

-10-

brothers. He testified when he first saw [REDACTED] [REDACTED] did not understand that MacRae's conduct was wrong. The self-blame continues, and [REDACTED] continues to question whether he did anything to cause the abuse he suffered. In Dufresne's opinion, [REDACTED] did not begin to understand that he had been injured by MacRae until 1992, when his brothers "began confronting" MacRae's abuse of them.

[REDACTED] was born on November 18, 1967. His law suit was instituted on June 7, 1994, when he was age 27. He alleges sexual abuse at the hands of MacRae during the period of approximately 1979 through 1987, with the last sexual contact occurring no later than March 31, 1987, when he was age 19, more than seven years prior to the institution of suit.

[REDACTED] He experienced the same strong religious influence in his upbringing as did his brother [REDACTED] (Please refer to the [REDACTED] fact section for additional detail regarding the [REDACTED] family life and relationship with MacRae.) He served as an alter boy, and was confirmed. He was well-grounded in Catholic education, and religion played an important role in his life. Prior to his contacts with MacRae, [REDACTED] had had very positive relationships with priests. He believed that priests were the "middlemen" between God and the parishioners. Priests articulated what was right and wrong. They were to be revered. [REDACTED] described [REDACTED] as the most devout of her children. She also testified that as a young child, [REDACTED] was very out-going and vivacious.

[REDACTED] first met MacRae when he was 11 years old. He explained that his brother [REDACTED] was the first to meet MacRae, and soon after MacRae started coming to the [REDACTED] home frequently. He testified that MacRae spent the majority of his free time at their home, that he brought many gifts, and that MacRae had the full support and trust of his mother. [REDACTED] testified that MacRae began to take him places alone. He would take him to the store, on errands, miniature golfing, and to the batting cages. [REDACTED] felt very good about this individual attention, and would feel extremely jealous when MacRae would take either [REDACTED] or [REDACTED] out alone.

The first physical contact by MacRae occurred when [REDACTED] was 11 years old, in the summer of 1979. He was delivering a newspaper to the rectory, and MacRae invited him in for donuts and orange juice. In the rectory, MacRae "pinned him up against the wall" and fondled his genitals. [REDACTED] felt uncomfortable and very confused.

-11-

Between 1979 and 1982, there were at least two other sexual contacts by MacRae. On one occasion, when [redacted] was traveling alone with MacRae to Keene in MacRae's car, MacRae reached over and fondled him. On another occasion, MacRae drove [redacted] older brother [redacted] to Logan Airport and took [redacted] along. After [redacted] was delivered to the airport, MacRae took [redacted] to MacRae's sister's home. On the way home, in the car, [redacted] fell asleep. When he awoke, MacRae was fondling him on the outside of his pants.

[redacted] separated in January, 1982. [redacted] blamed himself for the break-up. [redacted] related an incident when [redacted] found a receipt in the driveway, which had apparently dropped out of [redacted] car. [redacted] brought to his mother. The receipt evidenced a borrowing from [redacted] mother's annuity fund. The money was apparently used in connection with an affair [redacted] was having with another woman. [redacted] separation followed this incident. Particularly after the separation, [redacted] regarded MacRae as a surrogate father.

During the early 1980's [redacted] began developing severe problems with alcohol and drugs, which resulted in a deterioration of his relationship with his mother. MacRae conferred with [redacted] and offered to counsel [redacted] for these problems. [redacted] testified that during the counseling sessions, MacRae would pick him apart, belittle him, break him down. [redacted] would finally become hysterical, and MacRae would perform fellatio on him. [redacted] explained that when this happened, he felt disconnected from his body. He felt like an onlooker, not a participant. Such abuse during "counseling" sessions occurred numerous times over a period of years. [redacted] later blamed himself. He felt that if he hadn't "broken down" during these sessions, the conduct by MacRae would not have happened.)

During this time, [redacted] testified that MacRae told her she needed to get tougher with [redacted], that she should not "enable" him, and that she should not give him any money. MacRae convinced her to distance herself from [redacted]. [redacted] related one occasion when [redacted] had been out of the house for several days. She knew he had been sleeping in someone's barn. He came to the house on a rainy summer day to fix his brother's bicycle. She stated that she knew he did not want to leave, but on the advice of MacRae, she turned him away. [redacted] stood at the door with the rain and wind at his back, and she closed the door in his face. She described this as one of the most painful experiences of her life.

[redacted] testified that he did not have anyone to turn to, that MacRae played "middle man" between him and his mother. MacRae told him that if he [redacted] would "go along," MacRae would work on patching things up with his mother. [redacted] described MacRae as a "third parent." MacRae continually reassured [redacted] that things

-12-

were all right. [REDACTED] testified that MacRae convinced him that the sexual contact was not wrong, that his supplying [REDACTED] with alcohol was not wrong, and that MacRae's taking money from the church collection was not wrong. MacRae convinced [REDACTED] that he loved and cared for him, and that if [REDACTED] trusted him, everything would be all right. [REDACTED] felt trapped and confused. The abuse continued. [REDACTED] drinking and drugging continued. MacRae would provide [REDACTED] with alcohol and money, which MacRae knew [REDACTED] was spending on drugs. [REDACTED] relationship with his mother continued to deteriorate.

In the summer of 1986, when he was age 19, [REDACTED] was heavily involved with alcohol and drugs. His relationship with his parents was all but severed, and MacRae was the main figure in his life. He begged MacRae for help with his drinking problem. MacRae arranged for [REDACTED] to go to Derby Lodge in Berlin, New Hampshire, for treatment. The night before MacRae was to take him to Derby Lodge, [REDACTED] stayed at the rectory. MacRae again performed fellatio on him.

At Derby Lodge, [REDACTED] met with Debra Collette, designated as his personal counselor. He told her about MacRae's physical contact with him because he wanted to know whether such conduct was right or wrong. [REDACTED] testified that he was blaming himself, that he felt dirty and no good, and that he had no future. Collette refused to believe him; and she would not discuss the matter further. [REDACTED] was confused and hurt.

After the conversation with Collette at Derby Lodge, [REDACTED] continued his relationship with MacRae. The abuse (fellatio) continued. Approximately six to nine months after the Collette conversation, MacRae confronted [REDACTED]. He told [REDACTED] he knew of the conversation and that if [REDACTED] "tried it again" he'd kill him.

The abuse, and [REDACTED] relationship with MacRae, finally ended in 1987. [REDACTED] testified that at that time he was living in an apartment in Manchester. [REDACTED] could no longer afford the apartment. [REDACTED] returned to Keene, and moved in with MacRae (who was on a leave of absence from the Church). One day when MacRae was out, [REDACTED] found some videotapes. One depicted a young man lying nude on a bed. [REDACTED] thought he recognized the young man. He also heard a male voice on the tape, which he thought was MacRae's. He became scared. He went into MacRae's room and found camera equipment on a table. He grabbed the equipment and tapes and put them in a duffel bag. He took the bag and rode with it on his bicycle to his mother's home, where he deposited the bag in a storage area. He then took off on his bicycle. Along the way, MacRae appeared in his car and pursued [REDACTED]. MacRae was yelling and swearing, and tried to hit [REDACTED] with the car. MacRae pulled to the side of the road, told [REDACTED] he wanted his stuff back and wanted to kill him. MacRae threatened him with a gun. [REDACTED] took off on his bicycle with

-13-

MacRae in pursuit. He eventually returned to his mother's home, and then rode from Keene to Manchester, where he stayed for a weekend. He then rode to Hampton Beach and eventually ended up at the Dover Crisis Center. He then moved to Portland Maine, and finally to California. [REDACTED] was away from Keene for approximately three years. [REDACTED] testified that he blamed himself for the Keene/gun incident and felt bad that his relationship with MacRae ended.

While he was in California, [REDACTED] spoke with his mother by telephone. During one conversation, [REDACTED] asked [REDACTED] if MacRae "ever did anything to him." He avoided answering her. He testified that MacRae had "ground into him" that no one would believe him. [REDACTED] testified that this conversation occurred in 1989 or 1990.

[REDACTED] testified that during the sexual contact with MacRae, he never understood that the contact was wrong, that it was a sin to be confessed, or that he had the ability to make MacRae stop. When [REDACTED] learned that his brothers had also been abused by MacRae, he felt extremely guilty. He blames himself for what happened to them. Until recently, he has also blamed himself for what happened to him. He testified that he did not come to understand that what MacRae had done to him was abuse until around the time that his brother [REDACTED] appeared before the grand jury in the criminal case (in April, 1993).

On November, 14, 1994, Gordon MacRae was convicted by a Cheshire County Superior Court jury of four counts of aggravated felonious sexual assault and one count of felonious sexual assault, all in connection with his assaults on [REDACTED]

[REDACTED] continues to experience significant problems. He has difficulty holding a job. He has difficulty forming relationships with men. He doesn't know how to deal with friendship or with people who try to get close to him. He has trouble trusting people.

[REDACTED] testified that until therapy, he never felt that his problems were caused by MacRae's treatment of him. He began therapy with Pauline J. Goupil in June, 1993 and continued in therapy with her until July, 1995. Ms. Goupil has diagnosed [REDACTED] as suffering from post traumatic stress disorder and substance abuse in remission. Ms. Goupil testified that [REDACTED] did not appreciate the wrongfulness of MacRae's conduct -- that he had no frame of reference for differentiating between right and wrong. [REDACTED] blamed himself, a reaction which Goupil stated is typical of victims of childhood sexual abuse. As she explained, [REDACTED] felt dirty, confused, and betrayed, but he couldn't understand MacRae's conduct as wrong because it was perpetrated by the "model of goodness." She further stated that the Derby Lodge disclosure does not mean that [REDACTED] understood, at that time, that

the conduct was wrongful. In her opinion, [REDACTED] did not understand that he had been abused until his brothers disclosed their own abuse. Further, she testified that only during therapy was [REDACTED] able to begin to understand that his problems are related to the abuse.

[REDACTED] was born on [REDACTED]. His law suit was instituted on December 8, 1994, when he was age 25. He alleges sexual abuse at the hands of MacRae during the period of approximately 1982 through 1985, with the last sexual contact occurring no later than the fall of 1985, and sexual solicitation occurring no later than 1987, nearly nine years and seven years (respectively) prior to the institution of suit.

[REDACTED] He is four years younger than [REDACTED] and two years younger than [REDACTED]. He experienced the same religion-centered upbringing as his brothers. (Please refer to the [REDACTED] fact section for additional detail regarding the [REDACTED] family life and relationship with MacRae.) He attended St. Joseph's Catholic School in Keene during kindergarten and during fifth and sixth grade. He attended Mass regularly and served as an alter boy. He had a good relationship with his parents, but his father was generally "not around." Prior to age 12, [REDACTED] had no experience with alcohol or sex. Prior to his contacts with MacRae, he had positive experiences with Father Horan, whom he described as a good family friend. [REDACTED] testified that [REDACTED] was a bright, affectionate child who did well in grammar school.

[REDACTED] met Gordon MacRae in the summer of 1979, when he was 10 years old. He described MacRae's assimilation into the [REDACTED] household during that summer. He said that MacRae was very close to [REDACTED] at first, then became close to the whole family. MacRae came frequently for meals and conversations. He brought "good things" to the family -- including pizza, and even a color television set. The entire family, including his mother, liked MacRae very much. [REDACTED] recalled especially how appreciative his family was when MacRae saved his younger brother's life during the pool accident.

During the time period 1979-1982, MacRae developed a close relationship with [REDACTED] and [REDACTED] learned to trust him. MacRae brought him many gifts (sneakers, clothes, a "Walkman," and tapes) and took him on trips. He described MacRae as a charming, trusted family friend whose physical contact with him at first was "innocent." Along with his family, [REDACTED] attended MacRae's ordination in May, 1982, and felt especially honored to sit in the VIP section.