, and on that basis alleges, that each of the fictitiously named Defendants is responsible in some manner for the occurrences herein alleged, and that Plaintiff's damages are herein alleged were proximately caused by those Defendants. The Doe Defendants, the Defendant Dioceses, and Defendant Lenihan are some times hereinafter referred to as the "Defendants."
7. Plaintiff is informed and believes, and on that basis alleges, that at all times mentioned herein, Defendants, and each of them, were the agents, servants, employers, masters, servants, or co-conspirators of each of the remaining co-Defendants, and in doing the things hereinafter alleged were acting within the course and scope of such relationship and with the permission, approval, ratification, or consent of their co-Defendants.

FACTS PERTAINING TO ALL CAUSES OF ACTION

Father Lenihan’s Sexual Abuse Molestation and Illicit Conduct of Plaintiff

8. Plaintiff was raised in the Catholic faith and since her early childhood years and continuing through the current date, has actively practiced Catholicism and has regularly attended Church, and closely followed the Roman Catholic doctrines. Plaintiff acquired a deep respect and admiration for priests as Church leaders and counselors over the years, and since her early years of childhood and continuing through the current date, she frequently sought help from and looked to priests for spiritual guidance, emotional counseling, and support and strength in dealing with a history of emotional problems and psychological disabilities occurring over her life.

9. In or about January of 1999, the Plaintiff moved to Orange County and she and her son attended St. Edward Catholic Church, located in the City of Dana Point, County of Orange. Plaintiff, attended St. Edward Church on a frequent basis over the course of 1999, and she spent many hours in prayer and contemplation at the Church, in an effort to develop inner strength and support to deal with her long history of depression and other psychological and emotional difficulties. The frequency and duration of Plaintiff’s visits to the Church increased in the later part of 1999, as the Plaintiff felt her life was spinning out of control and she was unable to deal with her depression, emotions, anxiety and guilt.
10. On or about a particular day in January, 2000, the Plaintiff attended Mass at St. Edward Church, and following mass, remained several hours in the Church obsessing over her past life difficulties and seeking direction through prayer and contemplation as to how to deal with current problems arising from her battle against alcoholism, physical dependence, and facing family and relationship difficulties. At that time, Plaintiff was experiencing extreme emotional distress and depression relating to her past history being raised in a dysfunctional family; entering a disastrous marriage, which resulted in physical abuse, and life-threatening situations and the eventual suicide of her husband; the subsequent raising of a handicapped son; physical incapacities and limitations from a life-threatening disease; and extensive history of alcohol abuse and treatment, which continually failed when the Plaintiff was presented with stressful situations and emotional difficulties.

11. Plaintiff, as a result of her long history of emotional difficulties and scarring and as a result then current concerns regarding a destructive relationship and concerns about remaining sober, she presented herself to Father Lenihan as being an emotionally fragile, vulnerable, depressed and co-dependent person. On that particular day in January, 2000, Plaintiff was inside the Church and was approached by Father Lenihan who inquired whether he could be of any assistance to her. Plaintiff told Father Lenihan she was having difficulty coping with emotional problems and Father Lenihan told the Plaintiff that he could assist her and suggested that they return to his office to further discuss her problems. Plaintiff and Father Lenihan proceeded to his office and there they spoke for 45 minutes to one hour, during which time Plaintiff confided in Father Lenihan confidential details of her past dysfunctional family, life relationships, physical illnesses, alcohol and other emotional concerns and difficulties she had been experiencing over the course of her life. Plaintiff explained to Father Lenihan that she had been seeing therapists for alcohol-related problems, that now she was involved in a problematic relationship which was causing her extreme anxiety, distress, and other difficulties, and she had concerns about returning to her alcohol abuse, if she was unable to come to terms with her emotions and resolve her
underlying difficulties. Plaintiff also related to Father Lenihan that she was unable to personally
deal with her emotional difficulties and upset and that she would need counseling assistance in
dealing with these difficulties. Father Lenihan specifically advised the Plaintiff that he was
qualified and capable in assisting her in dealing with her emotional difficulties and as a priest in the
Catholic Church and counselor, he had helped counsel other parishioners overcome their personal
problems and resulting emotional difficulties, and he assured her that he could help her overcome
her emotional problems and difficulties by counseling her.

12. Plaintiff truly believed that she could place her trust, faith and confidence in Father
Lenihan as a Catholic priest and counselor, because of her long history and deep respect for the
Catholic Church and the priest's role as a leader of the Church and that the Catholic Church's and
Dioceses' function in allowing a priest in his capacity to counsel parishioners on family and other
psychologically-related problems. Plaintiff, in the past, sought counseling and assistance in
overcoming emotional difficulties and other related family problems, from Catholic priests in other
parishes and had in the past received the counseling needed. Plaintiff agreed to place her trust and
confidences in Father Lenihan as a result of his assurances that he was qualified and capable of
helping her overcome her difficulties as he had helped others in the past. Plaintiff, in reliance
upon these representations and at the express invitation of Father Lenihan, consented to allow
Father Lenihan to counsel and treat her for her emotional difficulties, and thereon began a
two-year therapeutic relationship in which Plaintiff began expressing confidences and secrets of
her life and innermost feelings to Father Lenihan.

13. At Father Lenihan's suggestion, Plaintiff began meeting Father Lenihan for
counseling sessions on the average 3-4 times per week and he began telephoning her at her house
2-3 times a week over the next month. Father Lenihan also requested that the Plaintiff begin
attending Father Lenihan's masses at St. Edward and Father Lenihan often called Plaintiff
reminding her of the times his masses were to be conducted. Frequently, after the masses, Father
Lenihan would engage Plaintiff in further discussions regarding her emotional difficulties and problems. During these sessions, Plaintiff began feeling more comfortable and expressing more and more details of her tragic emotional history and Father Lenihan became more aware of her vulnerabilities and her co-dependent personality.

14. During the time that Father Lenihan was counseling Plaintiff, he became aware that she was involved in a relationship in which he diagnosed as being “destructive” and he undertook a course of persuading and encouraging the Plaintiff to dissolve the relationship, which Father Lenihan, justified as being “necessary for her emotional stability and well being.” Plaintiff resisted Father Lenihan’s persuasive advice, expressing on numerous occasions that due to her co-dependence on alcohol and people and anorexic problems, she would be unable to deal with her feelings of loss, stress and guilt involved in the break-up of her relationship, and that she feared the loss of her sobriety and physical well-being arising from the termination of the relationship. In response, Father Lenihan repeatedly assured the Plaintiff that it would be in her “best interest” to dissolve her relationship and that he would “always be available” to protect her and keep her alcohol free and emotionally and physically sound. Thereafter, Plaintiff, pursuant to Father Lenihan’s repeated demands that her “relationship be dissolved by Easter,” succumbed to his persuasion and ended the relationship as directed.

15. In or about the Spring of 2000, Father Lenihan upon learning that the Plaintiff followed his advice and ended her relationship, Father Lenihan initiated daily counseling sessions and/or telephone communications, and within a few weeks advised the Plaintiff that certain Church officials were “talking” about the frequency of their consultation, and Father Lenihan suggested that further meetings be conducted outside of the Church. At Father Lenihan’s suggestion, they began counseling sessions at the local library and Plaintiff’s house and Father Lenihan continued to have Plaintiff attend Father Lenihan’s masses at St. Edward Catholic Church. During this time, Father Lenihan continued to encourage the Plaintiff to disclose her
innermost secrets to him, and Father Lenihan was becoming more aware of her vulnerabilities and weaknesses and allowed her to build a co-dependency on him. Thereafter, and continuing for the next 18 months, Father Lenihan began expressing feelings of love and affection for her and began further encouraging her to express similar feelings of love and affection and he caused her to build a dependency on him.

16. Thereafter, commencing about June, 2000, and continuing through March, 2002, Father Lenihan, through misrepresentations, deception and exploitation and breaches of Plaintiff's confidence and trust, allowed and encouraged the Plaintiff to transfer her love and affection towards him and unfairly taking advantage of Plaintiff, and Father Lenihan began to molest and sexually, physically, and mentally abuse Plaintiff. These molestations and abuses by Father Lenihan included, but was not limited to, sexual intercourse, grooving and fondling of Plaintiff's breasts, grooping and fondling of Plaintiff's genitals, oral copulation, oral copulation on Father Lenihan, penetration of Plaintiff's genitals and anus, with Father Lenihan's fingers and tongue, masturbation, explicit sexual conversation and other lewd and lascivious acts. Furthermore, Father Lenihan, during the course of their counseling relationship, began and continued to use words of encouragement and praise to build her confidence, lavish her with gifts, dinners and trips, and inundate her with flowers, letters and cards, all in an effort to encourage her to be co-dependent on him. Father Lenihan, as he gained more control over Plaintiff's emotions, and conduct, commencing on about August, 2000, and continuing until March, 2002, began demanding that Plaintiff be available daily from 10:00 p.m. until 11:00 p.m., whereupon on a daily basis, Father Lenihan would telephone the Plaintiff from the Rectory and engage in explicit, sexual, pornographic conversations, where he would describe various sexual conduct of his own liking and command the Plaintiff masturbate and engage in other lewd acts while his pornographic conversation continued over the telephone. On numerous other occasions, when Plaintiff was not at home, knowing that Plaintiff lived with a minor child, and in total disregard of a 10 year old
child, Father Lenihan would leave detailed sexual conversation messages on Plaintiff's telephone answering machine, whereby he would leave in detail messages of his sexual fantasies, desires and proclivities.

17. As a approximate result of the acts of Father Lenihan described herein, Plaintiff began developing a strong bond with Father Lenihan and developed a co-dependency on him, and Plaintiff began experiencing serious bouts of guilt, insecurity, depression and nervousness as a result of her inability to handle the relationship and her other emotional difficulties and shortly after the counseling/sexual relationship and began in about June, 2000, began drinking heavily to help deal with her problems. Plaintiff became even more emotionally distraught when Father Lenihan began commanding that Plaintiff only confess her sins to him as required by the Catholic tradition. Plaintiff began questioning her own belief and whether or not she was receiving “true absolution” as a result of confessions to Father Lenihan. These religious concerns further aggravated her anxiety, guilt, nervousness and depression, which over the course of their relationship, led Plaintiff to seek help from at least six (6) Roman Catholic priests, affiliated with the Dioceses. Plaintiff disclosed to these 6 priests, her counseling and sexual relationship with Father Lenihan and the concerns and difficulties she was experiencing and none of the priests embarked on a course of action to stop Father Lenihan from his abusive sexual exploitation of Plaintiff, or to offer support to the Plaintiff.

18. Plaintiff is informed and believes that on or about late September, 2001, the Dioceses temporarily removed Father Lenihan from his position as pastor of St. Edward Church in Dana Point and sent him to South Down in Toronto, Canada for “rehabilitation.” Plaintiff is informed and believes, and thereon alleges, that the Dioceses temporarily removed Father Lenihan from his position in September, 2001, and sent him for rehabilitation because Father Lenihan’s disclosure to the press that he had sexual affairs with four adult women.
19. On or about mid-late September, 2001, Father Lenihan expressly stated to the Plaintiff that he was being sent to South Down for rehabilitation as a result of the Dioceses learning that he had admitted to having sexual relationships with adult women and minor children in the past. Plaintiff, by that time, had built a strong co-dependency on Father Lenihan and expressed concerns about her emotional stability and well being, while Father Lenihan was away. Father Lenihan indicated that he was concerned that his problem with the Dioceses would be enhanced and that his position as a priest jeopardized, if the Dioceses were to learn of the explicit details of their illicit counseling/sexual relationship with Plaintiff, and as a result, Father Lenihan, not skilled or licensed as a physician in California or any state or country, illegally obtained a month’s supply of prescription drugs, including Prozac, Valium, and Xanax and directed and instructed the Plaintiff to take this medication while he was away. Thereafter, Plaintiff began consuming the drugs, as directed, and when the supply was consumed, approximately one month later, Father Lenihan instructed her to telephone a licensed physician/friend of his to request another prescription for Prozac, Valium and Xanax. Plaintiff was becoming dependent on these drugs, and at Father Lenihan’s request she contact the physician/friend, as instructed, and received another month supply. After the second month of medication was consumed, Father Lenihan again instructed Plaintiff to again contact his physician/friend for further refills; however, the physician expressed concerns that the Plaintiff may be becoming addicted and refused to fill that prescription. As a proximate result, Plaintiff built a co-dependency on the drugs and then Plaintiff began consuming large quantities of alcohol as a substitute in an effort to deal with her emotional problems.

20. Plaintiff is informed and believes, and on that basis alleges that the Dioceses and in particular, Bishop Tod Brown and Monsignor John Urell, and other high officials in the Dioceses, had actual and constructive knowledge of the illicit conduct occurring between Plaintiff and Father Lenihan and failed to stop such conduct. Plaintiff further alleges that on or about May,
2001, a neighbor of Plaintiff notified a high official in the Dioceses of the conduct occurring between Father Lenihan and the Plaintiff, and according to Father Lenihan, he was summoned before Bishop Brown to discuss this situation. Furthermore, Plaintiff is informed and believes, that on or about August, 21, 2001, a neighbor of the Plaintiff forwarded a letter directly to Father

Redacted also addressed to Monsignor Urell further advising the Dioceses of the conduct occurring between the Plaintiff and Father Lenihan. A true and correct copy of the letter is attached hereto as Exhibit “A” and is incorporated herein by reference.

**Father Lenihan Held Himself Out to the Public Professional Community, California Courts, Dioceses and Explicitly to the Plaintiff as Being in the Practice And of Being Able to Practice Psychology and Family Counseling**

21. Plaintiff is informed and believes, and on that basis alleges, that Father Lenihan’s and the Dioceses’ overt conduct and explicit representations made to various members of the parish, public, professional community, courts, judges, and Plaintiff, is sufficient establish that Father Lenihan was actively engaged in psychological, marital, family and child counseling. Plaintiff in consideration of the counseling services Plaintiff received by Father Lenihan, gave donations to the Church. Plaintiff is further informed and believes, and thereon alleges, that the representation and overt conduct by the Dioceses and Father Lenihan was sufficient to establish that Father Lenihan was counseling Plaintiff herein and holding himself out as being qualified and able to perform psychological, marital and family counseling and that he was experienced and capable of performing said services as set forth in *Business & Professions Code* sections 2901(c), 4980.10. Specifically, Plaintiff is informed and believes, and on that basis, alleges, that Father Lenihan held himself out as engaging in the practice and held himself out as being able to practice psychology, marital and family counseling by performing the following conduct/actions and making the following assertions, statements and representations:

**A.** Plaintiff is informed and believes, and on that basis alleges, that the Dioceses specifically allowed and authorized, Father Lenihan, as a duly ordained priest and pastor
at St. Edward Church, to meet with and discuss personal problems, and counsel parishioners and any other member of the public who had difficulties dealing with personal emotional problems involving marital/family relationships, psychological and other problems, and other difficulties presented by life. Plaintiff is unaware of, and specifically alleges that there were no policies, directives or guidelines obligated to be followed and set forth by the Dioceses, forbidding Catholic priests, and particularly Father Lenihan, from counseling and offering guidance and counseling to parishioners and other members of the public who needed help in dealing with emotional, psychological and family difficulties. Plaintiff is further informed and believes that the Dioceses did not have in effect at the time of the Plaintiff's counseling relationship with Father Lenihan, any policies, directives or guidelines directing priests, and specifically, Father Lenihan, to refer any parishioners and other persons counseled with serious emotional and psychological difficulties and concerns, to other professional practitioners, psychologists, psychotherapists, psychiatrists, or other healing practitioners for assistance.

B. Father Lenihan approached the Plaintiff and upon learning that she was unable to personally deal with or otherwise resolve or cope with her emotions and depression and needed assistance to cope with her personal problems, Father Lenihan expressly offered to personally counsel her and assist her in dealing with her psychological difficulties and depression.

C. Father Lenihan from the initial counseling session with the Plaintiff, on or about January, 2000, and continuing on numerous occasions thereafter until about March, 2002, continually and frequently represented to the Plaintiff that he was capable and could help her in dealing with her psychological and emotional difficulties as he had helped other females with similar problems. Father Lenihan continually assured Plaintiff that she could trust him, and over the course of their counseling relationship, continually encouraged her to confide further in him with the continual promise of always providing her with the needed support, guidance and continued counseling to ensure her well being.
D. Plaintiff truly believed that Father Lenihan was authorized and capable to counsel her and that she believed that he would act in her best interest in helping her with her emotional and other psychological problems, because in the past she had sought help from priests and received assistance in dealing with her emotional problems and because Father Lenihan repeatedly assured her that he would help her overcome her emotional difficulties. Furthermore, Plaintiff, on many various occasions in the past, had sought treatment with a variety counselors, including psychologists dealing with general emotional problems and addictive disorders, and through Plaintiff’s experiences, learned that the customary methodology used by counselors was to encourage her to express her feelings and confidences so that she could be properly treated. Similarly, Father Lenihan used the same methodology by encouraging her to express her innermost feelings and confidences, which led her to believe that she was being properly diagnosed, treated and counseled for her difficulties.

E. On or about July, 2000, Father Lenihan, during a counseling session with Plaintiff expressed concerns about her alcohol abuse and the physical effect it had on her. He advised her to seek an examination from a physician and instructed her to request the physician to prescribe the drug Dilantin to assist her. Pursuant to his request, Plaintiff contacted a physician who was recommended by Father Lenihan and she requested and secured the drug requested. Plaintiff in the past had been treated by psychologists that had recommended that she seek consultation with licensed physicians to obtain various drugs as part of her therapeutic treatment and as such, this led Plaintiff to further believe and trust that Father Lenihan was qualified and offering legitimate counseling and therapeutic advise for her emotional difficulties.

F. On or about September 19, 2000, approximately four (4) months after Father Lenihan transgressed the boundaries by exploiting the Plaintiff, in response to feelings of guilt, depression, anxiety, and other emotional difficulties, Plaintiff began consuming large amounts of alcohol and was arrested for driving under the influence of alcohol. Plaintiff plead
guilty, and sentencing hearing was set on or about February, 2001. Father Lenihan held himself out to the Orange County Superior Court Judge as being a qualified counselor and publicly represented to the Court and the Judge that he was providing counseling to the Plaintiff for her emotional difficulties. A true and correct copy of the initial letter to the Court dated January 29, 2001, is attached hereto as Exhibit “B,” and is incorporated by reference. In this letter, Father Lenihan stated to the Judge the following pertinent representations:

"I have known Redacted Jr. approximately one year, shortly after she moved to this area. She came to me as the pastor of St. Edward Church, Dana Point, located close to her apartment, for counseling. She was in a difficult and dubious relationship which subsequently ended causing her great grief.

. Redacted has had a very difficult life. She grew up in a very dysfunctional family. She was subject to physical and mental cruelty, particularly by an estranged father who terrified her (sic) and an older brother who belittled her. Her self worth was found through her athletic ability, as she excelled in baseball often in Division one of the university level. Following school, her life entered another traumatic phase, with a disastrous marriage and the birth of a handicapped son. Her husband was physically abusive, threatened her life and her son, and eventually committed suicide leaving a letter and legacy that has affected Redacted this day. In light of all this, Redacted has been an extraordinary survivor, yet understandably remains wounded. In the course of helping her, I have directed her towards professional alcohol counseling and urged her to battle her propensity to anorexia. I learned of a particular difficult aspect of her drinking that if she suddenly stopped drinking completely, she was liable to seizures.

COMPLAINT

14
... she is a daily Churchgoer, usually with her son, who enjoys the experience, and I see her three times a week. She has also been dealing with severe underweight bordering on anorexia, but with constant encouragement and counseling, she has put on 10 pounds.

I see no value in her incarceration and it would be detrimental to her ongoing progress.

... Her psyche is still fragile and could be destroyed by incarceration. She needs affirmative, encouragement and a plan. I recommend a strong out patient program. Components would include elements already in place: (1) counseling with Dr. Redacted a certified counselor she is already seeing, or (2) counseling with Redacted, a certified addictive and eating disorder counselor from Pacific Hills Treatment Center three times a week (3) support from St. Edward Church, and specifically from me, as pastor, (4) active interest contact with two support groups, W.F.S. . . . and an eating support group . . . ."

G. As part of the sentencing in connection with the DUI, the court scheduled periodic reviews to ensure that the Plaintiff was complying with the court order. On or about July 7, 2001, Father Lenihan directed a letter to Judge Lindley of the Orange County Superior Court, holding himself out as her counselor, and providing the Court with a status of the Plaintiff's condition. A true and correct copy of the letter dated July 7, 2001, from Father Lenihan is attached hereto and marked Exhibit "C" and incorporated herein by this reference. In this letter, Father Lenihan makes the following representations:

"... I have been counseling Redacted for about a year, dealing with various issues, and in particular with her alcohol problem. While lacking particular expertise in that
area, I have been trying to help her control the disease through spiritual strength
and practical support. In recent months, she has been seeing me three times a week
and she has a number of other counseling and support systems, including a
psychologist who specializes in alcohol counseling.

I am happy to report that has now been sober for almost ten months, ever since
the incident resulting in her D.U.I. She is in very frail health, battling anorexia and
a number of other issues and I want to petition your leniency to avoid the use of
‘Antabuse.’ I believe she has already accomplished the objective involved and I
offer my personal help, if appropriate. . . .”

H. On or about October, 2001, Plaintiff was involved in an automobile
infraction, and at that time, was operating the vehicle without the needed driver’s license and was
issued a citation for that offense. In anticipation of a hearing on that charge scheduled for on or
about October 17, 2001, Father Lenihan directed a letter to the Court on Plaintiff’s behalf and
again represented to the court and held himself out as Plaintiff’s counselor. A true and correct
copy of the letter to the Court is attached hereto as Exhibit “D,” and incorporated by this
reference. Specifically, regarding Father Lenihan’s counseling of the Plaintiff, he stated in that
letter as follows:

“I have been counseling for approximately 16 years (sic). The (sic) time she has been a member of the Church and sought help. was waging a heroine battle against alcohol. When I first met her, she
was still drinking and was in a destructive relationship, but she has turned all that
around. She has served her time for a D.U.I. even though it involved extraordinary
extra hardship because of her developmentally-disabled boy . . . She has been sober
completely for one year and two months in spite of great negative inducements.
She recently had a cancer operation, suffered from an eating disorder that has her dangerously underweight and has very few supports.

In spite of enormous pressure, Redacted has been the heroine, remained sober and she is being counseled regularly by a psychologist with special alcohol qualifications and receives additional counseling.

May I respectfully plead for special consideration and leniency from the court, and know that your trust in her will not be misplaced. Any punitive measures at this time would be catastrophic to her and her child, and I pray that you understand and concur. . .”

I. On or about October 11, 2001, Father Lenihan was unable to personally appear at court in connection with Plaintiff’s driving without a license sentencing and he prepared another letter directly to the Court, in which he held himself out as having been counseling the Plaintiff and requested the court for special consideration in connection with her driver’s suspension. A true and correct copy of that letter dated October 11, 2001, directed to the court is attached hereto as Exhibit “E,” and incorporated herein by this reference. Specifically, in that letter, Father Lenihan advised the Court as follows:

“This is to certify that Redacted continues to show excellent progress in her battle against alcoholism. She marked a year of sobriety on September 19th and continues to remain sober in difficult circumstances.

Her prohibition from driving makes it difficult to care for herself and her son, Redacted and inhibits her ability to access helpful situations, such as Church, meetings and medical. Personally, I am unable to continue to counsel and be available because of
changed circumstances, and I am trying to be a listening and encouraging voice from a distance.

I believe she should be congratulated and encouraged for tremendous personal growth under trying circumstances, and invite your special consideration of her driving permission.

J. Plaintiff is informed and believes that on numerous occasions, Father Lenihan held himself out as a qualified psychologist, and/or family counselor to other professional and licensed California psychologists in connection with his counseling relationship with the Plaintiff. Specifically, shortly after Plaintiff’s arrest for driving under the influence of alcohol on or about September 19, 2000, she was instructed to seek special counseling for her alcohol problem from a certified alcohol counselor. Plaintiff is informed and believes that on several occasions, Father Lenihan personally met with and had communication with the certified alcohol counselor in an effort to coordinate treatment efforts being undertaken with the Plaintiff. Plaintiff is further informed and believes that Father Lenihan advised Plaintiff’s alcohol counselor and led him to believe that he was qualified and capable of offering counseling services to the Plaintiff and that he indeed was counseling Plaintiff for various emotional and psychological issues.

K. On or about November, 1998, prior to the Plaintiff coming under the control of and dependency on Father Lenihan, Plaintiff sought treatment for her alcohol problem at Pacific Hills Treatment Center, Inc. in the City of San Clemente, County of Orange. There she came under the care of a pastor, a California licensed alcohol and addiction counselor, who from 1998 and through the present time, continues to offer continuing counseling and support with the Plaintiff, and was particularly focused on her alcohol problems and her efforts to keep her sober. Father Lenihan, had several communications, with Plaintiff’s counselor, and based on information provided by Father Lenihan and the Plaintiff, Plaintiff’s counselor was led to believe that Father
Lenihan was actively engaging in counseling of the Plaintiff for her emotional difficulties. Further evidence of that belief, Plaintiff's other counselor also offered letters dated 10/15/01 and 11/21/01 to the court concerning the driving without a license charge, and specifically referenced therein that he, together with Father Lenihan, were counseling the Plaintiff. A true and correct copy of the letter dated 10/15/01 is attached hereto as Exhibit "F," and incorporated herein by this reference. A true and correct copy of the letter dated 11/21/01 is attached hereto as Exhibit "G," and incorporated herein by this reference.

L. On or about August, 2001, the Plaintiff's neighbor had observed Father Lenihan coming in and out of Plaintiff's house on numerous occasions and "holding hands and kissing her" and confronted Father Lenihan with his observations. Father Lenihan admitted that he was constantly there because she was an alcoholic and he was counseling her. A true and correct copy of that letter confirming that conversation with the Plaintiff's neighbor, is attached hereto as Exhibit "H," and incorporated herein by this reference.

M. On or about September, 2001, Father Lenihan represented to the Plaintiff that he was being sent South Down for treatment as a result of the Dioceses discovering that he admitted to a newspaper reporter that he had had sex with adult women while he was serving as a Catholic priest. Father Lenihan was concerned that the Dioceses might learn of the sexual intimacy with the Plaintiff and he expressed concern that the Plaintiff might be unable to deal with his absence and she would likely disclose to the public and the Dioceses the sexual intimacies and abuses which occurred during their counseling relationship. Father Lenihan, illegally and in violation of Health & Safety Code sections 11150, 11153, 11154 obtained and secured a prescription from a physician/friend in the name of the Plaintiff and gave the prescription to the pharmacy and obtained Prozac, Valium, and Xanax. Plaintiff was surprised and was directed and instructed by Father Lenihan to start taking the drug when he left to South Down. The drug prescription obtained by Father Lenihan was obtained without examination by the physician/friend...
of Father Lenihan. Plaintiff is informed and believes that the fraudulent procurement of a
prescription and prescribing and directing the Plaintiff to take drugs of Prozac, Xanax and Valium
without a prescription is a violation of numerous Codes, including the following: Business &
Professions Code section 4071; Health & Safety Code sections 11150, 11153, 11154 and 11210.

N. Plaintiff is informed and believes, that and on that basis alleges, that Father
Lenihan personally advised members of the Dioceses that he was counseling the Plaintiff for
various emotional and psychological issues and that she was in need of continued counseling. On
or about May, 2001, Father Lenihan contacted the Plaintiff and specifically advised her that one of
Plaintiff's neighbors had reported to the Dioceses that for an extended period of time that they
had been observing Father Lenihan at Plaintiff's house at various times of the day and they were
outraged by this conduct, which was perceived as sexual in nature. Father Lenihan informed the
Plaintiff that he was to appear before Bishop Brown of the Orange County Diocese to address the
complaints being made by Plaintiff's neighbors and Plaintiff was informed by Father Lenihan that
he would indeed meet with Bishop Brown on or about May, 2001. After the meeting, Father
Lenihan stated to the Plaintiff that during the course of the conversation with Bishop Brown, he
specifically informed the Bishop that he had been counseling the Plaintiff for various psychological
issues for a period of time, and he would need to continue to do so. Father Lenihan continued to
counsel and treat the Plaintiff following the meeting with Bishop Brown, and Plaintiff is informed
and believes that no action was taken to specifically to stop the counseling sessions.

The Dioceses’ Actual and Constructed Knowledge of
Father Lenihan’s Counseling Relationship with the Plaintiff
And Father Lenihan Overstepping the Boundaries and Taking
Advantage of a Vulnerable and Co-Dependent Plaintiff and
Engaging In Exploitative Sexual Relations With Plaintiff

22. During the time period in which Father Lenihan commenced counseling the Plaintiff
and began grooming her as a victim, commencing on or about January, 2000, and continuing
through March, 2002, Plaintiff was an emotionally vulnerable and co-dependent and fragile
person and was under the care and control of Father Lenihan and that the Dioceses had prior and actual knowledge of Father Lenihan's propensities and qualities of sexual deviance and abuse towards vulnerable minor and adult females and allowed Father Lenihan to meet with and counsel the Plaintiff and others suffering from psychological and emotional disabilities, and owed to Plaintiff, as a potential victim, a duty to control and stop Father Lenihan from using undue influence and taking undue advantage of vulnerable females. Plaintiff is informed and believes, and on that basis alleges, that actual notice was given to the Dioceses that Father Lenihan was sexually abusing and transgressing the boundary of counselors and clergy policy by sexually exploiting her for his own sexual gratification. Specifically, Plaintiff is informed and believes, and on that basis, alleges that the Dioceses had knowledge of the illicit counseling/sexual relationship with Plaintiff almost from the inception and refused and continued to refuse to stop such abusive conduct.

23. Plaintiff is informed and provided actual notice to the Dioceses that Father Lenihan was counseling her for various psychological and emotional difficulties and was sexually abusing her. Specifically, in or around July, 2000, Plaintiff was experiencing periods of anger, guilt, nervousness, in addition to suffering from depression, and, in particular, was tormented by the fact that Father Lenihan had overstepped the boundaries of what began as counseling sessions for emotional and psychological difficulties into sexual exploitation and harassment. At that time, Plaintiff met with a Catholic priest at St. Edward Church and in that meeting disclosed her counseling/sexual relationship, her feelings and the intimacies that she had had with Father Lenihan and expressed concern that she may be "falling in love" with Father Lenihan. The priest told her that she should "pray" to obtain strength and it was "her duty to avoid their relationship and not to dress so provocative." Plaintiff is informed and believes and on that basis alleges that the priest consulted failed to act on the information that the Plaintiff had disclosed to him nor to attempt to stop Father Lenihan from further exploitation of the Plaintiff.
24. On or about September, 2000, Plaintiff’s anxiety and emotional instability had increased significantly as a result of her sexual exploitation and after obtaining no help from the priest she confided in July, 2000, she went to the San Juan Mission Church, where she arranged for a conference with a priest in that parish. During the conference, Plaintiff again disclosed her counseling/sexual relationship with Father Lenihan and her emotional reaction and difficulties arising therefrom. In response, the priest became angry at her and he commanded that she “stay away from him” and he abruptly cut the meeting short and instructed the Plaintiff to leave. Plaintiff is informed and believes and on that basis alleges that the priest consulted failed to act on the information that the Plaintiff had disclosed to him regarding Father Lenihan’s sexual exploitations nor to attempt to stop Father Lenihan from further sexual exploitation of Plaintiff.

25. On or about August or September, 2000, Father Lenihan began exerting more control over the Plaintiff as she increased her co-dependence on him and as the amount of control increased, Father Lenihan began demanding that the Plaintiff engage in further exploitative and demanding conduct, including being available, from 10:00 to 11:00 p.m., to accept his calls involving explicit sexual conversation and direction by him, and compelling her to engage in masturbation and other lewd acts while he inundated her with demeaning and sexual explicit fantasies. Father Lenihan also began demanding that she seek “confessional absolution” directly from him and during the confessional, he would engage in kissing, hand holding, and fondling. This conduct, caused Plaintiff additional feelings of anxiety, guilt, since she had formed a strong co-dependency on Father Lenihan and needed the continued support and treatment, yet this conduct was in opposition to her sense of morality, common decency and religious conviction. On August and September 2000, she sought help from a priest at St. Timothy Church, within the control of the Dioceses, hoping to gain answers and help from a priest not close to Father Lenihan. Over the course of the next 12-14 months, she met with this same priest on five (5) occasions and at times he attempted to offer emotional support. The continued advice from this priest was for her to seek help by “prayer” and “leave it in God’s hands.” Plaintiff is informed and
believes, and on that basis alleges, that the St. Timothy Church priest, to whom Plaintiff disclosed a sexual exploitation occurring by Father Lenihan failed to act on that information.

26. On or about May, 2001, Plaintiff is informed and believes, and on that basis alleges, that a neighbor of the Plaintiff, who was a devout Catholic and active parishioner in St. Edward Catholic Church, telephoned the D.R.E. in the Dioceses and specifically advised her that he had observed Father Lenihan on numerous occasions with Plaintiff for 2-3 hours and on many occasions, he had personally observed Father Lenihan holding hands with Plaintiff and kissing her in his neighborhood. Plaintiff is informed and believes the D.R.E. response to the neighbor was “that’s the way he is and the Dioceses has known it for years.” Thereafter, on or about August 21, 2001, the same neighbor sent an email letter addressed to Father Redac and also addressed to Msgr. John Ureal advising them about Father Lenihan’s illicit conduct with Plaintiff. A true and correct copy of the letter is attached hereto as Exhibit “A” and incorporated herein by this reference. Specifically, the letter stated and notified the Dioceses in the following pertinent part:

“... it comes as a shock to me... I encountered Father John... visiting my mother’s next door neighbor, a single woman. The visits are at least three times weekly, on Monday, Wednesday and Friday.

They begin at approximately 1:00 P.M. and last 2-3 hours. On some occasions, his car is there after 10:00 p.m. On other occasions, he picks her up and is gone for hours. On more than one occasion, Father John has been observed on the trail next to her house holding the hands and kissing this individual. I have personally witnessed this behavior... we have known about this going on since mid-March...
Early in May I brought this matter up to the D.R.E. in the Dioceses. She said to me, 'Aaron, that's the way he is, and the Dioceses has known it for years.' I then decided to consult him personally as to why he is leaving a woman's house. I told him that there are neighbors who have seen him on the trails and when he was coming to the person's house three times a week. He told me he was there counseling because she was an alcoholic. When I said Father John, they have seen you on the trails with her, he said 'I'd better be more careful.'...

If you are interested in the indiscretions taking place at . . . with a woman named

Redacted ."

27. On or about May, 2001, Plaintiff is informed and believes, and thereon alleges, that the Dioceses received actual notice of the misconduct occurring from Father Lenihan. Father Lenihan informed the Plaintiff that he had received notice that Bishop Brown wished to see him in connection with a report that was received by a neighbor complaining about the Father Lenihan having sexual indiscretions with the Plaintiff and during his counseling relationship. Father Lenihan advised the Plaintiff that he was afraid of the upcoming meeting and following the meeting with Bishop Brown, Father Lenihan told the Plaintiff that he initially denied any allegations concerning sexual promiscuity with the Plaintiff, but then Father Lenihan admitted to having counseled Plaintiff for her emotional difficulties and that he held Plaintiff's "hand and kissed her on occasions." Father Lenihan told the Plaintiff that Bishop Brown initially told him that he should not continue to see the Plaintiff, and then Father Lenihan advised Bishop Brown that he would continue to counsel the Plaintiff and she was in need of his counseling. Plaintiff is informed and believes that Father Lenihan was not prohibited from seeing the Plaintiff after that meeting.
28. On or about July, 2001, Plaintiff was becoming extremely more dependent and mentally and emotionally disturbed as a result of all of the events that were transpiring and out of desperation, she contacted another Catholic priest at another parish in Orange County and within the jurisdiction of the Dioceses (St. Timothy Church) and disclosed her emotional dependency on Father John and the sexual/counseling relationship that had evolved. The priest after listening to her, stated that “Father Lenihan should have known better” and he requested that she pray for strength to deal with the situation, and stated that “I’ll pray for you.” Plaintiff is informed and believes that the priest to whom Plaintiff told this information failed to take any action to stop the conduct from continuing.

29. On or about late September, 2001, Plaintiff is informed and believes and thereon alleges that the Dioceses decided to send Father Lenihan to South Down facility for treatment. Father Lenihan advised the Plaintiff that the Dioceses decision to send him to South Down was as a result to him admitting in a newspaper to having sex with four adult women. Father Lenihan expressed to Plaintiff that he was concerned about the Plaintiff’s mental condition while he was gone, and in addition to securing illegal drugs of Prozac, Xanax and Valium, Father Lenihan stated to Plaintiff that if she needed someone to talk to, she could contact a priest that was then and is now affiliated with St. Edward Church, who will assist her in dealing with her emotional problems. Shortly after Father Lenihan for South Down, Plaintiff felt the need to speak with someone about her problems, and as instructed by Father Lenihan, Plaintiff contacted the designated priest at St. Edward Catholic Church. Plaintiff was extremely distraught and depressed and in her meeting with that priest, explained how Father Lenihan started counseling her and used her confidences and inner secrets to cause her to build a co-dependency on him, and she felt abandoned and abused now that Father Lenihan was transferred to South Down. Plaintiff related to the priest that over the ensuing 1-1/2 years, Father Lenihan inundated her with gifts, flowers, love letters, and cards, and frequently took her to dinner and various motels throughout Orange and San Diego Counties as he continued to counsel her. She showed the priest various
Photographs of her and Father Lenihan and told him of nude photographs in which Father Lenihan and she had taken of each other, and Plaintiff also played for him portions of numerous messages containing explicit pornographic, sexual conversations left on her message machine by Father Lenihan. Plaintiff also told the priest that Father Lenihan continued to call her from South Down and sends flowers and cards. The priest was surprised and shocked by the information and in particular, after hearing some of the telephone messages, and observing the photographs, that priest assured Plaintiff that he would help her overcome her difficulties. He suggested that she find a spiritual director and another counselor. The Plaintiff is informed and believes that the Catholic priest to whom she disclosed this information failed to take any further action.

30. By January, 2002, Plaintiff felt abandoned and abused and had built up a dependency and addiction to the narcotic prescriptions provided by Father Lenihan, including Prozac, Valium and Xanax, and being unable to obtain those narcotics and with Father Lenihan expressing reservations about their continued counseling/sexual relationship, Plaintiff began abusing alcohol. Out of desperation in about mid-January, 2002, the Dioceses had arranged for a visiting pastor to temporarily serve in the St. Edward Catholic parish, and in a final effort to obtain help, Plaintiff scheduled a meeting with this visiting priest. The Plaintiff disclosed details and intricacies of her counseling/sexual relationship with Father Lenihan and in particular, her dependency on Father Lenihan and drugs and alcohol, and the priest responded in anger and demanded that she leave his office.

31. Plaintiff is informed and believes and thereon alleges that the visiting priest with whom she disclosed the information failed to act on that information. Plaintiff is informed and believes that none of the priests Plaintiff consulted herein stopped Father Lenihan from his sexually conduct.
The Dioceses' Continuing Cover-up of the Sexual Abuse of Plaintiff

32. Even though Plaintiff's neighbors orally and in writing provided the Dioceses with actual notice and Father Lenihan specifically told Bishop Brown that he "kissed and held Plaintiff's hand" while in a counseling relationship and Plaintiff provided actual knowledge of the sexual exploitations to the Dioceses that Father Lenihan had sexually abused her, and even though the Dioceses had actual and constructive knowledge of the counseling/sexual relationship with Plaintiff, her vulnerabilities and co-dependency and sexual abuses, the Dioceses covered up and ignored the abuses by Father Lenihan, continued to allow Father Lenihan to act as a Catholic priest within the Dioceses, continued to hold Father Lenihan out as a Catholic priest who could be trusted with parishioners and others, continued to allow Father Lenihan to counsel and work with parishioners and others and counsel them for emotional difficulties on a daily basis. While at South Down, Father Lenihan was allowed to continue to call Plaintiff on a daily basis (four times a day at precisely the same time) and continue to leave lewd and pornographic messages on her answering machine. The knowledge by the Plaintiff that the Dioceses failed to act on the information that Father Lenihan had molested and sexually abused her, continued to hold Father Lenihan out as a Catholic priest who could be trusted, failed to remove Father Lenihan from his positions within the Dioceses, failed to stop Father Lenihan from contacting Plaintiff, and continued to allow Father Lenihan to work around and counsel Plaintiff and others, caused Plaintiff great mental, emotional, spiritual and physical pain and anguish.

Father Lenihan's Propensities and Qualities to Sexually Deviance and Misuse of Vulnerable Minor and Adult Females, the Dioceses' Actual Notice and Knowledge of Those Propensities and Other Victims

33. Plaintiff is informed and believes, and on that basis alleges, that prior to and during the time that Father Lenihan sexually exploited Plaintiff for his own sexual gratification, the Dioceses had actual knowledge that Father Lenihan had the propensity and qualities to sexually misuse and sexually exploit vulnerable and fragile females and that by allowing him to remain in a
position where he could continue to take advantage of and continue to breach the trust and
confidences of vulnerable females, that he was likely to continue and cause physical harm and
damages to those vulnerable individuals, including the Plaintiff with whom he came in contact
with in a counseling relationship. Specifically, the Plaintiff is informed and believes, and on that
basis alleges, that the Dioceses for many years prior to Plaintiff's sexual abuse knew that Father
Lenihan had molested and sexually abused two minor females, and notwithstanding that
knowledge allowed Father Lenihan to remain as a priest and where he was likely to encounter and
to counsel emotionally vulnerable and dependent females and that he was unfit and incapable of
handling the "transference phenomena" commonly occurring during his counseling sessions with
emotionally disturbed females.

34. Plaintiff is informed and believes, and on that basis alleges that Father Lenihan
molested vulnerable minor females from on or around 1977 through on or around 1981, and that
the Dioceses had actual knowledge of these molestations both before the molestations and sexual
abuses of Plaintiff, and during the time that Plaintiff was being molested and sexually abused and
taken unfair advantage of by Father Lenihan. Specifically, Plaintiff is informed and believes, and
on that basis alleges, that:

A. From 1977 through 1981, Father Lenihan molested, and sexually abused
Redacted, a minor parishioner who attended St. Norbert; that the molestations and sexual abuse
by Father Lenihan of Redacted continued from the time shortly before Redacted turned 14
years old, until the time that she was 18 years old; and that the molestations and sexual abuses
included groping and fondling of Plaintiff's breasts, groping and fondling of Plaintiff's genitals,
kissing, masturbation, explicit sexual conversations, and other lewd and lascivious acts.

B. On September 1, 1978, Redacted, step-father, Redacted, wrote a
letter to Cardinal Timothy Manning of the Los Angeles Dioceses. In his letter, Mr. Redacted
Cardinal Manning that Father Lenihan had telephoned his stepdaughter and was writing his 
step-daughter romantic letters which contained sexual innuendo. A true and correct copy of the 
letter is attached hereto as Exhibit “H” and incorporated herein by reference.

C. On September 8, 1978, Reverend Monsignor Clement J. Connolly, 
Secretary to Cardinal Manning, wrote Redacted in response to his letter dated September 1, 
1978. In his letter, Monsignor Connolly expressed his “deep appreciation” for the kindly manner 
in which Redacted expressed his distress and the “confidence which Redacted indicated in leaving 
this matter to the Archdiocese of Los Angeles’ decision.” Monsignor Connolly further went on to 
say he was referring the matter to the Orange Diocese. A true and correct copy of the letter is 
attached hereto as Exhibit “I,” and incorporated herein by this reference.

D. On September 8, 1978, Reverend Monsignor Clement J. Connolly wrote a 
letter to Chancellor Michael Driscoll of the Orange Dioceses, as follows: “Dear Mike: The 
attached correspondence is self-explanatory. Hope you are well. Personal regards. Clement.” 
Monsignor Connolly attached the letter written by Redacted’s step-father. A true and correct 
copy of the letter is attached hereto as Exhibit “I,” and is incorporated herein by this reference.

E. Plaintiff is informed and believes, and on that basis alleges, that even 
though actual notice was given to the Dioceses in September of 1978, that Father Lenihan was 
molesting Redacted, a vulnerable minor female, Father Lenihan continued to molest and 
sexually abuse Redacted. Plaintiff is further informed and believes, and on that basis alleges, 
that in 1979, Redacted’s sister found Father Lenihan molesting Redacted, and that shortly 
thereafter, Redacted’s sister telephoned the Los Angeles Diocese to inform the Diocese of the 
 molestation. Plaintiff is informed and believes, and on that basis alleges, that even though actual 
notice was given to the Dioceses again in 1979, that Father Lenihan was molesting Redacted a 
minor, Father Lenihan continued to molest and sexually abuse Redacted until 1981.
35. Plaintiff is informed and believes, and alleges thereon, that prior to the time that Father Lenihan began sexually abusing and exploiting the Plaintiff, the Dioceses became aware that Father Lenihan from in or around 1978 and continuing through about 1982, took advantage and molested another vulnerable minor female, by the name of Redacted

Specifically, Plaintiff is informed and believes, and on that basis alleges that:

A. Redacted informed and provided actual notice to the Dioceses that Father Lenihan was molesting and sexually abusing her. Specifically, in or around 1982, Redacted met with the Catholic priest at the Church where her parents attended, Holy Family. In that meeting, Redacted informed the Holy Family priest of the molestations and sexual abuse of her by Father Lenihan.

B. Shortly thereafter, Redacted again informed and provided actual notice to the Dioceses that Father Lenihan was molesting and sexually abusing her. In or around 1982, Redacted met with another Catholic priest at Holy Family, and again advised this priest of the molestations and sexual abuses of her by Father Lenihan. After a long silence, this Catholic priest began yelling at Redacted “How long have you been telling this story? Who else have you told these lies to? Who do you think you are telling these stories” and dismissed her.

C. Plaintiff is further informed and believes, and on that basis alleges, that Father Lenihan’s supervisor at St. Norbert was aware that Father Lenihan was sexually active, and that he may have known that Father Lenihan was molesting and abusing Redacted

Specifically, Father Lenihan told Redacted that the pastor at St. Norbert was aware that Father Lenihan was sexually active, and that the pastor at St. Norbert had told Father Lenihan that it was necessary that he be discreet.”
D. Even after Plaintiff disclosed this information to the Dioceses, Father Lenihan continued to molest and sexually abuse Redacted until in or about 1982.

The Dioceses' Continuing Cover-up of the Sexual Abuse and Exploitation of the Plaintiff and Other Victims and the Refusal of the Dioceses to Stop the Injury to the Plaintiff

36. Even though information had been disclosed to the Dioceses that Father Lenihan had had inappropriate sexual contact with Redacted and Father Lenihan had molested and sexually abused Redacted and Redacted, the Dioceses covered up the molestations and abuses by Father Lenihan, continued to allow Father Lenihan to act as a Catholic priest within the Dioceses, continued to hold Father Lenihan out as a Catholic priest who could be trusted with vulnerable minor and adult female parishioners and students on a daily basis, continue to allow Father Lenihan to counsel vulnerable minor and adult parishioners and others with psychological and emotional problems and continued to move Father Lenihan around to different Catholic Churches within the Dioceses.

37. Father Lenihan had disclosed to Plaintiff that the Dioceses were aware of his abuses of Redacted and Plaintiff and his elicit sexual deviation, abuse and misconduct. The knowledge by the Plaintiff that the Dioceses failed to act on the information that Father Lenihan had molested and abused Redacted and Plaintiff continued to hold Father Lenihan out as a Catholic priest who could be trusted, failed to remove Father Lenihan from his positions within the Dioceses, and continued to allow Father Lenihan to work around other vulnerable female persons in need of counseling, caused Plaintiff great mental, emotional, spiritual, and physical pain and anguish.

38. Plaintiff is informed and believes, and on that basis alleges that it was not until September of 2001 that the Dioceses removed Father Lenihan from his position as the pastor of St. Edward in Dana Point. Plaintiff is further informed and believes, and on that basis alleges, that
the Dioceses removed Father Lenihan from that position in September of 2001 and sent him to South Down because Father Lenihan disclosed to the press that he had had sexual affairs with four adult women and continued to allow Father Lenihan to telephone Plaintiff, to counsel her and to engage her in explicit sexual conversations and leave obscene messages.

FIRST CAUSE OF ACTION
(Breach of Fiduciary Duties)
(As Against All Defendants)

39. Plaintiff hereby incorporates by reference and realleges all of the allegations contained in paragraphs 1-38, as though fully set forth herein.

40. Father Lenihan occupied a superior position of authority, respect and trust over the Plaintiff, in that, he was an ordained priest, the priest of Plaintiff's Church, a counselor to Plaintiff's emotional problems, and his expressed agreement and assertion to deal with Plaintiff's problems and as a result of voluntarily asserting himself to act as her counselor, a relationship of trust and confidence developed between Plaintiff and Father Lenihan. As a fiduciary and counselor in Plaintiff's well being, Father Lenihan had an affirmative duty to act in Plaintiff's best interests and to refrain from any conduct which has the foreseeability or unreasonable risk of causing Plaintiff any mental or emotional harm. Father Lenihan had a further duty not to wrongfully breach or exploit Plaintiff's trust and confidences placed in him during their counseling and not use any information obtained to an unfair advantage to the Plaintiff.

41. Father Lenihan breached his fiduciary duty by acquiring information betraying Plaintiff's trust and confidences gained during his counseling relationship, using that information to Plaintiff's detriment and for Father Lenihan's own selfish gain. Specifically, Plaintiff alleges that Father Lenihan breached his fiduciary duties to Plaintiff in the following respects:
A. Holding himself out to the Plaintiff as being a capable and qualified
counselor, who would act in her best interest and use the confidences and information obtained to
help her cope with her emotional feelings and distress. Father Lenihan knew Plaintiff would rely
on his representations and used the information obtained from her for his sexual gratification.

B. Inviting the Plaintiff and offering to serve to counsel her in connection with
her emotional difficulties and actually counseling her knowing that Plaintiff would rely and place
trust in him and act in her best interests, when Father Lenihan knew that he was not qualified to
handle the Plaintiff's problems that he might cause further psychic injury and damages to the
Plaintiff.

C. Offering and agreeing to counsel the Plaintiff for her emotional difficulties,
knowing that she would rely on his representation that he was capable of assisting her to cope
with her psychological problems and knowing that he had propensities, qualities and underlying
hidden desire to abuse and sexually exploit vulnerable females and in particular, the Plaintiff.

D. Concealing from the Plaintiff that he could not be trusted in looking out for
the best interest of the Plaintiff, and that Father Lenihan had previously taken unfair advantage of
and molested minor females who were equally vulnerable as the Plaintiff.

E. Invading Plaintiff's privacy and utilizing confidential and secret and
intimate details in Plaintiff's life, to cause her to grow a strong dependency on him so Father
Lenihan could control her and disclose confidences to third parties.

F. Making negligent and intentional misrepresentations to the Plaintiff and
specifically expressing desires of love and affection for her, knowing that the Plaintiff was
extremely vulnerable and likely to build a dependency on him.

COMPLAINT
G. Encouraging the Plaintiff to express her inner feelings and deep emotions so that he could gain influence and control over her and force her to accept his perverted desires.

H. Misrepresenting and intentionally and negligently representing to Plaintiff that Father Lenihan was qualified and capable of diagnosing and treating her psychological condition, knowing that Plaintiff would rely on his representations, Father Lenihan further breached his fiduciary duties owing to Plaintiff by depriving her from opportunities to seek appropriate medical treatment and cure for her disabilities.

I. Holding himself out as being duly qualified and capable to treat the Plaintiff and thereafter supplying her with prescription medication knowing that he was not qualified nor legally authorized to prescribe and issue drugs, such as Prozac, Valium and Xanax, which are potentially harmful to Plaintiff who is an emotionally fragile and co-dependent person.

J. The sexual conduct occurred between Father Lenihan and the Plaintiff during a time when Plaintiff, as a patient, was receiving psychological counseling with Father Lenihan and although consent was against her better judgment, and moral principles, it was able to be subverted by Father Lenihan by abusing her trust and confidence placed in him during the course of the relationship in which she was seeking guidance and counseling from him as a Church leader and counselor.

42. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was hurt and injured in her health, strength, and activity, sustained injury to her nervous system and person, all of which injures have caused, and continue to cause, Plaintiff great mental, emotional, spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges that the injuries will result in continuing and permanent disability to her. As a result
of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

43. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

44. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

45. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been damaged in that she has been required, and will be required in the future, to expend money and incur obligations for health care providers required in the treatment and relief of the injuries alleged, in an amount to be determined at the time of trial.

46. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages, and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

47. The above-described conduct of Father Lenihan was willful and outrageous, was committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein, Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an award of exemplary or punitive damages.

SECOND CAUSE OF ACTION
(Professional Negligence)
(As Against All Defendants)

48. Plaintiff hereby incorporates by reference and realleges all of the allegations contained in paragraphs 1 through 47, as though fully set for herein.

49. Father Lenihan occupied a superior position of authority, respect and trust over the Plaintiff in that he was an ordained priest, the priest of Plaintiff’s Church, a counselor to Plaintiff’s emotional problems, and his expressed agreement and assertion to deal with Plaintiff’s problems and as a result of voluntarily asserting himself to act as her counselor, a relationship of trust and confidence developed between Plaintiff and Father Lenihan. As a fiduciary and counselor in Plaintiff’s well being, Father Lenihan had an affirmative duty to act in Plaintiff’s best interests and to refrain from any conduct which has the foreseeability or unreasonable risk of causing Plaintiff any mental or emotional harm. Father Lenihan had a further duty not to wrongfully breach of exploit Plaintiff’s trust and confidences placed in him during their counseling and not use any information obtained to an unfair advantage to the Plaintiff.

50. Plaintiff is informed and believes, and alleges thereon, that Defendants, Father Lenihan and Does 1-100, held themselves out to the general public, Church parishioners, professional and licensed psychologists, and healthcare physicians in the community, Courts of the State of California, the Dioceses and to the Plaintiff as being experienced, capable psychologist, and/or family counselors and they were, in fact, offering counseling services to the Plaintiff to help
her emotional and psychological disabilities pursuant to Business & Professions Code sections 2901(c), 4980.10 and as such are required to possess the degree of skill, ability and expertise, knowledge, qualifications and learning of similar practitioners in the community.

51. Commencing on or about January, 2000 and continuing until March, 2002, Plaintiff sought professional treatment, assessment and counseling of her mental and emotional condition from Father Lenihan. Father Lenihan specifically held himself out as a capable, experienced and qualified counselor being able to provide professional counseling. Plaintiff was led to believe, by Father Lenihan, that she would receive appropriate treatment as is necessary relative to Plaintiff’s then existing mental condition, health and well being, including, but not limited to, counseling relating to relationship problems, sobriety, and past history of emotional and psychological disabilities resulting in problems she was continuing to experience.

52. Father Lenihan expressly volunteered and agreed to perform therapeutic services and pursuant to his role as a counselor, Father Lenihan undertook such employment and did agree to render and provide such counseling services and otherwise do all things necessary and proper for Plaintiff’s general health and well being and to thereafter issue a course of care and treatment customarily provided in the community. In consideration of Father Lenihan’s counseling services, Plaintiff made donations to the Church.

53. Father Lenihan and Does 1-100 breached his duty of due care and grossly, negligently failed to possess and exercise that degree of skill and ordinary care possessed and exercised by physicians, surgeons, hospitals, psychotherapists, marriage counselors, nurses, dentists, pastors, nurses, attendants, technicians, paramedics, counselors, assistants, and the like engaged in the profession in the same or similar locale as Defendants, and each of them, by controlling, encouraging, fostering Plaintiff to participate in sexual conduct during the course of psychotherapy, making Plaintiff an emotional and dependent person. In committing these acts,
Father Lenihan and Does 1-100, violated Civil Code sections 43.93 and 51.9, which prohibits Father Lenihan and Does 1-100, and persons of a like profession from engaging in "sexual contact" which included, but was not limited to sexual intercourse, groping and fondling of Plaintiff's breasts, groping and fondling of Plaintiff's genitals, oral copulation, forced oral copulation on Father Lenihan, penetration of Plaintiff's genitals and anus with Father Lenihan's fingers and tongue, masturbation, explicit sexual conversation and other lewd and lascivious acts.

54. Such sexual contact occurred between the Father Lenihan and Plaintiff during the time when Plaintiff, as a patient, was receiving counseling with Father Lenihan and consent was against her better judgment, but was able to be subverted by Father Lenihan by abusing her trust and confidence placed in him during the course of the relationship in which she was seeking guidance and counseling from him as a Church leader and counselor.

55. Father Lenihan and Does 1-100 further negligently breached their duty of due care owing to the Plaintiff and ordinarily possessed and exercised by other professionals in the same or similar localities as Defendants, by knowingly deceiving the Plaintiff and failing to advise her of the truth that Father Lenihan was not qualified to properly handle, diagnose and treat her problems and that he was unable and unqualified, unskilled in dealing with the transference phenomena and his sole intention was to exploit Plaintiff sexually for his own satisfaction.

56. Father Lenihan and Does 1-100 further negligently breached their duty of due care owing to the Plaintiff and ordinarily possessed and exercised by other professionals in the same or similar localities as Defendants, by failing to properly diagnose and develop an appropriate course of treatment for Plaintiff's emotional and mental condition.

57. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
person, all of which injures have caused, and continue to cause, Plaintiff great mental, emotional, spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges that the injuries will result in continuing and permanent disability to her. As a result of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

58. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

59. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

60. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been damaged in that she has been required, and will be required in the future, to expend money and incur obligations for health care providers required in the treatment and relief of the injuries alleged, in an amount to be determined at the time of trial.

61. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages, and will continue to lose wages, to her damage in an amount to be determined at the time of trial.
THIRD CAUSE OF ACTION

(General Negligence)
(As Against All Defendants)

62. Plaintiff hereby incorporates by reference and realleges all of the allegations contained in paragraphs 1 through 61, as though fully set for herein.

63. Father Lenihan occupied a superior position of authority, respect and trust over the Plaintiff, in that, he was an ordained priest, the priest of Plaintiff's Church, a counselor to Plaintiff's emotional problems, and his expressed agreement and assertion to deal with Plaintiff's problems and as a result of voluntarily asserting himself to act as her counselor, a relationship of trust and confidence developed between Plaintiff and Father Lenihan. As a fiduciary and counselor in Plaintiff's well being, Father Lenihan had an affirmative duty to act in Plaintiff's best interests and to refrain from any conduct which has the foreseeability or unreasonable risk of causing Plaintiff any mental or emotional harm. Father Lenihan had a further duty not to wrongfully breach of exploit Plaintiff's trust and confidences placed in him during their counseling and not use any information obtained to an unfair advantage to the Plaintiff.

64. Plaintiff is informed and believes, and alleges thereon, that Defendants, Father Lenihan and Does 1-100, held themselves out to the general public, Church parishioners, professional and licensed psychologists, and healthcare physicians in the community, Courts of the State of California, the Dioceses and the Plaintiff as being experienced, capable psychologist, and/or family counselors and they were, in fact, offering counseling services to the Plaintiff to help her emotional and psychological disabilities pursuant to Business & Professions Code sections 2901(c), 4980.10 and as such are required to possess the degree of skill, ability and expertise, knowledge and qualifications of learning of similar practitioners in the community.
65. Commencing on or about January, 2000 and continuing until March, 2002, Plaintiff sought professional treatment, assessment and counseling of her mental and emotional condition from Father Lenihan. Father Lenihan specifically held himself out as a capable, experienced and qualified counselor being able to provide professional counseling. Plaintiff was led to believe, by Father Lenihan, that she would receive appropriate treatment as is necessary relative to Plaintiff’s then existing mental condition, health and well being, including, but not limited to, counseling relating to relationship problems, sobriety, and past history of emotional and psychological difficulties, resulting in problems she was continuing to experience.

66. Father Lenihan expressly volunteered and agreed to perform therapeutic services and pursuant to his role as a counselor, Father Lenihan undertook such employment and did agree to render and provide such counseling services and otherwise do all things necessary and proper for Plaintiff’s general health and well being and to thereafter issue a course of care and treatment customarily provided in the community. In consideration of Father Lenihan’s counseling services, Plaintiff made donations to the Church.

67. Father Lenihan and Does 1-100 breached his duty of due care and grossly, negligently failed to possess and exercise that degree of skill and ordinary care possessed and exercised by physicians, surgeons, hospitals, psychotherapists, marriage counselors, nurses, dentists, pastors, nurses, attendants, technicians, paramedics, counselors, assistants, and the like engaged in the possession in the same or similar locale as Defendants, and each of them, by controlling, encouraging, fostering Plaintiff to participate in sexual conduct during the course of psychotherapy, making Plaintiff an emotional and dependent person. In committing these acts, Father Lenihan and Does 1-100, violated Civil Code sections 43.93 and 51.9, which prohibits Father Lenihan and Does 1-100, and persons of a like profession from engaging in “sexual contact” which included, but was not limited to sexual intercourse, groping and fondling of Plaintiff’s breasts, groping and fondling of Plaintiff’s genitals, oral copulation, . oral
copulation on Father Lenihan, penetration of Plaintiff's genitals and anus with Father Lenihan's fingers and tongue, masturbation, explicit sexual conversation and other lewd and lascivious acts.

68. Such sexual contact occurred between the Father Lenihan and Plaintiff during the time when Plaintiff, as a patient, was receiving counseling with Father Lenihan and consent was against her better judgment, but was able to be subverted by Father Lenihan by abusing her trust and confidence placed in him during the course of the relationship in which she was seeking guidance and counseling from him as a Church leader and counselor.

69. Plaintiff was an emotionally, co-dependent person when she came under the care and control of Father Lenihan, who acquired confidential and discreet information from the Plaintiff by betraying the trust and confidence placed in him and used the information obtained to foster a co-dependency on him. As a result of Plaintiff's emotional state, she developed a strong bond and co-dependency on Father Lenihan and was unable to emotionally cope with her feelings and to stop Father Lenihan from molesting and sexually abusing her or otherwise terminating her counseling relationship.

70. Father Lenihan and Does 1-100 further negligently breached their duty of due care owing to the Plaintiff and ordinarily possessed and exercised by other professionals in the same or similar localities as Defendants, by knowingly deceiving the Plaintiff and failing to advise her of the truth that Father Lenihan was not qualified to properly handle her problems and that he was unable and unqualified and unskilled in dealing with the transference phenomena and his sole intention was to exploit Plaintiff sexually for his own satisfaction.

71. Father Lenihan and Does 1-100 further negligently breached their duty of due care owing to the Plaintiff and ordinarily possessed and exercised by other professionals in the same or similar localities as Defendants, by knowingly deceiving the Plaintiff and failing to advise her of the truth that Father Lenihan was not qualified to properly handle her problems and that he was unable and unqualified and unskilled in dealing with the transference phenomena and his sole intention was to exploit Plaintiff sexually for his own satisfaction.
similar localities as Defendants, by failing to properly diagnose and develop an appropriate course of treatment for Plaintiff's emotional and mental condition.

72. Father Lenihan and Does 1-100 further negligently breached their duty of due care owing to the Plaintiff and ordinarily possessed and exercised by other professionals in the same or similar localities as Defendants, by concealing from the Plaintiff that Father Lenihan was not duly licensed or qualified to prescribe and use certain drugs, such as Prozac, Valium, and Xanax to treat patients he was counseling and by illegally providing Plaintiff with said drugs.

73. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was hurt and injured in her health, strength, and activity, sustained injury to her nervous system and person, all of which injures have caused, and continue to cause, Plaintiff great mental, emotional, spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges that the injuries will result in continuing and permanent disability to her. As a result of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

74. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

75. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will
result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future
damages in an amount to be determined at the time of trial.

76. As a further proximate result of the acts of Father Lenihan described herein,
Plaintiff has been damaged in that she has been required, and will be required in the future, to
expend money and incur obligations for health care providers required in the treatment and relief
of the injuries alleged, in an amount to be determined at the time of trial.

77. As a further proximate result of the acts of Father Lenihan described herein,
Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

FOURTH CAUSE OF ACTION
(Sexual Harassment, Civil Code section 51.9)
(Against Father Lenihan and Does 1-100, Inclusive)

78. Plaintiff hereby incorporates by reference all of the allegations of paragraphs 1-77,
as though fully set forth herein.

79. Father Lenihan occupied a superior position of authority, respect and trust over
the Plaintiff in that he was an ordained priest, the priest of Plaintiff’s Church, a counselor to
Plaintiff’s emotional problems, and his expressed agreement and assertion to deal with Plaintiff’s
problems and as a result of voluntarily asserting himself to act as her counselor, a relationship of
trust and confidence developed between Plaintiff and Father Lenihan. As a fiduciary and
counselor in Plaintiff’s well being, Father Lenihan had an affirmative duty to act in Plaintiff’s best
interests and to refrain from any conduct which has the foreseeability or unreasonable risk of
caus[ing] Plaintiff any mental or emotional harm. Father Lenihan had a further duty not to
wrongfully breach of exploit Plaintiff’s trust and confidences placed in him during their counseling and not use any information obtained to an unfair advantage to the Plaintiff.

80. Plaintiff is informed and believes, and alleges thereon, that Defendants, Father Lenihan and Does 1-100, held themselves out to the general public, Church parishioners, professional and licensed psychologists, and healthcare physicians in the community, Courts of the State of California, the Dioceses and the Plaintiff as being experienced, capable psychologist, and/or family counselors and they were, in fact, offering counseling services to the Plaintiff to help her emotional and psychological disabilities pursuant to Business & Professions Code sections 2901(c), 4980.10 and as such are required to possess the degree of skill, ability and expertise, knowledge and qualifications of learning of similar practitioners in the community.

81. Commencing on or about January, 2000 and continuing until March, 2002, Plaintiff sought professional treatment, assessment and counseling of her mental and emotional condition from Father Lenihan. Father Lenihan specifically held himself out as a capable, experienced and qualified counselor being able to provide professional counseling. Plaintiff was led to believe, by Father Lenihan, that she would receive appropriate treatment as is necessary relative to Plaintiff’s then existing mental condition, health and well being, including, but not limited to, counseling relating to relationship problems, sobriety, and past history of emotional and psychological disabilities resulting in problems she was continuing to experience.

82. Father Lenihan expressly volunteered and agreed to perform therapeutic services and pursuant to his role as a counselor, Father Lenihan undertook such employment and did agree to render and provide such counseling services and otherwise do all things necessary and proper for Plaintiff’s general health and well being and to thereafter issue a course of care and treatment customarily provided in the community.
83. Father Lenihan and Does 1-100 breached his duty of due care and grossly, negligently failed to possess and exercise that degree of skill and ordinary care possessed and exercised by physicians, surgeons, hospitals, psychotherapists, marriage counselors, nurses, dentists, pastors, nurses, attendants, technicians, paramedics, counselors, assistants, and the like engaged in the possession in the same or similar locale as Defendants, and each of them, by controlling, encouraging, fostering Plaintiff to participate in sexual conduct during the course of psychotherapy, making Plaintiff an emotional and dependent person. In committing these acts, Father Lenihan and Does 1-100, violated Civil Code sections 43.93 and 51.9, which prohibits Father Lenihan and Does 1-100, and persons of a like profession from engaging in “sexual contact” which included, but was not limited to sexual intercourse, groping and fondling of Plaintiff’s breasts, groping and fondling of Plaintiff’s genitals, oral copulation, oral copulation on Father Lenihan, penetration of Plaintiff’s genitals and anus with Father Lenihan’s fingers and tongue, masturbation, explicit sexual conversation and other lewd and lascivious acts.

84. Such sexual contact occurred between the Father Lenihan and Plaintiff during the time when Plaintiff, as a patient, was receiving counseling with Father Lenihan and consent was against her better judgment, but was able to be subverted by Father Lenihan by abusing her trust and confidence placed in him during the course of the relationship in which she was seeking guidance and counseling from him as a Church leader and counselor. Plaintiff was unable to stop the sexual abuse because of her co-dependency on Father Lenihan.

85. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was hurt and injured in her health, strength, and activity, sustained injury to her nervous system and person, all of which injures have caused, and continue to cause, Plaintiff great mental, emotional, spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges that the injuries will result in continuing and permanent disability to her. As a result
of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
time of trial.

86. As a further proximate result of the acts of Father Lenihan described herein,
Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent
periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is
informed and believes, and on that basis alleges, that the injuries will result in some permanent
disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to
be determined at the time of trial.

87. As a further proximate result of the acts of Father Lenihan described herein,
Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other
physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will
result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future
damages in an amount to be determined at the time of trial.

88. As a further proximate result of the acts of Father Lenihan described herein,
Plaintiff has been damaged in that she has been required, and will be
required in the future, to
expend money and incur obligations for health care providers required in the treatment and relief
of the injuries alleged, in an amount to be determined at the time of trial.

89. As a further proximate result of the acts of Father Lenihan described herein,
Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
and will continue to lose wages, to her damage in an amount to be determined at the time of trial.
FIFTH CAUSE OF ACTION
(Violation of Statute - Health & Safety
Code sections 11150, 11153, and 11154)
(Against Father Lenihan and Does 1-100)

90. Plaintiff hereby incorporates by reference and realleges all of the allegations contained in paragraphs 1 through 89, as though fully set for herein.

91. Father Lenihan occupied a superior position of authority, respect and trust over the Plaintiff, in that, he was an ordained priest, the priest of Plaintiff's Church, a counselor to Plaintiff's emotional problems, and his expressed agreement and assertion to deal with Plaintiff's problems and as a result of voluntarily asserting himself to act as her counselor, a relationship of trust and confidence developed between Plaintiff and Father Lenihan. As a fiduciary and counselor in Plaintiff's well being, Father Lenihan had an affirmative duty to act in Plaintiff's best interests and to refrain from any conduct which has the foreseeability or unreasonable risk of causing Plaintiff any mental or emotional harm. Father Lenihan had a further duty not to wrongfully breach of exploit Plaintiff's trust and confidences placed in him during their counseling and not use any information obtained to an unfair advantage to the Plaintiff.

92. Section 11150 of the Health & Safety Code prohibits all persons other than a "physician, dentist, podiatrist, . . ." from writing or issuing a prescription. Health & Safety Code section 11153(a) provides, in pertinent part, as follows: "A prescription for a controlled substance shall only be issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his or her professional practice. . . except as authorized by this provision, the following are not legitimate prescriptions: (1) an order purporting to be a prescription, which is issued not in the usual course of professional treatment or in legitimate and authorized research; . . ."
93. Section 11154 of the Health & Safety Code provides as follows: "(a) Except in the regular practice of his or her profession, no person shall knowingly prescribe, administer, dispense, or furnish a controlled substance to or for any person or animal, which is not under his or her treatment for a pathology or condition other than addiction to a controlled substance, except as provided in this division. (b) No person shall knowingly solicit, direct, entice, aid, or encourage a practitioner authorized to write a prescription to unlawfully prescribe, administer, dispense or furnish a controlled substance."

94. Plaintiff is informed and believes, and on that basis alleges, that Father Lenihan, on or about September, 2001, became concerned about the Plaintiff's co-dependency on him and that the Plaintiff might reveal to the Dioceses the sexual abuses and molestation which had been occurring during their counseling relationship. Father Lenihan, not a skilled, experienced, or a licensed physician, contacted a physician/friend and illegally obtained a prescription for Prozac, Valium, and Xanax, and upon securing the prescription, purchased those drugs and directed and instructed the Plaintiff to take this medication while he was away. Thereafter, Plaintiff began consuming her drugs, as directed, and when the supply was consumed, approximately one month later, Father Lenihan instructed her to telephone the licensed physician/friend to request another prescription for Prozac, Valium, and Xanax. Thereafter, after the second month of medication was consummated, Father Lenihan again instructed Plaintiff to contact his licensed physician/friend for further refills. Plaintiff is further informed and believes that Father Lenihan knew, or should have known, in the exercise of reasonable diligence, that by providing prescription medication of Prozac, Xanax and Valium, was a violation of Health & Safety Code sections 11150, 11153, and 11154.

95. Plaintiff is further informed and believes, and on that basis alleges, that Father Lenihan knew, or should have known in the exercise of reasonable diligence, that by illegally
prescribing and instructing the Plaintiff to take the prescription drugs of Prozac, Valium, and Xanax, he was creating an unreasonable risk of harm to the Plaintiff.

96. Plaintiff is informed and believes that Plaintiff was one of the class of persons for whom Health & Safety Code sections 11150, 11153, and 11154 was adopted to protect.

97. Had Father Lenihan adequately performed his duties as a counselor and not provided illegally obtained medication to the Plaintiff, Plaintiff would not have suffered from injuries and damages as herein alleged.

98. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was hurt and injured in her health, strength, and activity, sustained injury to her nervous system and person, all of which injures have caused, and continue to cause, Plaintiff great mental, emotional, spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges that the injuries will result in continuing and permanent disability to her. As a result of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

99. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

100. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other
physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

101. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been damaged in that she has been required, and will be required in the future, to expend money and incur obligations for health care providers required in the treatment and relief of the injuries alleged, in an amount to be determined at the time of trial.

102. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages, and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

SIXTH CAUSE OF ACTION
(Battery)
(Against Father Lenihan and Does 1-100)

103. Plaintiff hereby incorporates by reference all of the allegations of paragraphs 1-102, as though fully set forth herein.

104. Father Lenihan occupied a superior position of authority, respect and trust over the Plaintiff, in that, he was an ordained priest, the priest of Plaintiff’s Church, a counselor to Plaintiff’s emotional problems, and his expressed agreement and assertion to deal with Plaintiff’s problems and as a result of voluntarily asserting himself to act as her counselor, a relationship of trust and confidence developed between Plaintiff and Father Lenihan. As a fiduciary and counselor in Plaintiff’s well being, Father Lenihan had an affirmative duty to act in Plaintiff’s best interests and to refrain from any conduct which has the foreseeability or unreasonable risk of causing Plaintiff any mental or emotional harm. Father Lenihan had a further duty not to
wrongfully breach of exploit Plaintiff's trust and confidences placed in him during their counseling and not use any information obtained to an unfair advantage to the Plaintiff.

105. On or about September, 2001, during the course of counseling the Plaintiff for her emotional difficulties, Father Lenihan illegally obtained a prescription, supplied, provided and directed Plaintiff to take Prozac, Valium and Xanax, all drugs which are legally restricted. Father Lenihan provided these drugs in violation of Health & Safety Code sections 11150, 11153, and 11154.

106. In doing these acts, Father Lenihan acted with the intent to, and did injure the Plaintiff's person in an offensive and outrageous manner.

107. Plaintiff did not legally consent to Father Lenihan's act of giving her medication and that she was extremely emotional and co-dependent on Father Lenihan as her counselor and followed his advice.

108. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was hurt and injured in her health, strength, and activity, sustained injury to her nervous system and person, all of which injures have caused, and continue to cause, Plaintiff great mental, emotional, spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges that the injuries will result in continuing and permanent disability to her. As a result of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

109. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is
informed and believes, and on that basis alleges, that the injuries will result in some permanent
disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to
be determined at the time of trial.

110. As a further proximate result of the acts of Father Lenihan described herein,
Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other
physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will
result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future
damages in an amount to be determined at the time of trial.

111. As a further proximate result of the acts of Father Lenihan described herein,
Plaintiff has been damaged in that she has been required, and will be required in the future, to
expend money and incur obligations for health care providers required in the treatment and relief
of the injuries alleged, in an amount to be determined at the time of trial.

112. As a further proximate result of the acts of Father Lenihan described herein,
Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

113. The above-described conduct of Father Lenihan was willful and outrageous, was
committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was
otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein,
Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an
award of exemplary or punitive damages.
SEVENTH CAUSE OF ACTION

(Civil Conspiracy)

(As Against Father Lenihan and Does 1-100, Inclusive)

114. Plaintiff hereby incorporates by reference and realleges all the allegations contained in paragraphs 1-113, as though fully set forth herein.

115. Father Lenihan occupied a superior position of authority, respect and trust over the Plaintiff, in that, he was an ordained priest, the priest of Plaintiff's Church, a counselor to Plaintiff's emotional problems, and his expressed agreement and assertion to deal with Plaintiff's problems and as a result of voluntarily asserting his conduct to act as her counselor, a relationship of trust and confidence developed between Plaintiff and Father Lenihan. As a fiduciary and counselor in Plaintiff's well being, Father Lenihan had an affirmative duty to act in Plaintiff's best interests and to refrain from any conduct which has the foreseeability or unreasonable risk of causing Plaintiff any mental or emotional harm. Father Lenihan had a further duty not to wrongfully breach of exploit Plaintiff's trust and confidences placed in him during their counseling and not use any information obtained to an unfair advantage to the Plaintiff.

116. On or about September 1, 2001, Father Lenihan in his capacity as a counselor for the Plaintiff, illegally prescribed and obtained a prescription for Prozac, Xanax and Valium and after obtaining the fraudulent prescriptions, purchased the medications for the Plaintiff, and directed her to take those narcotics. Plaintiff is informed and believes, and on that basis alleges thereon, that Father Lenihan contacted a duly licensed physician/friend, Does 1-5, in order to secure a prescription for Prozac, Xanax and Valium to give to the Plaintiff. Plaintiff is informed and believes that Father Lenihan and Does 1-5 knowingly and willfully conspired themselves to avoid the laws of the State of California, and allow Father Lenihan to acquire a prescription and to obtain the illegal drugs to be given to Plaintiff. Plaintiff is informed and believes, and thereon alleges, that the illegal drugs were paid for by Father Lenihan and his co-conspirator and to be
given to Plaintiff in an effort to prevent her from losing further emotional control and disclosing to
the Dioceses and the public the sexual abuse and exploitation resulting from Father Lenihan’s
misconduct and exploitations as a counselor and Roman Catholic priest.

117. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was
hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
person, all of which injures have caused, and continue to cause, Plaintiff great mental, emotional,
spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that
basis alleges that the injuries will result in continuing and permanent disability to her. As a result
of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
time of trial.

118. As a further proximate result of the acts of Father Lenihan described herein,
Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent
periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is
informed and believes, and on that basis alleges, that the injuries will result in some permanent
disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to
be determined at the time of trial.

119. As a further proximate result of the acts of Father Lenihan described herein,
Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other
physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will
result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future
damages in an amount to be determined at the time of trial.

120. As a further proximate result of the acts of Father Lenihan described herein,
Plaintiff has been damaged in that she has been required, and will be required in the future, to
expend money and incur obligations for health care providers required in the treatment and relief
of the injuries alleged, in an amount to be determined at the time of trial.

121. As a further proximate result of the acts of Father Lenihan described herein,
Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

122. The above-described conduct of Father Lenihan was willful and outrageous, was
committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was
otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein,
Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an
award of exemplary or punitive damages.

EIGHTH CAUSE OF ACTION
(Fraud: Concealment of Facts and Misrepresentations)
(As Against All Defendants)

123. Plaintiff hereby incorporates by reference and realleges all the allegations contained
in paragraphs 1-122, as though fully set forth herein.

124. Beginning in or around 1978, and continuing until today, Defendants had actual
and constructive knowledge that Father Lenihan had molested, and sexually, mentally, and
physically abused Redacted and Plaintiff.

125. Plaintiff is informed and believes, and on that basis alleges, that Defendants
affirmatively represented to Plaintiff, and parishioners at Churches and schools owned,
maintained, and controlled by the Dioceses in which Father Lenihan worked, that Father Lenihan
was safe, and morally and spiritually beneficial and he was capable of performing his duties to all parishioners, and others under Father Lenihan's control, direction, counseling and guidance. Plaintiff is informed and believes, and on that basis alleges, that when Defendants made these affirmative misrepresentations, Defendants suppressed the material facts that Father Lenihan had on numerous occasions sexually, physically, and/or mentally abused Plaintiff, Redacted, and/or knew of or learned of conduct by Father Lenihan which placed Defendants on notice that Father Lenihan had certain deviant proclivities, propensities and qualities to sexually abuse vulnerable females and was likely to continue abusing other vulnerable minor and adult females and/or parishioners while counseling them.

126. Plaintiff was a parishioner at St. Edward, and was under Father Lenihan's psychological counseling and care during these times, creating a special fiduciary relationship or special care relationship with Defendants, and each of them. As the responsible party and/or employer controlling Father Lenihan, with actual knowledge of Father Lenihan's prior sexual misconduct, and as the operators of a Church where vulnerable females attended and were allowed to be counseled by Father Lenihan, Defendants Dioceses were also in a special relationship with Plaintiff.

127. Plaintiff is informed and believes, and on that basis alleges, that before, during and after the time that Plaintiff was molested, sexually exploited, and abused by Father Lenihan, Defendants had a duty to disclose to Plaintiff, parishioners, and others under Father Lenihan's control, direction, counseling and guidance, that Father Lenihan had been and was continuing to engage in sexually related conduct with vulnerable and dependent females, but intentionally suppressed and concealed this information. The duty to disclose arose by the special trusting, confidential, and/or fiduciary relationship between Defendants and Plaintiff as alleged herein, pursuant to Tarasoff v. Regents Of Univ. of Cal., 17 Cal.3d 425, 131 Cal.Rptr. 14, 23 (1976) and LiMandri v. Judkins, 52 Cal.App.4th 326, 60 Cal.Rptr. 539, 543 (1997); Heligts v. Schuman
(1986) 52 Cal.App.4th 337; by reason of the fact that Defendants made affirmative representations regarding Father Lenihan, but suppressed the material facts about the molestations, of other victims, pursuant to Randi W. v. Muroc Joint Unified School, 14 Cal.4th 1066, 929 P.2d 582, 592 (1997); by reason of the fact that Defendants had exclusive knowledge of the material facts alleged herein regarding Father Lenihan which were not known to Plaintiff and/or not assessable to Plaintiff, pursuant to LiMandri v. Judkins, 52 Cal.App.4th 326, 60 Cal.Rptr. 539, 543 (1997); Heligts v. Schuman (1986) 52 Cal.App.4th 337, and by reason of the fact that a special relationship, as employer/employee, existed between the Defendant Dioceses and Father Lenihan which imposed a duty upon the Defendant Dioceses to control Father Lenihan’s conduct, pursuant to Tarasoff v. Regents Of Univ. of Cal., 17 Cal.3d 425, 131 Cal.Rptr. 14, 23 (1976).

128. Plaintiff is informed and believes, and on that basis alleges, that said intentional and deliberate suppression and concealment of facts included, but was not limited to: transferring Father Lenihan from position to position whenever too many complaints or reports surfaced regarding his molestations in any one location; making no investigation; issuing no warnings; permitting Father Lenihan routinely and often to be alone with and counsel minors and other vulnerably and emotionally dependent females; not having adopted a policy to prevent permitting Father Lenihan routinely to be alone with and counsel minors, and other emotionally vulnerable females, making no reports of any allegations of Father Lenihan’s abuse and molestations to minors in their care; and assigning and continuing to assign Father Lenihan to duties which placed him in positions of authority and trust over minors, and emotionally dependent females in which Father Lenihan could easily be alone with and sexually exploit such persons during counseling sessions.
129. Plaintiff is informed and believes, and on that basis alleges, that Defendants, and each of them, made no attempt to take any negative action against Father Lenihan nor to monitor or ensure he was properly performing his duties.

130. Plaintiff is informed and believes, and on that basis alleges, that said representations, suppressions and concealment of facts were likely to mislead Plaintiff, parishioners, students, and others to believe that Defendants had no knowledge of any charges, or that there were no other charges of sexual misconduct against Father Lenihan, and that Defendants were directly supervising and preventing Father Lenihan from contact with parishioners, students, or counselees and that there was no need for them to take further action to protect themselves.

131. Plaintiff is informed and believes, and on that basis alleges, that Defendants, and each of them, knew at the time they represented, suppressed and concealed the true facts regarding Father Lenihan's sexual molestations, that said representations, suppressions and concealment of fact were misleading.

132. Plaintiff is informed and believes, and on that basis alleges, that Defendants, and each of them, represented, suppressed and concealed the true facts with the intent to prevent Plaintiff, parishioners, counselees, and others, from learning that Father Lenihan had been and was continuing to molest minors, parishioners, counselees, vulnerable adults females, and others under Father Lenihan's control, direction, counseling and guidance, with complete impunity; to induce people, including Plaintiff, counselees, other parishioners, benefactors, and donors to the Dioceses to participate and financially, support, and to continue to participate in and financially support parishes, schools, camps and other Church money-making enterprises; to prevent further reports and outside investigations into Father Lenihan’s and Defendants’ conduct; to prevent discovery of Defendants’ own fraudulent conduct; to avoid damage to the reputations of Defendants; to
protect their power and status in the Church hierarchy; to avoid damage to the reputation of the Church; and to avoid the civil and criminal liability of Defendants and of Father Lenihan.

133. Plaintiff is informed and believes, and on that basis alleges, that at all times mentioned herein, Defendants, with knowledge of the tortuous nature of their own and each others' conduct, knowingly and intentionally gave each other substantial assistance to perpetrate the fraud and deceit alleged herein.

134. Plaintiff is informed and believes, and on that basis alleges, that Plaintiff, counselees, students, benefactors, donors, parishioners, and others, were misled by Defendants' intentional representations, suppressions and concealment of facts, and in reliance thereon, were induced to act or induced not to act exactly as intended by Defendants, and each of them, and specifically Plaintiff was induced to believe that there were no allegations of sexual abuse against Father Lenihan. Had Plaintiff, counselees, students, parishioners, and others, known the true facts and not been ignorant of the representations, suppressions and concealment of facts and misrepresentations, they would have decided not to participate further in counseling with Father Lenihan or to further financially support the Dioceses' activities alleged herein; would not have allowed themselves to be counseled and under the control of the Defendants and Father Lenihan; would have reported the matters to the proper authorities, to other parishioners, to parents of and to minor students so as to prevent future recurrences; would not have allowed counselees, including Plaintiff, to be alone with or have any counseling relationship with Father Lenihan; would have undertaken their own investigations which would have led to discovery of the true facts; and would have sought psychological counseling for Plaintiff from legitimate medical practitioners.

135. Plaintiff is informed and believes, and on that basis alleges, that as a direct and proximate result of the wrongful conduct of said Defendants, Plaintiff was molested and sexually,
physically, and mentally abused by Father Lenihan, while being counseled for emotional and psychological difficulties, as alleged herein.

136. Furthermore, the Defendants' fraud, which continues through today, caused Plaintiff to experience recurrences of the severe mental distress, including fear, anger, shame, humiliation, helplessness, and guilt, that Plaintiff had experienced at the time Plaintiff was molested and abused; and further caused Plaintiff to experience extreme and severe mental distress, manifested by the above feelings, that Plaintiff had been the victim of Defendants' fraud, that Plaintiff had not been able to help herself because of the fraud, and that Plaintiff had not been able because of the fraud to receive timely psychological counseling Plaintiff needed to deal with problems Plaintiff had suffered and continues to suffer as a result of the molestations.

137. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was hurt and injured in her health, strength, and activity, sustained injury to her nervous system and person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional, spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges that the injuries will result in continuing and permanent disability to her. As a result of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

138. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.
139. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

140. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been damaged in that she has been required, and will be required in the future, to expend money and incur obligations for health care providers required in the treatment and relief of the injuries alleged, in an amount to be determined at the time of trial.

141. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages, and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

142. The above-described conduct of Father Lenihan was willful and outrageous, was committed in reckless disregard of the probability of causing Plaintiff severe emotional distress, mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein, Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an award of exemplary or punitive damages.

NINTH CAUSE OF ACTION

(Negligent: Concealment of Facts and Misrepresentations)

(As Against All Defendants)

143. Plaintiff hereby incorporates by reference and realleges all the allegations contained in paragraphs 1-142, as though fully set forth herein.
144. Beginning in or around 1978, and continuing until today, Defendants had actual and constructive knowledge that Father Lenihan had molested, and sexually, mentally, and physically abused Redacted and Plaintiff.

145. Plaintiff is informed and believes, and on that basis alleges, that Defendants negligently and carelessly represented and failed to disclose to Plaintiff, and parishioners at Churches and schools owned, maintained, and controlled by the Dioceses in which Father Lenihan worked, that Father Lenihan was safe, and morally and spiritually beneficial and capable of performing his duties to all parishioners, and others under Father Lenihan’s control, direction, counseling and guidance. Plaintiff is informed and believes, and on that basis alleges, that when Defendants made these affirmative misrepresentations, Defendants suppressed the material facts that Father Lenihan had on numerous occasions sexually, physically, and/or mentally abused Plaintiff, Redacted, and Redacted, and/or knew of or learned of conduct by Father Lenihan which placed Defendants on notice that Father Lenihan had certain deviant proclivities, propensities and qualities and he was likely to sexually abuse vulnerable females and/or other parishioners.

146. Plaintiff was a parishioner at St. Edward, and was under Father Lenihan’s psychological counseling and care during these times, creating a special fiduciary relationship or special care relationship with Defendants, and each of them. As the responsible party and/or employer controlling Father Lenihan, with actual knowledge of Father Lenihan’s prior sexual misconduct, and as the operators of a Church where vulnerable females attended, Defendants Dioceses were also in a special relationship with Plaintiff.

147. Plaintiff is informed and believes, and on that basis alleges, that before, during and after the time that Plaintiff was molested, sexually exploited, and abused by Father Lenihan,
Defendants had a duty to disclose to Plaintiff, students, parishioners, counselees and others under Father Lenihan’s control, direction, counseling and guidance, Father Lenihan had been and was continuing to engage in sexually related conduct with vulnerable and co-dependent females, but negligently and carelessly concealed this information. The duty to disclose arose by the special trusting, confidential, and/or fiduciary relationship between Defendants and Plaintiff as alleged herein, pursuant to *Tarasoff v. Regents Of Univ. of Cal.*, 17 Cal.3d 425, 131 Cal.Rptr. 14, 23 (1976) and *LiMandri v. Judkins*, 52 Cal.App.4th 326, 60 Cal.Rptr. 539, 543 (1997); by reason of the fact that Defendants made careless and negligent representations regarding Father Lenihan, but suppressed the material facts about the molestations, of other victims, pursuant to *Randi W. v. Muroc Joint Unified School*, 14 Cal.4th 1066, 929 P.2d 582, 592 (1997); by reason of the fact that Defendants had exclusive knowledge of the material facts alleged herein regarding Father Lenihan which were not known to Plaintiff and/or not assessable to Plaintiff, pursuant to *LiMandri v. Judkins*, 52 Cal.App.4th 326, 60 Cal.Rptr. 539, 543 (1997); and by reason of the fact that a special relationship, as employer/employee, existed between the Defendant Dioceses and Father Lenihan which imposed a duty upon the Defendant Dioceses to control Father Lenihan’s conduct, pursuant to *Tarasoff v. Regents Of Univ. of Cal.*, 17 Cal.3d 425, 131 Cal.Rptr. 14, 23 (1976).

148. Plaintiff is informed and believes, and on that basis alleges, that said negligent and careless representations, suppression and concealment of facts included, but was not limited to: transferring Father Lenihan from position to position whenever too many complaints or reports surfaced regarding his molestations in any one location; making no investigation; issuing no warnings; permitting Father Lenihan routinely and often to be alone with minors, counselees and other vulnerably and emotionally dependent females; making no reports of any allegations of Father Lenihan’s abuse and molestations to minors in their care; and assigning and continuing to assign Father Lenihan to duties which placed him in positions of authority and trust over minors,
and emotionally dependent females in which Father Lenihan could easily be alone with such persons during counseling sessions.

149. Plaintiff is informed and believes, and on that basis alleges, that the representation made by the Defendants, and each of them, were, in fact, false. The true facts were that Father Lenihan had a history of molesting and sexually abusing vulnerable females, and that his propensities and qualities to abuse females made him a danger to vulnerable females, who came under his control and counseling sessions. Defendants, and each of them, made these representations with no grounds believing them true, and in reliance thereon, the Plaintiff allowed Father Lenihan to continue counseling her.

150. Plaintiff is informed and believes, and on that basis alleges, that said representations, suppressions and concealment of facts were likely to mislead Plaintiff, parishioners, students, and others to believe that Defendants had no knowledge of any charges, or that there were no other charges of sexual misconduct against Father Lenihan, and that Defendants were directly supervising and preventing Father Lenihan from illicit contact with parishioners, students, or counseling and that there was no need for them to take further action.

151. Plaintiff is informed and believes, and on that basis alleges, that Defendants, and each of them, knew or should have known at the time they represented, suppressed and concealed the true facts regarding Father Lenihan's sexual molestations and sexual abuse, that said representations, suppressions and concealment of facts were misleading.

152. Plaintiff is informed and believes, and on that basis alleges, that Defendants, and each of them, represented, suppressed and concealed the true facts with the intent to prevent Plaintiff, parishioners, counselees, and others, from learning that Father Lenihan had been and was continuing to molest minors, parishioners, counselees, vulnerable adults females, and others
under Father Lenihan's control, direction, counseling and guidance; to induce people, including Plaintiff, counselees, other parishioners, benefactors, and donors to the Dioceses to participate and financially support, and to continue to participate in and financially support parishes, schools, camps and other Church money-making enterprises; to prevent further reports and outside investigations into Father Lenihan's and Defendants' conduct was to prevent discovery of Defendants' own fraudulent conduct; to avoid damage to the reputations of Defendants; to protect their power and status in the Church hierarchy; to avoid damage to the reputation of the Church; and to avoid the civil and criminal liability of Defendants and of Father Lenihan.

153. Plaintiff is informed and believes, and on that basis alleges, that Plaintiff, counselees, students, benefactors, donors, parishioners, and others, were misled by Defendants' representations, suppressions and concealment of facts, and in reliance thereon, were induced to act or induced not to act exactly as intended by Defendants, and each of them, and specifically Plaintiff was induced to believe that there were no allegations of sexual abuse against Father Lenihan. Had Plaintiff, counselees, students, parishioners, and others, known the true facts and not been ignorant of the suppressions and concealment of facts and misrepresentations, they would have decided not to participate further or to further financially support the Dioceses' activities alleged herein; would not have allowed themselves to be counseled and under the control of the Defendants and Father Lenihan; would have reported the matters to the proper authorities, to other parishioners, to parents of and to minor students so as to prevent future recurrences; would not have allowed counselees, including Plaintiff, to be alone with or have any counseling relationship with Father Lenihan; would have undertaken their own investigations which would have led to discovery of the true facts; and would have sought psychological counseling for Plaintiff from legitimate medical practitioners.
154. Plaintiff is informed and believes, and on that basis alleges, that as a direct and proximate result of the wrongful conduct of said Defendants, Plaintiff was molested and sexually, physically, and mentally abused by Father Lenihan, as alleged herein.

155. Furthermore, the Defendants' negligent fraud, which continues through today, caused Plaintiff to experience recurrences of the severe mental distress, including fear, anger, shame, humiliation, helplessness, and guilt, that Plaintiff had experienced at the time Plaintiff was molested and abused; and further caused Plaintiff to experience extreme and severe mental distress, manifested by the above feelings, that Plaintiff had been the victim of Defendants' fraud, that Plaintiff had not been able to help herself because of the fraud, and that Plaintiff had not been able because of the fraud to receive timely psychological counseling Plaintiff needed to deal with problems Plaintiff had suffered and continues to suffer as a result of the molestations.

156. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was hurt and injured in her health, strength, and activity, sustained injury to her nervous system and person, all of which injures have caused, and continue to cause, Plaintiff great mental, emotional, spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges that the injuries will result in continuing and permanent disability to her. As a result of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

157. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.
158. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

159. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been damaged in that she has been required, and will be required in the future, to expend money and incur obligations for health care providers required in the treatment and relief of the injuries alleged, in an amount to be determined at the time of trial.

160. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages, and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

161. The above-described conduct of Father Lenihan was willful and outrageous, was committed in reckless disregard of the probability of causing Plaintiff severe emotional distress, mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein, Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an award of exemplary or punitive damages.

TENTH CAUSE OF ACTION

(Intentional Infliction of Emotional Distress)

(As Against All Defendants)

162. Plaintiff hereby incorporates by reference and realness all the allegations contained in paragraphs 1-161, as though fully set forth herein.
163.  Father Lenihan occupied a position of authority, respect, and trust over Plaintiff in that Father Lenihan was an adult, an ordained priest, and the priest of Plaintiff's Church and counselor of her emotional problems. The Dioceses likewise occupied a position of authority, respect, and trust over Plaintiff in that they controlled and exercised jurisdiction over the Churches which Plaintiff attended and controlled the activities and duties of Father Lenihan.

164.  Plaintiff felt great trust, faith and confidence in the Defendants.

165.  Father Lenihan’s above-described conduct was intentional and malicious and done for the purpose of causing Plaintiff to suffer humiliation, mental anguish, and emotional and physical distress which continues through today.

166.  Furthermore, the Dioceses’ above-described conduct was intentional and malicious and done for the purpose of causing Plaintiff to suffer humiliation, mental anguish, and emotional and physical distress. The Dioceses’ conduct in covering up the molestations and abuses by Father Lenihan, continuing to allow Father Lenihan to act as a Catholic priest within the Dioceses, continuing to hold Father Lenihan out as a Catholic priest who could be trusted with counselee’s and continuing to allow Father Lenihan to work with counselees on a daily basis, and continuing to move Father Lenihan around to different Catholic Churches within the Dioceses, continued through at least September of 2001.

167.  As a proximate result of the acts of Defendants herein, Plaintiff was hurt and injured in her health, strength, and activity, sustained injury to her nervous system and person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional, spiritual, physical nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in continuing and permanent disability to her. As a result of the
injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

168. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

169. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

170. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been damaged in that she has been required, and will be required in the future, to expend money and incur obligations for health care providers required in the treatment and relief of the injuries alleged, in an amount to be determined at the time of trial.

171. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages, and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

172. The above-described conduct of Father Lenihan was willful and outrageous, was committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein, Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an award of exemplary or punitive damages.

ELEVENTH CAUSE OF ACTION

(Negligent Infliction of Emotional Distress)

(As Against All Defendants)

173. Plaintiff hereby incorporates by reference and realleges all the allegations contained in paragraphs 1-172, as though fully set forth herein.

174. Defendants Dioceses knew or should have known that Father Lenihan had been and was continuing to engage in sexually related conduct with Plaintiff, Redacted, and Redacted. Defendants Dioceses had a duty to disclose to Plaintiff, students, parishioners, counselees, and others under Father Lenihan’s control, direction, counseling and guidance, parents and the authorities that Father Lenihan had been and was continuing to engage in sexually related conduct with minors. The duty to disclose arose by the special trusting, confidential, and/or fiduciary relationship between Defendants and Plaintiff as alleged herein, pursuant to Tarasoff v. Regents Of Univ. of Cal., 17 Cal.3d 425, 131 Cal.Rptr. 14, 23 (1976) and LiMandri v. Judkins, 52 Cal.App.4th 326, 60 Cal.Rptr. 539, 543 (1997); by reason of the fact that Defendants made affirmative representations regarding Father Lenihan as alleged above, but suppressed the material facts about the molestations, pursuant to Randi W. v. Muroc Joint Unified School, 14 Cal.App.4th 1066, 929 P.23d 582, 592 (1997); by reason of the fact that the Defendants had exclusive knowledge of the material facts alleged herein regarding Father Lenihan which there were known to Plaintiff and/or not assessable to Plaintiff, pursuant to LiMandri v. Judkins, 52 Cal.App.4th 326 (1977); and by reason of the fact that a special relationship, as employer/employee, existed between the Defendant Dioceses and Father Lenihan, which imposed
a duty upon the Defendants Dioceses to control Father Lenihan's conduct, pursuant to Tarasoff v. Regents Of Univ. of Cal., 17 Cal.3d 425, 131 Cal.Rptr. 14, 23 (1976).

175. Plaintiff felt great trust, faith and confidence in Father Lenihan and Defendants Dioceses, as her spiritual leaders and counselors.

176. Defendants Dioceses negligently failed to disclose, misrepresented, suppressed, and concealed this information regarding Father Lenihan, before Plaintiff was molested and sexually abused by Father Lenihan, during the time that Plaintiff was molested by Father Lenihan, and after the time that Plaintiff was molested by Father Lenihan.

177. Defendants Dioceses' hereinabove-described conduct caused Plaintiff to suffer humiliation, mental anguish, and emotional and physical distress, which continues through today.

178. As a proximate result of the acts of the Defendants described herein, Plaintiff was hurt and injured in her health, strength and activity, sustained injury to her nervous system and person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional, spiritual, physical nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in continuing and permanent disability to her. As a result of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

179. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent
disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

180. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

181. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been damaged in that she has been required, and will be required in the future, to expend money and incur obligations for health care providers required in the treatment and relief of the injuries alleged, in an amount to be determined at the time of trial.

182. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages, and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

183. The above-described conduct of Father Lenihan was willful and outrageous, was committed in reckless disregard of the probability of causing Plaintiff severe emotional distress, mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein, Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an award of exemplary or punitive damages.
TWELFTH CAUSE OF ACTION

(Negligent Supervision/Retention/Hiring)

(As Defendant Dioceses and Defendant Does 1-100)

184. Plaintiff hereby incorporates by reference and realleges all the allegations contained in paragraphs 1-183, as though fully set forth herein.

185. Plaintiff is informed and believes, and on that basis alleges, that as a result of the affiliation of Plaintiff with the Church, and the other Church officials, and after having allowed Plaintiff to enter into a fiduciary and counseling relationship with Father Lenihan, and consultation with other Church priests, a special fiduciary relationship of human and spiritual trust, and healing/practitioner patient relationship exists. Said special fiduciary relationship between Plaintiff and Defendant Dioceses exists because of the actual knowledge obtained by the Dioceses concerning Father Lenihan's deviant sexual propensities and proclivities around vulnerable co-dependent females, and notwithstanding that knowledge, the Dioceses allowed, authorized and sanctioned Father Lenihan to come in contact with the public and other vulnerable females who were likely to, and did indeed, place their confidence and trust in Father Lenihan as a counselor and priest.

186. As alleged above, Plaintiff was sexually harassed, Plaintiff an emotionally vulnerable and dependent person, was sexually molested, abused and exploited by Father Lenihan and said conduct constitutes a breach of duty owed to the Plaintiff by the Dioceses to properly supervise, hire and control Father Lenihan and to provide a safe haven for Plaintiff and other vulnerable counselees. Defendant Dioceses had the right to supervise, hire or fire, monitor and control Father Lenihan.

187. Defendants Dioceses knew or should have known that Father Lenihan had been and was continuing to engage in sexually related conduct with Plaintiff, \text{Redacted} a, and
limited to: that at no time during the periods of time alleged herein did Defendants Dioceses have in place a system or procedure to supervise and/or monitor priests, and in particular, Father Lenihan, to ensure that these priests did not continue to molest and abuse counselees and others, especially after having an affirmative knowledge that Father Lenihan had a history and propensity to take advantage of vulnerable minor and adult females under his direction and control; knowing of, and failing to remove or otherwise stop priests and in particular, Father Lenihan, from molesting and sexually abusing the Plaintiff after having knowledge that he was sexually abusing and exploiting the Plaintiff’s vulnerabilities and building a co-dependency on him; transferring Father Lenihan from position to position whenever too many complaints or reports surfaced regarding molestation in any one location and covering up the information and transfers while issuing misleading statements concerning Father Lenihan’s integrity to serve as a priest and counselor; making no investigation into allegations made involving sexual molestation and abuse of the Plaintiff; issuing no warnings concerning Father Lenihan’s propensities and routinely allowing Father Lenihan to counsel vulnerable minor and adult females; not establishing follow-up psychological counseling after being placed on notice that Father Lenihan had previously molested, and sexually abused vulnerable females; not having adopted a policy prohibiting Father Lenihan from routinely counseling minors and other emotionally dependent and vulnerable females.

191. Plaintiff is informed and believes, and on that basis alleges that the Defendants Dioceses further breached their duty to properly supervise, retain and hire Father Lenihan when, after having explicit knowledge of Father Lenihan’s past indiscretions and molestation of vulnerable minor females, he was authorized and assigned to duties in parishes, which put him in a position where he was in frequent contact with the public and people who are likely to place their trust and confidence in Father Lenihan and that he was likely to come in contact with and engage in counseling sessions with vulnerable minor and adult females. As a result, Defendants Dioceses knew, or should have known, that by allowing Father Lenihan to be put in a position to counsel
vulnerable and co-dependent females, he was likely to take unfair advantage and would be unable to handle a transference phenomena, which frequently occurs in such counseling relationships with emotionally dependent persons. Notwithstanding this knowledge, and the likelihood and danger, the Defendant Dioceses failed to make any efforts to warn potential victims of Father Lenihan's propensities and underlying qualities and sexual desires and in fact, created a misconception concerning the qualifications and integrity of Father Lenihan.

192. Plaintiff is informed and believes, and on that basis alleges, the Defendant Dioceses further breached their duties of due cause, by allowing Father Lenihan to be transferred, after having knowledge that he had molested minor females, in violation of directive from the U.S. Conference of Catholic Bishops in 1993, which forbade treatment and/or reassignment of priests who molest minors.

193. Plaintiff is informed and believes, and on that basis alleges, that Defendant Dioceses further breached its duty of due care by violating a 1998 Directive and Policy issued by Defendant, The Roman Catholic Archbishop of Los Angeles, which mandated Defendant, The Roman Catholic Bishop of the Orange County Diocese to report all cases in which a priest molested a minor to the legal authorities.

194. Plaintiff is informed and believes, and on that basis alleges, that Defendant Dioceses further breached its duty of due care owing to the Plaintiff, by allowing Father Lenihan to molest and sexually abuse the Plaintiff by taking advantage of her vulnerability during a counseling session after having explicit knowledge thereof and knowing that Father Lenihan's conduct was in violation of a directive and policy of Defendant, The Roman Catholic Bishop of Orange County Diocese, and Dioceses known as "Respecting the Boundaries." Plaintiff is informed and believes, and thereon alleges, that said policy expressly forbidding sexual relationships with vulnerable adults and others, was adopted and in force and effect during certain
time periods in which Father Lenihan was molesting and sexually abusing the Plaintiff and after the Dioceses had actual knowledge of said molestations. A true and correct copy of said policy entitled “Respecting the Boundaries,” is marked Exhibit “K.” Said policy states, in pertinent part, as follows:

“... Sexual misconduct by clergy, Church personnel, Church leaders, and volunteers, is contrary to Christian morals, doctrine, and Canon law. It is never acceptable. We recognize that sexual misconduct may have devastating consequences for victims and their families ... 

Sexualized conduct or sexualized behavior by a person in a ministerial or pastor role directed at a parishioner, employee, student, spiritual directee, counseling client, or anyone who has sought the Church ministry.

... Q. What if the victim does not stop the sexual contact when it began or what if the victim initiated it?

A. It is a common dynamic in ministry for some to feel attracted to those in Church leadership positions, or to feel flattered by his or her attention. This never excuses any form of sexual misconduct. Clergy or other Church leaders who engage in any form of sexual misconduct are violating the ministerial relationship, misusing their authority and power, and are taking advantage of the vulnerability of those who are seeking spiritual guidance.

Because of the respect and even reverence with which many people view the Church’s ministries, there is always an imbalance of power and hence, a vulnerability inherent in the ministerial relationship. By definition,
therefore, there is an absence of meaningful consent to any activity, even if the person is an adult. Because of the imbalance of power, conduct inappropriate to the ministerial relationship is never okay.

It is always the responsibility of the Church leader to maintain the appropriate emotional and sexual boundaries of those they serve and those with whom they work...

Q: How will the Diocese of Orange handle sexual misconduct claims against a member of the clergy, (i.e., Bishops, priests, or deacons)?

A: When a member of the clergy is accused, a special committee will be convened by the Vicar General, and with the Assistant Ministry Coordinator, will respond promptly to the Complaint. In dealing with the Complaint, the members of the Committee will:

Make every effort to act in a way that protects people from being harmed, including relieving an accused priest or deacon from ministerial duties when warranted by substantial facts and/or risk of harm;

Comply with applicable civil reporting mandates governing sexual abuse;

Offer victims and their family assistance in obtaining psychological counseling and spiritual direction..."
195. Plaintiff is informed and believes, and on that basis alleges that those individuals employed or governed by the Defendant Dioceses were aware, and understood how vulnerable, emotionally disturbed female minors and vulnerable adult females were to abuse by priests, and in particular, by Father Lenihan.

196. At all times that the Plaintiff was being molested and sexually abused by Father Lenihan, Defendants Dioceses were placed on actual and constructive notice that Father Lenihan had molested minor students in the past and knew or should have known that the Defendant had the propensities and qualities to similarly molest and sexually exploit emotionally vulnerable and co-dependent adult females, such as the Plaintiff. Furthermore, during the time that Father Lenihan was molesting and sexually abusing the Plaintiff, these Dioceses were put on actual and constructive notice that Father Lenihan was molesting and sexually abusing the Plaintiff. Notwithstanding this information, the Defendant Dioceses continued to retain Father Lenihan and continued to fail to supervise and continued to allow Father Lenihan to continue with his sexual perverse ways.

197. As a proximate result of the acts of the Defendants described herein, Plaintiff was hurt and injured in her health, strength, and activity, sustained injury to nervous system, and person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional, spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in continuing and permanent disabilities to her. As a result of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

198. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been damaged in that she has been required, and will be required in the future, to
expend money and incur obligations for health care providers required in the treatment and relief of the injuries alleged, in an amount to be determined at the time of trial.

199. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages, and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

200. The above-described conduct of Father Lenihan was willful and outrageous, was committed in reckless disregard of the probability of causing Plaintiff severe emotional distress, mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein, Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an award of exemplary or punitive damages.

WHEREFORE, Plaintiff prays for judgment against Defendants, and each of them, as follows:

FOR ALL CAUSES OF ACTION

1. For past and future general damages in an amount to be determined at trial;

2. For past and future special damages in an amount to be determined at trial.

3. For past and future lost earnings in an amount to be determined at trial;

4. For punitive and exemplary damages in an amount appropriate to punish or set an example of the Defendants;
5. For costs of the suit.

6. For attorneys' fees.

7. For interest as allowed by the law.

8. For such other and further relief as the court may deem proper.

DATED: May 8, 2002

LAW OFFICES OF JAMES P. MCDONOUGH

By: [Signature]

James P. McDonough
Attorney for Plaintiff.
EXHIBIT "A"
Dear Fr. [Redacted]

In reading the very disappointing article today in the Orange County Register regarding Msgr. Harris, I was very interested in the paragraph referring to Fr. John Lenihan and his indiscretions. It came as no shock to me, due to the fact every time I come to Laguna Niguel to visit my Mother I encounter Fr. John. He is visiting my mother’s next door neighbor, a single women. The visits are at least three times weekly on Monday, Wednesday and Friday.

They begin at approximately 1:00pm and last about two to three hours. On some occasions his car is there after 10:00pm. On other occasions he picks her up and is gone for hours. On more than one occasion Fr. John has been observed on a trail next to the house holding hands and kissing this individual. I personally have witnessed this behavior. There are other neighbors who happen to be his parishioners that have also witnessed his routine of visiting this women. We have known about this going on since mid March. It could have been going on longer, but we were not aware of it. It has caused great stress to my Mother and other neighbors who hold the priesthood in high esteem.

Early in May I brought the subject up to a D.R.E. in the dioceses. She said to me "Aaron, that’s the way he is, and the dioceses has known it for year’s." I then decided to confront him personally as he was leaving the women’s house. I told him that there where neighbors who had seen him on the trails and knew he was coming to the person’s house three times a week. He told me he was there counseling her because she was an alcoholic. When I said Fr. John they have seen you on the trail’s with her, he said "I better be more careful." He thanked me for making him aware of this. I was so shocked by his response I wasn’t sure what to do. As you and I both know,
counseling is not done in the home and not three times a week for three hours a session. It also does not included physical contact.

I have great love for the Church and have been an active member my whole life. I do feel that this type of behavior needs to be stopped. The Bishop, Vicar General and the Vicar for Priest must call these priest to reprimand. I am the first to call for an optional celibate priesthood, as we know that is not the rule in the western Church. When Fr. John was ordained he knew the vows and the rules of the Church.

I pray that you will take action immediately to put a stop to his flamboyant disregard for the vow of chastity. The Church must stand up and put a stop to all indiscretion's in the priesthood. the Church has been silent to long.

If you are interested the indiscretion's take place at Redacted Laguna Niguel with a women named Redacted

Thank you for your time and I thank you in advance for your swift action on this matter.

In His name,

Redacted
EXHIBIT “B”
January 29, 2001

To Whom It May Concern:

I have known Redacted for approximately one year, shortly after she moved to this area. She came to me, as the pastor of St. Edward Church, Dana Point, located close to her apartment, for counseling. She was in a difficult and dubious relationship, which subsequently ended causing her great grief. I had no inkling for quite a while that she had a problem with alcohol. I never saw her incapable of functioning normally and, in particular, unable to give total attention and care to her Redacted. He is a very exceptional child in many ways. He suffers from acute attention deficit disorder and hyperactivity, is physically and emotionally underdeveloped, yet also capable of great love, devotion and insights. He is not able to feed himself for lack of finger dexterity, yet has a strong throwing arm, can keep himself amused for a long time yet explode into deviant behavior, is not yet fully potty trained, yet can sing and dance with great rhythm. His center of his world is his mother and he maintains a tenuous relationship with his school, which has him in a special education program.

Redacted had a very difficult life. She grew up in a very dysfunctional family. She was subject to physical and mental cruelty particularly by an estranged father who terrified he and an older brother who belittled her. Her self worth was found through her athletic ability as she excelled in basketball up to the division one university level. Following school her life entered another traumatic phase with a disastrous marriage and the birth of a handicapped son. Her husband was physically abusive, threatened the life of her son and herself, and eventually committed suicide leaving a letter and a legacy that has affected Redacted to this day. In the light of all this, Redacted as been an extraordinary survivor, yet understandably remains wounded. In the course of helping her, I have directed her towards professional alcohol counseling and urged her to battle her propensity to anorexia. I learned of a particularly difficult aspect of her drinking, that if she suddenly stopped drinking completely she was liable to seizures.

The pivotal definitive change occurred with her arrest on suspicion of driving under the influence. Knowing she could have a seizure, which in fact occurred the next day, yet determined, she resolved to stop drinking completely. She has not had a drink since that day and now has over four months of continuous sobriety. She has returned to professional counseling even with the financial strain involved. She is a daily churchgoer, usually with Redacted, who enjoys the experience, and I see her regularly three times a week. She has also been dealing with severe underweight bordering on anorexia but with constant encouragement and counseling she has put on over 10 pounds.
I see no value in incarceration and believe it would be extremely detrimental to her ongoing progress. I firmly believe Redacted is absolutely sincere and determined and has embarked on a new life of complete sobriety. Her psyche is still fragile and could be destroyed by incarceration. She needs affirmation, encouragement and a plan. I recommend a strong outpatient program. Components would include elements already in place (1) Counseling with Dr. Redacted, a certified alcohol counselor she is already seeing and/or (2) Counseling with Redacted, a certified addictive and eating disorder counselor from Pacific Hills treatment center three times a week, (3) Support from St. Edward Church, and specifically from me as pastor (4) active internet contact with two support groups, W.F.S. (Women for Sobriety), and an eating support group (Remember it Hurts).

Thanking you for your consideration of this letter, and begging your clemency on her behalf,

Yours Sincerely,

[Signature]

Rev. John P. Lenihan
EXHIBIT "C"
July 7, 2001

Dear Judge Lenihan,

My name is Ms. John Lenihan and I am pastor at St. Edward Catholic Church in Dana Point. I am a registered parishioner with her, a delightful but developmentally disabled child. I have been counseling her for about a year, dealing with various issues and particularly with her alcohol problem. While lacking in particular expertise in that area, I have been trying to help her control her disease through spiritual strength and practical support.

In recent months, she has been seeing me three times a week and has a number of other counseling and support systems, including a psychologist who specializes in alcohol counseling.

I am happy to report that she has now been sober for almost 10 months, ever since the incident that resulted in her OUI. She is in very good health, battling anxiety and a number of other issues, and I want to petition your, Boniny, to avoid the use of “court-bureaucracy”. I believe she has already accomplished the objectives involved and I offer any personal help if appropriate.

Thank you for listening to me and with understanding for the difficulties and issues involved.
EXHIBIT "D"
To whom it concerns:

I have been counseling Redacted for approximately 15 years. She has been a member of the church and sought help. She waged a heroic battle against alcoholism. When I first met her she was still drinking and in a destructive relationship but she has turned around that period. She has served her time for a D.U.I. even though it involved extraordinary extra hardship because of her developmentally disabled little Redacted who is a wonderful child but needs constant attention including feeding. She has been sober completely for 1 year and 2 months in spite of great negative inducements. She recently had a cancer operation suffers from an eating disorder that has her dangerously underweight and her very few supports. Her only relative in contact is her Redacted. She has bad committed suicide some years back and she has nobody locally. Never the less she is faithful to both and all recommended groups. She has tried to be married and help a fellow which has added stress and she walks to the market and takes a bus to church whenever possible.

As you know her incident occurred when she

000305 LA_2013_11_21_Lenihan_000242
was returning from mass at St. Timothy, the local church.
I cannot overemphasize the importance of regular church attendance daily in her continued sobriety and this was
the reason she was in her care. While not condoning or
minimizing the offence I knew that her intense desire
to get to church was the reason. In fact, her only
two great needs are to get back in contact with church
and both are so essential I could foresee some kind
of limited licencing to enable her to do both and
restrict her driving to these occasions.

In spite of enormous pressures, she has been
hectic in maintaining her sobriety, and she is being
counselled regularly by a psychologist with special alcohol
qualifications and receives additional counselling.

May I respectfully plead for special
consideration and leniency from the court and
know that your trust in her will not be misplaced.
Any punitive measures at this time would be catastrophic
to her and
courts.

Thanking you for your special consideration,

Yours Sincerely & Respectfully,

[Signature]

[Redacted]
EXHIBIT "E"
St. Edward Church  
Union Point,  
Ga. 92629  

Oct. 11, 2001

To Whom it may concern,

This is to certify that,

Redacted

continues to show considerable progress in her battle against alcoholism. She marked a year of sobriety on Sept. 19th and continues to remain so free of difficult circumstances.

Her prohibition from driving makes it very difficult to care for herself and her Redacted exhibits her ability to access helpful situations such as church meetings, and medical. Personally, I am unable to continue to counsel and be available because of changed circumstances and I am trying to be a listening and encouraging voice from a distance.

I believe she should be congratulated and encouraged for tremendous personal growth under trying circumstances and invite your special consideration of her driving permission.

Yours Sincerely,

Rev. J. L. Drennan
EXHIBIT "F"
To whom it may concern,

This is a progress report/follow-up regarding Ms. Redacted. She continues to stay sober and work her two recovery programs. I am pleased to report that Ms. Redacted has recently celebrated one year of sobriety (Sept. 19, 2001). Ms. Redacted continues to counsel with me for both her alcohol and eating disorder issues. She is also continuing with her Women For Sobriety Support group and is sponsoring a young woman in the program. She is also continuing to counsel with alcohol counselor Redacted and Father John Lenihan.

If you have any questions, please feel free to contact me at Pacific Hills Treatment Center at (949) Redacted.

Sincerely,

Redacted

Redacted

Call for further information or a free confidential assessment 800-NO-ABUS

000310

LA_2013_11_21_Lenihan_000247
EXHIBIT "G"
Redacted

Telephone: 949-369-2915
Pager: 949-512-3114
Assessment: 800-NO-ABUSE
27 Avenida Monterey - Suite A - San Clemente - CA - 92672
www.pachills.com

11-21-01

...ay concern:

My name is Redacted, and I am an addictions counselor at Pacific Hills Treatment Center. I have been counseling Redacted for her problems with alcohol and eating disorders for over a year. Today she is celebrating 1 year and 2 months of sobriety, in spite of many, very challenging circumstances, including being a widowed mother of an emotionally/mentally handicapped child. Redacted recovery program consists of daily church services, addictions counseling with myself, Redacted (C.M.T.) and Father John Lenihan. MS. Redacted got her ticket while returning from St. Timothy's Church, which is vital for her recovery. MS. Redacted has been in a catch-22 in that she needs these sobriety tools, yet needs to drive to access these support systems. To incarcerate MS. Redacted would be counter-productive to her recovery, as well as put her son at great risk.

Sincerely,

Call for further information or a free confidential assessment 800-NO-ABUSE

Redacted

000312

LA_2013_11_21_LENihan_000249
EXHIBIT "H"
Cardinal Timothy Manning
1531 West 9th Street
Los Angeles, California 90015

Your Eminence:

This is in regard to a Father John Lanahan who is assigned to St. Norbert Parish in or near Anaheim, and my step-daughter, Redacted, age 15, who has lived for the past two years with her step-mother, at Redacted, Anaheim, 92807.

Redacted has been living in California by choice, but asked to spend this summer with my wife (her natural mother) and I. She has received several letters from a Father John whom she identified as her church counselor. My wife also accepted a telephone call from him and let him talk to Redacted. I became suspicious and read his letters which were romantic and contained sexual innuendo. I questioned Mary very intensely and she admitted having intimate physical relations with him but denied sexual intercourse. I immediately telephoned Lanahan who knew exactly who I was. He readily admitted having a romantic attachment to Redacted, having physical knowledge of her, but denied intercourse or self-exposure to her.

I have informed Redacted's step-mother that Redacted will not be returning to Los Angeles. Father Lanahan wrote a letter to me which I threw away. I have promised Redacted that no one will be told of this affair outside of this immediate family. I cannot remain silent about this 32 year old priest who may need more help than the teens he is assigned to counsel.

I propose to leave this matter entirely in your hands, Sir. It is repugnant to me and since I am not of your faith, my anger is high. You may respond or not, as you desire.

Sincerely,

Redacted

Redacted

September 1, 1978
EXHIBIT "I"
September 8, 1978

Dear Mr. [Redacted],

Please accept this response to your letter of September 1st to Cardinal Manning. We appreciate deeply the kindly manner in which you have expressed your distress and the confidence which you indicate in leaving this matter to our decision.

Since Father Lenihan is in the Diocese of Orange, I am referring this matter to the bishop's office there.

With kind regards, I am

Sincerely yours,

[Signature]

Reverend Monsignor Clement J. Connolly
Secretary to the Cardinal

cc: Fr. Driscoll
EXHIBIT "J"
September 8, 1978

Dear Mike:

The attached correspondence is self-explanatory.

Hope you are well.

Personal regards,

[Signature]

Plaintiffs' Exhibit 1

For Identification

Eileen M. Gomez, CSR

December 15, 1990

Wit. Norman M. Garlend

000318
EXHIBIT "K"
RESPECTING
THE
BOUNDARIES

Keeping
Ministerial
Relationships
Healthy and Holy

Diocese of Orange
"Jesus spoke to them again, saying 'I am the light of the world. Whoever follows me will...have the light of life.'" (John 8:12)

Dear Brothers and Sisters in Christ,

God gifted humans with--gender and sexuality, making us male and female and saw that this was good. The Bible teaches that any good gift from God can become twisted or corrupted and may cause injury and offend human dignity.

Together we are called to minister to all of God's people and show special tenderness and care for those who are vulnerable. We as the Church strive to create worship, educational and work environment where all persons treat each other with dignity, charity and respect.

Sexual misconduct by clergy, church personnel, church leaders and volunteers is contrary to Christian morals, doctrine and canon law. **It is never acceptable.** We recognize that sexual misconduct may have devastating consequences for the victims and their families, for the Church community, and for the transgressor. While this subject is troubling and distasteful to all of us, basic information about sexual misconduct in the ministerial setting is needed in order to protect the vulnerable and assure the integrity of ministerial relationships.

The Diocese makes this pamphlet available to its parents, teachers, lay and ordained parish ministers, and parishioners at large as part of its effort to ensure the integrity of its ministries. It also endeavors to explain how issues of sexual misconduct are addressed within our Church and to give information on where to seek assistance and how to respond most effectively in situations where sexual misconduct has occurred. With the wisdom that comes from the Spirit, let us work together to respect ministerial boundaries and keep ministerial relationships healthy and holy.

Yours in Christ,

Most Reverend Tod D. Brown
Bishop of Orange
Defining the Problem:
Sexual Misconduct in the Ministerial Relationship

Q. What constitutes a “ministerial relationship”?

A. This is a relationship in which a person is receiving pastoral care from a church leader.

Whenever a person begins a relationship with any person in is or her capacity as a church official or leader, a ministerial relationship is created. This applies to:

- Clergy (bishops, priests, deacons);
- Members of religious communities (priests, brothers, sisters);
- Lay ministers, lay pastoral associates, youth ministers and liturgical ministers;
- Spiritual directors and pastoral counselors;
- School personnel;
- Seminary faculty, staff and administrators; and
- Religious education teachers, church camp counselors and choir directors.

The Nature of Sexual Misconduct

Sexual misconduct is a general term that includes sexual harassment, sexual exploitation and sexual abuse.

More specifically:

Q. What is sexual misconduct in the ministerial relationship?

A. Sexualized contact or sexualized behavior by a person in a ministerial or pastor role directed at a parishioner, employee, student, spiritual directee, counseling client, or anyone who has sought the Church’s ministry.

Q. What is sexual harassment?

A. Sexual harassment is unwanted sexualized conduct or language between co-workers in the church setting. Although difficult to define precisely, sexual harassment may include but is not limited to the following:
• Making unsolicited sexual advances and propositions;
• Using sexually degrading words to describe an individual or an individual's body;
• Telling inappropriate or sexually related jokes;
• Retaliating against the co-worker who refuses sexual advances; and
• Offering favors or employment benefits, such as promotions, favorable performance evaluations, favorably assigned duties or shifts, recommendations and the like in exchange for sexual favors.

Q. What is sexual exploitation?

A. Sexual exploitation is the sexual contact between a church leader and a person who is receiving pastoral care from the church leader.

Q. What is sexual abuse?

A. Sexual abuse is sexual contact between a church leader and a minor or a "vulnerable adult" as defined by law.

Either sexual exploitation or sexual abuse can include physical contact from the church leader such as:

- Sexual touch or other intrusive touching (i.e. tickling wrestling, or other physical contact) that causes uneasiness or discomfort in the one touched.
- An inappropriate gift (such as lingerie).
- A prolonged hug when a brief hug is customary behavior.
- Kissing on the lips when a kiss on the cheek would be appropriate.
- Showing sexually suggestive objects or pornography.
- Sexual intercourse, anal or oral sex.

Sexual exploitation or sexual abuse can also include verbal behavior such as:

- Innuedo or sexual talk;
- Sexual comments;
• Tales of sexual exploits, experiences or conflicts; and
• Making sexual proposals.

Q. What if the victim did not stop the sexual contact when it began or what if the victim initiated it?

A. It is a common dynamic in ministry for some to feel attracted to those in church leadership positions, or to feel flattered by his or her attention. This never excuses any form of sexual misconduct. Clergy or other church leaders who engage in any form of sexual misconduct are violating the ministerial relationship, misusing their authority and power, and are taking advantage of the vulnerability of those who are seeking spiritual guidance.

Because of the respect and even reverence with which many people view the Church’s ministers, there is always an imbalance of power and hence a vulnerability inherent in the ministerial relationship. By definition, therefore, there is an absence of meaningful consent to any activity, even if the person is an adult. Because of this imbalance of power, conduct inappropriate to the ministerial relationship is never okay. It is always the responsibility of the Church leader to maintain the appropriate emotional and sexual boundaries of those they serve and those with whom they work.

Q. What is the impact of ministerial sexual misconduct on its victims?

A. Victims of ministerial sexual misconduct frequently feel deep shame or self-condemnation. They may fear not being believed or fear being blamed by Church officials or members. Many times they desire to protect the abuser or the Church from scandal, or may not even realize that the way they were treated was abusive. Sadly, victims can experience a crisis of faith and even leave the Church altogether.

Response to Complaints of Sexual Misconduct

Q. How are complaints or allegations of sexual misconduct handled in the Diocese of Orange?

A. The Diocese of Orange treats all complaints of sexual misconduct seriously and deals with such allegations in a prompt, thorough and
confidential manner with compassion and consideration for all those involved.

- A complaint against a Diocesan priest or deacon, religious personnel assigned in the Diocese of Orange, Catholic school personnel, or other Diocesan employee may be initiated by a telephone call to (714) 282-3000; or in writing directed to the Vicar General (in the case of clergy and religious personnel) or to the Director of Human Resources (in the case of lay personnel or volunteers). The address is:
  
  2811 E. Villa Real Drive,
  Orange, California 92863

- A complaint against a Diocesan priest or deacon, religious personnel assigned in the Diocese of Orange, Catholic school personnel, or other Diocesan employee may also be initiated by calling 1-800-364-3064.

- All complaints will initially be referred to the Diocese of Orange Assistance Ministry Coordinator who will respond to the complainant and assist the complainant in directing the complaint to the proper authority.

- Complaints against religious personnel assigned in the Diocese of Orange will normally be referred to the respective religious order superiors or provincial generals.

- Complaints against parish employees or volunteers may be directed to the pastor or parochial vicar of the parish in question or directly to the Director of Human Resources for the Diocese of Orange.

**Q. How will the Diocese of Orange handle sexual misconduct claims against a member of the clergy (i.e. bishops, priests or deacons)?**

**A.** When a member of the clergy is accused, a special committee will be convened by the Vicar General, and with the Assistance Ministry Coordinator, will respond promptly to the complaint. In dealing with the complaint, the members of the committee will:

- Make every effort to act in a way that protects people from being harmed, including relieving an accused priest or deacon from ministerial duties when warranted by substantiated facts and/or risk of harm;
- Comply with applicable civil reporting mandates governing sexual abuse;
- Offer victims and their families assistance in obtaining psychological counseling and spiritual direction; and
- Deal as openly as possible with members of the parish community while respecting the privacy of the individuals involved and in accordance with Church law governing such situations.
Preventing Sexual Misconduct

Q. What is being done to prevent sexual misconduct in the Church?

A. Every effort is made to assure that all persons ministering in the Diocese of Orange are aware of and will abide by the policies prohibiting sexual misconduct and of the procedures for dealing with incidents of sexual misconduct.

School personnel are screened for their ability to work safely with children, are provided information to help recognize and deal with issues of child sexual abuse, and are offered guidance and instruction on appropriate professional conduct with students.

All seminarians and candidates for the diaconate receive extensive evaluation and psychological assessment before entering formation. After ordination, priests and deacons receive ongoing training on maintaining the integrity of the ministerial relationship.

Every person has the right to be respected and treated with the dignity befitting a child of God. Every person is owed respect of appropriate boundaries. Every person has the right to challenge offensive and inappropriate behavior and comments. It is the responsibility of everyone to protect the safety of children, families, women and men, and to promote healing of injury with justice and mercy toward all.

"The light shines in the darkness and the darkness has not overcome it."
(John 1:5)
CONGREGATIO DE CULTU DIVINO ET DISCIPLINA SACRAMENTORUM

Prot. N. 899/02/S

D.nus IOANNES PETRUS LENIHAN, presbyter Dioecesis Arausicanae in California, humiliter petit dispensationem a sacro coelibatu et ab omnibus oneribus sacrae Ordinationi conexit.

SS.mus D. N. IOANNES PAULUS, Papa II,

die 28 mai 2002

habita relatione de casu a Congregatione pro Cultu Divino et Disciplina Sacramentorum, precibus annuit iuxta sequentes rationes:

1. Dispensationis Rescriptum, a competenti Ordinario oratorii quamprimum notificandum ad normam n. 2:

   a) Effectum sortitur a momento notificationis;

   b) Amplectitur inseparabiliter dispensationem a sacro coelibatu et simul amissionem status clericalis. Numquam oratorii fas est duo illa elementa setangere, seu prius accipere et alterum recusare;

   c) Si vero orator est religiosus, Rescriptum concedit etiam dispensationem a votis;

   d) Idemque insuper secundum, quatenus opus sit, absolutionem a censuris.

2. Notificatio dispensationis oratorii fieri potest vel personaliter vel ab ipso Ordinario eiusve delegato aut per ecclesiasticum actarium vel per "epistulas perscriptas" (raccomandata, certificada, enregistrée, registered, inscrite). Ordinarius unum exemplar restituuere debet rite ab oratore subsignatum ad fidem receptionis Rescripti dispensationis ac simul acceptationis eiusdem praepositorum.

3. Notitia concessionis dispensationis adnotetur in libris baptizatorum paroeciae oratorii.

4. Quod attinet ad celebrationem canonici matrimonii, applicandae sunt normae quae in Codice iuris Canonici statuuntur. Ordinarius vero curet ut res caute peragantur sine pompa vel exteriore apparatu.

5. Auctoritas ecclesiastica, cui pertinet Rescriptum oratorii rite notificare, hunc enixe hortetur, ut vitam Populi Dei, ratione congruendi cum nova eius vivendi conditione, participet, aedificationem praestet et ita probum Ecclesiae filium se exhibeat. Simul autem eidem nota faciat ea quae sequuntur:

   a) Presbyter dispensatus eo ipso amittit iura statui clericali propria, dignitates et officia ecclesiastica; ceteris obligationibus cum statu clericali conexit non amplius adstringitur;
b) exclusus manet ab exercitio sacri ministerii, iis exceptis de quibus in cann. 976 et 986 § 2 ac propterca nequit homiliam habere, nec potest officium gerere directivum in ambitu pastorali neque munere administratoris paroecialis fungit;

c) item nullum munus absolvere potest in Seminariis et in Institutis aequiparatis. In aliis institutis studiorum gradus superioris, quocumque modo dependentibus ab Auctoritate eclesiastica, munere directivo fungit nequit;

d) in Institutis studiorum gradus superioris ab Auctoritate eclesiastica dependentibus necne, nullum disciplinam proprie theologicam vel cum ipsa intime conexam tradere potest;

e) in Institutis autem studiorum gradus inferioris dependentibus ab Auctoritate eclesiastica munere directivo vel officio docendi disciplinam proprie theologicam fungit nequit. Eadem lege tenetur presbyter dispensatus in tradenda Religione in Institutis eiusdem generis non dependentibus ab Auctoritate eclesiastica;

f) per se presbyter a sacerdotali coelibatu dispensatus et a fortiori matrimonio iunctos, abesse debet a locis in quibus cius antecedens conditio nota est nec ubique fungi potest servitio Lectoris et Acolytorum et distributiones eucharisticae communionis.

6. Ordinarius dioecesis domicilii vel commorationis oratoris, pro suo prudenti iudicio et propria onerata conscientia, auditis quibus interest et circumstantiis bene perpendit, dispensare potest ab aliis immo ab omnibus clausulis Rescripti quae supra habent litteris e, f, apponuntur.

7. Pro regula habeatur ut hae dispensationes non nisi transacto aliquo temporis spatio a notificatione admissiomis status clericalis elargiantur ac scripto consignentur.

8. Denique oratorem aliquod opus pietatis vel caritatis imponatur.

9. Tempore autem opportuno Ordinarius competens breviter ad Congregationem de peracta notificatione referat, et si qua tandem fidelium admiratio adsit, prudenti explanatione provideat.

Contrariis quibuscumque minime obstantibus.

Ex Aedibus Congregationis, die 28 mali 2002.

[Signature]
Georgius A. Card. Medina Estévez
Praefectus

[Signature]
Franciscus Pius Tamburrius
Archep. a Secretis

Subsignatio Oratoris in signum accessionis

000101
The undersigned plaintiff, hereinafter called "Claimant," has brought a claim for damages arising out of events that occurred on or about the dates set forth in the complaint filed in this action, which is incorporated herein by reference, alleging various damages.

An agreement has been reached between the claimant and the various defendants and their insurance companies which have issued policies to those defendants that might provide benefits in that situation.
The terms of that agreement are as follows: The claimant, over the age of 18 years, has agreed, for the sole consideration of Four Hundred Thousand Dollars $400,000.00, receipt of which is hereby acknowledged, does hereby and on behalf of his heirs, successors and assigns, release, acquit and forever discharge THE ROMAN CATHOLIC BISHOP OF ORANGE, a Corporation Sole, THE ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES, a Corporation Sole, its attorneys, their or its agents, servants, employees and all other persons, EXCEPT DEFENDANT JOHN LENIHAN, firms, associations or partnerships from any and all claims, actions, causes of actions, demands, damages, costs, cost of service, expense and compensation whatsoever which the undersigned claimant now has or which may hereinafter accrue on account of or in any way growing out of any and all known and unknown, foreseen and unforeseen bodily and personal injuries and property damages and the consequences thereof or to result from the accident, casualty or event described in the complaint herein.

It is understood and agreed that this settlement is the compromise of a doubtful and disputed claim, and that the payment made is not to be construed as an admission of liability on the part of the party or parties hereby released, and that said releasees deny liability therefor and intend merely to avoid litigation and buy their peace.

It is further understood that all rights under Section 1542 of the Civil Code of California and any similar law of any state or territory of the United States are hereby expressly waived. Said section reads as follows:

"1542. Certain claims not effected by general release. A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

The undersigned hereby declare(s) and represent(s) that the injuries sustained are or may be permanent and progressive and that recovery therefrom is uncertain and indefinite and in making this Release it is understood and agreed, that the undersigned rely(ies) wholly upon the undersigned's judgment, belief and knowledge of the nature, extent, affect
and duration of said injuries and liability therefor and is made without reliance upon any statement or representation of the party or parties hereby released or their representatives or by any physician or surgeon by them employed.

The undersigned further declare(s) and represent(s) that no promise, inducement or agreement not herein expressed has been made to the undersigned, and that this Release contains the entire agreement between the parties hereto, and that the terms of this Release are contractual and not a mere recital. The undersigned and his/her attorneys further declare(s) and represent(s) that all outstanding bills and liens from any source including but not limited to governmental entities have/has or will be satisfied, and both the undersigned and his/her attorneys agree to defend and indemnify the defendants, their insurance company and lawyers, in the event that any lien claims are made against any such indemnitees.

It is intended by the parties to this agreement that the above settlement is a final disposition and payment for any type of loss arising out of the aforementioned incident including, but not limited to, property damage, personal injury and/or related death, mental distress, living expenses, loss of consortium, loss of services, loss of earnings, medical or legal bills or any other possible benefit accrued or which might accrue under the terms of the complaint or which might be payable under an insurance policy. In return for the payment specified above, the claimant agrees to this release and further agrees to release and discharge the defendants, their attorneys, and their insurance company and any person entitled to coverage under that insurance policy for any type of loss, lien or claim whatsoever, including but not limited to any cause of action for violation of any statute, or arising in tort or contract, and the claimant further agrees that the responsibility for bills, liens or encumbrances of any type whatsoever arising out of any damage to the claimant or the claimant's property now lies with that claimant and not with the settling defendants or their insurance company.

For your protection, California law requires the following to appear on this form:
"It is unlawful to (a) present or cause to be presented any false or fraudulent claim for the payment of a loss under a contract of insurance and (b) prepare, make or subscribe any writing with the intent to present or use the same, and to allow it to be presented or used in support of any such claim. Every person who violates any provision of this section is punishable by imprisonment in the state prison not exceeding three years or by fine not exceeding $1,000 or by both."

ATTENTION: READ CAREFULLY BEFORE SIGNING AND CONSULT WITH COUNSEL SINCE YOUR SIGNATURE GIVES UP LEGAL RIGHTS.

The parties, individually and by and through their counsel, stipulate for settlement of the case as set forth above, and agree pursuant to CCP Section 664.6 that the court, upon motion, shall enter judgment pursuant to the terms of this settlement.

I have read the foregoing Release of All Claims and agree to its terms.

Dated this 2nd day of August, 2002

My name is James P. McDonough and I am the attorney of record for the claimant. I have read the foregoing Release of All Claims. I have explained the terms of this document to my client, and my client and I agree to the terms expressed therein.

Dated this 2nd day of August, 2002.

JAMES P. MCDONOUGH

- 4 -