

**BROTHER RICARDO PALACIO
JOHN DOE 116 VS. THE CHICAGO PROVINCE
01-19-2011**

SHEET 1 PAGE 1

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 FOR THE COUNTY OF LOS ANGELES
3
4 JOHN DOE 116, et al.,
5 Plaintiffs,
6
7 VS.
8 THE CHICAGO PROVINCE OF THE
9 SOCIETY OF JESUS, et al.,
10 Defendants.
11
12
13
14
15
16 Deposition of BROTHER RICARDO PALACIO, taken
17 on behalf of the plaintiffs, at 801 South Figueroa
18 Street, 16th Floor, Los Angeles, California, 90017,
19 commencing at 10:15 a.m., on Wednesday, January 19,
20 2011, before Lori Raye, CSR No. 7052.
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22 ---000---
23
24
25

Case No. BS 116938
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1 Appearances:
2
3
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3

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1 LOS ANGELES, CALIFORNIA
2 WEDNESDAY, JANUARY 19, 2011
3 10:15 a.m.
4
5
6 BROTHER RICARDO PALACIO,
7 HAVING BEEN PLACED UNDER OATH,
8 WAS EXAMINED AND TESTIFIED AS FOLLOWS:
9
10 EXAMINATION
11
12 BY MR. MCGUIRE:
13 Q. Brother, would you please state and
14 spell your name.
15 A. Okay. My name is Brother Ricardo
16 Palacio, R-i-c-a-r-d-o P-a-l-a-c-i-o.
17 Q. And sir, are you a brother of a
18 particular order?
19 A. I am a Brother of the Christian Schools.
20 Our headquarters are located in Napa, California.
21 We conduct schools and -- well, most of us are
22 teachers, yes.
23 Q. Are there priests of your order?
24 A. There are no priests.
25 Q. So you're all what we essentially call
5

5

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EXHIBIT 19

BROTHER RICARDO PALACIO
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1 Is that about right, to your knowledge?
2 A. I guess it could have been, yes.
3 Q. Is it fair to say that all of this stuff
4 was happening fairly fast that morning?
5 A. Very fast.
6 Q. Okay. Before you made this phone call to
7 R.W., which I'm assuming is Robert Wild, as you see
8 at the top there, you, in fact, did speak with the
9 mother, correct?
10 A. Yes, I did.
11 Q. If you can, still looking at this
12 Exhibit 2, do you remember who you spoke to
13 initially?
14 A. I don't.
15 Q. It says here the telephone number is
16 (707) 963-1411 at the top.
17 Is that the number for the retreat house?
18 A. Yes, that was the number of the retreat
19 house.
20 Q. There are some other notes down here that
21 I'm assuming -- and I'm going to ask you about
22 them -- purport to be the communication that you
23 had.
24 "One of the priests --" I can't make out
25 the rest -- then "Coby Academy" --

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1 A. Yeah, this is misspelled, Kolbe.
2 Q. Then we have and an
3 Anchorage, Alaska?
4 A. Yes.
5 Q. Do you remember giving this kind of
6 information to the person that answered the phone?
7 A. I guess I did. I don't remember.
8 MS. DIBELLO: Don't guess.
9 THE WITNESS: I don't remember.
10 BY MR. MCGUIRE:
11 Q. Do you have any reason to believe this
12 information is incorrect at this time?
13 MS. DIBELLO: The document speaks for itself.
14 THE WITNESS: No. It's correct.
15 BY MR. MCGUIRE:
16 Q. So if I can, did you get a phone call
17 back? Exhibit 2 indicates that you left a phone
18 message and I'm assuming you got a phone call back;
19 is that true?
20 A. Yes. Let me say, I don't remember if I
21 called again or if he called back. But I do
22 remember, you know, speaking with him and I told
23 him, you know, what had transpired thus far.
24 He responded that there had been other
25 reports of this kind of stuff with...

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1 Q. Father McGuire?
2 A. With Father McGuire. So I just kind
3 of --
4 Q. That's okay, sir.
5 Did he indicate the nature of these other
6 reports, specifically?
7 A. No, he just made that statement.
8 Q. Did you gather from that specific
9 communication that there were other allegations
10 against Father McGuire of sex abuse with teenagers
11 or minors?
12 A. Yes.
13 Q. I'm assuming you spoke with Father Wild;
14 correct?
15 A. Yes, I did.
16 Q. Did he indicate how many?
17 A. He did not indicate anything.
18 Q. Did he indicate how far back those
19 complaints went?
20 A. He did not.
21 Q. But he specifically told you there were
22 other complaints?
23 A. Yes.
24 Q. Did you have an understanding during your
25 conversation that Father Wild had some familiarity

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1 with these complaints from the past?
2 A. Yes.
3 Q. Where did the conversation go from here,
4 from this point?
5 A. Well, he indicated to me that he would
6 get ahold of Father McGuire. He must have had his
7 schedule because he's the one who alerted me to the
8 fact that he was going to Tijuana, Mexico after
9 St. Helena.
10 Q. So he told you that right on the phone,
11 correct?
12 A. Yes.
13 Q. Did he say that he was going to
14 immediately get ahold of him after the retreat or
15 during the retreat?
16 A. That, I don't remember, but he did
17 indicate he was going to talk to him.
18 Q. During your telephone conversation with
19 Father Wild, did you indicate in any sense or in
20 any way that you could that was in danger
21 of further happenings or further abuse?
22 MS. DIBELLO: Calls for a legal conclusion;
23 assumes facts.
24 THE WITNESS: He's the one who let me know
25 that -- he must have had a schedule that he was

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1 going to Tijuana, Mexico. And I said, "Oh, we've
2 got to get this kid away from that guy."
3 BY MR. MCGUIRE:
4 Q. You said that to Father Wild?
5 A. Yes.
6 Q. What was his reaction?
7 A. I don't remember that but, you know --
8 Q. Did you sense that he would contact
9 McGuire but only when he was away from the retreat,
10 when he was on his way to Tijuana? Is that how you
11 understood it?
12 A. Well, I was hoping that he would
13 contact -- it must have been that because -- yeah.
14 Q. Is it fair to say that you were hoping
15 that Father Wild would contact Father McGuire
16 immediately?
17 A. Immediately.
18 Q. You gathered from the communication with
19 Father Wild that he was not going to do that?
20 A. Yes, he was going to communicate with him
21 at some point. When he told me that he was next
22 going to Tijuana, I said, you know, "We've got to
23 get this kid away."
24 Q. So you conveyed and communicated to
25 Father Wild a sense of urgency?

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1 A. Yes.
2 Q. And the urgency was to protect the child?
3 A. Right.
4 Q. Is it fair to say that Father Wild was
5 not acting as urgently as you thought was
6 necessary?
7 A. Right.
8 Q. Did you speak with Father Wild about your
9 communication with the mother up in Anchorage?
10 A. Yes.
11 Q. How did that go? Can you tell me what
12 you communicated to him and what his response was?
13 A. I just told him what had happened, and
14 then most importantly, just her reaction, you know,
15 of me making this accusation against this priest
16 and that he was, you know, very holy and all that
17 stuff.
18 Q. Did he communicate to you that he was
19 used to that kind of a reaction from people
20 regarding Father McGuire?
21 A. Well, he never said it that way, but he
22 just said that he had received other reports like
23 this.
24 Q. Did he indicate to you, such as Father
25 Anthony in Anchorage, that Father McGuire had a

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1 following of people that regarded him as holy?
2 A. He did not say anything like that.
3 Q. When you hung up with him, the plan was,
4 as far as you understood it, that Father Wild would
5 communicate with Father McGuire prior to his going
6 to Tijuana?
7 A. Yes.
8 Q. When you hung up the phone with Father
9 Wild, did you have any expectation that Father Wild
10 would call Father McGuire during the retreat?
11 A. I don't -- I don't know. From what --
12 from how he said it, it was at some point -- at
13 some later point he would do that.
14 Q. So you had no expectation that McGuire
15 would be confronted with this issue by his
16 provincial while on the retreat?
17 A. I just didn't get that feeling.
18 Q. Now, prior to this phone call with the
19 provincial, did you have any communication with
20 Father McGuire directly, other than the initial
21 greeting in the parking lot and walking through the
22 front doors of the retreat house?
23 A. The only communication was, you know, at
24 the greeting and then when I was standing at the
25 door. I don't remember what I said, but I did not

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1 speak to him.
2 Q. At all?
3 A. At all. I didn't tell him about the
4 calls to Anchorage and Chicago.
5 Q. When you were there at the threshold of
6 his door, did you indicate to him that
7 cannot sleep in here?
8 A. I did say that, you know, we have
9 reserved a room and that I was kind of ticked
10 off -- I forgot how I said it -- that we saved this
11 room, because I had a friend coming up but, you
12 know, that there was a room for
13 Q. And that he should be using it, is it
14 fair to say that?
15 A. I don't know if I said that.
16 Q. Right. Were you still trying to be
17 diplomatic?
18 A. Yeah, trying to be diplomatic, I think.
19 Q. When you hung up with Father Wild, did he
20 give you any instructions about what you were to do
21 with Father McGuire during the rest of the retreat?
22 A. Nothing.
23 Q. Did he tell you to keep an eye on him in
24 any way?
25 A. Nothing.

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