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March 25, 1993

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Jeffrey Newman, Esquire
Newman, Heineman & Itzkowitz
45 School Street
Boston, MA 02108

RE: [REDACTED]

Dear Mr. Newman:

I am writing as a follow-up to a conversation I had with Mr. Heineman in your office yesterday afternoon regarding the above-mentioned [REDACTED].

The Archdiocese of Boston has completed an investigation into the allegations contained in your letter under cover of February 18 involving Mr. [REDACTED].

As you know, Fr. Richard Coughlin was a priest incardinated in the Archdiocese of Boston. Fr. Coughlin left the Boston area in 1965 to serve in the Archdiocese of Los Angeles. He was formally incardinated to the Archdiocese of Los Angeles (what is known today as the Diocese of Orange) in 1971.

Our investigation fails to disclose any facts at the time which would put the Archdiocese of Boston on notice of any problem or difficulty with Fr. Coughlin. As I am sure you can appreciate, any liability exposure to the Archdiocese of Boston would necessarily have to be premised upon the fact that the Archdiocese of Boston knew or should have known of a problem with respect to Fr. Coughlin and had failed to take appropriate precautions so as to prevent harm from befalling anyone. Our investigation discloses no such facts upon which the Archdiocese of Boston could be said to have known or should have known of any such problem.

While we find no facts upon which to premise any liability on behalf of the Archdiocese of Boston, it should also be noted that the doctrine of charitable immunity serves as a complete bar to recovery in tort against a charitable entity, such as the Archdiocese of Boston, with respect to events occurring prior to September 16, 1971.

Wherefore, in view of the foregoing, the Archdiocese of Boston must respectfully reject your demand in the amount of \$200,000.00. I would point out, however, that the Archdiocese of Boston is prepared to respond in a pastoral way to your client Mr. [REDACTED]. This pastoral response could well include assistance in the area of counselling. Such a pastoral response, however, is entirely outside the formal legal process. If your client is interested in pursuing this matter, he should contact Sister Catherine Mulkerrin of the Archdiocese of Boston at (617) 254-0100.

Very truly yours,

Wilson D. Rogers, Jr.

WDR:GK
(198-25)