

STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS
SOUTHERN DISTRICT

SUPERIOR COURT

John Doe

v.

Diocese of Manchester

and

Missionary Oblates of Mary Immaculate,
Province of the United States

226-2010-cv-00471

**AFFIDAVIT OF GORDON J. MACDONALD IN SUPPORT OF DEFENDANT
DIOCESE OF MANCHESTER'S MOTION TO DISMISS**

I, Gordon J. MacDonald, declare as follows:

1. I make this affidavit on personal knowledge.
2. I am an attorney licensed to practice law in the courts of the State of New Hampshire.
3. I represent the Diocese of Manchester in the above-captioned matter.
4. Attached herewith as Exhibit 1 is a true and correct copy of a print-out of the screen shot of <<http://jessicaarbour.blogspot.com/>>, a web page apparently maintained by Herman, Mermelstein & Horowitz, P.A., attorneys for the plaintiff, as viewed on January 20, 2011. This document was accessed and printed using a computer in my office.
5. Attached herewith as Exhibit 2 is a true and correct copy of a print-out of the screen shot of <<http://jessicaarbour.blogspot.com/>>, a web page apparently maintained by Herman,

Herman, Mermelstein & Horowitz, P.A.

Contact Information

Herman, Mermelstein & Horowitz,
P.A.
18205 Biscayne Blvd.
Suite 2218
Miami, FL 33131
(305) 931-2200
Toll free: (800) 686-9921
www.hermanlaw.com

Our Attorneys

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Stuart S. Mermelstein
Adam D. Horowitz
Jessica D. Arbour
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Wednesday, July 21, 2010

New clergy abuse & cover up suit is filed against Oblates and Manchester Diocese

Group wants bishop to list all predators on his website

Two Massachusetts dioceses have agreed recently to do this

WHAT

Holding signs and childhood photos at a sidewalk news conference, clergy sex abuse victims will

--disclose and discuss a new clergy sex abuse and cover up lawsuit against a New Hampshire cleric,

--prod Catholic officials - here and elsewhere - to aggressively reach out to anyone else he hurt, and

--urge New Hampshire's bishop to permanently post on his website the names, whereabouts and status of all child molesting clerics, including this man

WHEN

Wednesday, July 21, 1:30 p.m.

WHERE

Outside the diocesan headquarters (chancery office), 153 Ash Street, Manchester, NH

WHO

Two members of a support group called SNAP, the Survivors Network of those Abused by Priests (SNAPnetwork.org), including a Missouri man who is the organization's long time executive director

VISUALS

The group will provide copies of the alleged predator's photo and copies of the lawsuit.

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About Me

Jessica Arbour

Our team of attorneys concentrates their practice on representing victims of childhood sexual abuse. We have successfully resolved claims against the Catholic church, yeshivas, schools, daycares, and the United States government on behalf of very courageous clients. Contact one of us today.

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WHY

In 1967-68, when he was 11-12 years old, an altar boy at St. Brendan's parish was repeatedly sexually abused by Fr. George St. Jean, who told the boy not to tell anyone about what St. Jean was doing. Today, that victim is filing a civil lawsuit today against the Manchester Catholic diocese and the Washington DC-based Oblates of Mary Immaculate (202 522 3557) which directly supervised St. Jean.

According to a 2009 report from the NH Attorney General, St. Jean is also accused of molesting at least one child in either Tyngsboro, Lowell or Dracut, MA. And in May 2010, Plymouth NH resident John Labbe sued St. Jean for sexually assaulted him about 100 times as a boy growing up in Colebrook in the 1960s, when St. Jean was assigned to the Shrine of Our Lady of Grace in Colebrook.

St. Jean worked in at least three New Hampshire towns including Colebrook (1958-59 and 1965-72, Novitiate of Our Lady of Grace), and Hudson (1962-64 at the Oblates Retreat House). He also had at least two Massachusetts assignments (Natick from 1973-74 at the Oblate Center and Lowell from 1975-77 at the Oblate Fathers Residence), and one in Connecticut (Williamantic from 1960-61 at the Immaculata Retreat House).

The victim in the new lawsuit is represented by Miami FL attorney Jessica Arbour (305 931 2200, 305 318 5444 cell, jarbour@sexabuseattorney.com).

SNAP wants New Hampshire's Catholic church officials to use their websites and parish bulletins to alert their flock that St. Jean spent time in New Hampshire and the allegations against him.

http://www.bishop-accountability.org/news2010/05_06/2010_05_19_Marchocki_ManSays.htm

2) SNAP is also asking Manchester Bishop John McCormack (in his last few months in office) to do what 24 other bishops have done, and post on his website, for the sake of public safety, the names, whereabouts and priestly status of child molesting clerics who are or have been in the area. Over the past eight years, some two dozen US Catholic prelates have taken this step, which SNAP considers a simple, inexpensive, common sense way to safeguard kids. (In recent weeks bishops in Boston and Springfield MA have committed to do this too.)

According to a Boston-based independent research group called BishopAccountability.org, there are 91 publicly accused Manchester diocesan child molesting clerics. SNAP notes that the actual number of area pedophile priests is likely higher because BishopAccountability.org lists only those clerics against whom allegations have been 'public' - in civil lawsuits, criminal prosecution or news accounts.

In 2002, Baltimore became the first US diocese to disclose names. A good current example is the Philadelphia archdiocese: http://archphila.org/protection/Updates/update_main.htm. Here is a list of all the dioceses that have disclosed names: <http://www.bishop-accountability.org/AtAGlance/lists.htm>

CONTACT - David Clohessy 314 566 9790, SNAPclohessy@aol.com
Jessica Arbour, Esq. 305 931 2200, jarbour@sexabuseattorney.com
Posted by Jessica Arbour at 9:37 AM
Labels: Diocese of Manchester, Jessica Arbour, oblates, St. Jean

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Monday, May 17, 2010

NEW CHILD SEX ABUSE LAWSUIT FILED AGAINST MANCHESTER DIOCESE AND OBLATES

PRIEST WAS FIRST NAMED PUBLICLY IN MARCH 2009 ATTORNEY GENERAL REPORT

HE HAS BEEN THE SUBJECT OF MULTIPLE SEXUAL ABUSE ALLEGATIONS

WHAT

A clergy sex abuse survivor and his attorney will announce the filing of a new lawsuit against the Manchester Catholic Diocese alleging the sexual abuse of a child by an Oblate priest, Fr. George St. Jean, at the Order's Shrine of Our Lady of Grace and a parish of the Diocese of Manchester. Childhood photos of the victim and photos of the priest will be available.

WHEN/WHERE

11:30a.m. TUESDAY, MAY 18 at the Hillsborough North Courthouse (30 Spring St., Nashua)

WHO

The Plaintiff in the lawsuit, John Labbe, and his attorney, Jessica Arbour, will appear at the press conference and will speak about the lawsuit.

WHY

On Tuesday morning, John Labbe will file a new clergy sexual abuse lawsuit against the Diocese of Manchester and the Missionary Oblates of Mary Immaculate Catholic religious order. The lawsuit alleges that he was sexually abused by Fr. George St. Jean, an Oblate priest working in the Manchester diocese, between 1965 and 1969. The abuse occurred at the Oblates' Shrine of Our Lady of Grace and at St. Brendan's parish in Colebrook, NH. St. Jean repeatedly told Labbe that he was doing "God's will" and made threats of secrecy.

St. Jean was one of 27 priests who worked in the Manchester Diocese named publicly for the first time in March 2009 when the New Hampshire Attorney General released the results of a comprehensive audit of the Diocese's files. St. Jean had been the subject of multiple allegations of abuse. The Diocese

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agreed to the audit in exchange for immunity from criminal prosecution for failure to report sexual abuse allegations against priests.

The lawsuit will be filed in Hillsborough North Circuit Court early Tuesday morning. Copies of the lawsuit and other documents pertaining to St. Jean, including his assignment history, will be available.

Labbe is 53 years old. He is married and lives in Grafton County, New Hampshire.

Labbe's attorney, Jessica Arbour, of the Miami law firm Mermelstein & Horowitz, said, "I want to commend John for his strength and courage in breaking the bond that silence and shame have held on him for nearly his entire life. It is time now for the Diocese of Manchester and the Oblates to be held accountable and for John to have a chance to move forward in his own healing."

Posted by Jessica Arbour at 9:31 PM

Labels: Diocese of Manchester, Jessica Arbour, St. Jean

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Wednesday, July 21, 2010

Associated Press Story on New St. Jean Lawsuit

NH man files sex abuse suit against diocese

LYNNE TUOHY, Associated Press Write
Wednesday, July 21, 2010

CONCORD, N.H. (AP) — A second New Hampshire man has filed a lawsuit saying a now-deceased priest sexually abused him at a parish in Colebrook.

The 54-year-old Merrimack County man filed the suit Wednesday, using the name "John Doe" because he said he feared additional psychological harm if he identified himself publicly.

The suit, which names the Diocese of Manchester as a defendant, alleges the late Rev. George St. Jean sexually assaulted the plaintiff on numerous occasions in 1967 and 1968, when he was an altar boy at St. Brendan's Parish from ages 11 to 12.

Another man, John Labbe of Plymouth, filed suit in May saying he was abused by St. Jean when Labbe was a 9-year-old altar boy at the church.

St. Jean is one of 26 New Hampshire priests who had multiple complaints filed against them with the diocese, according to a list released by the Attorney General's Office last year. Both lawsuits say the diocese should have known St. Jean was "unfit, dangerous and a threat" to the health and safety of minors. St. Jean died in 1982.

Attorney Gordon MacDonald, who represents the diocese, said the church has notified the Attorney General's office of the lawsuit, and declined to comment further.

"We'll be responding as appropriate in court," MacDonald said.

MacDonald also represents the diocese in the Labbe case, which he said was still in the preliminary stages.

The two lawsuits named as a defendant the Washington, D.C.-based Missionary Oblates of Mary Immaculate, which ordained and first assigned St. Jean to St. Brendan's parish in 1958. The missionary owns

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the Shrine of Our Lady of Grace, also in Colebrook and also where St. Jean worked.

Both lawsuits are filed in Hillsborough Superior Court North.
Posted by Jessica Arbour at 5:30 PM
Labels: Diocese of Manchester, Jessica Arbour, oblates, St. Jean

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Thursday, July 22, 2010

WMUR story on new St. Jean Lawsuit (with video)

[CLICK HERE](#) for VIDEO

[Man Files Sex Abuse Lawsuit Against Manchester Diocese - New Hampshire News Story - WMUR Manchester](#)

Man Files Sex Abuse Lawsuit Against Manchester Diocese
Man Says He Was Abused By Now-Deceased Priest

POSTED: 12:48 pm EDT July 21, 2010
UPDATED: 6:12 pm EDT July 21, 2010

CONCORD, N.H. --
A second New Hampshire man has come forward to claim that he was sexually abused as a boy by a Colebrook priest.

The 54-year-old man's lawyers said he was an 11-year-old altar boy when the Rev. George St. Jean began repeatedly assaulting him. The man filed the lawsuit anonymously, saying it could cause more psychological harm if people know who he is.

"(The lawsuit) relates to clergy sex crimes committed in the 1960s by a now-deceased priest," said David Clohessy, president of the Survivors' Network of those Abused by Priests.

The lawsuit says St. Jean abused the man when he was an altar boy at St. Brendan's Parish in Colebrook. The man said St. Jean would lure him into his office by offering to discuss coin and stamp collecting.

"We applaud this brave man and hope that this step today of filing this lawsuit today against the Catholic diocese will help him recover from this terrible devastation," Clohessy said.

In May, John Labbe, of Plymouth, N.H., also filed suit. He said St. Jean sexually assaulted him 100 times, also while in Colebrook.

The Diocese of Manchester said it is taking the allegations seriously.

"Any time an allegation comes in, whether the person or priest is living or dead, we report those allegations to civil authorities, in this case, the attorney general's office," said diocese spokesman Kevin Donovan.

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But Clohessy said he wants the church to go a step further. He said he wants Bishop John McCormack to post all the names of accused clergy on the diocese's website.

"This is the cheapest, quickest and most effective way Bishop McCormack can try to prevent future sex crimes," Clohessy said.

A person from the Lowell, Mass., area has also accused St. Jean of sexual abuse. According to an attorney general's report, St. Jean is one of 26 New Hampshire priests who have had complaints filed against them.

Posted by Jessica Arbour at 5:53 PM

Labels: Diocese of Manchester, Jessica Arbour, oblates, St. Jean

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Thursday, July 22, 2010

Union-Leader Story on New St. Jean Lawsuit

<http://www.unionleader.com/article.aspx?headline=Former+Manchester+altar+boy+says+he+was+abused&articleId=41430a7d-02b0-48e8-b186-277f4b3a9de6>

Former Manchester altar boy says he was abused

By DALE VINCENT
New Hampshire Union Leader Staff
9 hours, 42 minutes ago
Union Leader Menu Guide

MANCHESTER - A second civil lawsuit alleging sexual abuse by the late Rev. George St. Jean during his New Hampshire assignments was filed yesterday in Hillsborough County Superior Court North against the Diocese of Manchester and the Missionary Oblates of Mary Immaculate, Province of the United States, based in Washington, D.C.

The state Attorney General's Office last year released documents that, for the first time, publicly named St. Jean as among 27 clerics against whom child sexual abuse complaints had been received.

The new lawsuit, by a Merrimack County resident using the name John Doe, alleges the diocese and the Washington, D.C.-based group that supervised St. Jean failed to protect Doe in 1967-68, when the then 11-year-old was an altar boy at St. Brendan's parish in Colebrook. St. Jean was also assigned to the Shrine of Our Lady of Grace in Colebrook.

In May, John Labbe, now 53, of Plymouth, filed suit alleging St. Jean sexually assaulted him about 100 times as a boy growing up in Colebrook in the 1960s, often while the two sat in the backseat of the family car while Labbe's father shuttled the priest to Masses.

The new lawsuit says Doe, who was born in May 1956 and raised in a devout Catholic family, brought the suit under a pseudonym because the suit "involves allegations of horrific child sexual abuse and he fears further psychological harm if his identity is publicly disclosed."

Doe's identity will be disclosed to the defendants in the lawsuit.

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The suit alleges that "between 1967 and 1968, when John was approximately 11-12 years old, St. Jean sexually abused John on multiple occasions." The suit says Doe eventually quit as an altar boy to get away from St. Jean.

In conjunction with the filing of the lawsuit yesterday, members of a support group called SNAP, the Survivors Network of those Abused by Priests, demonstrated outside the diocesan headquarters at 153 Ash St. The group wants Bishop John McCormack to post on his website the names, whereabouts and priestly status of child-molesting clerics who are or have been in the area before he is required to submit his resignation to the Vatican when he turns 75 on Aug. 12.

Diocesan spokesman Kevin Donovan responded, "It's our policy that any accusation of child sexual abuse about against diocesan personnel is immediately forwarded to the Attorney General's Office and, if there is a danger of an immediate threat to children or others, to local law enforcement as well." He added that if an offender "can be prosecuted for a crime under canon law, then that process is also followed. We abide by the laws that govern us."

St. Jean, who died Sept. 19, 1982, in Lowell, Mass., worked in Colebrook in 1958-59 and 1965-72, and in Hudson at the Oblates Retreat House 1962-64.

He was also assigned to the Oblate Center in Natick, Mass., 1973-74 and the Oblate Fathers Residence in Lowell, Mass., 1975-77.

The lawsuit alleges St. Jean sexually abused Doe on multiple occasions, usually in an office at the Shrine of Our Lady of Grace. It alleges while Doe was playing basketball or badminton with the other priests and brothers, "St. Jean frequently asked John to come inside under the auspices of discussing a common interest in coin and stamp collecting."

Instead, according to the lawsuit, it was a pretext for forced sexual activity.

Doe's lawsuit says it was not until Labbe filed his lawsuit in May that he "realized that the Diocese and the Oblate Order were negligent in their supervision and retention of St. Jean as a Roman Catholic priest."

The Diocese and the Oblates are accused of negligence for failing to protect Doe.

Diocesan spokesman Donovan said the diocese cannot comment on the suit because it is pending litigation. Doe is represented by Miami lawyer Jessica Arbour, who also represents Labbe.

Posted by Jessica Arbour at 9:49 AM

Labels: Diocese of Manchester, Jessica Arbour, oblates, St. Jean

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