

COPY

SUPERIOR COURT FOR THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

Coordinated Proceeding
Special Title (Rule 1550(b))

THE CLERGY CASES I

* * * * *

UDO STRUTYNSKI; Individually; et al.*

Plaintiffs,

vs.

*Los Angeles
*Superior Court
*No. BC308395

DEFENDANT DOE 1, et al.

Defendants.

* * * * *

JOANNE CARDONA, Individually; et al.*

Plaintiffs,

vs.

*Los Angeles
*Superior Court
*No. BC308301

DEFENDANT DOE 1, et al.

Defendants.

* * * * *

VOLUME III

VIDEOTAPE DEPOSITION of JOSEPH T. McNAMARA,

Deposition taken at Wiggin & Nourie,

670 North Commercial Street, Manchester,

New Hampshire, on Thursday, June 21, 2007,

commencing at 9:49 a.m.

Court Reporter:

Pamela Carle, CCR, RPR

New Hampshire CCR No. 98

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1 Q. And how did he know that the Cardinal
2 was interested in the ministry of the Servants of
3 the Paraclete?

4 MR. GODFREY: Calls for speculation.

5 A. Because of -- because it was so new and
6 such a departure from other ways of approaching
7 very difficult problems.

8 Q. Did Father Gerald ever indicate that
9 Cardinal Manning wanted to utilize the services of
10 the Servants of the Paraclete when the occasion
11 arose for Los Angeles priests?

12 A. Yes.

13 Q. And do you have any specific
14 recollection of that?

15 A. No, but I -- I just remember that there
16 were priests from Los Angeles at -- at our house in
17 New Mexico almost from -- from the beginning.

18 Q. And were they sent there by
19 Cardinal Manning?

20 A. Yes.

21 Q. And were they sent there -- can you
22 estimate how many? I'm not asking you for
23 names --

1 A. Sure.

2 Q. -- just how many.

3 A. I understand. Two or three.

4 Q. From the very beginning?

5 A. Yes.

6 Q. In the last session of your deposition
7 you mentioned that Cardinal Manning came on a tour
8 conducted by Father Gerald, is that correct?

9 A. I don't recall the type of tour.

10 Q. All right. You mentioned in your
11 deposition -- and I can find it for you -- that
12 you recalled in the late '50s or early '60s that
13 then Bishop Manning --

14 A. Yes.

15 Q. -- came on a tour of the New Mexico
16 facility?

17 A. Yes. Yes.

18 Q. Do you recall specifically why he was
19 there?

20 A. I think it was more to see what -- what
21 the atmosphere was and -- and how it was -- how the
22 house operated under Father Gerald.

23 Q. And what the specific activities and

1 work of the Servants of the Paraclete there was?

2 A. Yes.

3 Q. And in the last session of your
4 deposition you indicated Father Gerald took him on
5 a personal tour?

6 A. Yes.

7 Q. Do you recall that?

8 A. I do, yes.

9 Q. And were you present at the facility
10 during the time that Father Manning was there?

11 A. Yes, I was.

12 Q. Were you a part of the tour itself?

13 A. No, I was not.

14 Q. But you knew that he was coming?

15 A. Yes.

16 Q. Did you meet him while he was there?

17 A. We knew that he -- that he was
18 interested in -- in our ministry, and that that's
19 the reason he came, and to see how the ministry
20 worked in the house itself.

21 Q. And the types of problems that were
22 being addressed --

23 A. Yes.

1 Q. -- by the ministry?

2 A. Yes.

3 Q. And the ways in which the different
4 issues that priests were struggling with were
5 being dealt with by the Servants of the Paraclete?

6 A. Yes.

7 Q. So he was given a tour, and it was
8 explained to him the various types of problems
9 that the priests had?

10 MR. JONES: Object to the form.

11 A. He already knew that.

12 Q. And how did he already know that?

13 A. Just from personal experience.

14 Q. So he -- he knew the types of problems
15 that the priests had that were being referred to
16 the Servants of the Paraclete?

17 A. Yes.

18 Q. And what do you base that upon, that
19 knowledge of yours?

20 A. Just that every bishop would -- would
21 be aware of priests who had -- had not lived up to
22 their expectations, or -- or priests who had simply
23 kind of given up.

1 Q. And how long, if you recall, was, at
2 that time, Bishop Manning at the facility?

3 A. Maybe at least a day. He spent -- he
4 spent at least one day there.

5 Q. Did you have a relationship with him?

6 A. No.

7 Q. Can you recall any other times when he
8 came to any facility belonging to the Servants of
9 the Paraclete?

10 A. No.

11 Q. Do you know whether there was any
12 discussion between Father Gerald and
13 Bishop Manning of opening a Servants of the
14 Paraclete facility in the Los Angeles area?

15 A. Yes. There was some talk of it, that's
16 all.

17 Q. Between the two of them?

18 A. That was -- that was the rumor.

19 Q. Is that something that Father Gerald
20 relayed later to --

21 A. No, just that we -- we would -- we
22 would know it by the way he acted, and -- and
23 generally that he favored a -- a house in -- in the

1 California area.

2 Q. By he, do you mean Bishop Manning?

3 A. No, Father Gerald.

4 Q. Do you believe that he then had
5 conversations with Manning regarding opening a
6 Servants of the Paraclete facility in the
7 Los Angeles area?

8 A. Yes.

9 Q. Were there any steps taken to open a
10 facility after those conversations with Manning?

11 A. Yes. Father Gerald sent me to -- to
12 interview Bishop Straling in the diocese -- the
13 diocese of --

14 Q. Was that the Diocese of San Diego?

15 A. No, it was the one in between. Well,
16 it was not San Diego, but Bishop Straling was the
17 bishop of the diocese between San Diego and
18 Los Angeles.

19 Q. San Bernardino?

20 A. Yes, right.

21 Q. And you went and had a meeting with
22 Bishop Straling?

23 A. Yes.

1 Q. What year was that?

2 A. I would have to just kind of take --
3 take a guess. It would have been just before
4 Father Gerald died. Maybe about 1969.

5 Q. And you went to San Bernardino?

6 A. Yes.

7 Q. And met with Bishop Straling?

8 A. Yes.

9 Q. And did you have those conversations?

10 A. Yes.

11 Q. And what do you recall of those
12 conversations?

13 A. If he was open to the possibility of
14 our coming into the diocese and establishing a
15 house, establishing a place in the diocese.

16 Q. Which diocese?

17 A. In San Bernardino.

18 Q. In that location?

19 A. Yes.

20 Q. All right. And what was his response?

21 A. He seemed to be favorable -- favorable
22 to it because he -- well, he had his own reasons,
23 but he seemed to be favorable to it.

1 Q. What were his reasons?

2 A. I don't know.

3 Q. Do you believe that he had priests that
4 he wanted to send to your program?

5 A. Partially, but he -- he wanted to have
6 more priests available for help in the -- in the --
7 in the diocese.

8 Q. Was the diocese short-staffed?

9 A. Yes.

10 Q. That was not an uncommon situation for
11 a diocese, am I correct?

12 A. Yes.

13 MR. GODFREY: Vague as to time.

14 A. Yes.

15 Q. During Father Gerald's time period?

16 A. Yes.

17 Q. And during your time as Servant
18 General, correct?

19 A. Yes.

20 Q. And was there a hope on
21 Bishop Straling's part that by bringing the
22 Servants of the Paraclete to the area it would
23 attract more priests that would be available to

1 assist in work in the diocese?

2 A. Yes.

3 Q. Now, was he, if you know, considering
4 members and guests, or just members?

5 A. I think he was considering both.

6 Q. Did you ever have any other discussions
7 with him other than that one time when you met?

8 A. No.

9 Q. Did anything ever happen after that in
10 order to move this project along?

11 A. I think -- it was to -- that we -- we
12 felt that we would be capable of -- of -- have --
13 starting a new -- a new house, and -- and we
14 welcomed his -- his hospitality.

15 Q. Were there any steps taken to make it a
16 reality after that meeting with Bishop Straling?

17 A. Yes, we purchased property in -- in
18 Cherry Valley that we knew was coming available.

19 Q. Was that really the inception of the
20 Cherry Valley facility?

21 A. Yes.

22 Q. Were there ever any conversations, to
23 your knowledge, with anyone else in the southern

1 California area regarding the inception of the
2 Cherry Valley facility?

3 A. No, not that I know of.

4 Q. Where did the funds come to -- to
5 create the Cherry Valley facility?

6 A. From our general -- our general funds.

7 Q. Was there additional support provided
8 by the local diocese in southern California for
9 the Cherry Valley facility?

10 A. No.

11 THE VIDEOGRAPHER: Excuse me. Can we
12 go off the record for a second?

13 MS. ZUKIN: Yes.

14 THE VIDEOGRAPHER: We're going off the
15 record. The time now is 10:37 a.m.

16 (Recess taken.)

17 THE VIDEOGRAPHER: We're going back on
18 the record. The time now is 10:47 a.m.

19 BY MS. ZUKIN:

20 Q. Are you doing okay, Father?

21 A. Yes, all set.

22 Q. All right. We were talking before the
23 break about the opening of the Cherry Valley

1 facility.

2 A. Uh-hum.

3 Q. Was that opened during the time you
4 were Servant General?

5 A. Yes.

6 Q. So I assume there were meetings that
7 led up to it, am I correct?

8 A. Yes.

9 Q. Were there meetings with hierarchy in
10 Los Angeles regarding the Cherry Valley --

11 A. No. No.

12 Q. Who were the meetings with?

13 A. Just with Bishop Straling.

14 Q. And did, in fact -- once the Cherry
15 Valley facility was opened, did it serve his
16 purpose of providing some additional priests to
17 help in his diocese?

18 A. Yes.

19 MR. JONES: Asked and answered.

20 Q. Did the guests go out and assist with
21 some of the work in the diocese?

22 MR. GODFREY: Calls for speculation.

23 A. I'm quite sure that they did, but I'm

1 not -- I can't give you any specific instances.

2 Q. And did the members go out and work in
3 the diocese?

4 A. Yes.

5 Q. What kind of work are we talking about?

6 A. Mostly a weekend ministry, helping out
7 on, say, Mass on the weekends, or when they
8 happened to be on retreat and they needed priests
9 to fill in, we would be there.

10 Q. Is this what's called supply work?

11 A. Yes.

12 Q. Did you know a George Pausch?

13 A. Yes.

14 Q. Was he one of the LA priests that came
15 very early on to the Servants of the Paraclete?

16 A. Yes.

17 Q. Did Bishop Manning send George Pausch
18 to the Servants of the Paraclete?

19 A. Whoever the bishop was at the time sent
20 him there.

21 Q. Do you know the reason for which he
22 came?

23 A. No, I do not.

1 Q. He stayed on as a member, correct?

2 A. Yes.

3 Q. For many years?

4 A. Yes. Yes.

5 Q. Now, I'll represent to you that George
6 Pausch died in 1972, as referenced in the official
7 Catholic directory, and that he died in
8 Jemez Springs.

9 A. Yes.

10 Q. Do you recall his funeral?

11 A. I remember being there, but I don't --
12 I need more specifics to --

13 Q. Well, do you recall who conducted the
14 funeral?

15 A. I think I did. I must have. I must
16 have.

17 Q. Was Cardinal Manning at the funeral?

18 A. He may have been, but I don't -- I
19 don't recall.

20 Q. Was there ever any communication that
21 you know of between Father Gerald and
22 Cardinal Manning, but then Bishop Manning --

23 A. Yes.

1 Q. -- regarding George Pausch?

2 A. No, I do not know. Nothing I know of.

3 Q. But their communications that you did
4 know of were more general to the type of work the
5 Servants of the Paraclete was doing?

6 A. Yes.

7 Q. Is it your understanding as you sit
8 here today that Father Gerald communicated to then
9 Bishop Manning the various types of issues that
10 the priests presented with and how they were dealt
11 with by the Servants of the Paraclete?

12 A. Yes.

13 Q. And what do you base that on?

14 A. Personal knowledge.

15 Q. All right. When you were involved with
16 either the creation or the implementation of the
17 Cherry Valley facility, did you have occasion to
18 come to southern California?

19 A. Yes.

20 Q. And how often would you come to
21 southern California?

22 A. I came at least once, if not more
23 often.

1 Q. And was that during the 1970s?

2 A. Yes.

3 Q. And why did you come?

4 A. I came with the -- with the idea of
5 seeing if there was a place available for us, and
6 whether we would be welcomed into the diocese.

7 Q. So was this your project, to try and
8 create a Servants of the Paraclete facility in
9 southern California?

10 A. Yes.

11 Q. Did you try and find a location in the
12 greater Los Angeles area?

13 A. No.

14 Q. And why was it Cherry Valley in
15 particular?

16 A. Because we knew that there were a group
17 of sisters who owned property there who were
18 thinking of giving it up, and when -- that it would
19 be up for sale. We thought it would be up for
20 sale.

21 Q. And you were correct, is that right?

22 A. Not threatened, but we -- wanted -- we
23 thought that property might be available for us.

1 Q. And it was?

2 A. Yes.

3 Q. And what was the name of -- what were
4 the sisters' names?

5 A. Sisters of the Holy Family.

6 Q. Was there a time where you came to
7 Cherry Valley and was in residence -- were in
8 residence for a few months?

9 A. Yes, I was.

10 Q. When was that, approximately?

11 A. It was shortly after I became General,
12 would have been 19 -- about 1970.

13 Q. And what were you doing at that time in
14 Cherry Valley?

15 A. I came to take the place of the
16 superior who was there who needed to get away.

17 Q. When do you believe the Cherry Valley
18 facility was opened?

19 A. I believe it was either 1969 or 1970.

20 Q. And why do you believe it was either
21 '69 or '70?

22 A. Because I had closed so many houses
23 that I wanted to establish -- and I felt that we

1 needed a house in southern California.

2 Q. And why did you feel you needed a house
3 in southern California?

4 A. Just for the point of distance, meaning
5 the people wouldn't have to travel as -- all the
6 way out into -- into New Mexico.

7 Q. Were you seeing a significant number of
8 people being referred from southern California?

9 A. No, not really.

10 Q. Did you feel, though, that you could
11 provide an important service for the southern
12 California area?

13 A. Yes.

14 Q. Other than Bishop Straling, did you
15 work with anyone else in the southern California
16 area to establish the Cherry Valley facility?

17 A. No, I believe he was the only -- he was
18 the only person.

19 Q. During the time that you were actually
20 in California, did you have personal contact with
21 any of the hierarchy in any of the local
22 surrounding diocese?

23 A. Not that I recall.

1 Q. In the last session of your deposition
2 you made reference to meeting Cardinal Mahoney
3 while you were Servant General?

4 A. Yes.

5 Q. Where was that?

6 MR. GODFREY: That's asked and
7 answered. Go ahead.

8 A. I think it was more of just a courtesy
9 visit at his office.

10 Q. Do you know what position he held at
11 the time you met with him?

12 A. No, I -- I believe he was the -- the
13 bishop of the place, and that's why.

14 Q. Were you visiting him in Stockton?

15 A. No, I don't recall being in Stockton.
16 I think it was after he had been moved to -- to
17 Los Angeles.

18 Q. It wasn't in Fresno?

19 A. No.

20 Q. So it was after -- after he became
21 cardinal?

22 A. I'm not sure.

23 Q. Was it during the time you were Servant

1 General?

2 A. Yes.

3 Q. And you were Servant General from when
4 to when?

5 A. From 1969 to 1980.

6 Q. All right. And in your courtesy visit
7 to Cardinal Mahoney, what was the purpose of that
8 visit?

9 A. It was simply that, courtesy.

10 Q. Did you discuss with him generally the
11 activities of the Servants of the Paraclete?

12 A. No, he already knew what we were doing.

13 Q. Now, you made reference to that in the
14 last session of your deposition, that
15 Cardinal Mahoney already knew what the Servants of
16 the Paraclete were doing.

17 A. Yes.

18 Q. And what do you base that on?

19 A. Just the -- it -- it became more common
20 knowledge that our work was for the care of priests
21 who needed some kind of rehabilitation.

22 Q. Did he indicate to you that he did, in
23 fact, when you met with him, already know about

1 your activities?

2 A. No, but I just presume that he did.

3 Q. And why is that?

4 A. Simply because that was our work, and
5 we had -- we had been assigned that area by -- by
6 Rome, and he would -- he would show great deference
7 to that.

8 Q. And in your meeting with him, you got
9 the impression that he did, in fact, have
10 familiarity prior to your meeting --

11 A. Yes.

12 Q. -- with the activities of the Servants
13 of the Paraclete in ministering to priests that
14 had problems?

15 A. Yes.

16 Q. Do you recall where the meeting took
17 place?

18 A. No, I don't.

19 Q. Was it at St. Vibiana's Cathedral?

20 A. I don't believe so, but -- I don't
21 believe so.

22 Q. Any other recollection of what
23 occurred --

1 A. No.

2 Q. -- during that meeting with
3 Cardinal Manning?

4 A. No.

5 Q. I mean Mahoney. All right. During the
6 time that you were in Cherry Valley for that
7 period of time -- and it sounds like you were
8 there for a number of months at one time, correct?

9 A. Yes.

10 Q. -- what were your responsibilities?

11 A. I was there to take the place of the
12 superior while he took -- took some time off.

13 Q. And who was the superior?

14 A. I think Father McCormack, Gregory
15 McCormack.

16 Q. So you ran the facility?

17 A. Yes.

18 Q. Did you have meetings during that time
19 with any of the hierarchy of the surrounding
20 diocese?

21 A. Not that I remember specifically.

22 Q. Did you go to any retreats? Did you go
23 to any local retreats in southern California while