

JOHN DOE I, JOHN DOE II,
THROUGH HIS MOTHER AS
NEXT FRIEND OF JOHN DOE II,
A VULNERABLE (NON COMPOS
MENTIS) ADULT, JOHN DOE III, AND
JOHN DOE IV,

Plaintiffs,

vs.

REVEREND NICHOLAS E. KATINAS,
PASTOR (FORMERLY) OF HOLY
TRINITY GREEK ORTHODOX CHURCH;
HOLY TRINITY GREEK ORTHODOX
CHURCH; THE GREEK ORTHODOX
METROPOLIS OF DENVER BY AND
THROUGH BISHOP ISAIAH OF DENVER
IN HIS OFFICIAL CAPACITY, AND THE
GREEK ORTHODOX ARCHDIOCESE
OF AMERICA BY AND THROUGH
ARCHBISHOP DEMETRIOS IN HIS
OFFICIAL CAPACITY,

Defendants.

IN THE DISTRICT COURT

95th JUDICIAL DISTRICT

DALLAS, COUNTY TEXAS

**PLAINTIFFS' EMERGENCY MOTION TO REMOVE ATTACHMENTS AND FOR
SANCTIONS TO DEFENDANT HOLY TRINITY GREEK ORTHODOX CHURCH'S
MOTIONS TO OVERRULE OBJECTIONS AND TO COMPEL DISCOVERY**

To the Honorable Karen Gren Johnson:

COME NOW Plaintiffs herein, and file this their *Emergency Motion to Remove Attachments to Defendant Holy Trinity Greek Orthodox Church's Motions to Overrule Objections and to Compel Discovery*, and would respectfully state as follows:

FILED
08 MAR 25 PM 4:01
GARY J. SIMMONS
CLERK
DALLAS COUNTY TEXAS
DEPUTY

The four young men who are the Plaintiffs in this case were sexually abused as children by their priest, Defendant Nicholas Katinas. On August 7th, 2007, this court denied the Defendants' Special Exceptions, which sought in essence to "out" the real identities of the Plaintiffs in publically available records, and allowed each of the Plaintiffs to proceed in this litigation under the pseudonym "Doe." (See court's Docket entry attached hereto as Exhibit "1.")

To put it mildly, this litigation to date has been very contentious among the parties and their respective counsel. Defendant Holy Trinity, through its lawyer, Richard Miller, filed four (4) Discovery Motions seeking to overrule Plaintiffs' Objections to written discovery and compel answers and requesting monetary sanctions. The documents were filed on March 20, 2008, but not received until yesterday by the undersigned via certified mail. Defendants have conducted extensive discovery, including lengthy depositions of the Plaintiffs, obtained every conceivable written record regarding these young men and their families, including social security, tax, academic records from elementary school forward, medical, psychological, employment, marriage, divorce and adoption. Plaintiffs' counsel by agreement provided executed authorizations trusting that the Court's order would be respected. No stone has been left unturned. The Plaintiffs have also provided a lengthy and detailed Witness and Exhibit list to Defendants. On at least three separate occasions Plaintiffs' counsel has advised Mr. Miller that there is no information or document being withheld that is not core attorney client or work product. Plaintiffs contend that the Defendants' Motion is without merit and will later, but

timely, respond to it.

Plaintiffs complain in this motion that Holy Trinity, through its counsel, willfully and recklessly violated this court's directive by attaching to their Motions personal, private and confidential information, including the names of some of the Plaintiffs, their home addresses, their past and current employers, rates of pay, the names of their therapists and doctors, and even in the case of Doe II, the name and address of his ex-wife. (See in-camera excerpts attached hereto as Exhibit "2.") These attachments could have been and should have been filed as in-camera submissions or in some form where the information would not be in the public record. Any lawyer should have respected the court's ruling and the Plaintiffs' privacy. Clergy sexual abuse litigation is not a new phenomenon to Dallas county, nor is the appropriate professional manner in handling these sensitive cases a challenge to fathom, particularly by an experienced attorney. It's a matter of human decency not professional courtesy. Therefore, the only conceivable reason to do what Mr. Miller has done was simply to place this very personal information in the public arena to embarrass, humiliate, shame and otherwise victimize these young men who have already suffered the worst crime a child could ever endure. Holy Trinity's has accomplished the goal they set in August of last year, to expose victims and thereby to discourage others from coming forward even if it means being contemptuous and effectively usurping this Court's authority.

II

For the reasons stated above, Plaintiffs request that the Court hold an emergency hearing, immediately order the removal of the attachments at issue from the public record, enter a protective order with appropriate sanctions for future violations and grant appropriate sanctions

for this egregious and insolent violation, and grant such other relief the court deems appropriate.

Respectfully Submitted,

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Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been forwarded via U.S. Certified Mail RRR to the following counsel of record on this the 25th day of March, 2008.

Via Certified Mail

Douglas Fletcher

Richard Miller

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Via Certified Mail

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