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EL PASO COUNTY, TEXAS
CLERK OF COURT
JERRY [Signature]

MOST REVEREND ARMANDO X. OCHOA
AND MSGR. ARTURO J. BAÑUELAS,

Plaintiffs,

v.

REVEREND MICHAEL E. RODRIGUEZ and
DAVID RODRIGUEZ,

Defendants.

Cause No. 2012DC100743

**PLAINTIFFS' ORIGINAL PETITION TO IMPOSE
CONSTRUCTIVE TRUSTS AND TO COMPEL AN ACCOUNTING**

To the Honorable Judge of this Court:

Plaintiffs, Most Reverend Armando X. Ochoa ("Bishop Ochoa") and Msgr. Arturo J. Bañuelas ("Msgr. Bañuelas"), file this Original Petition to Impose Constructive Trusts and to Compel an Accounting against Defendants, Reverend Michael E. Rodriguez ("Fr. Rodriguez") and David Rodriguez ("David Rodriguez"), and for cause of action would show the Court as follows:

I.

Parties

1. Bishop Ochoa is Bishop of the Roman Catholic Diocese of El Paso (the "Diocese"). Bishop Ochoa's predecessor bishops of the Diocese were Bishop Anthony J. Schuler, Bishop Sidney M. Metzger, Bishop Patricio Flores, and Bishop Raymundo J. Pena. Bishop Ochoa resides in El Paso, El Paso County, Texas.

2. Msgr. Bañuelas is Administrator of San Juan Bautista Parish ("San Juan Bautista"), which is located at 5649 Dailey St., El Paso, El Paso, County, Texas. Msgr. Bañuelas resides in El Paso, El Paso County, Texas.

3. Fr. Rodriguez is a priest of the Diocese and is subject to the supervision and jurisdiction of Bishop Ochoa and his successors in office. Fr. Rodriguez has been temporarily assigned as a parish priest at Santa Teresa de Jesus Parish, 1101 West O'Reilly, Presidio, Texas 79845 and may be served with process at that location.

4. David Rodriguez is the brother of Fr. Rodriguez, and is a resident of El Paso County, Texas. David Rodriguez may be served with process at 5628 Rosa Avenue, El Paso, TX 79905.

II.

Discovery

5. Discovery in this action is intended to be conducted under Level 2 in accordance with Tex. R. Civ. P. 190.3.

III.

Background

6. Bishop Ochoa is the current Bishop of the Diocese.

7. Under Texas law, Bishop Ochoa is a trustee who owns property and administers the affairs of the Diocese for the benefit of the parishes and the parishioners of the parishes within the Diocese.

8. The Diocese is an entity that is part of the Roman Catholic Church (the "Catholic Church") and encompasses a specific geographical area. The jurisdictional area of the Diocese is

made up of El Paso, Hudspeth, Culbertson, Reeves, Loving, Ward, Winkler, Jeff Davis, Pecos, Presidio, and Brewster Counties in the State of Texas. There are 57 parishes within the Diocese, all of which are located in one of the counties described above. This case involves the parish of San Juan Bautista, which is located in El Paso, El Paso County, Texas. The real property and buildings comprising San Juan Bautista are owned of record by "Anthony J. Schuler, Catholic Bishop of El Paso . . . and his successors and assigns forever." Bishop Ochoa is a successor to Bishop Anthony J. Schuler, deceased.

9. Each parish is administered by a pastor or, if a pastor has not been appointed by the bishop, by an administrator. An administrator has the same duties and obligations as a pastor with respect to the administration of the parish.

10. Under Texas law, a parish is subject to the overall control of the bishop of the diocese, who is required to ensure that the parish is administered by the pastor or the administrator for the benefit of the parishioners in accord with the applicable laws of the State of Texas and the United States.

11. Fr. Rodriguez is an ordained priest of the Diocese and is subject to the supervision and jurisdiction of Bishop Ochoa. When Fr. Rodriguez was ordained, he made a promise of obedience to the Bishop of the Diocese.

12. Bishop Ochoa appointed Fr. Rodriguez as administrator of San Juan Bautista on May 1, 2002. As administrator, Fr. Rodriguez became obligated to:

(a) Operate San Juan Bautista for the benefit of the parishioners and in accordance with all applicable laws of the State of Texas and the United States; and,

(b) Comply with all policies promulgated by Bishop Ochoa including, but not limited to, the “Manual of Policies and Procedures of Parish Finances of the Roman Catholic Diocese of El Paso (Revised June 7, 2005).”

13. On September 20, 2011, Bishop Ochoa reassigned Fr. Rodriguez to serve as a parish priest at the Santa Teresa de Jesus Parish in Presidio, Texas. Thereafter, Bishop Ochoa appointed Msgr. Bañuelas to serve as administrator of San Juan Bautista.

IV.

Facts Supporting Causes of Action

14. On June 7, 2005, Bishop Ochoa promulgated the “Manual of Policies and Procedures of Parish Finances of the Roman Catholic Diocese of El Paso” (the “Parish Finance Policies”). The Parish Finance Policies became effective on July 1, 2005, and applied to all parishes in the Diocese, including San Juan Bautista. As administrator of San Juan Bautista, Fr. Rodriguez became obligated to comply with the Parish Finance Policies.

15. The Parish Finance Policies required Fr. Rodriguez to:

(a) Establish and utilize a parish finance council at San Juan Bautista to review and approve the expenditure of parish funds for building projects. Building projects are defined in the Parish Finance Policies to include renovation of existing buildings and the payment of consulting fees related to building projects; and

(b) Deposit all donations made to San Juan Bautista for general operating purposes into one checking account to be maintained to pay for general operational expenses; and

(c) Deposit all donations made to San Juan Bautista for building projects into a savings account in the Diocese of El Paso Investment Trust (the "Investment Trust"); and,

(d) Deposit all endowments for the benefit of San Juan Bautista by parishioners into an endowment fund administered by the Foundation for the Diocese of El Paso; and,

(e) Deposit only donations made to the St. Vincent de Paul Society into the account known as the San Juan Church St. Vincent de Paul Society Special Account; and,

(f) Obtain approval of Bishop Ochoa for all building projects that cost less than \$15,000; and,

(g) Obtain approval of Bishop Ochoa and the Diocesan finance council for all building projects that cost more than \$15,000 and less than 5% of San Juan Bautista's prior year annual income; and,

(h) Obtain approval of Bishop Ochoa, the Diocesan finance council, and the Diocesan College of Consulters for all building projects that cost more than \$15,000 and more than 5% of San Juan Bautista's prior year annual income.

16. Beginning in 2009, Fr. Rodriguez solicited donations from parishioners of San Juan Bautista to construct a grotto, to renovate the exterior and interior of the church, to buy new church bells, and to repair and renovate the kitchen and garage of the parish hall. The donations should have been deposited in the Investment Trust as required by the Parish Finance Policies. However, most of the donated funds were improperly deposited into the San Juan Church St. Vincent de Paul Society Special Account. Some of the donated funds were improperly deposited

in the San Juan Bautista operating account. The building projects described in this paragraph were then completed without the knowledge or approval of Bishop Ochoa as required by the Parish Finance Policies. The San Juan Church St. Vincent de Paul Society Special Account had been established prior to Fr. Rodriguez' appointment as administrator but was not an authorized account for the payment of expenses associated with building projects. The San Juan Church St. Vincent de Paul Society Special Account was to be used only for any donations made by parishioners of San Juan Bautista to the St. Vincent de Paul Society. During Fr. Rodriguez' tenure as administrator of San Juan Bautista, the St. Vincent de Paul Society did not have a conference (chapter) at San Juan Bautista. Further, none of the donations solicited by Fr. Rodriguez were solicited for the St. Vincent de Paul Society. Fr. Rodriguez deposited donations in the San Juan Church St. Vincent de Paul Society Special Account to secret their existence, avoid compliance with the Parish Finance Policies, and to permit Fr. Rodriguez to solicit funds for building projects and to undertake building projects without the knowledge or consent of Bishop Ochoa. Fr. Rodriguez never disclosed to Bishop Ochoa that he was soliciting funds for the building projects described in this paragraph or that he was depositing the funds in the San Juan Church St. Vincent de Paul Society Special Account or that he was paying for the projects out of the San Juan Church St. Vincent de Paul Society Special Account. Through his canon lawyer, Fr. Rodriguez has admitted that he paid \$20,000 from the San Juan Church St. Vincent de Paul Society Special Account to repair the church roof in 2010. Records of expenditures from the San Juan Bautista St. Vincent de Paul Society Special Account show that building projects were being routinely paid from donations deposited in the account.

17. In 2009, 2010, and 2011, Fr. Rodriguez solicited parishioners of San Juan Bautista for donations to construct a new altar and to renovate the sanctuary to comply with the ancient norms of the Roman Rite. Fr. Rodriguez knew that Bishop Ochoa would not approve a renovation to comply with the ancient norms of the Roman Rite. Notwithstanding such knowledge, Fr. Rodriguez commenced to solicit donations for this purpose without the knowledge and consent of Bishop Ochoa. Most parishioners were asked by Fr. Rodriguez to make out checks to him in his individual capacity so that he could secret the existence of the donations. Fr. Rodriguez deposited some, but not all, of the funds he solicited for the purposes described above in the San Juan Church St. Vincent de Paul Special Account instead of the Investment Trust as required by the Parish Finance Policies. Fr. Rodriguez used the St. Vincent de Paul Society Special Account for these deposits in order to secret the existence of these funds, to avoid compliance with the Parish Finance Policies and to permit him to undertake the building projects described in this paragraph without the knowledge or consent of Bishop Ochoa. Fr. Rodriguez knew that his use of the St. Vincent de Paul Society Special Account in the manner described in this paragraph was a violation of the Parish Finance Policies. Through his canon lawyer, Fr. Rodriguez has admitted that he paid \$20,000 from the San Juan Church St. Vincent de Paul Society Special Account to an architect to design the renovations to the sanctuary. This payment was made in violation of the Parish Finance Policies and without Bishop Ochoa's knowledge.

18. Fr. Rodriguez also knew that the San Juan Church St. Vincent de Paul Society Special Account would not be audited by the Diocese and would remain undetected and subject to his sole control. The Diocese conducted an internal review of the finances of San Juan

Bautista in November 2009 for compliance with the Parish Finance Policies. Fr. Rodriguez was asked to disclose all accounts but intentionally failed to disclose the existence of the St. Vincent de Paul Society Special Account. By this time, Fr. Rodriguez had co-mingled donations intended for the purposes set forth in paragraph 16 with donations intended for the purposes set forth in paragraph 17. Further, Fr. Rodriguez commenced to use the donated funds for purposes unrelated to those set forth in paragraphs 16 and 17 including, but not limited to, operating a bookstore, paying tuition for homeschooling children, and airline tickets.

19. On June 1, 2010, Fr. Rodriguez opened Certificate of Deposit No. ("CD No. 1") at Government Employees Credit Union ("GECU"). CD No. 1 showed Fr. Michael E. Rodriguez in his individual capacity as the account holder and also provided that, upon the death of Fr. Michael E. Rodriguez, CD No. 1 was to be paid to his mother, Beatrice T. Rodriguez. In December 2010 Fr. Rodriguez improperly deposited \$100,000 in CD No. 1, which was a donation for the renovation of the church sanctuary. This was followed by a series of additional deposits that Fr. Rodriguez claims were made primarily from the San Juan Church St. Vincent de Paul Society Special Account. On March 17, 2011, Fr. Rodriguez withdrew \$194,359.21 and \$14,800, totaling \$209,159.21, and either held these funds or deposited these funds into an unknown bank account.

20. On June 1, 2010, Fr. Rodriguez had also opened Certificate of Deposit No. CD No. 2 showed Fr. Michael E. Rodriguez as the account holder and also provided that, upon the death of Fr. Michael E. Rodriguez, CD No. 2 was to be paid to his mother, Beatrice T. Rodriguez. On April 21, 2011, Fr. Rodriguez improperly deposited \$200,011.02 and \$1,020 in CD No. 2. On information and belief, Bishop Ochoa states

the deposits were from funds withdrawn from CD No. 1. However, \$209,159.21 was withdrawn from CD No. 1 and, of that amount, only \$201,031.02 was deposited in CD No. 2. Fr. Rodriguez was asked to account for the difference of \$8,128.19 but refused to do so. Fr. Rodriguez was asked to identify the account in which the \$209,159.21 was held between March 17, 2011, and April 21, 2011, but refused to do so. Additional deposits were made to CD No. 2 until July 18, 2011, on which date Fr. Rodriguez withdrew \$228,963.23 and either held these funds or deposited these funds into an unknown account.

21. On November 15, 2010, Fr. Rodriguez opened Certificate of Deposit No. ("CD No. 3") at GECU. CD No. 3 showed Fr. Michael E. Rodriguez as the account holder and also provided that, upon the death of Fr. Michael E. Rodriguez, CD No. 3 was to be paid to his mother, Beatrice T. Rodriguez. On September 20, 2011, Fr. Rodriguez deposited \$210,000 in CD No. 3. On information and belief, Bishop Ochoa states the deposit was from funds withdrawn from CD No.2. Fr. Rodriguez was asked to account for the difference between \$228,963.23 that was withdrawn from CD No. 2 and the \$210,000 that was deposited in CD No. 3 but refused to do so. Fr. Rodriguez was asked to identify the account in which the \$228,963.23 was held between July 18, 2011, and September 20, 2011 but refused to do so.

22. On May 1, 2011, Fr. Rodriguez issued a check written on the San Juan Church St. Vincent de Paul Society Special Account to a construction company in the amount of \$20,000. The memo line on the check showed that it was for Church/Grotto. Fr. Rodriguez, acting through David Rodriguez, who was a knowing participant, then improperly and with fraudulent intent, requested the construction company to issue a check to him in his individual capacity in the amount of \$20,000. On May 7, 2011, the construction company, without knowing

of Fr. Rodriguez' fraudulent intent, issued a check made payable to Fr. Rodriguez in his individual capacity in the amount of \$20,000. Fr. Rodriguez did not enter into a construction contract for work on the church or the grotto and no construction services or work of any type was performed by the construction company. Through his action, Fr. Rodriguez converted funds donated to San Juan Bautista to his personal use and benefit. Fr. Rodriguez has admitted that he deposited the \$20,000 that was paid to him in his individual capacity into CD No. 2, which was also being held by him in his individual capacity.

23. On June 15, 2011, Fr. Rodriguez improperly issued a check written on the San Juan Church St. Vincent de Paul Society Special Account to a construction company in the amount of \$25,000. The memo line on the check showed that it was for Grotto/Church Sanctuary. Fr. Rodriguez, acting through David Rodriguez, who was a knowing participant, improperly and with fraudulent intent, requested the construction company to issue a check to him in his individual capacity in the amount of \$25,000. On July 8, 2011, the construction company, without knowing of Fr. Rodriguez' fraudulent intent, issued a check made payable to Fr. Rodriguez in his individual capacity in the amount of \$25,000. No construction contract was ever made by Fr. Rodriguez with the construction company for work on the Grotto or Church Sanctuary and no construction services of any type were performed by the construction company. Through his action, Fr. Rodriguez converted funds owned by San Juan Bautista to his personal use and benefit. Fr. Rodriguez has admitted that he deposited the \$25,000 into CD No. 3, which was also being held by him in his individual capacity.

24. On or about September 7, 2011, Bishop Ochoa received a report from two former parishioners of San Juan Bautista that Fr. Rodriguez was soliciting donations from them and

other parishioners for building projects, but was asking that checks be made payable to him in his individual capacity as opposed to San Juan Bautista. These former parishioners also stated that, even though funds had been solicited for the renovation of the altar and the sanctuary since 2009, no work had commenced. The former parishioners also disclosed the exchange of checks described in paragraphs 22 and 23 above.

25. On September 20, 2011, Fr. Rodriguez was notified by letter from Diocesan legal counsel of the report from the former parishioners described in paragraph 24 and was asked to disclose all information and documents related to the statements in the report. Fr. Rodriguez engaged both a civil (Texas) lawyer and a canon lawyer to represent him. During a meeting with his civil lawyer and his canon lawyer, Fr. Rodriguez disclosed to Diocesan legal counsel the existence of CD Nos. 1, 2, and 3 that had been taken out at GECU. Fr. Rodriguez claimed that CD Nos. 1 and 2 had matured and had been consolidated into CD No. 3. Fr. Rodriguez was asked to and did irrevocably and unconditionally assign CD No. 3 to San Juan Bautista Catholic Church and to the St. Vincent de Paul Society as their interests may appear. Fr. Rodriguez also stated that the funds deposited in CD Nos. 1, 2, and 3 were solicited by him and donated by individuals and entities for the purpose of renovating the sanctuary of the San Juan Bautista in accord with the norms of the ancient form of the Roman Rite. Fr. Rodriguez was asked to and did authorize GECU to release all records in its possession relating to CD Nos. 1, 2 and 3. GECU did release to Bishop Ochoa three separate transaction reports for CD Nos. 1, 2 and 3.

26. On October 5, 2011, Fr. Rodriguez' canon lawyer notified Bishop Ochoa that Fr. Rodriguez had spent some of the money solicited for renovation of the sanctuary. Specifically, the canon lawyer reported that \$4000 was given by Fr. Rodriguez to an unidentified family in

need and reported that about \$5000 was paid by Fr. Rodriguez to his brother, David Rodriguez, to reimburse him for unidentified work and unidentified expenses related to his ministry in San Juan Bautista. On information and belief, Bishop Ochoa states that David Rodriguez was never an employee of San Juan Bautista, did not perform work for San Juan Bautista as an independent contractor, and is not a recognized minister at San Juan Bautista. On information and belief, Bishop Ochoa also states that Fr. Rodriguez was improperly using donations made for one or more of the purposes described in paragraphs 16 and 17 to pay Roseanne Rodriguez, who was David Rodriguez' wife, an amount in excess of \$5,000 to operate a bookstore and to conduct homeschooling at San Juan Bautista. Fr. Rodriguez' canon lawyer stated that Fr. Rodriguez was soliciting funds for building projects without having first having obtained Bishop Ochoa's approval. Fr. Rodriguez' canon lawyer also attached a list of donors who reportedly donated funds for what was described as the construction of the Grotto, the new Traditional Altar and the Traditional Sanctuary Renovation and whose donated funds were reportedly deposited in the St. Vincent de Paul Society Special Account.

27. On October 17, 2011, Fr. Anthony C. Celino, Vicar General and Moderator of the Curia for the Diocese, notified Fr. Rodriguez that the three transaction reports received from GECU did not provide a full accounting of all funds deposited to and withdrawn from CD Nos. 1 and 2 and reportedly deposited to CD No. 3. Fr. Rodriguez was asked to provide additional information. In particular, Fr. Rodriguez was informed that approximately \$27,000 was not accounted for on the three transaction reports provided by GECU. Fr. Rodriguez was also asked where the funds were being held after withdrawal from CD Nos. 1 and 2 and before being deposited in CD No. 3, and whether any funds had been spent. On November 11, 2011, Fr.

Rodriguez' canon lawyer declined to provide the information requested in Fr. Celino's letter. Thereafter, Diocesan legal counsel contacted Fr. Rodriguez' civil lawyer and requested that he or Fr. Rodriguez provide the information requested in Fr. Celino's letter. Fr. Rodriguez' civil lawyer also declined to provide the information requested in Fr. Celino's letter.

28. On information and belief, Bishop Ochoa states that Fr. Rodriguez maintains at least one personal checking account at GECU under account No. _____ and that he has deposited funds donated to San Juan Bautista in this checking account.

29. On information and belief, Bishop Ochoa states that David Rodriguez maintains at least one personal checking account at GECU and that he has deposited funds donated to San Juan Bautista in this checking account.

30. Bishop Ochoa and Msgr. Bañuelas have engaged a certified public accountant to perform an audit to account for all donations made to San Juan Bautista for the purposes described in paragraphs 16 and 17, to identify in which accounts such donations were deposited and to account for all expenditures made from the donations. The auditor has informed Bishop Ochoa and Msgr. Bañuelas that the audit cannot be properly completed without the information being sought through this suit.

V.

Cause of Action to Impose a Constructive Trust and an Accounting

31. Fr. Rodriguez has a fiduciary relationship with Bishop Ochoa that involves trust and confidence. Bishop Ochoa appointed Fr. Rodriguez as administrator of San Juan Bautista and entrusted him to not only minister to the spiritual needs of the parishioners but also to manage its financial affairs in accordance with the Parish Finance Policies. Bishop Ochoa relied

on the fiduciary relationship between him and Fr. Rodriguez and fully expected that Fr. Rodriguez would fulfill his duties as Administrator in full compliance with the Parish Finance Policies. Bishop Ochoa and Msgr. Bañuelas have a fiduciary duty to the parishioners of San Juan Bautista to ensure that all donations made to San Juan Bautista are properly accounted for, to ensure that all donations have been spent for proper purposes, and to recover any donations that have not been spent for proper purposes or that are in the possession or control of a person other than the current Administrator, Msgr. Bañuelas.

32. Fr. Rodriguez has breached his fiduciary obligations to Bishop Ochoa in that he has:

- (a) Constructed building projects at San Juan Bautista without the approval of Bishop Ochoa as required by the Parish Finance Policies; and,
- (b) Solicited donations for building projects and failed to deposit such donations in the Diocesan Investment Trust as required by the Parish Finance Policies; and,
- (c) Improperly asked donors to make donations to him in his individual capacity when such donations were intended for San Juan Bautista; and,
- (d) Accepted donations in his individual capacity that were intended for San Juan Bautista; and,
- (e) Improperly deposited donations made to San Juan Bautista in his personal account at GECU; and,
- (f) Improperly deposited funds donated for building projects into the San Juan Church St. Vincent de Paul Society Special Account; and,

- (g) Improperly converted funds in the San Juan Church St. Vincent de Paul Society Account to his personal benefit through an illegal exchange of checks; and,
- (h) Improperly paid \$5000 to David Rodriguez from funds that were donated to San Juan Bautista for a specific purpose; and,
- (i) Improperly paid Roseanne Rodriguez from funds that were donated to San Juan Bautista for a specific purpose; and,
- (j) Improperly refused to account for at least \$27,000 of the funds donated to San Juan Bautista and deposited in CD Nos. 1, 2 and 3; and
- (k) Improperly refused to account for where funds deposited in CD Nos. 1 and 2 were being held after withdrawal; and,
- (l) Deceitfully and with fraudulent intent secreted his solicitation activities at San Juan Bautista from Bishop Ochoa in order to be able to use part of the funds for his personal benefit; and
- (m) Fraudulently solicited funds from parishioners for the renovation of the church sanctuary to comply with the ancient norms of the Roman Rite when he knew that such a renovation would never be approved by Bishop Ochoa.

33. David Rodriguez knowingly participated in the fraudulent exchange of checks described in paragraphs 22 and 23 and knowingly converted \$5000 donated to San Juan Bautista to his personal use and benefit.

34. The Court should find that the Plaintiffs are entitled to an accounting because the location and amount of the funds being held by Fr. Rodriguez and David Rodriguez and the purposes for which they were spent are unknown to Plaintiffs and cannot be ascertained without

an accounting. Plaintiffs do not have an adequate remedy at law because, without an accounting, Plaintiffs cannot ascertain the full amount of all donations and the purposes for which they were spent.

35. The Court should impose a constructive trust on all checking and saving accounts in the name of Fr. Rodriguez at GECU and any other financial institutions into which he deposited funds donated to San Juan Bautista until an accounting can be performed to determine what funds in those accounts are properly owned by San Juan Bautista. Fr. Rodriguez should be ordered to return to San Juan Bautista all funds in his possession or under his control that are donations made to San Juan Bautista.

36. The Court should impose a constructive trust on all checking and saving accounts in the name of David Rodriguez at GECU and any other financial institutions into which he deposited funds donated to San Juan Bautista until an accounting can be performed to determine what funds in those accounts are properly owned by San Juan Bautista. David Rodriguez should be ordered to return to San Juan Bautista the \$5000 that was paid to him as well as any other funds that have been paid to him from donations made to San Juan Bautista.

37. The Court should order Fr. Rodriguez and David Rodriguez to account for all funds donated to San Juan Bautista from January 1, 2007, to September 30, 2011, by identifying the donors, identifying the amount donated, identifying the purpose for which the donation was made, identifying the location of the financial institution into which such funds were deposited, identifying the account number of the account into which such funds were deposited, and identifying all persons or entities that were paid from funds donated to San Juan Bautista, the amounts paid and the purpose of each payment.

Prayer for Relief

Therefore, Bishop Ochoa and Msgr. Bañuelas ask the Court to:

- (a) Impose a constructive trust on all checking and saving accounts in the name of Fr. Rodriguez at GECU and any other financial institutions into which he deposited funds donated to San Juan Bautista until an accounting can be performed to determine what funds in those accounts are properly owned by San Juan Bautista.
- (b) Impose a constructive trust on all checking and saving accounts in the name of David Rodriguez at GECU and any other financial institutions into which he deposited funds donated to San Juan Bautista until an accounting can be performed to determine what funds in those accounts are properly owned by San Juan Bautista.
- (c) Order Fr. Rodriguez to account to Bishop Ochoa and Msgr. Bañuelas for all donations made to San Juan Bautista for the building projects described in paragraphs 16 and 17 above by donor, amount of donation, where such donations were deposited by bank and account numbers, and to identify all withdrawals of such donations by amount and purpose, and a complete description of all expenditures made from such donations.
- (d) Order Fr. Rodriguez to return to San Juan Bautista all funds donated to San Juan Bautista that are in his personal bank accounts or under his control.
- (e) Order David Rodriguez to return to San Juan Bautista all funds donated to San Juan Bautista that are in his personal bank accounts or under his control.