

Diocese of Orange Documents

John Lenihan

Redacted

PERSONAL RECORD OF REV. JOHN LENIHAN

NAME IN FULL

Date

ORDAINED FOR DIOCESE OF Los Angeles, California

Date and Place 15 JUNE 1969, ALL HALLOWS, Dublin 9

Ordaining Prelate

If incardinated in Los Angeles, Date JUNE 17 1966 (TENSURE)

IF NOT INCARDINATED IN LOS ANGELES:

Date of Arrival

What letters from own Ordinary or Superior?

COPY

Length and purpose of stay:

Residence: 17 SEXTON ELECTRIC AVENUE Phone No. ATLANTIC 12461
ALHAMBRA CALIF 91801

FACULTIES GIVEN UNTIL

Birth: Date and Place 5th MARCH 1941 BALLINAKILLAL CASTLELAND CO. KERRY IRELAND

Baptism: Date and Place ST. BRENDAN'S CHURCH BALLYMACILLITT CO. KERRY 12th MARCH 1941

Present Citizenship IRISH

If Naturalized, Date and Place

Elementary School—Dates and Places 1950 — 1958

CLOHER NATIONAL SCHOOL CO. KERRY

High School—Dates and Places

College—Dates and Places Sept 1958 — JUNE 1963

SALESIAN SECONDARY COLLEGE COSENED CO. LIMERICK

Seminary—Dates and Places Sept 1963 — JUNE 1969 ALL HALLOWS, Dublin

Post-Graduate Work—Dates and Places

Degrees—Dates and Places

What foreign languages can you speak? IRISH SPANISH

Redacted

Redacted

Father's and Mother's (maiden) Name

Name and address of nearest relative or friend

Redacted

Please type answers in full and return to the Chancery Office, 1531 West Ninth Street, Los Angeles 15, California

(Over)

LA_2013_11_21_Lenihan_000002

NAME IN FULL

[illegible]

List of ecclesiastical dignities and date of reception.

State any special work or assignment and give dates.

October 11th, 1963

Redacted

Dublin, 9
Ireland

Dear Father Redacted

Monsignor Hawkes has given me your letter of October 4th. On behalf of, and anticipating the approval of His Eminence, I am happy to welcome the five students listed as candidates for the Archdiocese of Los Angeles. [Redacted] is a nephew of Father [Redacted], and he will be the fourth generation of that family to serve in the Archdiocese.

I have just returned from Rome after a wonderful trip to Lourdes and Spain with Bishop Redacted and Monsignor Redacted. Needless to say, one of the highlights of our trip was the visit to All Hallows and that wonderful dinner at the Gresham.

With kindest regards to Father Redacted and the other members of the faculty, I am

Very sincerely yours,

Timothy Manning
Auxiliary Bishop of Los Angeles
Vicar General

C

All Saints College
London

4th October, 1963.

Rt. Reverend Monsignor Benjamin G. Hawkes,
Chancellor,
100 Fremont Place,
Los Angeles 5, California.

Dear Monsignor Hawkes,

Some of the new students who came to us last month, are willing to go to Los Angeles, and I beg to submit some names for His Eminence's kind consideration. They are:-

[REDACTED]
[REDACTED]
[REDACTED]
John Lenihan,

The first of these, [REDACTED], has been with us for a year and is now reading Second Philosophy. He has been quite satisfactory in every way and he is about average in ability. I beg to recommend all of them for acceptance.

I am glad to be in a position to recommend a Second Philosopher because last year quite a number of the Los Angeles students went away as *secularia*. We lost four students in all, [REDACTED], [REDACTED], [REDACTED] and [REDACTED]. I am sorry the casualties were so high, but there was really nothing we could do about it.

All the other students are getting on well. [REDACTED] has just completed his B.A. at the National University, and I am glad to report that he graduated with Honours. Father Murphy enjoyed his trip to Los Angeles during the Summer and is most appreciative of the hospitality shown him, as indeed we all are.

We were very happy to have a visit from Bishop Manning and quite a number of the Los Angeles priests. It was nice to hear that the four young men who went out in August are so happily settled in their new appointments.

With all good wishes.

Sincerely yours,

ALL HALLOWS COLLEGE, DUBLIN

REPORT

Name	Diocese	Class
Lenihan, John	Los Angeles	I Divinity

EXAMINATION RESULTS

June, 19	December, 19 65.
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Dogmatic Theology	A
Moral Theology	B
Sacred Scripture	A
Introduction to Sacred Scripture	B
Sacred Eloquence	C
Canon Law	B
Ecclesiastical History	B
Sacred Liturgy	B
Elocution	C
Gregorian Chant	C
Spanish	B
Patrology	-
Psalter	-
Catechetics	-
Sociology	-
Physical Education	-

(Grading: Each letter used indicates a combination of factors; intellectual capacity, proficiency in studies, application to work. The grading is based on *viva voce* and written examinations and assessments by the individual Professors.

A—Very Good; B—Good; C—Average; D—Fair).

Observations: A good student.

Date: 7 April, 1966.

Redacted

W/L - Rector

The undersigned, Archbishop of Los Angeles in California, according to the terms of Canon III, paragraph 2, of the Code of Canon Law, and the reply of the Pontifical Commission for the Interpretation of the Code dated July 24, 1939, herewith requests that

JOHN LENIHAN

be promoted by his proper Ordinary to First Clerical Tonsure for the service of the Archdiocese of Los Angeles.

This instrument will serve as the expression of our consent that thereby he may be incardinated into this Archdiocese according to the previous Canon III, paragraph 2.

Delegation is hereby given to institute the usual canonical inquiries and administer all the oaths and professions of Faith according to the requirements of the Canons for promotion of the candidate to all the Orders leading to the Priesthood for the Archdiocese of Los Angeles.

Archbishop of Los Angeles

Dated at Los Angeles, California,
this 14th day of April, 1966.

De Mandato Eminentissimi ac Reverendissimi Archiepiscopi

Cancellarius



Jacobus Franciscus Cardinalis McIntyre

Dei et Apostolicae Sedis Gratia
Archiepiscopus Angelorum
in California

Dilecto Nobis in Christo Domino JOANNE LENIHAN
subdito Nostro, salutem et benedictionem in Domino.

Cum plene Nobis constet te ex legitimis, catholicis, honestisque parentibus progenitum, rite baptizatum et confirmatum, bonis moribus debitisque qualitatibus ad normam Sacrorum Canonum praeditum esse, neque ulla irregularitate aliove impedimento detentum nullaqua censura, quod sciamus, innodatum esse, et canonico de annis cursus theologiae, ad tramitem iuris, documento Nobis exhibito, per praesentes tibi licentiam et facultatem largimur et libenter concedimus, ut ad omnes ordines minores
ab Exc.mo ac Rev.mo Joanne Carolo McQuaid, Archieposcopo Dublinensis,
aut a quocumque Catholico Antistite gratiam et communionem Sedis Apostolicae habente, valide ac licite promoveri possis et valeas.

Volumus tamen ut praedictae litterae Nostrae nonnisi accedente Superiorum Seminarii consensu atque testimonio effectum sortiantur.

Servatis in reliquo de iure servandis. Contrariis quibuscumque non obstantibus.

Datum ex aedibus cancellariae Nostrae, sub signo sigilloque Nostris, ac Cancellarii Nostri subscriptione, anno Domini 1966, die vero 14a mensis Aprilis.

ARCHIEPISCOPUS ANGELORUM

DE MANDATO EMI AC REV.MI ARCHIEPISCOPI

CANCELLARIUS

All Hallows, Dublin

JOHN LENIHAN

John Lenihan has been with us for six years and read the ordinary course in Philosophy and Theology. He, too, is very talented and should certainly get an opportunity of post-graduate work. Again I would suggest that he should be consulted in regard to the field of his preference, but I would say that it should be some branch of Theology although he, too, has a very good background in Philosophy. He is a fine character and has a pleasant manner as well as a cheerful disposition.

Redacted , C.M.

ALL HALLOWS COLLEGE, DUBLIN

REPORT

Name	Diocese	Class
Lenihan, John	Los Angeles	II Divinity

EXAMINATION RESULTS

June, 1966.	December, 1966.
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Dogmatic Theology	B	A
Moral Theology	B	C
Sacred Scripture	A	A
Introduction to Sacred Scripture	A	A
Sacred Eloquence	B	B
Canon Law	C	C
Ecclesiastical History	A	A
Sacred Liturgy	A	A
Elocution	B	B
Gregorian Chant	C	C
Spanish	B	B
Patrology	-	-
Psalter	-	-
Catechetics	-	-
Sociology	-	-
Physical Education	-	-

(Grading : Each letter used indicates a combination of factors ; intellectual capacity, proficiency in studies, application to work. The grading is based on *viva voce* and written examinations and assessments by the individual Professors.

A—Very Good ; B—Good ; C—Average ; D—Fair).

Observations : A good student.

Date : 18 March, 1967.

Redacted

Vice- Rector

By virtue of the faculties granted to His Eminence,
James Francis Cardinal McIntyre, Archbishop of Los Angeles
in California, in Motu Proprio De Episcoporum Muneribus, dated
June 15, 1966, he hereby grants a dispensation from the lack of
sufficient age for ordination to the Sacred Priesthood in favor of
JOHN LENIHAN. This dispensation is granted provided the
Rector and Faculty of All Hallows College are of the opinion that
John Lenihan possesses maturity of mind and judgment to assume
the sacerdotal office. The Reverend Mr. Lenihan lacks eight
months, twenty days, for Canonical age.

Archbishop of Los Angeles

Dated: February 13, 1969

June Twelfth
1969

Redacted

ALL HALLOWS COLLEGE
Dublin 9, Ireland

Very Reverend and dear Father Redacted

I trust that the three young men destined to come to Los Angeles have been able to complete arrangements for clearance of their visas with the American Consulate.

We should appreciate your kindness in forwarding to us your assessments of

~~Redacted~~
John Lenihan ✓
~~Redacted~~

This will be of help in assigning these young men to their first parishes.

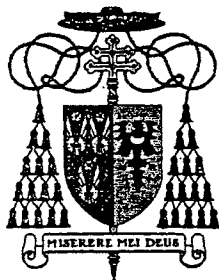
Would you be kind enough also to advise them that they may plan on coming in to the Chancery Office on Friday morning, August 1st, at 10:15 o'clock, to receive their first appointments from His Eminence, the Cardinal. These will be effective on Saturday, August 2nd.

With personal regards, I remain

Sincerely yours in Christ,

(Reverend Monsignor Benj. G. Hawkes)
Chancellor

P.S. When ready to make arrangements for travel to Los Angeles these young men may contact M Redacted of the T W A Office, 44 Upper O'Connell Street, Dublin. Transportation is handled through Mr. Redacted of the T W A office here in Los Angeles through their Dublin office.



Jacobus Franciscus Cardinalis McIntyre
Dei et Apostolicae Sedis Gratia
Archiepiscopus Angelorum
in California

Dilecto Nobis in Christo Domino JOANNI LENIHAN
subdito Nostro, salutem et benedictionem in Domino.

Cum plene Nobis constet te ex legitimis, catholicis, honestisque parentibus progenitum, rite baptizatum et confirmatum, bonis moribus debitisque qualitatibus ad normam Sacrorum Canonum praeditum esse, neque ulla irregularitate aliove impedimento detentum nullaqua censura, quod sciamus, innodatum esse, et canonico de annis cursus theologiae, ad tramitem iuris, documento Nobis exhibito, per praesentes tibi licentiam et facultatem largimur et libenter concedimus, ut ad Subdiaconatum et Diaconatum
ab Exc.mo ac Rev.mo JOANNE CAROLO McQUAID, Archiepiscopo Dublinensis
aut a quocumque Catholico Antistite gratiam et communionem Sedis Apostolicae habente, valide ac licite promoveri possis et valeas.

Volumus tamen ut praedictae litterae Nostrae nonnisi accedente Superiorum Seminarii consensu atque testimonio effectum sortiantur.

Servatis in reliquo de iure servandis. Contrariis quibuscumque non obstantibus.

Datum ex aedibus cancellariae Nostrae, sub signo sigilloque Nostris, ac Cancellarii Nostri subscriptione, anno Domini 1968, die vero 15a mensis Martii

ARCHIEPISCOPUS ANGELORUM

DE MANDATO EMI AC REV.MI ARCHIEPISCOPI



CANCELLARIUS

In virtue of a special faculty transmitted in a letter from the Apostolic Delegate of the United States (Prot. no. 1279/67) dated April 4, 1967, we hereby allow the ordination to the diaconate at the end of Third Divinity in the case of the following candidates, provided that each will be at least twenty-two years of age and all other requirements for validity and liceity are fulfilled:

~~REDACTED~~
✓ JOHN LENIHAN
~~REDACTED~~

We also dispense from the interstices before diaconate in each of these cases.

In the case of 1 Redacted, we also dispense from the bans which are required before diaconate.

Given at Los Angeles, California, this 15th day of March, 1968.

Archbishop of Los Angeles



Jacobus Franciscus Cardinalis McIntyre

Dei et Apostolicae Sedis Gratia
Archiepiscopus Angelorum
in California

Dilecto Nobis in Christo Domino JOANNI LENIHAN
subdito Nostro, salutem et benedictionem in Domino.

Cum plene Nobis constet te ex legitimis, catholicis, honestisque parentibus progenitum, rite baptizatum et confirmatum, bonis moribus debitisque qualitatibus ad normam Sacrorum Canonum praeditum esse, neque ulla irregularitate aliove impedimento detentum nullaqua censura, quod sciamus, innodatum esse, et canonico de annis cursus theologiae, ad tramitem iuris, documento Nobis exhibito, per praesentes tibi licentiam et facultatem largimur et libenter concedimus, ut ad Sacrum Presbyteratum

ab Exc.mo ac Rev.mo Joanne Carolo McQuaid, Archiepiscopo Dublinensis
aut a quocumque Catholico Antistite gratiam et communionem Sedis Apostolicae habente, valide ac licite promoveri possis et valeas.

Volumus tamen ut praedictae litterae Nostrae nonnisi accedente Superiorum Seminarii consensu atque testimonio effectum sortiantur.

Servatis in reliquo de iure servandis. Contrariis quibuscumque non obstantibus.

Datum ex aedibus cancellariae Nostrae, sub signo sigilloque Nostris, ac Cancellarii Nostri subscriptione, anno Domini 1969, die vero 13a mensis Februarii.

ARCHIEPISCOPUS ANGELORUM

DE MANDATO EMI AC REV.MI ARCHIEPISCOPI

CANCELLARIUS

October 20, 1969

Reverend John Lenihan
ALL SOULS RECTORY
17 South Electric Avenue
Alhambra, California 91801

Reverend and dear Father Lenihan:

Enclosed you will please find Account Book listing your personal indebtedness to the Archdiocese of Los Angeles. Should you have any question regarding the amount given we will be happy to discuss this with you at your convenience.

When payments are made to this office the passbook should accompany your check for proper crediting of your account. It is the known policy of the Archdiocese to write off the remaining balance of such indebtedness when 50% has been paid.

We trust you will give this matter your conscientious attention. This will enable us to advance the same courtesy to other students in preparation for the Priesthood.

With personal regards, I remain

Sincerely yours in Christ,

Reverend Monsignor Benj. G. Hawkes
Chancellor

vm

June 16, 1970

TO WHOM IT MAY CONCERN:

This is to certify that

REVEREND JOHN LENIHAN

is a duly ordained Catholic Priest in the Archdiocese of
Los Angeles, and is presently assigned as an Assistant
at All Souls Parish, Alhambra.

By virtue of his being a Roman Catholic Priest,
he is exempt from selective service.

Sincerely yours,

Reverend Monsignor John A. Rawden
Chancellor

M

July 8, 1974

JUL 19 1974
ON CHANGE LIST

Reverend John Lenihan
ALL SOULS CHURCH
17 S. Electric Avenue
Alhambra, California 91801

Dear Father Lenihan:

Enclosed is your official appointment as

ASSOCIATE PASTOR

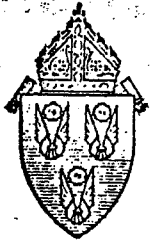
to Reverend Monsignor Emmett McCarthy, ST. ANGELA
MERICI CHURCH, Brea, which His Eminence, Cardinal
Manning, has directed me to forward to you.

This assignment will become effective on Thursday,
August 1, 1974.

Sincerely yours in Christ,

Reverend Monsignor John A. Rawden
Chancellor

fd
encl.



ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015
388-8101

June 23, 1976

Reverend John Lenihan
St. Angela Merici Church
Box 296
Brea, California 92621

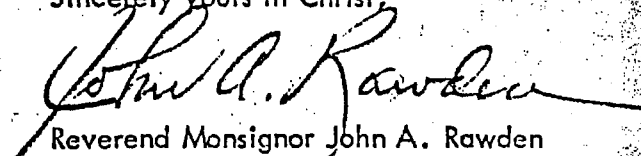
Dear Father Lenihan:

His Eminence, Cardinal Manning, for pastoral reasons, has granted the faculties of the Archdiocese of Los Angeles on an annual basis to every priest assigned in parishes in the Diocese of Orange immediately adjacent to the Orange-Los Angeles County line.

The faculties of the Archdiocese of Los Angeles have, therefore, been extended to you. These faculties will expire on October 31, 1976, or the date of termination of your present assignment at the above parish, whichever date occurs earlier.

A petition for renewal must be submitted to the office of the Chancellor, Los Angeles, on or about October 10 of each year.

Sincerely yours in Christ,


Reverend Monsignor John A. Rawden
Chancellor

fd

June 13, 1977

✓ Rev. John Lenihan
St. Angela Merici Church
P. O. Box 296
Brea, CA 92621

Dear Father Lenihan:

His Excellency, Bishop William R. Johnson, has directed
me to confirm your appointment as

ASSOCIATE PASTOR

at

ST. NORBERT'S CHURCH
ORANGE

This appointment will become effective on Wednesday,
July 20, 1977.

Praying for God's every blessing upon you and your
work I remain

Sincerely yours in Christ,

Reverend Michael P. Driscoll
Chancellor-Secretary to the Bishop

ph

cc: Rev. Msgr. Redacted
Rev. Redacted

000001

7999 Royal Arms Court
St. Louis, Mo. 63123

September 1, 1978

Cardinal Timothy Manning
1531 West 9th Street
Los Angeles, California 90015

Your Eminence:

This is in regard to a Father John Lanahan who is assigned to St. Norbert Parish in or near Anaheim, and my step-daughter, **Redacted**, age 15, who has lived for the past two years, with her step-mother, at **Redacted**, Anaheim, 92807.

Redacted has been living in California by choice, but asked to spend this summer with my wife (her natural mother) and I. She has received several letters from a Father John whom she identified as her church counselor. My wife also accepted a telephone call from him and let him talk to **Redacted**. I became suspicious and read his letters which were romantic and contained sexual innuendo. I questioned **Redacted** very intensely and she admitted having intimate physical relations with him but denied sexual intercourse. I immediately telephoned Lanahan who knew exactly who I was. He readily admitted having a romantic attachment to **Redacted**, having physical knowledge of her, but denied intercourse or self-exposure to her.

I have informed **Redacted**'s step-mother that **Redacted** will not be returning to Los Angeles. Father Lanahan wrote a letter to me which I threw away. I have promised **Redacted** that no one will be told of this affair outside of this immediate family. I cannot remain silent about this 32 year old priest who may need more help than the teens he is assigned to counsel.

I propose to leave this matter entirely in your hands, Sir. It is repugnant to me and since I am not of your faith, my anger is high. You may respond or not, as you desire.

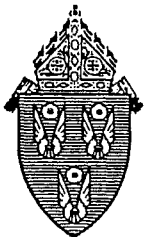
Sincerely,



Redacted

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ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015
388-8101

September 8, 1978

Mr. **Redacted** ..

Dear Mr. **Redacted**

Please accept this response to your letter of September 1st to Cardinal Manning.

We appreciate deeply the kindly manner in which you have expressed your distress and the confidence which you indicate in leaving this matter to our decision.

Since Father Lenihan is in the Diocese of Orange, I am referring this matter to the bishop's office there.

With kind regards, I am

Sincerely yours,

Reverend Monsignor Clement J. Connolly
Secretary to the Cardinal

V

cc: Fr. Driscoll ✓

000103

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THE CHANCERY OFFICE
1531 West Ninth Street
LOS ANGELES, CALIFORNIA 90015

September 8, 1978

Dear Mike:

The attached correspondence is self-explanatory.

Hope you are well.

Personal regards,

Chen

September 12, 1978

Mr. Redacted

Dear Mr. Redacted

Monsignor Clement Connelly, Secretary to His Eminence, Cardinal Manning, has forwarded me your letter of September 1, 1978.

I wish to inform you that I will be speaking with Father John Lenihan regarding the matter you have stated in your letter and appreciate the confidentiality in which you tend to handle the matter within your family.

Please be assured of my prayers for you and your family.

Sincerely yours,

Reverend Michael P. Driscoll
Chancellor-Secretary to the Bishop

MPD.jr

DIOCESE OF ORANGE

THE OATH TO FAITHFULLY FULFILL
AND KEEP THE OFFICE BESTOWED

I, JOHN LENIHAN, chosen as

CONSULTOR,

born: MARCH 5, 1946, promise and pledge to
carry out faithfully the responsibility and the office
assigned me as sincerely and objectively as I can. I
promise, further, to keep secret whatever knowledge comes
to me in the discharge of this office. So help me God.

Given this 9th day of June 19 80 at the Pastoral
Services Office, in Orange, California before me:

John P. Lenihan
Signature

Michael P. Russell
The Ordinary or
His Delagate

000002



DIOCESE OF ORANGE

440 SOUTH BATAVIA ST.

ORANGE, CALIFORNIA 92668

714 - 639-8010 -- 639-8011

PROFESSION OF FAITH

I, JOHN LENIHAN, with firm faith, believe and profess all and everything that is contained in the Symbol of Faith, that is:

I believe in one God, the Father Almighty, Maker of heaven and earth, and of all things visible and invisible. And I believe in one Lord, Jesus Christ, the only-begotten Son of God. Born of the Father before all ages. God of God, Light of Light, true God of true God. Begotten, not made, of one substance with the Father. By Whom all things were made. Who for us men and for our salvation came down from heaven. And He became flesh by the Holy Spirit of the Virgin Mary: and was made man. He was also crucified for us, suffered under Pontius Pilate, and was buried. And on the third day He rose again, according to the Scriptures. He ascended into heaven and sits at the right hand of the Father. He will come again in glory to judge the living and the dead. And of His kingdom there will be no end. And I believe in the Holy Spirit, the Lord and giver of life, Who proceeds from the Father and the Son. Who together with the Father and the Son is adored and glorified, and Who spoke through the prophets. And one, holy, Catholic and Apostolic Church. I confess one baptism for the forgiveness of sins. And I await the resurrection of the dead. And the life of the world to come.

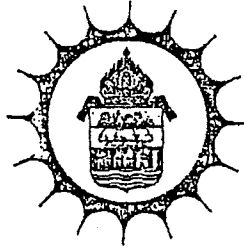
I firmly embrace and accept all and everything which has been either defined by the Church's solemn deliberation or affirmed and declared by its ordinary magisterium concerning the doctrine of faith and morals, accordingly as they are proposed by it, especially those things dealing with the mystery of the Holy Church of Christ, its sacraments and the sacrifice of the Mass, and the primacy of the Roman Pontiff.

John P. Lenihan
SIGNATURE (In presence of Delegate)

DATE: June 9th, 1980

Michael L. Russell
SIGNATURE OF WITNESS/DELEGATE

000003



DIOCESE OF ORANGE

MARYWOOD CENTER

2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667
(714) 974-7120

October 6, 1982

Reverend John Lenihan
St. Norbert Church
300 East Taft Avenue
Orange, California 92665

Dear Father Lenihan:

His Excellency, Bishop William R. Johnson, has directed me to confirm your appointment as

PASTOR (PAROECIAE AMOVIBILIS)
ST. BONIFACE CHURCH
ANAHEIM, CALIFORNIA

This appointment will become effective on Monday, November 1, 1982.

Will you kindly come to the Pastoral Services Office to take the usual oath for newly appointed pastors?

Praying for God's every blessing upon you and your work, I remain

Sincerely yours in Christ,

Reverend Monsignor Michael P. Driscoll
Chancellor

jr

cc: Rev. Redacted
Rev. Redacted
Rev. Redacted

Redacted

000004



DIOCESE OF ORANGE

MARYWOOD CENTER

2811 EAST VILLA REAL DRIVE

ORANGE, CALIFORNIA 92667

(714) 974-7120

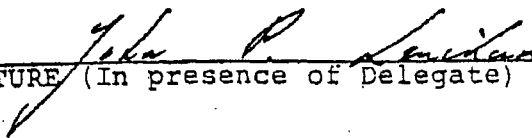
PROFESSION OF FAITH

REVEREND JOHN LENIHAN

I, _____, with firm faith, believe and profess all and everything that is contained in the Symbol of Faith, that is:

I believe in one God, the Father Almighty, Maker of heaven and earth, and of all things visible and invisible. And I believe in one Lord, Jesus Christ, the only-begotten Son of God. Born of the Father before all ages. God of God, Light of Light, true God of true God. Begotten, not made, of one substance with the Father. By Whom all things were made. Who for us men and for our salvation came down from heaven. And He became flesh by the Holy Spirit of the Virgin Mary: and was made man. He was also crucified for us, suffered under Pontius Pilate, and was buried. And on the third day He rose again, according to the Scriptures. He ascended into heaven and sits at the right hand of the Father. He will come again in glory to judge the living and the dead. And of His kingdom there will be no end. And I believe in the Holy Spirit, the Lord and giver of life, Who proceeds from the Father and the Son. Who together with the Father and the Son is adored and glorified, and Who spoke through the prophets. And one, holy, Catholic and Apostolic Church. I confess one baptism for the forgiveness of sins. And I await the resurrection of the dead. And the life of the world to come.

I firmly embrace and accept all and everything which has been either defined by the Church's solemn deliberation or affirmed and declared by its ordinary magisterium concerning the doctrine of faith and morals, accordingly as they are proposed by it, especially those things dealing with the mystery of the Holy Church of Christ, its sacraments and the sacrifice of the Mass, and the primacy of the Roman Pontiff.


SIGNATURE (In presence of Delegate)

DATE: / OCTOBER 15, 1982


SIGNATURE OF WITNESS/DELEGATE

000005



DIOCESE OF ORANGE

MARYWOOD CENTER

2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667
(714) 974-7120

THE OATH TO FAITHFULLY FULFILL
AND KEEP THE OFFICE BESTOWED

I, REVEREND JOHN LENIHAN, chosen as
PASTOR, ST. BONIFACE PARISH,
born: MARCH 5, 1946, promise and
pledge to carry out faithfully the responsibility and
the office assigned me as sincerely and objectively as I
can. So help me God.

Given this 15th day of OCTOBER 1982 at the Pas-
toral Services Office, in Orange, California before me:

John P. Lenihan
Signature

Michael P. Russell
The Ordinary or
His Delegate

000006

gill

RECEIVED

JAN 12 1983

Ass'd.....

Dear Bishop Johnson,

Please accept my thanks,
praise, and prayers for Lenihan
sending Father John to our
Parish.

I have 4 children ranging
from 3 to 16 and they all
love him dearly. They become
excited when they know he
will serve mass, and are
disappointed when he is not.

My husband is an [REDACTED]
[REDACTED] and his reaction is
the same as the kids!

I work in the [REDACTED]
office and I am overjoyed,
pleased, & proud with every
decision he has made.

He has tackled personalities,
ethnic groups, divisions of
people, and become a beacon

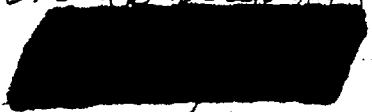
000007

for all of us to follow.

He is accepting the administration and problems of this "plant" and not making fast changes but is listening to the people to understand their needs and problems.

And above all he is a minister to all of us. His sermons carry you from one Sunday to the next.

Perhaps I sound a bit gushy or maybe like I am over-blowing it - I just want you - our Bishop - to know how wise and guided - your decision to send Father John to us is. Thank you.



000008

Christmas USA 2004



Bishop William Johnson

AFTER FIVE DAYS RETURN TO

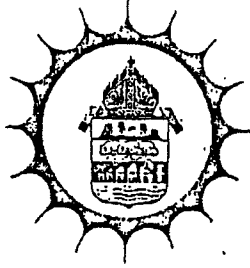
[REDACTED]

[REDACTED]

Brakein Co

92801

000009



DIOCESE OF ORANGE
MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667
(714) 974-7120

February 2, 1983

Reverend John Lenihan
St. Boniface Church
120 North Janss Street
Anaheim, California 92801

Dear Father Lenihan:

On January 3, 1983, Bishop John N. Wurm, Bishop of Belleville, Illinois, wrote Bishop Johnson regarding the following person

~~REDACTED~~
Anaheim, California 92801

I am enclosing Bishop Wurm's letter to Bishop Johnson as well as his form letter of December 21, 1982 which will make the reason for my letter to you self-explanatory. Perhaps you would like to follow up on Bishop's Wurm's contact.

With prayerful best wishes, I remain

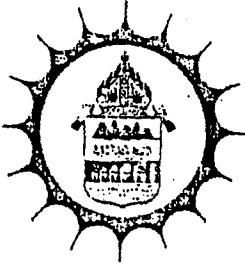
Sincerely yours in Christ,

Mike
Reverend Monsignor Michael P. Driscoll
Chancellor

jr

enc.

000010



DIOCESE OF ORANGE

MARYWOOD CENTER

2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667

(714) 974-7120

February 8, 1983

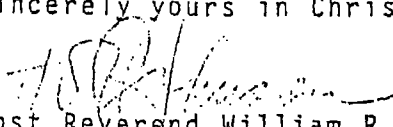
Mrs. [REDACTED]
[REDACTED]

Anaheim, California 92801

Dear Mrs. [REDACTED]:

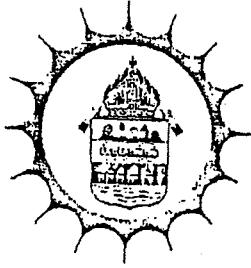
This will acknowledge receipt of your letter of January 12, 1983. I am sure that the Diocesan Personnel Board as well as Father John Lenihan will be happy to know of your enthusiasm for the work which he is doing at St. Boniface Parish. Being a pastor is a taxing responsibility. I do hope that you and your family, as well as others in the parish will continue to support Father Lenihan in the work which he is doing.

Sincerely yours in Christ,


Most Reverend William R. Johnson
Bishop of Orange

WRJ/s

000011



DIOCESE OF ORANGE

MARYWOOD CENTER

2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667
(714) 974-7120

February 23, 1983

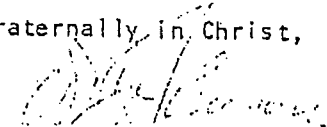
Reverend John Lenihan
Pastor
St. Boniface Church
120 North Janiss Street
Anaheim, California 92805

Dear John:

After my conversation with you the other day I came across the enclosed pamphlet in the mail. I thought perhaps it might be worthwhile to bring it to your attention since it may be useful to you in the work you are doing in developing a parochial catechesis on the sacrament of Penance. You will undoubtedly remember that Fr. Champlin gave us our retreat two or three years ago.

With blessings and best wishes for much continued success, I am

Fraternally in Christ,


Most Reverend William R. Johnson
Bishop of Orange

WRJ:ds.

Enclosure

000012

RECEIVED

FEB 23 1983

Ans'd.....

St. Boniface Church

120 NORTH JANS STREET
ANAHEIM, CALIFORNIA 92805

TELEPHONE (714) 956-3110

file
John Bonifacio

Dear Bishop,

I have had the privilege of working a lot closer with you in recent years and it has helped my relationship with you immensely. I grew up and lived my early priesthood with a very exaggerated sense of the office of bishop which rendered me reluctant of even speaking to a bishop. As a child I recalled how I insisted on calling ~~Redacted~~, my uncle, Uncle ~~Redacted~~, much to his embarrassment. I need reconciliation with you re moments of that problem. I have not yet been able to relate to you truly personally out of a byness and an awe of the office. I am still not totally at ease with you and you sense this communicates itself. As a result I have also failed to affirm you and be warm and personable with you. I have sensed then by what I have failed to do. I must also admit that I have spoken very well of you but I sometimes add in a "but". During this renewal week when I have been asked about you I have stressed your goodness in your humanity, and efficiency and openness to consultation and your enlightened approach to personnel problems but I find myself excusing your liturgical style and lack of public charisma. I am truly sorry for trying to fashion you after my image of a bishop. I thank God often for being gifted by being your associate in our very special local church but I have not told you that. I need reconciliation with you for demanding my share of the existence of your priesthood by starting the press at the parish level. I must confess that I have seldom even mentioned you outside the eucharistic prayer. I realize that I am beginning to feel that a parish is basically autonomous, linked to the diocese by catechism and changing directives. I just our extended campaign of unity and growth involves

000013

P.S. It was asked about the "top three priorities of our bishop and I could not name them - what are they?

-Allen and pastor, your assistant, John

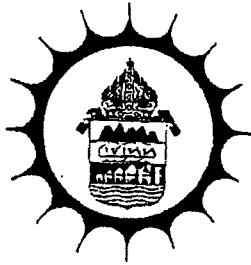
Again, I want to express my deep affection for you as my

rightful and worthy people's witness that ceremony.

It means my news to you in person. My holy work, something I love
there too as well as their prayer support. I will make it a priority
people to love you as I love you and to give you words of
to your personal qualities and my affection for you. I will write
to still meaning of the sacrament of orders and I will give witness
and presence, particularly in the ecclesial collaboration. I will trust
pastor. I will speak of you in season and out and highlight your important
put you at the center of parish life and focus the people on you, there
I pledge my fidelity and belonging to you. I promise to

all your people in your parish.

relationship of priesthood is, it would make it so much easier for me and
offensive. I see now that if I truly understood and shared what our full
congregation early in my pastoral work has made me unconsciously a little
It necessity of providing money on behalf of the diocese is a distressing



DIOCESE OF ORANGE
MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667
(714) 974-7120

November 3, 1983

Reverend John Lenihan
Pastor
St. Boniface Church
120 North Janss Street
Anaheim, California 92805

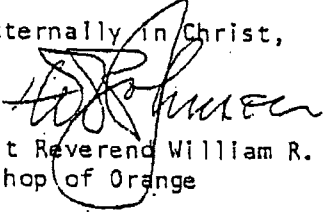
Dear Fr. John:

This will confirm in writing the information I conveyed to you verbally following the meeting of the Priests' Council last Friday morning. You are hereby appointed as a member of the Orange Diocesan Personnel Board and to serve as its Chairman.

During your term as an elected member of the Personnel Board you made a tremendous contribution to the priests of our Diocese and I am sure they will welcome the news that you will be continuing to serve on the Board and to serve as its Chairman.

With prayerful good wishes for your success in this office and with much appreciation for your willingness to accept this responsibility, I am

Fraternally in Christ,


Most Reverend William R. Johnson
Bishop of Orange

WRJ:ds

C. Rev. Msgr. Michael P. Driscoll
Chancellor

000016



DIOCESE OF ORANGE

MARYWOOD CENTER

2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667
(714) 974-7120

DIOCESE OF ORANGE

THE OATH TO FAITHFULLY FULFILL

AND KEEP THE OFFICE BESTOWED

I, REVEREND JOHN LENIHAN, chosen as
CONSULTOR,

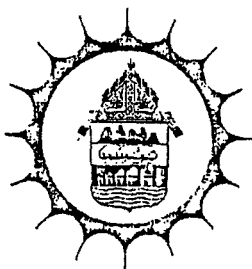
born: MARCH 5, 1946, promise and pledge to
carry out faithfully the responsibility and the office
assigned me as sincerely and objectively as I can. I
promise, further, to keep secret whatever knowledge comes
to me in the discharge of this office. So help me God.

Given this 16th day of December 1983 at the Pastoral
Services Office, in Orange, California before me:

John P. Lenihan
Signature

William D. Johnson
The Ordinary or
His Delegate

000017



DIOCESE OF ORANGE

MARYWOOD CENTER

2811 EAST VILLA REAL DRIVE

ORANGE, CALIFORNIA 92667

(714) 974-7120

FILE

May 22, 1984

Reverend John Lenihan
St. Boniface Church
120 North Janss Street
Anaheim, California 92804

Dear John:

I have been informed by St. John's Seminary that there is a convocation of priests and deacons to be held on June 18, 1984 from 10-3 P.M. at Our Lady Queen of Angels Seminary in San Fernando. Because you are the supervisor of a deacon this summer, I believe that you are required to attend.

You may wish to verify this by contacting Father **Redacted** **Redacted**, the Head of Deacon Placements at St. John's Seminary. He can be reached at (805) 482-2755. It is also very possible that he would be in contact with you as he knows that you will be a supervisor for a deacon this summer.

With prayerful best wishes, I remain

Sincerely yours in Christ,

Reverend Monsignor Michael P. Driscoll
Chancellor

jr

000018

C: John Lenihan

ANAHEIM, CALIFORNIA

AREA CODE: 714

TELEPHONE: [REDACTED]

June 22, 1984

The Most Reverend William R. Johnson, D.D.
Holy Family Cathedral
566 South Glassell Street
Orange, California 92666

Dear Bishop Johnson:

I am in hopes that this letter will reach you personally. I am a parishioner of St. Boniface Catholic Church here in Anaheim. I feel sometimes that ones accomplishments is not always realized by certain people. I would simply like to thank you personally for sending us Father John Lenihan. Since his arrival, I have seen such a change in our parish attitude. We now have the love and concern of the people of the church which has been lacking for such a long time. Father John has been such a blessing to those of us at the parish. There seems to be no limit to his love and understanding. He gives so much of himself to us and the community that I feel we can nowhere but forward with his guidance. He is a very special man and I'm sure an asset to our Diocese. He has brought the message of christianity back again to our community, not only by his words, but with his actions as well.

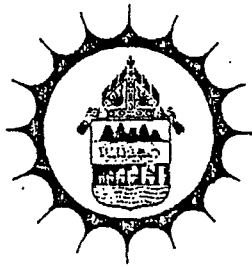
I'm sure I speak for all of us at St. Boniface, that having the leadership of Father John in our parish, makes us all proud to be part of this growing family. And again, thank you Bishop Johnson for sending us this very special man.

In Christs Love:

[REDACTED]



000020



DIOCESE OF ORANGE
MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667
(714) 974-7120

July 11, 1984

Mr. [REDACTED]
[REDACTED]
[REDACTED]

Anaheim, California 92805

Dear [REDACTED]

This responds to your letter of June 22, 1984, commending Fr. John Lenihan for the fine work that he has done as the pastor of St. Boniface Parish in Anaheim. I am happy to know that you, as well as so many others, are pleased with his efforts. The spirit in the parish has obviously improved substantially since his arrival. I am very grateful to you for taking the time to write and to let us know that you are pleased with his work.

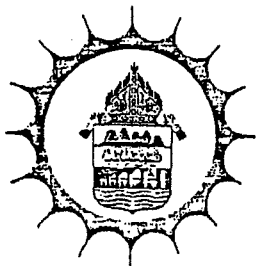
With good wishes, I am

Sincerely yours in Christ,

William R. Johnson
Most Reverend William R. Johnson
Bishop of Orange

WRJ:ds

000019



DIOCESE OF ORANGE
MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667
(714) 974-7120

November 6, 1984

Reverend John Lenihan
St. Boniface Church
120 North Janss Street
Anaheim, California

Dear Father Lenihan:

The enclosed letter to [REDACTED] of St. Boniface Church is self-explanatory. Although retired as Pastor from the parish of St. Boniface, he is not a retired priest of the Diocese of Orange and, therefore, should be receiving his honorarium directly from the parish which employs him for services. Effective the end of this month, you should be giving [REDACTED] his honorarium as the Diocese will no longer issue honorarium checks to him.

I am sorry for this confusion that this matter has caused in the past and hope that this will clarify the issue.

With prayerful best wishes, I remain

Sincerely yours in Christ,

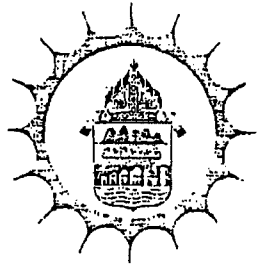
Reverend Monsignor Michael P. Driscoll
Chancellor

jr

cc: Redacted

Redacted

000021



DIOCESE OF ORANGE
MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667
(714) 974-7120

December 3, 1984

Reverend John Lenihan
St. Boniface Church
120 North Janss Street
Anaheim, California

Dear Father Lenihan:

I am enclosing a copy of Reverend Mr. **Redacted**'s letter of assignment to St. Boniface Parish. Please note the mention of the convocation of Deacons and Supervisors to be held on January 16, 1985 at Our Lady Queen of Angels Junior Seminary.

With prayerful best wishes, I remain

Sincerely yours in Christ,

Reverend Monsignor Michael P. Driscoll
Chancellor

jr

000022

RECEIVED

FEB 13 1986

Ans'd.....

February 5, 1986

FILE

Fr John Lenihan

Dear Father John,

Thank-you for your letter dated January 22, 1986. I have received and would like to comment on the same.

My husband and I moved to California last summer and attended your church which we found to be quite comfortable. Shortly thereafter, we registered as members in your parish. Within two weeks we received envelopes, BUT to our surprise, no welcoming letter, phone call or home visit, ...JUST envelopes!

Yes, in this world of junk mail, false promises and broken dreams, it seems that a church would be the most appropriate place to turn to.

Religious leaders ponder the question as to why young people have fallen away from the church. This seems to be a perfect example in which one couple felt unwelcome.

We are not asking for a calvary of recognition. Maybe some sort of acknowledgement would be appropriate. Perhaps one of these suggestions may be helpful:

1. A standard form letter welcoming new members.
2. A brief phone call.
3. A schedule of current events happening in the church.
4. A list of clubs to participate in.
5. A listing of mass times.

Yes, for us your envelopes are junk mail. We are requesting that you delete our name as members in your parish.

I have been a Catholic all my life and have been an active member in such activities as the folk group, teaching CCD (while I was in college), retreats, as well as attending catholic school. I am sorry a situation like this has occurred. I only hope this letter will encourage you to welcome new members in the future.

Please understand that I in no way mean to accuse you specifically.

Yours in Christ Jesus,

[REDACTED]

cc: Bishop Johnson
Diocese of Orange

000023

ST. BONIFACE CHURCH
120 NORTH JANSS STREET
ANAHEIM, CALIFORNIA 92805
(714) 956-3110

January 22, 1986

Dear Parishioner,

This is an age of junk mail and much unsolicited mail. I think it would be a great tragedy if your church envelopes fell into that category. Our records show that you have made a contribution of \$10 or less through your weekly envelopes during the past year. I would rather not burden you and save ourselves the expense of mailing at the same time if you do not plan to use our envelopes this coming year.

Accordingly, if we do not receive further instructions from you, we will delete your name from our envelope user lists. I am aware that your choice may be to contribute loose cash or that you keep a personal record through checks and do not mean to imply that you do not give.

I assure you this does not affect your status as registered parishioners in good standing.

Your sincerely in Jesus Christ,

Fr. John

Fr. John

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0000025

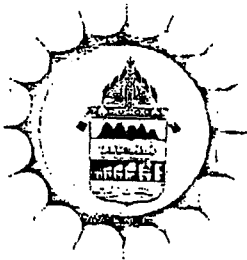
Amherst, Ct. 06801



Catholic Diocese of Orange
2811 Villa Real Dr.

Orange, Ct.

Attn: Bishop Johnson



DIOCESE OF ORANGE
MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667-1999
(714) 974-7120

June 3, 1986

Reverend John Lenihan
St. Boniface Church
120 North Janss Street
Anahiem, California 92805

Dear Father Lenihan:

Bishop Johnson has asked me to forward to you the enclosed "decree of Ecclesiastical Recognition" for the Nocturnal Adoration Society of St. Boniface Parish. It would be appropriate to display this decree in some public place in the church building.

Thank you for promoting the Perpetual Adoration Program in your parish. It is important that each parish take its turn for a full twenty-four hours. May others be inspired by the example of the people of St. Boniface Parish. This Nocturnal Adoration Society will do so much to insure that parishioners will be present in the church throughout the night hours on your day of participation in this Diocesan program.

Fraternally yours in Christ,

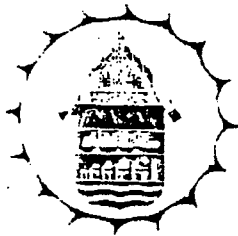
Reverend Monsignor Michael P. Driscoll
Chancellor

jr

cc: Right Rev. Msgr. **Redacted**
Director, Perpetual Adoration Program.

000026

000027



DIOCESE OF ORANGE
CALIFORNIA

SANTA MARGARITA CATHOLIC HIGH SCHOOL

Rancho Santa Margarita, California 92688

Campaign Cabinet:

Anthony R. Moiso, Co-Chairman
President
Rancho Mission Viejo
Santa Margarita Company
Arthur B. Birtcher, Co-Chairman
General Partner
Birtcher

Msgr. Michael P. Driscoll
Chancellor
Diocese of Orange

Rev. Michael A. Harris
Principal
Santa Margarita Catholic
High School

Michael K. Hayde
President
Western National Properties

Carl N. Karcher
Chairman
Carl Karcher Enterprises

Gordon C. Lee
President
Van Doren Rubber Company, Inc.

General William Lyon
Chairman and CEO
The William Lyon Company
AirCal

John D. O'Donnell
Managing General Partner
O'Donnell, Brigham & Partners

Peter O. Shea
Vice President
J.F. Shea Co., Inc.

Susan M. Strader
Civic Leader

Timothy L. Strader
Chairman
The Legacy Companies

Vincent M. Von der Ahe
President
V.M. Von der Ahe Company

September 29, 1986

Reverend John Lenihan ✓
Saint Boniface Church
120 North Janss Street
Anaheim, California 92805

Dear Father Lenihan,

Recently you received an invitation from
Mr. **Redacted** to attend a Campaign briefing
session Thursday, October 16. Bishop Steinbock and
I do hope you will join Mike, members of the Cabinet
and other area pastors for what promises to be an
informative and enjoyable luncheon.

Sincerely yours in Christ,

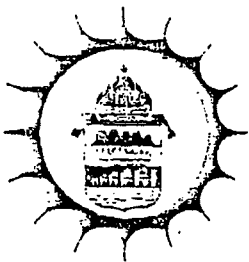
Reverend Monsignor Michael P. Driscoll
Chancellor

000028

Campaign Office

1633 East Fourth Street, Suite 228, Santa Ana, California 92701

(714) 542-3196 / 542-5676



DIOCESE OF ORANGE
MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667-1999
(714) 974-7120

April 2, 1987

Reverend John Lenihan
Saint Boniface Church
120 North Janss Street
Anaheim, California 92805

Dear Father Lenihan:

His Excellency, the Most Reverend Norman F. McFarland, has asked me to confirm your re-appointment as:

CONSULTOR
DIOCESE OF ORANGE

This appointment is effective on Friday, March 27, 1987, and will expire on December 1, 1988.

May the Lord bless you in your ministry for the Diocese of Orange.

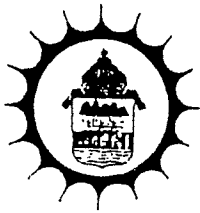
Faternally yours in Christ,


Redacted

Redacted

ds

000029



FROM THE DESK OF...

Bishop McFarland

Mike -

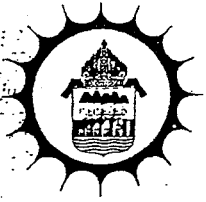
I do not know what we might have here.

I received a phone call 5-25-88
from a Mrs. Redacted

Her daughter, now 24 years of age, is in counseling. Problem: about 8 years ago "she was sexually abused by a priest." The priest? "John Lenihan."

She might have telephoned him to speak about this (i.e. Mrs. Redacted -- she is not too clear on phone). I asked her to phone you for an appointment.

+ [Signature] 5-25-88



DIOCESE OF ORANGE
MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667-1999

Mgr. Prusoff

Confidential

Amf
5-25-88

000107

To Mr. Mike
Date 5-95 Time 3:21

WHILE YOU WERE OUT,

M Redacted

of Redacted

Phone Redacted

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/> PLEASE CALL	
CALLED TO SEE YOU	<input type="checkbox"/> WILL CALL AGAIN	
WANTS TO SEE YOU	<input type="checkbox"/> URGENT	

☐ RETURNED YOUR CALL

Message Re: Personal
Matter - + McTulley
asked her to make
an appointment
when she left
her office. She's to
be called after 8:30 A.M.

AMPAD Tomorrow, she doesn't
EFFICIENCY want any calls & it's
23-121 because she's not in the office.
CARBONLESS

000108

63



FROM THE DESK OF...

MIKE DRISCOLL

9/1/78 - Redacted memo

Carol Manning

9/8/78 - Msp. Connolly memo Redacted
+ referred letter to me.

9/12/78 - Msp. Driscoll memo Redacted
+ assured him I would speak
w/ to Lenihan.

DATE UNKNOWN - Met w/ John.

5/25/88 - Mrs. Redacted called
+ M^o Fairland

Met w/ Redacted - + talked w/ Redacted
Redacted on phone - want to
confront John -

000109

Ant
Redacted
Redacted
Redacted
Redacted

ck - Dan on stated
of semester -
John Benit

Confid.
not here for revenge
believe state of limit past
Fr John - sweet, gentle man
daughter 15' at time

report to them
confront -
PAB 7 - Since
wanted a
Respected.

mom didn't that quite right - spending too much time w/ dan
took dan out of school (Mayoria on Kaemer -
told mom he wanted more rel w/ dan - she not understand
- afraid getting too close to dan.
went to see natural mother w. 1st house - Fr. John wrote very
explicit letters - sent exp. jewels & presents - confessing
everything.

Redacted

Redacted

Ben 1963

@ 1978-80

raised her since 3 - single mother

@ 16 return to Dan Redacted

Redacted

is now 25 - has 2 children
just recently talked w/ mom
now in counselling
Counselor said he is reporting ab to hot line -

before (murders)
Now - fact from dan -
- wants - something done

Mr. Dalvey - Mom
7 on
Redacted
(1578) 5 Grant.
Redacted
said he didn't
know who to go to
felt alone to other
not doing anyone under
18 - but interview
all clothes - found
confronted him last
week -
my baby knew

000110

Redacted

- Still needs counselling
- implied love relationship between May & Len
- has been involved w/ other relationships

000111

Mike

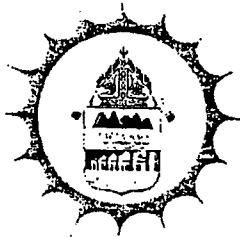
11:05

Redacted

0

Redacted

000112



DIOCESE OF ORANGE
MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667-1999
(714) 974-7120

June 14, 1988

Reverend John Lenihan
Saint Boniface Church
120 North Janss Street
Anaheim, California 92805

Dear Father Lenihan:

His Excellency, The Most Reverend Norman F. Mc Farland, has
asked me to confirm your appointment as:

APPOINTED MEMBER
Council of Priests

and

CONSULTOR
Diocese of Orange

This becomes effective on JUNE 17, 1988.

May the Lord bless you in this ministry to the Diocese of
Orange.

Fraternally yours in Christ,

Redacted

Redacted

ds

000030

DIOCESE OF ORANGE



Attn: Fr. Lenihan

MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667-1999
(714) 974-7120

March 14, 1989

Reverend John Lenihan
St. Boniface Church
120 North Janss Street
Anaheim, CA 92805

Dear Father Lenihan:

This letter is to confirm the oral permission granted by me on March 13, 1989, with regard to assisting All Hallows Seminary Building Program.

The priests alumni of All Hallows who are currently engaged in active ministry in the Diocese of Orange may, at the parishes to which they are assigned, disseminate the promotional literature concerning the building program and invite the people of those parishes to examine it, hopefully thereby having them becoming encouraged to contribute in the attached envelopes to the project, especially as a mark of gratitude for the ministry of all those priests from All Hallows who have served here in Southern California.

A special collection in the usual form, however, is not to be taken up although the contributors to All Hallows may transmit their gifts by way of the collection basket. I will later on see if our cash flow will permit the Diocese itself to make a nominal contribution to the cause.

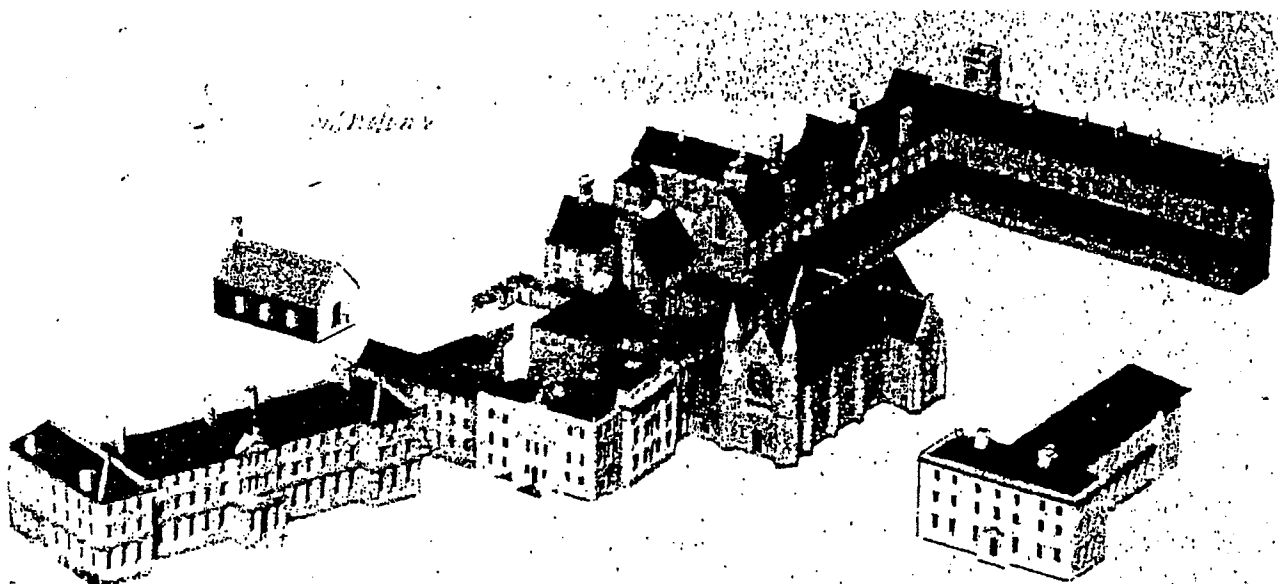
Hoping for the success of your efforts and with all good wishes for a Blessed Easter, I am

Sincerely in Christ,

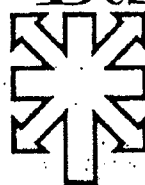
Most Reverend Norman F. McFarland
Bishop of Orange

el

000031



Building on today
for tomorrow



000032

All
Hallows

All Hallows, Gracepark Road, Drumcondra, Dublin 9, Ireland. Telephone: (01) 373745.



Block Co., Inc.

MEMBER C.M.A., N.C.M.A., CALIF. "Q" BLOCK

MAIN OFFICE
8042 Katella Avenue
Stanton, CA 90680
714/527-2239

MAIL ADDRESS
P.O. Box E
Stanton, CA 90680

RIVERSIDE OFFICE
4510 Rutile Street
Riverside, CA 92509
714/685-1521



CONCRETE

LIGHT WEIGHT

VENEER

STRUCTURAL SLUMPED

& SPLIT FACE BLOCK

Tc + MD

F. v. m. : 9-16-90


John Lenihan should be told to
pay the bills that are submitted
pertaining to the work that is
done on his behalf and that
he is also responsible for any
"settlement expenses" that
pertain to him. He should
use any and all resources he
has. If he should happen to
run out of sufficient funds
for this, ~~the~~ he can apply for
a loan from the Diocese which
may be granted on the same terms as
any loan from the D+L. This is not
a proper matter for Priests Relief Fund.

000118

ROMAN CATHOLIC BISHOP OF ORANGE
A CORPORATION SOLE
2811 E. VILLA REAL DRIVE
ORANGE, CA 92667

PAYEE NAME	VENDOR NO.
Redacted (ATT)	

DATE	DESCRIPTION AND/OR INVOICE NO.	AMOUNT	REFERENCE
1-07-91	Loan to Rev. John Lenihan.	12,500.00	130041
1-07-91	CHECK NUMBER 147783	12,500.00	

ROMAN CATHOLIC BISHOP OF ORANGE A CORPORATION SOLE 2811 E. VILLA REAL DRIVE ORANGE, CA 92667		16-66 1220 147783 CHECK NUMBER 147783
BANK OF AMERICA ORANGE MAIN OFFICE 345 EAST CHAPMAN AVENUE ORANGE CA 92668		DATE 1-07-91 AMOUNT ***12,500.00
PAY EXACTLY****12,500 DOLLARS AND NO CENTS PAY TO THE ORDER OF Redacted & Redacted V (ATTORNEY)		
NOT VALID AFTER 6 MONTHS \$25.000 OR OVER REQUIRES TWO SIGNATURES  AUTHORIZED SIGNATURE		

⑈147783⑈ ⑆12200066⑆ 02331⑈04006⑈

This check given to Peter Callahan by me in my office 1-7-91 to be personally delivered. John Lenihan was informed by me by phone 1-7-91 of the loan and agreed to it.

000125

LAW OFFICES OF

CALLAHAN, McCUNE & WILLIS

PETER M. CALLAHAN
LARRY N. WILLIS
WAYNE W. WATTEN
JOHN J. TASKER
ROBERT W. THOMPSON
DANIEL H. CLIFFORD

RICHARD P. LARRIVA
LYNNE BROWNING
RUSSELL P. McQUOWN
MARK M. GNESIN
SCOTT S. BLACKSTONE
DONALD R. DAVIDSON III
GERALD S. UNIS
JEFFREY M. McCONNELL
GAYLE K. TONON
NANCY J. DePASQUALE
JOSEPH A. MAHONEY
STEVEN A. SIMONS, Sr.
KIM J. RUMBAUGH
CHARLES T. BROWN
TIMOTHY J. HANLY
GARY D. WILSON
CAROLYN A. THORP
ROSA KWONG
GUY W. MURRAY

111 FASHION LANE
TUSTIN, CALIFORNIA 92680-3397

TELEPHONE (714) 730-5700
FAX (714) 730-1642

January 16, 1991

SCOTT M. McCUNE
(1948-1989)

LOS ANGELES OFFICE

11755 WILSHIRE BOULEVARD
SUITE 2150
WEST LOS ANGELES, CA 90025
(213) 312-1660
FAX (213) 477-3481

SAN DIEGO OFFICE

3111 CAMINO DEL RIO NORTH, #1101
SAN DIEGO, CA 92108
(619) 528-2218
FAX (619) 528-1323

OF COUNSEL

ROBERT W. CASTLEBERRY
GEORGE W. COLEMAN

KENNETH D. BERG
ADMINISTRATOR

PLEASE ADDRESS REPLY TO:
ORANGE COUNTY OFFICE

Jeffrey A. Milman, Esq.
2700 N. Main St., Tenth Fl.
Santa Ana, CA 92701

RE: Redacted v. Lenihan

Dear Mr. Milman:

The purpose of this letter is to confirm our telephone conversation of Tuesday, January 15, indicating that the case had settled and that your client had signed the release. You asked for some verification that Father John Lenihan would be seeing Dr. Mark Gamson and you asked that you be kept advised of the fact of when he actually begins treatment and when he concludes it. As I indicated to you, Dr. Redacted son is located at Redacted, Los Angeles, CA 90024 and his telephone number is

Thank you very much for your courtesy and cooperation while this matter was pending. I realize this was a very difficult case for all of us and I really do appreciate the professional way in which you conducted yourself.

Very truly yours,

CALLAHAN, McCUNE & WILLIS

PETER M. CALLAHAN

PMC:df

ACS0001
C01161.003

000126

LA_2013_11_21_Lenihan_000064



File
Fr. Lenihan

Orange, CA 92805-2588 (714)

February 5, 1991

The Most Rev. Norman F. McFarland
Bishop of the Diocese of Orange
Marywood Center
2811 E. Villa Real Drive
Orange, CA 92667

Dear Bishop McFarland:

We were very disturbed and annoyed to read **Redacted** article in the Santa Ana Register on February 4, 1991 regarding our Pastor and my personal friend, Father John Lenihan, concerning the sexual abuse lawsuit of 1990 filed by a young lady called **Redacted**. We feel that this article and story smacks at yellow journalism and is the type of publicity and smear campaign you would expect from the National Enquirer Magazine and not from a syndicated paper such as the Register. It is too bad that when an important paper like the Register cannot find more current events to write about rather than dig up trash from the past to fill their papers. It has all of the earmarks of sensationalism designed to condemn and destroy a great religious and spiritual leader and priest as Father John.

We are certainly not condoning the intent of the act nor the moral aspect of the deed. However, why after 12 years later did the Register decide to run a full blown story condemning a repentant human being and priest when all of this notoriety could have been settled amicably and in private without all of the fanfare and scandalous remarks made by the press and the editor. I truly wonder if the editor of the paper can look in the mirror each morning and say that he is without guilt, fault and sin? He certainly is a man that needs our help and our prayers.

We are staunch supporters of Father John because he is a very fine and dedicated priest. We feel fortunate to have him as a Pastor of one of the county's largest and oldest Catholic Church. He is a hard working, energetic, caring and loving priest who has gained and earned the respect of his fellow man and parishioners.

Being a parishioner of St. Boniface Church for over [redacted] years I can truthfully say that Father John has done more for attendance at Mass and Holy Communion and brought a host of new programs to the

000033

RECEIVED

FEB - 6 1991

Ans'd.....

~~_____~~
The Most Rev. Norman F. McFarland
Bishop of the Diocese of Orange
Orange, CA 92667

February 5, 1991

-Page 2-

Church that are designed for the poor, homeless, the youth and the school. Father John has melted all ethnic groups together in a spirit of harmony, mutual understanding and cooperation than any other priest serving at St. Boniface over the past century. He is an exceptionally capable young priest who puts a lot of enthusiasm and drive into anything he undertakes and we are indeed sorry to see his good name and that of the Church be subjected to malicious scandal and disparaging remarks.

As a ~~_____~~ and businessman and a devoted Catholic we want you to know, Bishop McFarland, that Father John has many friends and followers and all that know him offer him our support, our prayers, our encouragement and our love. We want him to stay and be the heart and soul of our great St. Boniface Parish.

Sincerely,

~~_____~~
~~_____~~

~~_____~~
cc: Bishop Michael Driscoll
Father John Lenihan
Santa Ana Register-Attn:

Redacted

000034

File

DIOCESE OF ORANGE



MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667-1999
(714) 974-7120

June 21, 1991

Reverend John Lenihan
Saint Boniface Church
120 North Janss Street
Anaheim, California 92805

Dear Father Lenihan:

Your dedicated service to the priests and people of our Diocese in your fourteen year tenure on the Priest Personnel Board has been a great gift to the Church here. And your wise counsel has certainly served me extremely well in this regard over the past four and one-half years. I am very grateful to you.

You have indicated on occasion that you would not at all be saddened to be relieved of this responsibility! I have hesitated to accede to your wishes simply because I so highly value your insights and evaluations which have always been for the overall good of the people of the Diocese, as well as the priests who served them. Again, I deeply appreciate the many hours you have given to this important work over the years, but I agree that you now deserve some Fridays without commuting to Marywood! I am, therefore -- and very reluctantly indeed -- going to relieve you of this burden and appoint a replacement for you on the Board.

May God continue to bless you and your ministry to the people of Saint Boniface Parish. Please know that you will have a fond and grateful remembrance in my prayers.

With all good wishes, I am

Sincerely in Christ,

Most Reverend Norman F. McFarland
Bishop of Orange

000044

RECEIVED FEB 14 1992

LAW OFFICES OF
JEFFREY A. MILMAN
2700 NORTH MAIN STREET, TENTH FLOOR
SANTA ANA, CALIFORNIA 92701
(714) 667-7171
FAX (714) 667-0477

WESTMINSTER OFFICE
10451 BOLSA AVENUE, SUITE 209
WESTMINSTER, CALIFORNIA 92683
(714) 839-5586
FAX (714) 839-5587

February 13, 1992

Mr. Peter M. Callahan, Esq.
CALLAHAN, McCUNE & WILLIS
111 Fashion Lane
Tustin, CA 92680-3397

Re: **Redacted** vs. Lenihan

Dear Mr. Callahan:

Please be advised I am in receipt of your correspondence dated December 18, 1991. I apologize for the delay in responding to your letter, however with the holidays and transmitting a copy of your letter to Ms. **Redacted** this is my first opportunity to contact you.

It is my recollection that our agreement was that Ms. **Redacted** would receive periodic progress reports and eventually a final report concerning Mr. Lenihan's treatment. Although I am not asking for copies of the medical records or a formalized report, I would appreciate receiving correspondence from you and/or the treating psychologist to this effect.

If you would be so kind, I would also appreciate receiving copies of the billings being paid for these counseling sessions so that **Redacted** may verify and confirm the counseling is being attended.

It is my understanding that as part of the psychological healing process it is often therapeutic for a session to be held between the aggressor and victim. My client stands ready to cooperate in that process in the event the treating psychologist wishes to arrange a session with **Redacted** and Mr. Lenihan in order to "clear the air" and continue the healing process. Please relay this offer at your earliest convenience.

Please contact me if you have any questions regarding this letter. Otherwise, I shall expect to receive continued "progress reports" and copies of the billings. I wish to thank you for your anticipated consideration and cooperation.

Very truly yours,

LAW OFFICES OF JEFFREY A. MILMAN

JEFFREY A. MILMAN

JAM:kc
CC:

Redacted

000141
LA_2013_11_21_Lenihan_000068

LAW OFFICES OF
CALLAHAN, MCCUNE & WILLIS

111 FASHION LANE
TUSTIN, CALIFORNIA 92680-3397

TELEPHONE (714) 730-5700
FAX (714) 730-1642

February 18, 1992

PETER M. CALLAHAN
LARRY N. WILLIS
WAYNE W. WATTEN
JOHN J. TASKER
ROBERT W. THOMPSON
ROBERT W. CASTLEBERRY
DANIEL H. CLIFFORD
O. BRANDT CAUDILL
LYNNE BROWNING

RICHARD P. LARRIVA
RUSSELL P. McQUOWN
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THOMAS F. HOZDUK
DANIEL B. ALTSHULER
BRIAN L. BURCHETT
CHRISTINE E. CRAWFORD
CHRISTOPHER J. ZOPATTI
KIM J. RUMBAUGH
NANCY E. POWER
RICHARD J. RITCHIE

SCOTT M. McCUNE
(1948-1989)

LOS ANGELES OFFICE

11755 WILSHIRE BOULEVARD
SUITE 2150
WEST LOS ANGELES, CA 90025
(310) 312-1860
FAX (310) 477-3481

SAN DIEGO OFFICE

402 WEST BROADWAY
SUITE 800
SAN DIEGO, CA 92101
(619) 232-5700
FAX (619) 232-2205

OF COUNSEL

GEORGE W. COLEMAN

KENNETH D. BERG
ADMINISTRATOR

Jeffrey A. Milman, Esq.
2700 N. Main St., Tenth Fl.
Santa Ana, CA 92701

RE: **Redacted** v. Lenihan
Your File No: 4023-1

Dear Mr. Milman:

In response to your February 13 letter, please find confirmation of payment of billings between March, 1991 and the end of January of this year. I've asked Father Lenihan and the psychologist in question to tell me when the treatment terminates and I will pass that information on to you.

I will also pass on your suggestions regarding some sort of a joint session, but frankly I doubt that it would serve any useful purpose. When your client saw Dr. **Redacted**, she was extremely hostile in her attitude and stated that talking to him "was like being molested all over again". He found her only to be marginally cooperative, and her actions in turning over transcripts to the newspapers (which I assume you made available to her) seem to be more vindictive than healing in my opinion. However, I am no

000142

LA_2013_11_21_Lenihan_000069

LAW OFFICES OF

CALLAHAN, MCCUNE & WILLIS

Jeffrey A. Milman, Esq.

Re: Staggs vs. Lenihan

February 18, 1992

Page 2

psychologist and I will pass your suggestions on to people who are more knowledgeable in that arena.

Very truly yours,

CALLAHAN, MCCUNE & WILLIS

PETER M. CALLAHAN

PMC:df

Encl: Copies of various letters re payments

ACS0001\C02182.003

000143

[REDACTED]

[REDACTED]

[REDACTED]

July 13, 1992

File
W. Lenihan

Mr. **Redacted**
Vice President/Regional Manager
CBS - Channel 2 TV
6121 Sunset Blvd.
Los Angeles, CA 90036

RECEIVED
JUL 14 1992

Dear Mr. **Redacted**

In regards to your Action News Program of Sunday evening, July 12, 1992, at 6:45 P.M., one of your newscaster's made a statement and an accusation of "What is the Catholic Church doing about their Priests who have been accused of Sexual Harassment and Pedophilia Cases?"

In the evening broadcast, your newscaster made an incredulous statement against our Pastor, Father John Lenihan that is untrue and very damaging to him, our Diocese and the Catholic Church.

Your newscaster mentioned that Father John was charged with statutory rape some 12 years ago of a teenage girl. This is an outright distortion of the facts. Father John was charged with fondling a young girl and the charges were subsequently dropped by the girl and the District Attorney's Office.

We do not appreciate you and your station newscasters going on the air and making improper statements and bashing the Catholic Church. If your announcer is not familiar or cognizant of the true facts behind this particular case, then he should not be making these false charges about our Pastor and the Church.

We insist on a public apology from your newscaster and Channel 2 regarding Father John Lenihan. If it is not made within the end of this week, then we will file our "Letter of Protest" to the FCC against your station, CBS and your newscaster for making erroneous and libelous statements against our Pastor and the Catholic Church.

Yours truly,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

000045

[REDACTED] Avenue, Anaheim, California 92805 • Tel. (714) [REDACTED] FAX (714) [REDACTED]

DIOCESE OF ORANGE



MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667-1999
(714) 974-7120

September 30, 1992

Reverend John Lenihan
Saint Boniface Church
120 N. Janss Street
Anaheim, California 92805

Dear Father Lenihan:

Acting in accordance with the prescriptions of Canons 497.3 and 502.1, and Article III, Section 4.3 of the Constitution of the Council of Priests, on September 11, 1992, I assigned Reverend **Redacted** as one of my designated appointees to the Council of Priests and, flowing from that appointment, as a member of the College of Consultors, replacing in those positions Monsignor **Redacted** who had asked to be relieved of the responsibilities for reasons of health.

On that same date, I took the opportunity to renew, for a period of five years, your own assignment as my designated appointee to the Council of Priests and as a member of the College of Consultors. I thank you for your past dedicated service in these roles, and I am pleased that we will continue to have your wise counsel in the years ahead.

With all good wishes, I am

Sincerely in Christ,

A handwritten signature in dark ink, appearing to read "Norman F. McFarland".

Most Reverend Norman F. McFarland
Bishop of Orange

000046

DIOCESE OF ORANGE



OFFICE OF COMMUNICATIONS
MARYWOOD CENTER

MAILING ADDRESS:
POST OFFICE BOX 14195
ORANGE, CA 92613-1595
OFFICE ADDRESS:
2811 EAST VILLA REAL DRIVE
ORANGE, CA 92667-1999
PHONE: (714) 282-3000
FAX: (714) 282-3029

MEMORANDUM

TO: FILE
FROM: Monsignor Baird *MB*
RE: Father John Lenihan
DATE: March 24, 1993

Bishop / 748 Background

Re: 4/25 Request story

in re: F. Lenihan

MB

The alleged incident occurred in 1978 and the matter was addressed by Bishop Johnson who acted in his best judgment.

A lawsuit was entered and the case was thoroughly aired and investigated. It was concluded to the satisfaction of all parties including **Redacted**

All stipulations were met. You may examine the court record.

It is difficult to understand **Redacted** motivation.

Are those with objections without any awareness of their own failings?

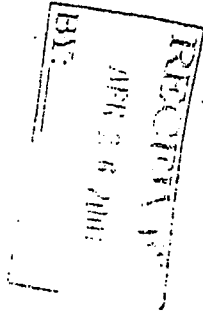
Father Lenihan has been an exemplary parish Priest. Ask the parishioners!

000047



lyr
DIOCESE OF ORANGE

MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
POST OFFICE BOX 14195
ORANGE, CALIFORNIA 92663-1595



Beck *Beck*

CONFIDENTIAL

PRIORITY

000048

DIOCESE OF ORANGE

!!!!X

MEMORANDUM

15-Feb-94

To: Bishop McFarland

From: Redacted, Director of Finance (R)

Subject: Receivable from Fr. Lenihan

As you directed, I will be putting the accounts receivable from Fr. Lenihan for \$13,558.79 into an inactive status (write-off from current accounts receivable listing) this month.

This memorandum is for your record.

000049

DIOCESE OF ORANGE



May 24, 1995

MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667-1999
(714) 974-7120

Reverend John Lenihan
St. Boniface Parish
120 North Janss Street
Anaheim, CA 92805

Dear Father Lenihan,

I am pleased to appoint you as Pastor of St. Edward Parish in Dana Point effective July 1, 1995. I draw your attention to the provisions of Canons 515-552 of the Code of Canon Law pertaining to the obligations and rights of a Pastor.

This letter of appointment includes a dispensation from the requirements of Canon 527 that you be formally installed in order to take canonical possession of the parish and the dispensation takes effect when you communicate it in some form to the parish (e.g., by pulpit or bulletin notice). However, I encourage you to arrange for a liturgical Rite of Installation so that the people of the parish may witness your appointment as Pastor. If you decide to be installed, you may contact me so that we might arrange a convenient date for the event, and you then can contact the Office of Liturgy for the form of the installation ceremony so that I, or my delegate, may install you. In the meantime (i.e., before the installation or before its dispensation is effected) you are given the general faculty to witness all marriages within the confines of the parish (Canon 1111) and may sub-delegate this faculty to a particular priest or deacon for a particular marriage.

Canon 833, #6, requires that you make a Profession of Faith at the beginning of your term of office. You may do this by contacting Bishop Michael Driscoll, or I ^{Redacted} to arrange to make a Profession of Faith at Marywood Center. May I also remind you of your obligation to offer Mass (Missa Pro Populo) for the people entrusted to you in accordance with the provisions of Canon 534.

I ask that you take a personal and special interest in promoting and praying for vocations to the Priesthood and Religious Life; one way of doing this is to encourage participation in the diocesan Eucharistic Adoration program within your parish.

Thank you for your past service as pastor at St. Boniface Parish. I wish you well in your new position and I am sure that the people of the parish will respond to your leadership. Please know that you can count on a remembrance in my prayers for the continued success of your ministry.

Sincerely in Christ,

A handwritten signature in dark ink, appearing to read "Norman F. McFarland".

Most Reverend Norman F. McFarland
Bishop of Orange

ks

000050

DIOCESE OF ORANGE

FILE



MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667-1999
(714) 282-3000

June 19, 1995

Reverend John Lenihan
SAINT BONIFACE CHURCH
120 North Janss Street
Anaheim, CA 92805-2523

Dear Father Lenihan:

Welcome and congratulations on your appointment as Pastor at Saint Edward Parish! I am looking forward to working with you as you address the finances and material needs of the parish.

It is the policy of the Diocese to have a review of the financial operations of each parish and school when there is a change in administration. This review was conducted by **Redacted**, who has extensive practical experience with parish financial operations and financial statements. Jim also has a certificate in Lay Parish Administration from Loyola Marymount University. A copy of Jim's financial review of the parish and school is enclosed. Please review them and give Jim a call if you have any questions. Jim's phone number is 714-639-2858.

I suggest you review the recommendations with an eye to what is practical, given the size of the parish and its staff. If you would like, either Jim or I could discuss the recommendations with you and/or your Finance Council in order to determine an adequate and achievable balance of control and cost. For information on the signature account cards and on account mechanics, please contact **Redacted**, the Marywood Accounting Manager. His phone number is 714-282-3016.

In order that we can monitor the effectiveness of our Financial Review Program, I will plan a follow-up inquiry with you in mid-November.

I will appreciate your assistance with these matters. Please do not hesitate to call me directly at any time I can be of assistance with any questions you may have - office: 714-282-3011 - home: 714-770-2299.

Sincerely,

A handwritten signature in dark ink, appearing to be "Redacted".

Redacted
Director of Finance

PJR:ar

Enclosure
cc:

Redacted
Redacted

000051

OATH of FIDELITY

I, John P. Lenihan, In assuming the office of Pastor, promise that both in my words and in my conduct I shall always preserve communion with the Catholic Church.

I shall carry out with the greatest care and fidelity the duties incumbent on me toward both the universal Church and the particular Church in which, according to the provisions of the law, I have been called to exercise my service.

In fulfilling the charge entrusted to me in the name of the Church, I shall hold fast to the deposit of faith in its entirety, I shall faithfully hand it on and explain it, and I shall avoid any teachings opposed to that faith.

I shall follow and foster the common discipline of the whole Church and I shall observe all ecclesiastical laws, especially those which are contained in the Code of Canon Law.

In Christian obedience I shall unite myself with what is declared by the bishops as authentic doctors and teachers of the faith or established by them as those responsible for the governance of the Church; I shall also faithfully assist the diocesan bishops, in order that the apostolic activity exercised in the name and by mandate of the Church may be carried out in the communion of the same Church.

So help me, God, and God's Holy Gospels, on which I place my hand.

John P. Lenihan (Pastor)
SIGNATURE

DATE:

7-12-95
Michael P. Driscoll
SIGNATURE of WITNESS/DELEGATE

000052

Effective: December 1990



DIOCESE OF ORANGE
MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
ORANGE, CALIFORNIA 92667-1999
(714) 974-7120

PROFESSION OF FAITH

I, JOHN P. LENIHAN, with firm faith, believe and profess everything that is contained in the symbol of faith; namely:

I believe in one God, the Father, the Almighty, maker of heaven and earth, of all that is seen and unseen. I believe in one Lord, Jesus Christ, the only Son of God, eternally begotten of the Father, God from God, Light from Light, true God from true God, begotten, not made, one in Being with the Father. Through him all things were made. For us men and our salvation he came down from heaven. By the power of the Holy Spirit he was born of the Virgin Mary, and became man. For our sake he was crucified under Pontius Pilate; he suffered, died and was buried. On the third day he rose again in fulfillment of the Scriptures; he ascended into heaven and is seated at the right hand of the Father. He will come again in glory to judge the living and the dead, and his kingdom will have no end. I believe in the Holy Spirit, the Lord, the giver of life, who proceeds from the Father and the Son. With the Father and the Son he is worshiped and glorified. He has spoken through the Prophets. I believe in one, holy, catholic and apostolic Church. I acknowledge one baptism for the forgiveness of sins. I look for the resurrection of the dead, and the life of the world to come. Amen.

With firm faith I also believe everything contained in God's word, written or handed down in tradition and proposed by the Church, whether by way of solemn judgment or through the ordinary and universal magisterium, as divinely revealed and calling for faith.

I also firmly accept and hold each and every thing that is proposed definitively by the Church regarding teaching on faith and morals.

Moreover, I adhere with religious submission of will and intellect to the teachings which either the Roman Pontiff or the college of bishops enunciate when they exercise the authentic magisterium, even if they proclaim those teachings by an act that is not definitive.

DATE: 7-12-95

Michael P. Driscoll
SIGNATURE OF WITNESS/DELEGATE

John P. Lenihan
SIGNATURE
(in presence of delegate)

000053

Effective: Dec. 1990

1996 PERSONNEL BOARD INFORMATION

Name John P. Lenihan

Date of Ordination 6-15-'69 If recently incardinated, what date: _____

Current Assignment St. Edwards

since: July 1st 1995

My last meeting with the Personnel Board was: March, 1995

The languages I am able to minister in are: (circle the appropriate one(s) and indicate proficiency)

English	fluent <input checked="" type="checkbox"/>	intermediate _____	beginner _____
Spanish	fluent _____	intermediate <input checked="" type="checkbox"/>	beginner _____
Vietnamese	fluent _____	intermediate _____	beginner _____

I would like to meet with the Personnel Board YES _____ NO ☒

I am interested in a change of assignment in July 1996 YES _____ NO ☒

If YES, the type of assignment which interests me includes:

Pastorate _____ Associate _____ Senior Priest _____ Retirement _____

Changing Pastorate _____ Special Study _____ Beginning New Parish(if available) _____

Spanish Study _____ Non-parochial ministry(type?) _____ Other _____

Additional Comments _____

Please return by DECEMBER 15, 1995 to

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2811 E. Villa Real Drive
Orange, California 92667

000054

1997 PERSONNEL BOARD INFORMATION

Name JOHN P. LENIHAN

Date of Ordination: 6-15-'69 If recently incardinated, what date: _____

Current Assignment St. Edward, Anna Pt.

since: 7-1-'95

My last meeting with the Personnel Board was: ? 1-?'95

The languages I am able to minister in are: (circle the appropriate one(s) and indicate proficiency)

English	fluent <input checked="" type="checkbox"/>	intermediate _____	beginner _____
Spanish	fluent _____	intermediate <input checked="" type="checkbox"/>	beginner _____
Vietnamese	fluent _____	intermediate _____	beginner _____

I would like to meet with the Personnel Board. Yes _____ No ☒

I am interested in a change of assignment in July 1997. Yes _____ No ☒

If YES, the type of assignment which interests me includes:

Pastorate _____ Associate _____ Senior Priest _____ Retirement _____

Changing Pastorate _____ Special Study _____ Beginning New Parish (if available) _____

Spanish Study _____ Other _____

Comments _____

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2811 E. Villa Real Drive
Orange, CA 92867-1999

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OCT 14 1997

Ans'd.....

County Scan

THE ORANGE COUNTY REGISTER

10/13/97



ANDREW SCHOLER/The Orange County Register

BLESSING THE BEASTS: One dog seems excited about the blessing it received Thursday from the Rev. John Lenihan of St. Edward's Church in

Dana Point. Lenihan blessed dogs, cats, birds, turtles and lizards belonging to members of his congregation. The event is a tribute to St. Francis of Assisi

1998 PERSONNEL BOARD INFORMATION

Name JOHN P. LENIHAN

Date of Ordination: 6/69 If recently incardinated, what date: _____

Current Assignment St. Edward, Dana Point

since: 7/95

My last meeting with the Personnel Board was: ?

The languages I am able to minister in are: (circle the appropriate one(s) and indicate proficiency)

English	fluent <input checked="" type="checkbox"/>	intermediate _____	beginner _____
Spanish	fluent _____	intermediate <input checked="" type="checkbox"/>	beginner _____
Vietnamese	fluent _____	intermediate _____	beginner _____

I would like to meet with the Personnel Board. Yes _____ No ☒

I am interested in a change of assignment in July 1998. Yes _____ No ☒

If YES, the type of assignment which interests me includes:

Pastorate _____ Associate _____ Senior Priest _____ Retirement _____

Changing Pastorate _____ Special Study _____ Beginning New Parish (if available) _____

Spanish Study _____ Other _____

Comments _____

000057

Please return by DECEMBER 1, 1997 to:

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2811 E. Villa Real Drive
Orange, CA 92867-1999

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DEC 2 1997

Ans'd. _____

DIOCESE OF ORANGE

FILE COPY



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MODERATOR OF THE CURIA
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2811 E. VILLA REAL DRIVE
POST OFFICE BOX 14195
ORANGE, CALIFORNIA 92863-1595
PHONE: (714) 282-3000
FAX: (714) 282-3029

February 2, 1998

TO WHOM IT MAY CONCERN:

REVEREND JOHN LENIHAN is a Roman Catholic Priest of the Diocese of Orange in California.

Father Lenihan is in good standing in the Diocese of Orange and currently serves as Pastor of St. Edward's Parish in Dana Point, California.

Sincerely yours in Christ,

Redacted Hierarchy Name

dl

000058

DIOCESE OF ORANGE



September 3, 1998

MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
POST OFFICE BOX 14195
ORANGE, CA. 92863-1595
PHONE: (714) 282-3000
FAX: (714) 282-3029

Reverend John P. Lenihan
St. Edward Parish
33926 Calle La Primavera
Dana Point, California 92629-2018

Dear Father Lenihan,

Because of the gift of the Holy Spirit that has been given to you at your ordination, you are my indispensable helper and adviser in the ministry and in the task of teaching, sanctifying and shepherding the People of God. (Presbyterorum Ordinis, #7).

I wish to appoint you as my representative to the Presbyteral Council and, according to Canon 502.1 of the Code of Canon Law, appoint you as a member of the College of Consultors for a period of 5 years. This appointment is effective September 3, 1998.

In these positions of responsibility, you will be my close collaborator and share my pastoral concern for our church here in the Diocese of Orange.

May you join yourself with Christ in the recognition of the Father's will and in the gift of yourself to the flock entrusted to you. (Presbyterorum Ordinis, #14)

Given in Orange, California
this 3rd day of September, 1998
The Feast of St. Gregory the Great

A handwritten signature in cursive script, reading "Tod David Brown".

Most Reverend Tod David Brown
Catholic Bishop of Orange

Redacted Hierarchy Name

000059

1999 PERSONNEL BOARD INFORMATION

RECEIVED

OCT 01 1999

Name	<u>John P. LENIHAN</u>			Ans'd.
Date of Ordination:	<u>6-15-69</u>	If recently incardinated, what date: _____		
Current Assignment	<u>SF Edwards</u>			
since:	<u>1995</u>			
My last meeting with the Personnel Board was:	<u>??</u>			
The languages I am able to minister in are: (circle the appropriate one(s) and indicate proficiency)				
English	fluent <input checked="" type="checkbox"/>	intermediate _____	beginner _____	
Spanish	fluent _____	intermediate <input checked="" type="checkbox"/>	beginner _____	
Vietnamese	fluent _____	intermediate _____	beginner _____	
I would like to meet with the Personnel Board.		Yes _____	No <input checked="" type="checkbox"/>	
I am interested in a change of assignment in July 1999.		Yes _____	No <input checked="" type="checkbox"/>	
If YES, the type of assignment which interests me includes:				
Pastorate _____	Associate _____	Senior Priest _____	Retirement _____	
Changing Pastorate _____	Special Study _____	Beginning New Parish (if available) _____		
Spanish Study _____	Other _____			
Comments	_____			

Please return by NOVEMBER 1, 1998 to:

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MARYWOOD CENTER
2811 E. VILLA REAL DRIVE
POST OFFICE BOX 14195
ORANGE, CALIFORNIA 92613-1595
VOICE: (714) 282-3050
FAX: (714) 282-3029

FILE

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APR 19 1999

Ans'd.....

April 19, 1999

Mr. [REDACTED]

San Juan Capistrano, CA 92675

Dear Mr. [REDACTED]

Bishop Brown is in receipt of your letter to him, dated last February 6. He is also aware of Fr. Lenihan's response to the concerns you expressed on that occasion. The Bishop has asked me to follow up this exchange.

Both the Bishop and I support the pastoral judgment of the pastor, Fr. Lenihan. He has been in communication with my office and I know of his desire to provide the best care possible to the people of St. Edward Catholic Church.

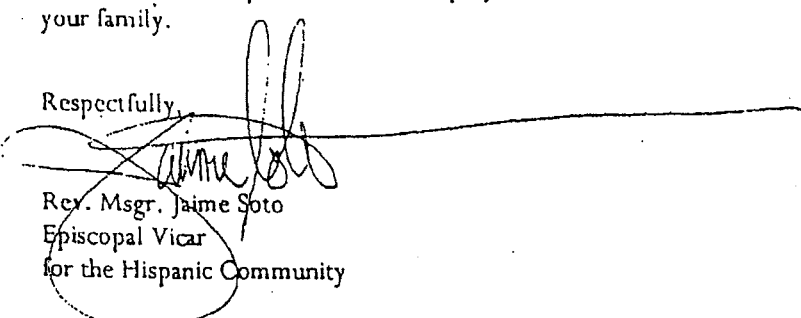
The growing reality of Hispanic ministry strains the limited pastoral and ordained resources of the Church. I can assure you that even though there is a growing Latino presence in Dana Point there are other areas in the Diocese where the Latino population is large and the nearest available pastoral services are remote.

Thanks to the generous efforts of many priests the Latino community in the southern part of the Diocese has relatively proximate access to quality pastoral care.

The aforementioned is not to say that we cannot do better. As Fr. Lenihan remarked, your words make us restless to do more. I hope you will continue to cooperate with your pastor to stretch the hearts and minds of both Anglo and Latino parishioners alike. I particularly want to endorse the efforts to develop core lay leadership for the future. This is an essential step for building a Church equipped for the challenges of the next millennium.

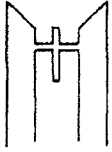
Please accept the assurance of prayers that this Easter Season may be rich in blessings for you and your family.

Respectfully,


Rev. Msgr. Jaime Soto
Episcopal Vicar
for the Hispanic Community

cc: The Most Reverend Tod D. Brown
Reverend John Lenihan

000061



St. Edward Catholic Church

33926 Calle La Primavera + Dana Point CA 92629-2018 + 714/496-1307 + FAX 714/496-1557

Dear Bishop,

I ask permission to be excused from our priest's retreat this year. This is my first time in 30 years of priesthood making such a request. My niece, the eldest of that generation, is getting married on Saturday June 5th in the chapel of Trinity College in Dublin where she and her fiancé graduated. I have asked her to move the date and she was unable to do so because of the schedule of the university.

I will make alternate arrangements to have some retreat time, probably during my Irish stay. We have a famous penitential retreat place on Lough Derg that I have considered over the years but never been brave enough to experience.

Thanking you for your kind consideration of my request.

Your Servant in the Lord,

Rev. John P. Lenihan

000062

DIOCESE OF ORANGE



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2811 EAST VILLA REAL DRIVE
POST OFFICE BOX 14195
ORANGE, CA. 92863-1595
PHONE: (714) 282-3000
FAX: (714) 282-3029

Reverend John Lenihan
Pastor
St. Edward Church
33926 Calle La Primavera
Dana Point, CA 92629-2018

Dear Father Lenihan,

Because of the gift of the Holy Spirit that has been given to you at your ordination, you are my indispensable helper and adviser in the ministry of service. (Lumen Gentium #29)

I hereby appoint you according to Canon 497.3 as a member of the Council of Priests, effective July 1, 1999, for a term of five years through June 30, 2004.

I hereby appoint you according to Canon 502.1 as a member of the Diocesan College of Consultors for the Diocese of Orange, effective July 1, 1999 for a term of five years through June 30, 2004.

In this position of responsibility, you will be my close collaborator and share my pastoral concern for our church here in Orange.

I look forward to working with you and receiving your advice and assistance in the pastoral care and governance of the Diocese of Orange. I expect you will support and implement in a positive and prompt way, diocesan policies in your own parish.

May you join yourself with Christ in the recognition of the Father's will and in the gift of, yourself to the flock you will serve.

Given in Orange, California
This 29th day of June, 1999
Feast of SS. Peter & Paul

A handwritten signature in black ink, reading "Tod David Brown".

Most Reverend Tod David Brown
Roman Catholic Bishop of Orange

A handwritten signature in black ink, likely of the notary.
Notary

Redacted

000063

DIOCESE OF ORANGE



MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
POST OFFICE BOX 14195
ORANGE, CA. 92863-1595
PHONE: (714) 282-3000
FAX: (714) 282-3029

April 23, 1999

Reverend John Lenihan
St. Edward Catholic Church
33926 Calle La Primavera
Dana Point, CA 92629-2018

Dear John,

I received your letter on April 16, 1999 regarding your request to be excused from the Priest Retreat this year due to your niece's wedding in Ireland.

Permission is granted.

May God continue to bless you especially during this Easter Season.

Fraternaly yours in Christ,

A handwritten signature in cursive script, reading "Tod D. Brown".

Most Reverend Tod D. Brown
Bishop of Orange

TDB:sk

c: Reverend

Redacted

000064

2001 PERSONNEL BOARD INFORMATION

RECEIVED

SEP 13 2000

Name: John P. Lenihan Ans'd.....

Date of Ordination: 06-15-89 If recently incardinated, what date: _____

Current Assignment: St Edward Dana Point

Date of Assignment: July 1st 1995

My last meeting with the Personnel Board was: April 1995

The languages I am able to minister in are: (circle the appropriate one(s) and indicate proficiency)

English fluent ☒ intermediate _____ beginner _____

Spanish fluent _____ intermediate ☒ beginner _____

Vietnamese fluent _____ intermediate _____ beginner _____

Korean fluent _____ intermediate _____ beginner _____

I would like to meet with the Personnel Board. Yes _____ No ☒

I am interested in a change of assignment in July 2001. Yes _____ No ☒

If YES, the type of assignment which interests me includes:

Pastorate _____ Parochial Vicar _____ Senior Priest _____ Retirement _____

Changing Pastorate _____ Beginning New Parish (if available) _____ Spanish Study _____

Special Ministry - Specify _____

Study: Moral Theology _____ Social Work _____ Biblical Theology _____

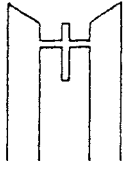
Comments _____

Please return by October 15, 2000 to:

Rev. Redacted 1

Marywood Center
2811 E. Villa Real Drive
Orange, CA 92867-1999

000067



REC'D MAR 7 2002

St. Edward Catholic Church

33926 Calle La Primavera + Dana Point, CA 92629-2018 + 949/496-1307 + FAX 949/496-1557

February 27, 2001

Redacted Hierarchy Name

Diocese of Orange
Marywood Center
P.O.Box 14195
Orange, CA. 92867-1999

Dear Redacted

I was recently asked to share with you the amount of financial compensation from St. Edward to Fr. John Lenihan.

When Fr. John resigned the parish in September, 2001, Bishop Tod Brown asked the parish to extend to Fr. John his salary and benefits until July, 2002. We readily agreed. And so, from this past September, St. Edward has sent to Fr. John his monthly salary of \$1712.00 as well as paying into his pension plan to the cost of \$2150.00.

It is now my understanding that the Diocese will accept the financial compensation for Fr. John beginning in March, 2002. If this is the case, then St. Edward will cease payment at the end of February, 2002. When you have a moment, please confirm this understanding with me. We continue to pray for John's healing and peace.

Sincerely in Christ;

Redacted

Redacted
Administrator

March 12, 2002

Redacted

yes, beginning
March 2002, St. Edward's
Parish will not be
responsible for any
benefits/compensation
for John Lenihan.

000200

LA_2013_11_21_Lenihan_000092

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Sunday Opinion

September 10, 2001

Steve Lopez:
Points West

Catholic Church's Ultimate Hypocrisy Over Molestations

Redact says she was not quite 14 years old. A Christmas social had just ended, and a priest offered to give her a ride home. But the priest, who was youth minister at her Orange County church, decided to take a little detour.

Redact, an eighth-grader at the time, wondered what was going on as he pulled up to a vacant lot in the Nohl Ranch area. But the priest, 32, soon made his purpose clear.

"He said he wanted to touch my private parts, and he wanted me to touch his," says **Redact**. He took my hand and put it between his legs. . . .

He told me it was something that God wanted to happen." God apparently wanted the diocese to keep the incident quiet too. When **Redact** family complained about that and other sexual contact between her and the priest, diocese officials gave Father X a talking to and told him to stay away from **Redact**. But he was not disciplined.

Church officials didn't even bother interviewing **Redact**, nor did they offer an apology or any therapeutic help. And Father X was not asked the details of the liaisons, nor was he sent for therapy. He saw a therapist on his own.

Four years after the molestation began in the late 1970s, he was named pastor of another parish, where he took charge of both church and school. Not ever **Redact** 1990 lawsuit against him, settled by the diocese in 1991, stood in the way of Father X's progress. He was sent to run yet another parish and school, and he remains in charge there to this day.

"He belongs behind bars," **Redact** insists, indignant that confusion over the statute of limitations has twice figured in decisions against criminal prosecution. "I can't believe he's still a priest."

It was after talking to **Redact** that I called the priest, and since then we've had several conversations. I'm calling him Father X here because that's the

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Sep 7, 2001

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deal I struck with him. A little protection in return for some insights into how the Catholic church handles scandal, the curse of the celibacy policy for priests, and the price of one man's redemption.

Father X's behavior became a side issue last month in a heavily publicized sexual molestation case against a monsignor in the Diocese of Orange. Lawyers for the young man who claimed the monsignor molested him called former Bishop Norman F. McFarland in for a deposition.

The victim's lawyers wanted to talk to McFarland about **Redact** and Father X to establish that "diocese policy was that if they knew a priest was a molester, all they would do is send him into some kind of counseling and then put him back into circulation among minors," said one attorney, Katherine Freberg.

They asked Bishop McFarland how it could be that **Redact**'s molester later became pastor of two major Orange County parishes, giving him authority over hundreds of schoolchildren.

Because Father X "had served well," McFarland answered. He condemned what Father X had done with **Redact**, but said there's a difference between molesting a 3-year-old and molesting a 15- or 17-year-old.

"I can understand the temptation of that more," he said. "She may be very, very precocious or adult-looking and everything else, and there would be a temptation there."

With all due respect, Father X was a priest, and **Redact** was a child less than half his age. The bishop's remark was the ultimate hypocrisy coming from an institution that publicly condemns any sexual contact between anyone other than husband and wife.

I called the bishop to give him a chance to explain himself, but he declined. He said a column of mine about the church's history of abuse and cover-up proved that I had "no integrity."

"I wouldn't talk to you if the pope told me to," he said.

Be that as it may, court documents suggest that the precocious one was not **Redact**, but Father X. In court records, he described being with **Redact** on her mother's bed, removing her panties and kissing her all over her body.

When I read the bishop's remarks to **Redact**, she said they made her ill. But she wasn't surprised.

"It's the classic denial and minimizing," said **Redact**, who has joined the Survivors Network of Those Abused by Priests. "I'm a child in the company of an authority figure I look up to, a priest who molests me--and the church hierarchy's response is to blame me."

Father X says **Redact**, who came forward after several years of suppressing

000345

the abuse, has either imagined or exaggerated the truth.

He did wrong, he admits, and might not have gotten off as lightly if the same thing happened today, now that the church's history of dark secrets has been exposed and prosecution is more likely. But he says there were only two incidents with **Reda** over six months beginning when she was 15, not dozens over the course of four years, as **Reda** claims. He reminded me that he has stood in front of his congregation and confessed his sins.

"I'm a fallible and frail human being, and I made a mistake," Father X told me. "I have suffered through it for 23 years."

If you enter a seminary young, you never deal with your sexuality in a normal way, Father X said. He thinks that reality, and the celibacy requirement, partly explain a legacy of scandal in the Catholic church.

Priests fall in love, he added, and don't know what to do with the feelings. More than once, it has happened to him.

Coming up next: I pay a visit to Father X, and I'm the one hearing confession.

*

Steve Lopez can be reached at steve.lopez@latimes.com



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September 14, 2001

 Steve Lopez:
Points West

A Priest's Confession: 'Celibacy Is the Toughest Thing'

He left home at 12 for an all-boys boarding-school, went straight into the seminary after that, and was ordained a Roman Catholic priest at 23.

"I never went to a dance, never went on a date, never had any real understanding of the opposite sex," says Father X.

In perfect irony, this man who had missed his adolescent years became an advisor to teens. He was youth minister at his Orange County church, and when he was 32, he molested a girl named Reda, who was less than half his age. "At that stage of life, 30-plus, I went through my emotional adolescence," he says, now in his mid-50s.

If he had offered the self-analysis as an excuse, I wouldn't have given him the time of day. But he meant to explain that becoming a priest required a denial that he was a sexual being.

The lie left him confused, malformed, and, for a time, dangerous. He wasn't a pedophile, he claims. Just a normal male strangled by a tight collar.

"I think celibacy is the toughest thing in the priesthood," Father X told me in a typically candid moment. "I love being a priest. But I don't like being a celibate."

Father X and I talked several times by phone in connection with a recent scandal involving an Orange County monsignor who sexually abused several boys. The day I finally met him, he was even more candid. He believed God had forgiven him for what went on with Reda, but said he hadn't forgiven himself.

"I'd like to think I'm a good guy, and I'm clinging to my sense of self-

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worth," he said. "I'd like to stand before my creator and say there was no malice in me." There is no question in his mind, Father X said, that the unnatural suppression of sexual desire among priests explains some of the sex abuse cases that have scandalized the church. Celibacy ought to be an option, not a requirement, he said, especially given the shortage of priests in the United States.

"Some of my friends have left the priesthood on these issues," says Father X.

I knew of an alleged relationship Father X had with an adult woman. When I asked about it, he surprised me.

"There were several relationships," he said. "Four serious ones."

He called one that took place in the mid-'80s "the big one," and said it lasted several years.

You had four relationships? I asked.

He nodded.

Four sexual relationships?

"I'm going to take the 5th Amendment on that."

Two of the four did not know the depth of his feelings, he said. He admits to having been in love more than once. In the case of "the big one," he had to finally decide between the woman and the priesthood.

"I have realized how hurtful it is to me and to others to have to end relationships like that. Oh yes. I hurt people."

Then why be a priest? Why not get married and serve the church some other way?

"I think it's the most meaningful thing I can do. I have a thousand opportunities to do things that sometimes can change someone's life for the better."

The relationships are behind him now, he claims. He says he is "absolutely committed" to celibacy.

I left the church that day with mixed feelings about Father X. With clear eyes and the wisdom of experience, he gets at the heart of church hypocrisy on the priesthood and sexuality. But he is part of the problem, too.

"If you're a celibate priest and then you end up having affairs with one, two, three, four women, what are you saying?" asks **Redacted** a

former priest who writes about the church. "That it's OK to use these women in order to stabilize your sexuality?"

Sipe has heard all the rationalizations.

"I do good deeds, therefore I can use these women, I can use these kids, I can use the man, whatever the case may be. It's the kind of thinking that destroys the credibility of the religion."

Heterosexual and homosexual relations run from the top down in the church, says Sipe. But it's never addressed because the church teaches there can be no sexual thoughts, desires or actions outside of marriage.

"You have bishops involved in homosexual relationships," says Sipe. "If you can't talk about it, then how can you deal with it?"

Quietly tolerating sexual activity is no different than condoning it, Sipe says. But he has one more explanation for the Vatican's silence on sex in the church.

"There is a system of blackmail, and the reason abusers often don't get touched is because they frequently have something on the higher-ups."

In my talks with Father X, the subject of forgiveness came up more than once. The church is about forgiving sins, he had said.

"The church is about reform, too," said Sipe. "We're all for love and good deeds and forgiveness. But if a system is perpetuating exploitation, then its need is for reform. Not forgiveness."



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DIOCESE OF ORANGE



MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
POST OFFICE BOX 14195
ORANGE, CA. 92863-1595
PHONE: (714) 282-3000
FAX: (714) 282-3029

Most Reverend Tod D. Brown, DD
Marywood Center
Orange, California

18 September 2001

Dear Bishop:

In accordance with canons 184, 187 & 189, I offer my resignation from the ecclesiastical office of Pastor at Saint Edwards Parish in Dana Point effective immediately.

I also resign from the College of Consultors and the Council of Priests effective immediately.

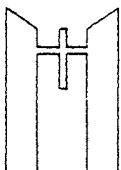
Sincerely in Christ,

A handwritten signature in cursive script, appearing to read "John Lenihan".

Reverend John Lenihan

*accepted by
+ Tod + Brown
09/18/01*

000068



St. Edward Catholic Church

33926 Calle La Primavera + Dana Point, CA 92629-2018 + 949/496-1307 + FAX 949/496-1557

September 19, 2001

Most Reverend Tod D. Brown, D.D.
Bishop of Orange
2811 East Villa Real Drive
P.O. Box 14195
Orange, CA 92863-1595

Your Excellency,

I formally withdraw my letter of resignation dated September 18, 2001 upon advice of counsel. The letter was signed under duress and without consultation. I will not vacate the priest dwelling pending further review of my options under Canon Law.

Your Servant in the Lord,

Reverend John P. Lenihan

NOTARIAL CERTIFICATE
IS ATTACHED

Redacted

09/19/01

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

Orange

SS:

On Sept 19, 2001, before me, _____

Date

Redacted

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

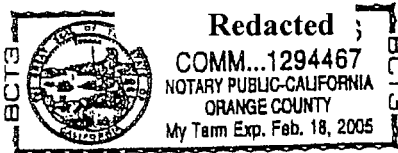
personally appeared

JOHN PETER LENIHAN

Name(s) of Signer(s)

- ☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Redacted

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

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Title or Type of Document: _____

Letter

Document Date: Sept. 19, 2001

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Capacity(ies) Claimed by Signer

Signer's Name: _____

- ☒ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

DIOCESE OF ORANGE



MARYWOOD CENTER
2811 EAST VILLA REAL DRIVE
POST OFFICE BOX 14195
ORANGE, CA. 92863-1595
PHONE: (714) 282-3000
FAX: (714) 282-3029

September 22, 2001

Dear Brothers and Sisters in Christ.

As your Bishop and Shepherd, I am writing to you to let you know that Father John Lenihan will no longer be serving as Pastor of St. Edward's Parish.

Father John and I have met other times to talk about past difficulties. During this last week I met with Father John and we discussed the most recent news articles about him in which he revealed information about his private life that was previously unknown. Father John acknowledged that the information given was correct. This self-revelation is a cause of scandal to many in the Church, and it is a cause of great concern to me.

Conscious of my personal responsibilities to you and to the entire Church of Orange, I asked Father John to resign as pastor of St. Edward's Parish. Father John agreed to do so; his resignation was effective on Tuesday, September 18, 2001.

I met with the Father ^{Redacted}, Father ^{Redacted}, deacon candidate ^{Redacted} and the parish staff on Wednesday, September 19th to inform them of Father John's resignation and to offer my support to them in the days ahead.

Father John's future in priestly ministry is uncertain at this time. During the coming days, weeks, and months, I ask for your prayers for him.

Father John's resignation does not negate any of the good that has been accomplished in the parish during his time as Pastor. St. Edward's Parish is a faith filled, vibrant, and marvelous community. I am confident that you will weather this difficult moment and will move ahead into the future.

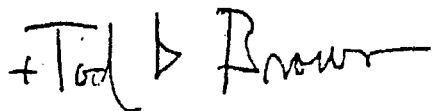
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That you might have pastoral leadership at this time, I have appointed Father Redacted to serve as temporary Administrator of St. Edward's Parish until a new Pastor is named. Father Redacted will also continue as Rector of Mater Dei High School during this time of transition.

I am aware that this announcement will be met with many emotions. This will not be an easy time for you. I am certain you will support one another in prayer and in the common bond of charity, which is our duty as Catholic Christians.

Please pray for me and be assured of my own prayers for you.

Sincerely yours in Christ,

A handwritten signature in black ink that reads "+ Tod D. Brown". The signature is written in a cursive, flowing style.

Most Reverend Tod D. Brown
Bishop of Orange

000070

DIOCESE OF ORANGE



OFFICE OF THE SECRETARY TO THE BISHOP
DIRECTOR OF CLERGY PERSONNEL
MARYWOOD CENTER
P.O. BOX 14195
2811 E. VILLA REAL DRIVE
ORANGE, CALIFORNIA 92863-1595
PHONE (714) 282-3000
FAX (714) 282-3029
E-MAIL fr.mckiernan@rcbo.org

MEMORANDUM

TO: File --- Fr. John Lenihan

FR: Reverend **Redacted**

DT: September 28, 2001

On September 18, 2001 Bishop Brown and I met with Fr. John Lenihan. Bishop asked if he granted an interview with a reporter from the Los Angeles Times. In the article the reporter speaks with a Fr. X. Bishop asked Fr. John if he was Fr. X. Fr. John admitted that he was. Bishop asked if the article was accurate. Fr. John said the part about celibacy was not what he said. Bishop asked if the information about Fr. John having had "relationships" with four women was true. Fr. John stated that it was true.

Bishop asked Fr. John to resign the parish effective immediately. Fr. John said he did not think that was necessary. Bishop explained that it was and asked he to sign a letter of resignation. That letter is in Fr. John's file. After Fr. John signed the letter he said he was sorry, Bishop said he also was sorry he had to ask for his resignation. Fr. John asked if the Diocese of Orange would continue to support him, Bishop said yes. I walked Fr. John over to Fr. **Redacted** (Vicar for Priests) Office so that an evaluation could be arranged for Fr. John.

The next day when we arrived at the parish to inform the priests and the staff, Fr. John was there and he attempted to "take back" his resignation. After some discussion by phone with several Canon Lawyers Fr. John agreed to let his resignation stand.

As of September 18, 2001, Fr. John Lenihan is on Active Sick Leave.

Bishop Todd Brown
Diocese of Orange
2811 East Villa Real Drive
PO Box 14195
Orange, CA 92863-1595
Phone number: 714-282-3000

September 29, 2001

Your Excellency,

I would like to share some of my reflections on recent events. Obviously, my extraordinary lack of prudence in talking to the reporter and revealing personal failings on the commitment to celibacy, and his interpretation that I was challenging the laws, represent some big issues that need to be addressed. I am deeply contrite and ashamed of my behavior. I sincerely apologize for the embarrassment to you, my fellow priests, my parish and for the scandal to the community at large. As Bishop, you have the right and duty to act.

However, I believe your decision and methodology of removing me as pastor was severely flawed. I recollect a recent incident where a bishop was actually married, and was ordered to leave the woman, but remained a bishop. I believe your action added to the problem and did more damage to my reputation, your standing as a bishop, and the people's faith in the church, than did my intemperate defensive remarks to the journalist. The scandal became much larger, created a lot more press, and further damaged me.

Furthermore, I believe my rights under the code of canon law were violated. There is a clearly delineated process that should have been followed and was denied to me. My resignation was forced upon me under reverential fear and a sense of obedience. My subsequent revocation the next day of my resignation by means of a notarized letter, which you refused to accept, could and should have been accepted. The threat of administrative suspension could not have been invoked in that situation. I continue to hold that letter as an exhibit in the possibility of future challenge under canonical law.

On the other hand, I am well aware of my need for counseling and I desire to find a way to satisfy all parties to this action. I know the original accuser Redactvill seek every opportunity to continue to blacken my name and create scandal for the church. I know recent allegations against me are a further factor but I was vindicated by court order and no factual evidence was forthcoming. I would like to find ways to compromise.

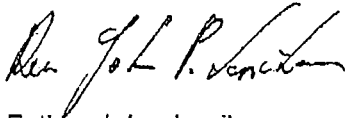
I believe the community of St. Edward stands ready to forgive, to accept me back and I can think of no place where I could be happier and secure. I am sure you are aware the parish is flourishing and there is no diminution of ministry. I have already received hundreds of letters of support and I am sure you have also. By all means let me be healed but do not take away my hope of returning to my parish. Your concern that I will be hounded in the future is valid, but I believe that with a supportive community I can

survive such attacks. Being a priest in another diocese might be counter-productive, if the accusations follow me again.

I am grateful for the time for assessment and reflection and thank you for the opportunity to do it. At the end of the process, I would like to be restored to the parish I have served for 6 years and the community that would welcome me back.

I would like to dialog about how I can return to your service as the effective pastor of St. Edward, Dana Point.

Yours in Christ,

A handwritten signature in cursive script, appearing to read "Rev. John P. Lenihan".

Father John Lenihan.

PS I write this letter not to be disobedient or difficult, but to conform with the notification period and procedures laid out in canon law, which leave open all options to both you and I to resolve this to both our satisfaction.

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PHONE: (714) 282-3000
FAX: (714) 282-3029

MEMORANDUM

TO: Father **Redacted**
FROM: **Redacted**
DATE: October 1, 2001
RE: Reverend John Lenihan

Dear Father: **Redacted**

On the above date, I received a call from Monsignor **Redact** saying he was the uncle of Father John Lenihan. He told me that I would be receiving a fax this day from a Parishioner of St. Edwards Church, **Redacted**, who was sending this fax on Father John Lenihan's behalf regarding a letter dated September 19, 2001, formally withdrawing his letter of resignation and if I would just tear it up because this letter should have never been sent. Monsignor also said that I would be receiving a hard copy by mail and if I could also tear that up when it arrived in our office.

When you came into the office this same date, I informed you of the above.

On October 8, 2001, we received the hard copy via Express Mail.

000152

LA_2013_11_21_Lenihan_000108



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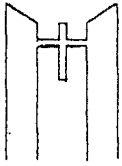
Date: 10/1/2001
To: BISHOP TODD BROWN
Fax No: 714. 282. 3029
From: FATHER JOHN LENIHAN
Phone No: C/O 949. 495. 4598
Of Pages (Including this sheet): 6

Message: LETTER ORIGINALS BEING,
SENT REGISTERED EXPRESS MAIL
FOR DELIVERY 10/2/2001
ON BEHALF OF FATHER LENIHAN

It's Not What We Do. It's How We DO It!™

000153

LA_2013_11_21_Lenihan_000109



St. Edward Catholic Church

33926 Calle La Primavera + Dana Point, CA 92629-2018 + 949/496-1307 + FAX 949/496-1557

September 19, 2001

Most Reverend Tod D. Brown, D.D.
Bishop of Orange
2811 East Villa Real Drive
P.O. Box 14195
Orange, CA 92863-1595

Your Excellency,

I formally withdraw my letter of resignation dated September 18, 2001 upon advice of counsel. I will not vacate the priest dwelling pending further review of my options under Canon Law.

Your Servant in the Lord,

A handwritten signature in cursive script, reading "Rev. John P. Lenihan". The signature is written in dark ink.

Reverend John P. Lenihan

**Mater Dei High School**

1202 West Edinger Avenue
Santa Ana, California 92707-2191
(714) 754-7711

*Fax Cover Sheet**(714) 754-1880 Fax #*TO FAX # 714-282-3029 DATE 10/4/01NUMBER OF PAGES 1 (includes cover sheet)ORIGINAL IN MAIL TO: Len

Redacted

COMPANY: Diocese of OrangeFROM: Len

Redacted

COMMENTS:

*Couldn't get him on e-mail
for some reason*

[Signature]

000071

Thank you.

Dear Parishioners,

It is with a profound sense of sadness, regret and self-reproach that I write. Obviously my extraordinary lack of prudence in talking to the reporter and revealing personal struggles with the commitment to celibacy, and his interpretation that I was challenging the law, represent some big issues that need to be addressed. I am deeply contrite and very ashamed, and apologize for the great hurt to you, my beloved community, my fellow priests, and scandal to the community at large. As I confront my issues, know I am being cared for and helped and I thank you for your great gift of prayer for me and for my future.

Please know my great concern at this moment is for you, the wonderful community of St. Edward parish and school, and for all we have planned and achieved together. It is my fervent wish and prayer that you will continue to build with all dedication and energy the spiritual and physical vision that with prayer and discernment we have worked so hard together to craft.

Know that in responding to a reporter, I sought only to correct false accusations and exaggerations. Over the years unscrupulous reporters in search of a sensational story have propagated unchallenged disingenuous and damaging accounts of an incident 23 years ago. Any discussion of priestly celibacy was purely philosophical, off the record, and never an admission of multiple sexual involvements. I waver between trying to grasp how I was that naïve, as an intelligent person, or had some unconscious inner cry that needed resolution. With professional counseling, prayer and reflection, over the next few months in a safe place I hope to emerge as one molded by God's grace into a greater likeness of Christ and know His will for me.

Please stay the course we have set, building Christian Stewardship in every way and in enhancing the multitude of ministries, services, prayer and fellowship opportunities that make St. Edward such a vibrant community. Above all, I pray that spirit of love, hospitality and unity will continue to flourish.

Avoid all bitterness. I believe the Lord has a plan that will be unveiled. This present darkness cannot be compared to the light that is to come.

I miss you to the point of tears. I look forward to seeing you sometime in the future.

With all my love,

F. John

000072

DIOCESE OF ORANGE



Entered in dk
Done
10/12/01

MEMORANDUM

TO: Redacted Redacted Redacted Redacted Redacted
Redacted Redacted Redacted Redacted Redacted

FR: Redacted Redacted
Secretary

DT: October 15, 2001

RE: Clergy Changes

Please make the following changes, effective immediately:

Old Address

New Address

Reverend John Lenihan
St. Edwards Parish

Marywood Center
c/o Reverend Kerry Beaulieu

Reverend [REDACTED]

Leave of Absence
Effective [REDACTED]

Reverend [REDACTED]

Leave of Absence
Effective [REDACTED]

Reverend [REDACTED]
Our Lady of Guadalupe Church
La Habra

St. Anne Church
Santa Ana, CA 9270

000073

1 Katherine K. Freberg, CA Attorney Bar No. 150252
 2 Law Offices of FREBERG & ASSOCIATES
 3 8001 Irvine Center Drive, Suite 1070
 4 Irvine, California 92618
 5 (949) 453-1111

FILED
 SUPERIOR COURT OF CALIFORNIA
 COUNTY OF ORANGE
 CENTRAL JUSTICE CENTER

DEC 13 2001

ALAN SLATER, Clerk of the Court

BY E. GAMBOA

Attorneys for Plaintiff,
 Redacted

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 9 COUNTY OF ORANGE, CENTRAL JUSTICE CENTER

11 Redacted

CASE NO.

Redacted

12 Plaintiff,

COMPLAINT FOR:

13 v.

(1) CHILDHOOD SEXUAL ABUSE
 (2) ASSAULT
 (3) BATTERY

14 THE ROMAN CATHOLIC BISHOP OF
 15 ORANGE, a corporation sole, THE ROMAN
 16 CATHOLIC ARCHBISHOP OF LOS
 17 ANGELES, a corporation sole, FATHER
 18 JOHN LENTHAN, and DOES 1 through 100,
 19 inclusive,

(4) INTENTIONAL INFLECTION OF
 EMOTIONAL DISTRESS
 (5) FRAUD: CONCEALMENT OF
 FACTS

Defendants.

(6) VIOLATION OF STATUTE -
 ACCESSORY AFTER THE FACT
 (7) NEGLIGENT SUPERVISION/
 RETENTION/HIRING
 (8) NEGLIGENT INFLECTION OF
 EMOTIONAL DISTRESS
 (9) VIOLATION OF STATUTE - PENAL
 CODE SECTION 11166

JUDGE ROBERT D. MONARCH
 DEPT. C29

Plaintiff, Redacted, alleges:

THE PARTIES

1. Plaintiff, Redacted ("Plaintiff") was previously a resident of
 County of Orange, State of California. Plaintiff is currently a resident of San Francisco County,
 California.

THIS CASE HAS BEEN ASSIGNED TO CIVIL CASE MANAGEMENT EACH
 PLEADING MUST INCLUDE THE ASSIGNED JUDGE AND DEPARTMENT
 DESIGNATION AS SHOWN UNDER THE CASE NUMBER. ALL PARTIES MUST
 COMPLY WITH THE ORANGE COUNTY SUPERIOR COURT RULES.

0010014557
 01/01/2002

1-10-

0010014557

10 11/13/01 10:10 AM

LA_2013_11_21_Lenihan_000114

000164

Law Offices of
FREBERG & ASSOCIATES
1001 IRVING STREET, SUITE 1070
IRVINE, CALIFORNIA 92618
TELEPHONE (949) 451-1111

1 2. Plaintiff is informed and believes, and on that basis alleges, that Defendant The
2 Roman Catholic Bishop of Orange (hereinafter the "Orange Diocese"), a corporation sole is, and at
3 all times mentioned herein was, a religious corporation organized under the laws of the State of
4 California, having its principal office in the City of Orange, its jurisdiction and control extending
5 to and in the City of Orange and the City of Dana Point, County of Orange, State of California.

6 3. Plaintiff is informed and believes, and on that basis alleges, that Defendant The
7 Roman Catholic Archbishop of Los Angeles (hereinafter the "Los Angeles Diocese"), a
8 corporation sole is, and at all times mentioned herein was, a religious corporation organized under
9 the laws of the State of California, having its principal office in the City of Los Angeles, its
10 jurisdiction and control extending to and in the City of Los Angeles, County of Los Angeles, State
11 of California. Plaintiff is further informed and believes, and on that basis alleges, that the Los
12 Angeles Diocese had certain jurisdiction and control over other dioceses in Southern California,
13 including the Orange Diocese. The Orange Diocese and Los Angeles Diocese are sometimes
14 hereinafter referred to as the "Dioceses."

15 4. Defendant Father John Lenihan ("Father Lenihan") was a Roman Catholic priest.
16 Father Lenihan was an agent, employee, or servant of the Dioceses, and/or was under the
17 jurisdiction and control of the Dioceses. Plaintiff is informed and believes, and on that basis
18 alleges, that at some times, Father Lenihan was assigned as an associate pastor at St. Norbert
19 Catholic Church ("St. Norbert") located in the City of Orange, County of Orange, State of
20 California. Plaintiff is informed and believes, and on that basis alleges, that at some time later,
21 Father Lenihan was assigned as a pastor at St. Boniface Church, located in the City of Anaheim,
22 County of Orange, and as a pastor at St. Edward Roman Catholic Church ("St. Edward") located in
23 the City of Dana Point, County of Orange, State of California.

24 5. Plaintiff is informed and believes, and on that basis alleges, that St. Norbert, St.
25 Boniface, and St. Edward were owned by and under the jurisdiction and control of the Orange
26 Diocese, which was in turn, within the jurisdiction and control of the Los Angeles Diocese as to
27 certain matters.
28

6. Defendants Does 1 through 100, inclusive, are sued herein under fictitious names. Their true names and capacities, whether individual, corporate, associate, or otherwise, are unknown to Plaintiff. When their true names and capacities are ascertained, Plaintiff will amend this complaint by inserting their true names and capacities herein. Plaintiff is informed and believes, and on that basis alleges, that each of the fictitiously named Defendants is responsible in some manner for the occurrences herein alleged, and that Plaintiff's damages as herein alleged were proximately caused by those Defendants. The Doe Defendants, the Defendant Dioceses, and Defendant Lenihan are some times hereinafter referred to as the "Defendants."

7. Plaintiff is informed and believes, and on that basis alleges, that at all times mentioned herein, Defendants, and each of them, were the agents, servants, employers, masters, servants, or co-conspirators of each of the remaining co-Defendants, and in doing the things hereinafter alleged were acting within the course and scope of such relationship and with the permission, approval, ratification, or consent of their co-Defendants.

FACTS PERTAINING TO ALL CAUSES OF ACTION

Father Lenihan's Molestations Of Plaintiff

8. Plaintiff was born on August 25, 1964. Plaintiff was raised in the Roman Catholic Church.

9. In about the spring of 1978, when Plaintiff was 13 years old, her family attended Holy Family Cathedral, located in the City of Orange, County of Orange. At that time, Plaintiff was in the eighth grade, and attended St. Jeanne De Lestonnac, a Roman Catholic school located in the City of Tustin, County of Orange.

10. During this time, Plaintiff often played the guitar with the nuns during the masses conducted at St. Jeanne De Lestonnac. The masses would often be conducted by priests from the neighboring parishes, including Father Lenihan.

11. After one of the these masses, Father Lenihan approached Plaintiff. Father Lenihan told Plaintiff that he performed a weekly Sunday mass at the church where he was the associate pastor, St. Norbert in the City of Orange. Father Lenihan told Plaintiff that his 5:15 p.m. mass was full of young people and youthful music, where electric guitars and sometimes even

000166

1 drums were played. Father Lenihan arranged to have Plaintiff attend his masses and play her
2 guitar at the masses. When Father Lenihan learned that Plaintiff's family attended another church,
3 Holy Family in Santa Ana, he even offered to take Plaintiff home after his masses at St. Norbert.

4 12. At Father Lenihan's suggestion, Plaintiff began to attend Father Lenihan's
5 masses at St. Norbert on Sundays. Plaintiff also joined Father Lenihan's bible studies at St.
6 Norbert on Mondays. Plaintiff also joined Father Lenihan's youth group for Wednesday meetings
7 at St. Norbert, and played the guitar at the youth group meetings. Plaintiff also began to attend
8 music practices at St. Norbert on Thursdays, and often time, Father Lenihan would drop by for the
9 practices.

10 13. Father Lenihan often drove Plaintiff to and from these masses, bible studies,
11 youth group meetings, and music practices. At most times after the masses, Father Lenihan would
12 take a small group of people, including Plaintiff, to dinner after mass, and would drive Plaintiff
13 home after the masses and dinners. Father Lenihan oftentimes would also take a small group of
14 people, including Plaintiff, to the movies on Saturday nights, and would drive Plaintiff home after
15 the movies.

16 14. Thereafter, when Plaintiff was a adolescent and a minor, and continuing through
17 in or around 1982, when Plaintiff was around 18 years old, Father Lenihan began to molest, and
18 sexually, physically, and mentally abuse Plaintiff. The molestations and abuse by Father Lenihan
19 of Plaintiff included, but was not limited to, sexual intercourse, groping and fondling of Plaintiff's
20 breasts, groping and fondling of Plaintiff's genitals, oral copulation, forced oral copulation on
21 Father Lenihan, penetration of Plaintiff's genitals and anus with Father Lenihan's fingers,
22 masturbation, explicit sexual conversations, and other lewd and lascivious acts. At the time that
23 Father Lenihan began molesting and sexually abusing, Plaintiff was a virgin, and had not even
24 kissed a boy.

25 15. During the time that Father Lenihan was sexually abusing Plaintiff, Father
26 Lenihan encouraged Plaintiff to try to become emancipated from her parents.

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Father Lenihan's Arranging For Another Priest
To Have Sexually Relations With Plaintiff

16. During the time that Father Lenihan was molesting Plaintiff and during the time that Plaintiff was a minor, Father Lenihan told Plaintiff about a priest friend who Father Lenihan had gone to school with who had been removed from his church because of sexual misconduct. Plaintiff is informed and believes, and on that basis alleges, that the priest friend had been assigned to a position within the Los Angeles Diocese. Father Lenihan told Plaintiff that his friend was sad and needed friends to be close with. Father Lenihan told Plaintiff that his priest friend would buy Plaintiff dinner if Plaintiff kissed his priest friend.

17. Thereafter, at a time in which Plaintiff was a minor, Father Lenihan arranged to have his priest friend meet with Plaintiff. Thereafter, at a time in which Plaintiff was a minor, Father Lenihan's priest friend did sexually, physically, and mentally abuse Plaintiff, including exposing his genitals to Plaintiff, kissing, and other lewd and lascivious acts.

The Dioceses Actual and Constructive Knowledge
of the Molestations Of Plaintiff By Father Lenihan

18. During the time period in which Father Lenihan began grooming Plaintiff as a victim, and during the time period that the molestations and abuses of Plaintiff occurred, Plaintiff was under the care and supervision of the Dioceses as a minor student of the schools owned, maintained, and controlled by the Dioceses, and as a minor parishioner of the churches owned, maintained, and controlled by the Dioceses.

19. Plaintiff informed and provided actual notice to the Dioceses that Father Lenihan was molesting and sexually abusing her. Specifically, in or around 1982, Plaintiff met with the Catholic priest at the church where her parents attended, Holy Family. In that meeting, Plaintiff informed the Holy Family priest of the molestations and sexual abuse of her by Father Lenihan. When Plaintiff disclosed some details of the molestations and abuse to the Holy Family priest, the priest hugged Plaintiff, and rubbed his genital area against the Plaintiff's body. Plaintiff could feel that the priest had an erection. The priest also kissed the Plaintiff on the mouth. The priest then gave Plaintiff his telephone number where he could be reached at the new parish where he was going to be reassigned. Plaintiff is informed and believes, and on that basis alleges, that

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1 the Holy Family priest failed to act on the information that Plaintiff had disclosed to him regarding
2 the molestations. The Holy Family priest to whom Plaintiff disclosed the molestations and abuses
3 is currently a Monsignor with the Orange Diocese.

4 20. Shortly thereafter, Plaintiff again informed and provided actual notice to the
5 Dioceses that Father Lenihan was molesting and sexually abusing her. In or around 1982, Plaintiff
6 met with another Catholic priest at Holy Family. In that meeting, Plaintiff informed that Holy
7 Family priest of the molestations and sexual abuses of her by Father Lenihan. After a long silence,
8 this Catholic priest began yelling at Plaintiff, "How long have you been telling this story? Who
9 else have you told these lies to? Who do you think you are telling these stories." That Catholic
10 priest then dismissed the Plaintiff, and told her he did not want to see her in his church again.
11 Plaintiff is informed and believes, and on that basis alleges, that the Holy Family priest failed to
12 act on the information that Plaintiff had disclosed to him regarding the molestations. The Catholic
13 priest to whom Plaintiff disclosed the molestations and abuses is also currently a Monsignor with
14 the Orange Diocese.

15 21. Plaintiff is further informed and believes, and on that basis alleges, that Father
16 Lenihan's supervisor at St. Norbert was aware that Father Lenihan was sexually active, and that he
17 may have known that Father Lenihan was molesting and abusing the Plaintiff. Specifically, Father
18 Lenihan told Plaintiff that the pastor at St. Norbert was aware that Father Lenihan was sexually
19 active, and that the pastor at St. Norbert had told Father Lenihan that it was necessary that he be
20 "discreet."

21 22. Plaintiff is further informed and believes, and on that basis alleges, that at least
22 one other employee of the Diocese knew or should have known of the molestations and sexual
23 abuses by Father Lenihan of Plaintiff. Specifically, on numerous occasions, Father Lenihan
24 molested Plaintiff in his office at St. Norbert, and an employee of the Diocese knew that Father
25 Lenihan had Plaintiff in his office alone for long periods of time.

26 23. Even after Plaintiff disclosed this information to the Dioceses, Father Lenihan
27 continued to molest and sexually abuse Plaintiff until in or around 1982.
28

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**The Dioceses' Continuing Coverup Of the Molestations of Plaintiff,
And Plaintiff's Continuing Knowledge of the Coverup and Damages**

24. Even though Plaintiff provided actual knowledge of the molestations to the Dioceses that Father Lenihan had molested and sexually abused her, and even though the Dioceses had actual and constructive knowledge of the molestations and sexual abuses, the Dioceses covered up the molestations and abuses by Father Lenihan, continued to allow Father Lenihan to act as a Catholic priest within the Dioceses, continued to hold Father Lenihan out as a Catholic priest who could be trusted with minor parishioners and minor students, continued to allow Father Lenihan to work with minor parishioners and minor students on a daily basis, and continued to move Father Lenihan around to different Catholic churches within the Dioceses. The knowledge by the Plaintiff that the Dioceses failed to act on the information that Father Lenihan had molested and abused her, continued to hold Father Lenihan out as a Catholic priest who could be trusted, failed to remove Father Lenihan from his positions within the Dioceses, and continued to allow Father Lenihan to work around other minors, caused Plaintiff great mental, emotional, spiritual, and physical pain and anguish.

**Father Lenihan's Continuing Coverup Of the Molestations Of Plaintiff
By Another Priest And Plaintiff's Continuing
Knowledge of the Coverup and Damages**

25. Furthermore, even though Father Lenihan had actual knowledge that his Catholic priest friend had molested and abused Plaintiff, Father Lenihan covered up the molestation and abuse by his friend, continued to hold that priest out as a Catholic priest who could be trusted with minor parishioners and minor students, continued to allow that priest to work with minor parishioners and minor students on a daily basis, and failed to report the molestation and abuse. The knowledge by the Plaintiff that Father Lenihan failed to act on the information that that his priest friend had molested and abused her, continued to hold his friend out as a Catholic priest who could be trusted, and continued to allow that priest to work around other minors, caused Plaintiff great mental, emotional, spiritual, and physical pain and anguish.

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Father Lenihan's Molestations Of Another Minor,
And The Dioceses' Actual Knowledge Of Those Molestations

26. Plaintiff is informed and believes, and on that basis alleges, that Father Lenihan molested another minor from on or around 1977 through on or around 1981, and that the Dioceses had actual knowledge of these molestations both before the molestations and abuses of Plaintiff, and during the time that Plaintiff was being molested and abused by Father Lenihan. Specifically, Plaintiff is informed and believes, and on that basis alleges, that:

A. From 1977 through 1981, Father Lenihan molested, and sexually abused Mary Grant, a minor parishioner who attended St. Norbert; that the molestations and sexual abuse by Father Lenihan of Mary Grant continued from the time shortly before Mary Grant turned 14 years old, until the time that she was 18 years old; and that the molestations and sexual abuses included groping and fondling of Plaintiff's breasts, groping and fondling of Plaintiff's genitals, kissing, masturbation, explicit sexual conversations, and other lewd and lascivious acts.

B. On September 1, 1978, Mary Grant's stepfather, Fred C. Clow, wrote a letter to Cardinal Timothy Manning of the Los Angeles Dioceses. In his letter, Mr. Clow notified Cardinal Manning that Father Lenihan had telephoned his stepdaughter and was writing his stepdaughter romantic letters which contained sexual innuendo. A true and correct copy of the letter is attached hereto as Exhibit A, and is incorporated by reference.

C. On September 8, 1978, Reverend Monsignor Clement J. Connolly, Secretary to Cardinal Manning, wrote Mr. Clow in response to his letter dated September 1, 1978. In his letter, Monsignor Connolly expressed his "deep appreciation" for the kindly manner in which Mr. Clow expressed his distress and the "confidence which Mr. Clow indicated in leaving this matter to the Archdiocese of Los Angeles' decision." Monsignor Connolly further went on to say that he was referring the matter to the Orange Diocese. A true and correct copy of the letter is attached hereto as Exhibit B, and incorporated by this reference.

D. On September 8, 1978, Reverend Monsignor Clement J. Connolly wrote a letter to Chancellor Michael Driscoll of the Orange Dioceses, as follows: "Dear Mike: The attached correspondence is self-explanatory. Hope you are well. Personal regards. Clement."

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1 Monsignor Connolly attached the letter written by Mary Grant's stepfather. A true and correct
2 copy of the letter is attached hereto as Exhibit C, and is incorporated by this reference.

3 E. Plaintiff is informed and believes, and on that basis alleges, that even
4 though actual notice was given to the Dioceses in September of 1978 that Father Lenihan was
5 molesting Mary Grant, a minor, Father Lenihan continued to molest and sexually abuse Mary
6 Grant. Plaintiff is further informed and believes, and on that basis alleges, that in 1979, Mary
7 Grant's sister found Father Lenihan molesting Mary Grant, and that shortly thereafter, Mary
8 Grant's sister telephoned the Los Angeles Diocese to inform the Diocese of the molestation.
9 Plaintiff is informed and believes, and on that basis alleges, that even though actual notice was
10 given to the Dioceses again in 1979 that Father Lenihan was molesting Mary Grant, a minor,
11 Father Lenihan continued to molest and sexually abuse Mary Grant until 1981.

12 The Dioceses' Continuing Coverup Of the Molestations of Another Victim,
13 And Plaintiff's Continuing Knowledge of the Coverup and Damages

14 27. Even though information had been disclosed to the Dioceses that Father Lenihan
15 had had inappropriate sexual contact with Mary Grant, and that Father Lenihan had molested and
16 abused Mary Grant, the Dioceses covered up the molestations and abuses by Father Lenihan,
17 continued to allow Father Lenihan to act as a Catholic priest within the Dioceses, continued to
18 hold Father Lenihan out as a Catholic priest who could be trusted with minor parishioners and
19 minor students, continued to allow Father Lenihan to work with minor parishioners and minor
20 students on a daily basis, and continued to move Father Lenihan around to different Catholic
21 churches within the Dioceses.

22 28. Father Lenihan had disclosed to Plaintiff that the Dioceses were aware of his
23 abuses of Mary Grant. The knowledge by the Plaintiff that the Dioceses failed to act on the
24 information that Father Lenihan had molested and abused Mary Grant, continued to hold Father
25 Lenihan out as a Catholic priest who could be trusted, failed to remove Father Lenihan from his
26 positions within the Dioceses, and continued to allow Father Lenihan to work around other
27 minors, caused Plaintiff great mental, emotional, spiritual, and physical pain and anguish.
28

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1 29. Plaintiff is informed and believes, and on that basis alleges, that it was not until
2 September of 2001 that the Dioceses removed Father Lenihan from his position as the pastor of St.
3 Edward in Dana Point. Plaintiff is further informed and believes, and on that basis alleges, that the
4 Dioceses removed Father Lenihan from that position in September of 2001 because Father
5 Lenihan disclosed to the press that he had had sexual affairs with four adult women. Plaintiff is
6 unaware at this time as to whether the Dioceses have moved Father Lenihan to another location
7 within the Dioceses or within another Catholic Diocese.

8
9 **FIRST CAUSE OF ACTION**
 (Childhood Sexual Abuse)

10 **(Against Defendant Father Lenihan and Defendants Does 1 through 100, Inclusive)**

11 30. Plaintiff hereby incorporates by reference and re-alleges all of the allegations
12 contained in paragraphs 1 through 29, as though fully set forth herein.

13 31. During the time in which Plaintiff was a minor, Father Lenihan molested, and
14 sexually, physically, and mentally abuse Plaintiff. The molestations and abuse by Father Lenihan
15 of Plaintiff included, but was not limited to, sexual intercourse, groping and fondling of Plaintiff's
16 breasts, groping and fondling of Plaintiff's genitals, oral copulation, forced oral copulation on
17 Father Lenihan, penetration of Plaintiff's genitals and anus with Father Lenihan's fingers,
18 masturbation, explicit sexual conversations, and other lewd and lascivious acts.

19 32. Father Lenihan's above-described acts constitute conduct in violation of the
20 California Penal Code.

21 33. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was
22 hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
23 person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional,
24 spiritual, physical, and nervous pain and suffering. Plaintiff is informed and believes, and on that
25 basis alleges, that the injuries will result in continuing and permanent disability to her. As a result
26 of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
27 time of trial.

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1 34. As a further proximate result of the acts of Father Lenihan described herein,
2 Plaintiff developed and continues to suffer from depression and frequent periodic episodes of
3 anxiety, panic, fear, and other forms of emotional distress. Plaintiff is informed and believes, and
4 on that basis alleges, that the injuries will result in some permanent disability to her. By reason
5 thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of
6 trial.

7 35. As a further proximate result of the acts of Father Lenihan described herein,
8 Plaintiff developed and continues to suffer from severe headaches, nausea, and other physical
9 ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in
10 some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages
11 in an amount to be determined at the time of trial.

12 36. As a further proximate result of the acts of Father Lenihan described herein,
13 Plaintiff has been damaged in that she has been required, and will be required in the future, to
14 expend money and to incur obligations for health care providers required in the treatment and relief
15 of the injuries alleged, in an amount to be determined at the time of trial.

16 37. As a further proximate result of the acts of Father Lenihan described herein,
17 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
18 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

19 38. The above-described conduct of Father Lenihan was willful and outrageous, was
20 committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
21 mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was
22 otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein,
23 Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an
24 award of exemplary or punitive damages.
25
26
27
28

SECOND CAUSE OF ACTION
(Assault)

(Against Defendant Father Lenihan and Defendants Does 1 through 100, Inclusive)

39. Plaintiff hereby incorporates by reference and re-alleges all of the allegations contained in paragraphs 1 through 38, as though fully set forth herein.

40. At numerous times as described above, in the County of Orange, State of California, Father Lenihan, in asserting his position of authority and spiritual leader over Plaintiff, and in his position of trust and confidence, approached Plaintiff in a physically threatening manner, and placed her in fear of physical and sexual battery.

41. In doing the acts alleged above, Father Lenihan intended to cause and place, and did cause and place, Plaintiff in apprehension of offensive contact with Plaintiff's person.

42. As a result of Father Lenihan's acts alleged above, Plaintiff, in fact, was placed in great apprehension of offensive contact with Plaintiff's person.

43. Plaintiff did not legally consent to Father Lenihan's acts alleged above.

44. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was hurt and injured in her health, strength, and activity, sustained injury to her nervous system and person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional, spiritual, physical, and nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in continuing and permanent disability to her. As a result of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

45. As a further proximate result of the acts of Father Lenihan described herein, Plaintiff developed and continues to suffer from depression and frequent periodic episodes of anxiety, panic, fear, and other forms of emotional distress. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of trial.

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1 46. As a further proximate result of the acts of Father Lenihan described herein,
 2 Plaintiff developed and continues to suffer from severe headaches, nausea, and other physical
 3 ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in
 4 some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages
 5 in an amount to be determined at the time of trial.

6 47. As a further proximate result of the acts of Father Lenihan described herein,
 7 Plaintiff has been damaged in that she has been required, and will be required in the future, to
 8 expend money and to incur obligations for health care providers required in the treatment and relief
 9 of the injuries alleged, in an amount to be determined at the time of trial.

10 48. As a further proximate result of the acts of Father Lenihan described herein,
 11 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
 12 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

13 49. The above-described conduct of Father Lenihan was willful and outrageous, was
 14 committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
 15 mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was
 16 otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein,
 17 Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an
 18 award of exemplary or punitive damages.

THIRD CAUSE OF ACTION

(Battery)

21 **(Against Defendant Father Lenihan and Defendants Does 1 through 100, Inclusive)**

22 50. Plaintiff hereby incorporates by reference and re-alleges all of the allegations
 23 contained in paragraphs 1 through 49, as though fully set forth herein.

24 51. On the occasions alleged above, Father Lenihan, in asserting his position of
 25 authority and trust over Plaintiff, and by means of approaching Plaintiff in a physically threatening
 26 manner, and by the use of physical force, seized and took hold of Plaintiff, and caused Plaintiff to
 27 submit to Father Lenihan's molestations and sexually, mental, and physical abuses.

28

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1 52. In doing the acts alleged above, Father Lenihan acted with intent to, and did,
2 make contact with Plaintiff's person in an offensive and outrageous manner.

3 53. Plaintiff did not legally consent to Father Lenihan's acts alleged above.

4 54. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was
5 hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
6 person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional,
7 spiritual, physical, and nervous pain and suffering. Plaintiff is informed and believes, and on that
8 basis alleges, that the injuries will result in continuing and permanent disability to her. As a result
9 of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
10 time of trial.

11 55. As a further proximate result of the acts of Father Lenihan described herein,
12 Plaintiff developed and continues to suffer from depression and frequent periodic episodes of
13 anxiety, panic, fear, and other forms of emotional distress. Plaintiff is informed and believes, and
14 on that basis alleges, that the injuries will result in some permanent disability to her. By reason
15 thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of
16 trial.

17 56. As a further proximate result of the acts of Father Lenihan described herein,
18 Plaintiff developed and continues to suffer from severe headaches, nausea, and other physical
19 ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in
20 some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages
21 in an amount to be determined at the time of trial.

22 57. As a further proximate result of the acts of Father Lenihan described herein,
23 Plaintiff has been damaged in that she has been required, and will be required in the future, to
24 expend money and to incur obligations for health care providers required in the treatment and relief
25 of the injuries alleged, in an amount to be determined at the time of trial.

26 58. As a further proximate result of the acts of Father Lenihan described herein,
27 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
28 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

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1 59. The above-described conduct of Father Lenihan was willful and outrageous, was
2 committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
3 mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was
4 otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein,
5 Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an
6 award of exemplary or punitive damages.

7
8 **FOURTH CAUSE OF ACTION**
9 **(Intentional Infliction of Emotional Distress)**
10 **(Against All Defendants)**

11 60. Plaintiff hereby incorporates by reference and re-alleges all of the allegations
12 contained in paragraphs 1 through 59, as though fully set forth herein.

13 61. Father Lenihan occupied a position of authority, respect, and trust over Plaintiff in
14 that Father Lenihan was an adult, an ordained priest, and the priest of Plaintiff's church. The
15 Dioceses likewise occupied a position of authority, respect, and trust over Plaintiff in that they
16 controlled and exercised jurisdiction over the churches and schools which Plaintiff attended.

17 62. Plaintiff felt great trust, faith and confidence in the Defendants.

18 63. Father Lenihan's above-described conduct was intentional and malicious and
19 done for the purpose of causing Plaintiff to suffer humiliation, mental anguish, and emotional and
20 physical distress. Father Lenihan's conduct in molesting and abusing Plaintiff, and in "offering"
21 Plaintiff up to another Catholic priest to be molested and abused, continued during the time that
22 Plaintiff was a minor; and Father Lenihan's conduct in continuing to cover up, and failing to act
23 upon, the molestations and abuses of Plaintiff by the other Catholic priest continues through today.

24 64. Furthermore, the Dioceses' above-described conduct was intentional and
25 malicious and done for the purpose of causing Plaintiff to suffer humiliation, mental anguish, and
26 emotional and physical distress. The Dioceses' conduct in covering up the molestations and abuses
27 by Father Lenihan, continuing to allow Father Lenihan to act as a Catholic priest within the
28 Dioceses, continuing to hold Father Lenihan out as a Catholic priest who could be trusted with
minor parishioners and minor students, continuing to allow Father Lenihan to work with minor

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1 parishioners and minor students on a daily basis, and continuing to move Father Lenihan around to
2 different Catholic churches within the Dioceses, continued through at least September of 2001.

3 65. As a proximate result of the acts of the Defendants described herein, Plaintiff was
4 hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
5 person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional,
6 spiritual, physical, and nervous pain and suffering. Plaintiff is informed and believes, and on that
7 basis alleges, that the injuries will result in continuing and permanent disability to her. As a result
8 of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
9 time of trial.

10 66. As a further proximate result of the acts of the Defendants described herein,
11 Plaintiff developed and continues to suffer from depression and frequent periodic episodes of
12 anxiety, panic, fear, and other forms of emotional distress. Plaintiff is informed and believes, and
13 on that basis alleges, that the injuries will result in some permanent disability to her. By reason
14 thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of
15 trial.

16 67. As a further proximate result of the acts of the Defendants described herein,
17 Plaintiff developed and continues to suffer from severe headaches, nausea, and other physical
18 ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in
19 some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages
20 in an amount to be determined at the time of trial.

21 68. As a further proximate result of the acts of the Defendants described herein,
22 Plaintiff has been damaged in that she has been required, and will be required in the future, to
23 expend money and to incur obligations for health care providers required in the treatment and relief
24 of the injuries alleged, in an amount to be determined at the time of trial.

25 69. As a further proximate result of the acts of the Defendants described herein,
26 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
27 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.
28

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1 70. The above-described conduct of the Defendants was willful and outrageous, was
2 committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
3 mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was
4 otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein,
5 Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an
6 award of exemplary or punitive damages.

7
8 **FIFTH CAUSE OF ACTION**
9 **(Fraud: Concealment of Facts)**
 (Against All Defendants)

10 71. Plaintiff hereby incorporates by reference and re-alleges all of the allegations
11 contained in paragraphs 1 through 70, as though fully set forth herein.

12 72. Beginning in or around 1978, and continuing until today, Defendants had actual
13 and constructive knowledge that Father Lenihan had molested, and sexually, mentally, and
14 physically abused Mary Grant and Plaintiff. Furthermore, Father Lenihan had actual and
15 constructive knowledge that another Catholic priest had molested, and sexually, mentally, and
16 physically abused Plaintiff.

17 73. Plaintiff is informed and believes, and on that basis alleges, that Defendants
18 affirmatively represented to Plaintiff, Plaintiff's parents, other students and parishioners at churches
19 and schools owned, maintained, and controlled by the Dioceses in which Father Lenihan worked,
20 that Father Lenihan was safe, and morally and spiritually beneficial to all minors, students, minor
21 students, minor parishioners, and others under Father Lenihan's control, direction, and guidance.
22 Plaintiff is informed and believes, and on that basis alleges, that when Defendants made these
23 affirmative misrepresentations, Defendants suppressed the material facts that Father Lenihan had on
24 numerous occasions sexually, physically, and/or mentally abused Plaintiff and Mary Grant, and/or
25 knew of or learned of conduct by Father Lenihan's which placed Defendants on notice that Father
26 Lenihan was likely abusing other students and/or parishioners.

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1 74. Plaintiff was a minor parishioner at St. Norbert, and was under Father Lenihan's
2 supervision and care during these times, creating a special fiduciary relationship or special care
3 relationship with Defendants, and each of them. As the responsible party and/or employer
4 controlling Father Lenihan, and as the operators of a church where minors attended, Defendants
5 were also in a special relationship with Plaintiff.

6 75. Plaintiff is informed and believes, and on that basis alleges, that before, during
7 and after the time that Plaintiff was molested and abused by Father Lenihan, Defendants had a duty
8 to disclose to Plaintiff, and minors, students, minor students, parishioners, minor parishioners,
9 others under Father Lenihan's control, direction, and guidance, parents, and the authorities that
10 Father Lenihan had been and was continuing to engage in sexually related conduct with minors, but
11 intentionally suppressed and concealed this information. The duty to disclose arose by the special,
12 trusting, confidential, and/or fiduciary relationship between Defendants and Plaintiff as alleged
13 herein, pursuant to Tarasoff v. Regents Of Univ. of Cal., 17 Cal. 3d 425, 131 Cal. Rptr. 14, 23
14 (1976) and LiMandri v. Judkins, 52 Cal. App. 4th 326, 60 Cal. Rptr. 539, 543 (1997); by reason of
15 the Defendants' duty to report, as child care custodians, known or suspected incidences of sexual
16 molestation or abuse of minors to a child protective agency, pursuant to California Penal Code
17 section 11166, enacted in 1980; by reason of the fact that Defendants made affirmative
18 representations regarding Father Lenihan, but suppressed the material facts about the molestations,
19 pursuant to Randi W. v. Muroc Joint Unified School, 14 Cal. App. 4th 1066, 929 P.2d 582, 592
20 (1997); by reason of the Defendants' duty to report Father Lenihan's sexual crimes to the California
21 Department of Education, pursuant to California Code of Regulations, title 5, art. 7, § 701; by reason
22 of the fact that the Defendants had exclusive knowledge of the material facts alleged herein
23 regarding Father Lenihan which were not known to Plaintiff and/or not assessable to Plaintiff,
24 pursuant to LiMandri v. Judkins, 52 Cal. App. 4th 326, 60 Cal. Rptr. 539, 543 (1997); and by reason
25 of the fact that a special relationship, as employer/employee, existed between the Defendant
26 Dioceses and Father Lenihan which imposed a duty upon the Defendants Dioceses to control Father
27 Lenihan's conduct, pursuant to Tarasoff v. Regents Of Univ. of Cal., 17 Cal. 3d 425, 131 Cal. Rptr.
28 14, 23 (1976).

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1 76. Plaintiff is informed and believes, and on that basis alleges, that said intentional
2 and deliberate suppression and concealment of facts included, but was not limited to: transferring
3 Father Lenihan from position to position whenever too many complaints or reports surfaced
4 regarding his molestations in any one location; making no investigations; issuing no warnings;
5 permitting Father Lenihan routinely and often to be alone with minors; not having adopted a policy
6 to prevent permitting Father Lenihan routinely and often to be alone with minors; making no reports
7 of any allegations of Father Lenihan's abuse and molestations; and assigning and continuing to
8 assign Father Lenihan to duties which placed him in positions of authority and trust over minors in
9 which Father Lenihan could easily be alone with such persons.

10 77. Plaintiff is informed and believes, and on that basis alleges, that Defendants, and
11 each of them, made no attempt to take any negative action against Father Lenihan.

12 78. Plaintiff is informed and believes, and on that basis alleges, that said suppressions
13 and concealment of facts were likely to mislead Plaintiff, her parents, parishioners, students, and
14 others to believe that Defendants had no knowledge of any charges, or that there were no other
15 charges of sexual misconduct against Father Lenihan, that Defendants were directly supervising and
16 preventing Father Lenihan from contact with minors, students, or minor students, and that there was
17 no need for them to take further action.

18 79. Plaintiff is informed and believes, and on that basis alleges, that Defendants, and
19 each of them, knew at the time they suppressed and concealed the true facts regarding Father
20 Lenihan's sexual molestations, that said suppressions and concealment of fact were misleading.

21 80. Plaintiff is informed and believes, and on that basis alleges, that Defendants, and
22 each of them, suppressed and concealed the true facts with the intent to prevent Plaintiff, her
23 parents, parishioners, and others, from learning that Father Lenihan had been and was continuing to
24 molest minors, students, minor students, parishioners, minor parishioners, and others under Father
25 Lenihan's control, direction, and guidance, with complete impunity; to induce people, including
26 Plaintiff, her parents, other parishioners, benefactors, and donors to the Dioceses to participate and
27 financially support, and to continue to participate in and financially support parishes, schools,
28 camps and other Church money-making enterprises; to prevent further reports and outside

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1 investigations into Father Lenihan's and Defendants' conduct; to prevent discovery of Defendants'
2 own fraudulent conduct; to avoid damage to the reputations of Defendants; to protect their power
3 and status in the Church hierarchy; to avoid damage to the reputation of the Church; and to avoid
4 the civil and criminal liability of Defendants and of Father Lenihan.

5 81. Plaintiff is informed and believes, and on that basis alleges, that at all times
6 mentioned herein, Defendants, with knowledge of the tortuous nature of their own and each others'
7 conduct, knowingly and intentionally gave each other substantial assistance to perpetrate the fraud
8 and deceit alleged herein.

9 82. Plaintiff is informed and believes, and on that basis alleges, that Plaintiff, her
10 parents, students, benefactors, donors, parishioners, and others, were misled by Defendants'
11 intentional suppressions and concealment of facts, and in reliance thereon, were induced to act or
12 induced not to act exactly as intended by Defendants, and each of them, and specifically Plaintiff
13 and her parents were induced to believe that there were no allegations of sexual abuse against Father
14 Lenihan. Had Plaintiff, her parents, students, other parents, parishioners, and others, known the true
15 facts and not been ignorant of the suppressions and concealment of facts and misrepresentations,
16 they would have determined not to participate further or to further financially support the Dioceses'
17 activities alleged herein; would not have allowed their children to go to a church under the control
18 of the Defendants and Father Lenihan; would have reported the matters to the proper authorities, to
19 other parishioners, to parents of and to minor students so as to prevent future recurrences; would not
20 have allowed children, including Plaintiff, to be alone with or have any relationship with Father
21 Lenihan; would have undertaken their own investigations which would have led to discovery of the
22 true facts; and would have sought psychological counseling for Plaintiff, and other molested minor
23 students.

24 83. Plaintiff is informed and believes, and on that basis alleges, that as a direct and
25 proximate result of the wrongful conduct of said Defendants, Plaintiff was molested and sexually,
26 physically, and mentally abused by Father Lenihan, as alleged herein.

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1 84. Furthermore, the Defendants' fraud, which continues through today, caused
2 Plaintiff to experience recurrences of the severe mental distress, including fear, anger, shame,
3 humiliation, helplessness, and guilt, that Plaintiff had experienced at the time Plaintiff was
4 molested; and further caused Plaintiff to experience extreme and severe mental distress, manifested
5 by the above feelings, that Plaintiff had been the victim of Defendants' fraud, that Plaintiff had not
6 been able to help other minors being molested because of the fraud, and that Plaintiff had not been
7 able because of the fraud to receive timely psychological counseling Plaintiff needed to deal with
8 problems Plaintiff had suffered and continues to suffer as a result of the molestations.

9 85. As a proximate result of the acts of the Dioceses described herein, Plaintiff was
10 hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
11 person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional,
12 spiritual, physical, and nervous pain and suffering. Plaintiff is informed and believes, and on that
13 basis alleges, that the injuries will result in continuing and permanent disability to her. As a result
14 of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
15 time of trial.

16 86. As a further proximate result of the acts of the Defendants described herein,
17 Plaintiff developed and continues to suffer from depression and frequent periodic episodes of
18 anxiety, panic, fear, and other forms of emotional distress. Plaintiff is informed and believes, and
19 on that basis alleges, that the injuries will result in some permanent disability to her. By reason
20 thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of
21 trial.

22 87. As a further proximate result of the acts of the Defendants described herein,
23 Plaintiff developed and continues to suffer from severe headaches, nausea, and other physical
24 ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in
25 some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages
26 in an amount to be determined at the time of trial.

1 88. As a further proximate result of the acts of the Defendants described herein,
 2 Plaintiff has been damaged in that she has been required, and will be required in the future, to
 3 expend money and to incur obligations for health care providers required in the treatment and relief
 4 of the injuries alleged, in an amount to be determined at the time of trial.

5 89. As a further proximate result of the acts of the Defendants described herein,
 6 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
 7 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

8 90. The above-described conduct of the Defendants was willful and outrageous, was
 9 committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
 10 mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was
 11 otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein,
 12 Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an
 13 award of exemplary or punitive damages.
 14

15 **SIXTH CAUSE OF ACTION**
 16 (Violation of Statute – Accessory After the Fact)
 (Against All Defendants)

17 91. Plaintiff hereby incorporates by reference and re-alleges all of the allegations
 18 contained in paragraphs 1 through 90, as though fully set forth herein.

19 92. At all times mentioned herein, the conduct of Father Lenihan constitutes a felony
 20 under this state's criminal statutes. Furthermore, the conduct of the other Catholic priest who
 21 molested Plaintiff constitutes a felony under this state's criminal statutes.

22 93. Defendants, and each of them, had and continue to have, actual and/or
 23 constructive knowledge that Father Lenihan engaged in felonious conduct toward minors, students,
 24 minor students, parishioners, minor parishioners, and others under Father Lenihan's control,
 25 direction, and guidance. Furthermore, Father Lenihan has and continues to have, actual and/or
 26 constructive knowledge that another Catholic priest engaged in felonious conduct toward Plaintiff
 27 who was a minor.
 28

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1 94. With knowledge of Father Lenihan's felonious acts, as alleged herein,
2 Defendants, and each of them, unlawfully impeded justice by harboring, concealing and aiding
3 Father Lenihan by transferring him from position to position; suppressing and concealing the true
4 facts; permitting Father Lenihan routinely and often to have minors, students, minor students,
5 parishioners, minor parishioners, and others under Father Lenihan's control, direction, and
6 guidance; keeping his criminal activities confidential; and harboring him within the protective cloak
7 of the church. Father Lenihan thereafter continued to engage in his felonious acts with the
8 knowledge and aid of Defendants, and each of them. Furthermore, with knowledge of the other
9 Catholic priest's felonious acts, as alleged herein, Father Lenihan unlawfully impeded justice by
10 harboring, concealing and aiding the other Catholic priest by suppressing and concealing the true
11 facts; permitting the other Catholic priest routinely and often to have minors under the other
12 Catholic priest's control, direction, and guidance; keeping the other Catholic priest's criminal
13 activities confidential; and harboring the other Catholic priest within the protective cloak of the
14 church.

15 95. At all times mentioned herein there was in effect California Penal Code, Section
16 32 which prohibits knowingly providing aid to anyone who has committed a felony with the intent
17 of allowing them to escape arrest, trial, conviction or punishment.

18 96. Plaintiff was within the class of persons to be protected by Penal Code, Section
19 32.

20 97. Nevertheless, Plaintiff is informed and believes, and on that basis alleges, that
21 Defendants, and each of them, engaged in the actions alleged herein by knowingly harboring,
22 concealing and aiding Father Lenihan in such felonies with the intent that Father Lenihan would
23 avoid or escape arrest, trial, conviction or punishment. Furthermore, Father Lenihan engaged in the
24 actions alleged herein by knowingly harboring, concealing and aiding the other Catholic priest in
25 such felonies with the intent that the other Catholic priest would avoid or escape arrest, trial,
26 conviction or punishment.
27
28

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1 98. Plaintiff is informed and believes, and on that basis alleges, that Defendants and
2 each of them, with knowledge of the tortuous nature of their own and each others' conduct,
3 knowingly and intentionally gave each other substantial assistance to violate the statute, as alleged
4 herein.

5 99. As a proximate result of the acts of the Defendants described herein, Plaintiff was
6 hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
7 person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional,
8 spiritual, physical, and nervous pain and suffering. Plaintiff is informed and believes, and on that
9 basis alleges, that the injuries will result in continuing and permanent disability to her. As a result
10 of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
11 time of trial.

12 100. As a further proximate result of the acts of the Defendants described herein,
13 Plaintiff developed and continues to suffer from depression and frequent periodic episodes of
14 anxiety, panic, fear, and other forms of emotional distress. Plaintiff is informed and believes, and
15 on that basis alleges, that the injuries will result in some permanent disability to her. By reason
16 thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of
17 trial.

18 101. As a further proximate result of the acts of the Defendants described herein,
19 Plaintiff developed and continues to suffer from severe headaches, nausea, and other physical
20 ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in
21 some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages
22 in an amount to be determined at the time of trial.

23 102. As a further proximate result of the acts of the Defendants described herein,
24 Plaintiff has been damaged in that she has been required, and will be required in the future, to
25 expend money and to incur obligations for health care providers required in the treatment and relief
26 of the injuries alleged, in an amount to be determined at the time of trial.

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1 103. As a further proximate result of the acts of the Defendants described herein,
2 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
3 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

4 104. The above-described conduct of the Defendants was willful and outrageous, was
5 committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
6 mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was
7 otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein,
8 Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an
9 award of exemplary or punitive damages.

10
11 **SEVENTH CAUSE OF ACTION**
12 **(Negligent Supervision/Retention/Hiring)**
13 **(Against Defendants Dioceses and Defendants Does 1 through 100, Inclusive)**

14 105. Plaintiff hereby incorporates by reference and re-alleges all of the allegations
15 contained in paragraphs 1 through 104, as though fully set forth herein.

16 106. Plaintiff is informed and believes, and on that basis alleges, that as a result of the
17 affiliation Plaintiff had with the church, with Father Lenihan, and with other church officials, a
18 special fiduciary relationship, of human and spiritual trust, with concomitant in loco parentis duties
19 (ie, providing a safe haven for Plaintiff, by providing for her physical and emotional care and safety)
20 existed between Plaintiff and the Dioceses.

21 107. As alleged above, Plaintiff was sexually molested by Father Lenihan, with the
22 molestations constituting a breach of duty owed to Plaintiff by the Dioceses to supervise Father
23 Lenihan, and to provide a safe haven for Plaintiff.

24 108. Plaintiff is informed and believes, and on that basis alleges, that at no time during
25 the periods of time alleged did the Defendants Dioceses have in place a system or procedure to
26 supervise and/or monitor priests to insure that those priests did not molest or abuse minors in the
27 Dioceses' care.
28

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1 109. Plaintiff is informed and believes, and on that basis alleges, that those individuals
2 employed or governed by the Defendants Dioceses were aware, and understood how vulnerable
3 children were to sexual abuse by priests.

4 110. At the times that the Plaintiff was molested, Defendants Dioceses were placed on
5 actual and constructive notice that Father Lenihan had molested another minor student, Mary Grant.
6 Furthermore, during the time that Father Lenihan was molesting the Plaintiff, the Dioceses were put
7 on notice that Father Lenihan was molesting the Plaintiff and Mary Grant. Even so, the Dioceses
8 continued to retain Father Lenihan, and continued to fail to supervise Father Lenihan, through
9 today's date.

10 111. As a proximate result of the acts of the Defendants described herein, Plaintiff was
11 hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
12 person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional,
13 spiritual, physical, and nervous pain and suffering. Plaintiff is informed and believes, and on that
14 basis alleges, that the injuries will result in continuing and permanent disability to her. As a result
15 of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
16 time of trial.

17 112. As a further proximate result of the acts of the Defendants described herein,
18 Plaintiff developed and continues to suffer from depression and frequent periodic episodes of
19 anxiety, panic, fear, and other forms of emotional distress. Plaintiff is informed and believes, and
20 on that basis alleges, that the injuries will result in some permanent disability to her. By reason
21 thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of
22 trial.

23 113. As a further proximate result of the acts of the Defendants described herein,
24 Plaintiff developed and continues to suffer from severe headaches, nausea, and other physical
25 ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in
26 some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages
27 in an amount to be determined at the time of trial.
28

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114. As a further proximate result of the acts of the Defendants described herein, Plaintiff has been damaged in that she has been required, and will be required in the future, to expend money and to incur obligations for health care providers required in the treatment and relief of the injuries alleged, in an amount to be determined at the time of trial.

115. As a further proximate result of the acts of the Defendants described herein, Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages, and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

116. The above-described conduct of the Defendants was willful and outrageous, was committed in reckless disregard of the probability of causing Plaintiff severe emotional distress, mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein, Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an award of exemplary or punitive damages.

EIGHTH CAUSE OF ACTION

(Negligent Infliction of Emotional Distress)

(Against Defendants Dioceses and Defendants Does 1 through 100, Inclusive)

117. Plaintiff hereby incorporates by reference and re-alleges all of the allegations contained in paragraphs 1 through 116, as though fully set forth herein.

118. Defendants Dioceses knew or should have known that Father Lenihan had been and was continuing to engage in sexually related conduct with Plaintiff and Mary Grant. Defendants Dioceses had a duty to disclose to Plaintiff, and minors, students, minor students, parishioners, minor parishioners, others under Father Lenihan's control, direction, and guidance, parents, and the authorities that Father Lenihan had been and was continuing to engage in sexually related conduct with minors. The duty to disclose arose by the special, trusting, confidential, and/or fiduciary relationship between Defendants and Plaintiff as alleged herein, pursuant to Tarasoff v. Regents Of Univ. of Cal., 17 Cal. 3d 425, 131 Cal. Rptr. 14, 23 (1976) and LiMandri v. Judkins, 52 Cal. App. 4th 326, 60 Cal. Rptr. 539, 543 (1997); by reason of the Defendants' duty to report, as child care custodians, known or suspected incidences of sexual molestation or abuse of minors to a

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1 child protective agency, pursuant to California Penal Code section 11166, enacted in 1980; by
2 reason of the fact that Defendants made affirmative representations regarding Father Lenihan as
3 alleged above, but suppressed the material facts about the molestations, pursuant to Randi W. v.
4 Muroc Joint Unified School, 14 Cal. App. 4th 1066, 929 P.2d 582, 592 (1997); by reason of the
5 Defendants' duty to report Father Lenihan's sexual crimes to the California Department of
6 Education, pursuant to California Code of Regulations, title 5, art.7, § 701; by reason of the fact that
7 the Defendants had exclusive knowledge of the material facts alleged herein regarding Father
8 Lenihan which were not known to Plaintiff and/or not assessable to Plaintiff, pursuant to LiMandri
9 v. Judkins, 52 Cal. App. 4th 326, 60 Cal. Rptr. 539, 543 (1997); and by reason of the fact that a
10 special relationship, as employer/employee, existed between the Defendant Dioceses and Father
11 Lenihan which imposed a duty upon the Defendants Dioceses to control Father Lenihan's conduct,
12 pursuant to Tarasoff v. Regents Of Univ. of Cal., 17 Cal. 3d 425, 131 Cal. Rptr. 14, 23 (1976).

13 119. Plaintiff felt great trust, faith and confidence in Defendants Dioceses, as her
14 spiritual leaders and educators.

15 120. Defendants Dioceses negligently failed to disclose, suppressed, and concealed
16 this information regarding Father Lenihan, before Plaintiff was molested by Father Lenihan, during
17 the time that Plaintiff was molested by Father Lenihan, and after the time that Plaintiff was molested
18 by Father Lenihan.

19 121. Defendants Dioceses' hereinabove-described conduct caused Plaintiff to suffer
20 humiliation, mental anguish, and emotional and physical distress.

21 122. As a proximate result of the acts of the Defendants described herein, Plaintiff was
22 hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
23 person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional,
24 spiritual, physical, and nervous pain and suffering. Plaintiff is informed and believes, and on that
25 basis alleges, that the injuries will result in continuing and permanent disability to her. As a result
26 of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
27 time of trial.
28

1 123. As a further proximate result of the acts of the Defendants described herein,
2 Plaintiff developed and continues to suffer from depression and frequent periodic episodes of
3 anxiety, panic, fear, and other forms of emotional distress. Plaintiff is informed and believes, and
4 on that basis alleges, that the injuries will result in some permanent disability to her. By reason
5 thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of
6 trial.

7 124. As a further proximate result of the acts of the Defendants described herein,
8 Plaintiff developed and continues to suffer from severe headaches, nausea, and other physical
9 ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in
10 some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages
11 in an amount to be determined at the time of trial.

12 125. As a further proximate result of the acts of the Defendants described herein,
13 Plaintiff has been damaged in that she has been required, and will be required in the future, to
14 expend money and to incur obligations for health care providers required in the treatment and relief
15 of the injuries alleged, in an amount to be determined at the time of trial.

16 126. As a further proximate result of the acts of the Defendants described herein,
17 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
18 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

19 127. The above-described conduct of the Defendants was willful and outrageous, was
20 committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
21 mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was
22 otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein,
23 Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an
24 award of exemplary or punitive damages.

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NINTH CAUSE OF ACTION
(Violation of Statute – Penal Code Section 11166)
(Against All Defendants)

128. Plaintiff hereby incorporates by reference and re-alleges all of the allegations contained in paragraphs 1 through 127, as though fully set forth herein.

129. Under the Child Abuse and Neglect Reporting Act, the Defendants, by and through their employees and agents, were "child care custodians" and were "clergy members" under a statutory duty to report known or suspected incidences of sexual molestation or abuse of minors to a child protective agency, pursuant to California Penal Code section 11164.

130. Plaintiff is informed and believes, and on that basis alleges, that the Defendants knew, or should have known in the exercise of reasonable diligence, that Defendant Lenihan had sexually molested, abused, or caused touching, battery, harm and other injuries to Plaintiff, a minor, and to other minors, giving rise to a duty to report such conduct under section 11166 of the California Penal Code. Plaintiff is informed and believes, and on that basis alleges, that Father Lenihan knew, or should have known in the exercise of reasonable diligence, that his priest friend had sexually molested, abused, or caused touching, battery, harm and other injuries to Plaintiff, a minor, giving rise to a duty to report such conduct under section 11166 of the California Penal Code.

131. Plaintiff is further informed and believes, and on that basis alleges, that the Defendants knew, or should have known in the exercise of reasonable diligence, that an undue risk to minors, such as Plaintiff, existed because the priests, even though they had been advised or otherwise knew or should have known of the wrongful acts of the priests, did not comply with these mandatory reporting requirements.

132. By failing to report the continuing molestations known by the Defendants, and each of them, and by ignoring the fulfillment of the mandated compliance with the reporting requirements provided under California Penal Code section 11166, the Defendants created the risk and danger contemplated by the Child Abuse and Neglect Reporting Act, and as a result, unreasonably and wrongfully exposed Plaintiff and other minors to the molestation as alleged herein, thereby breaching Defendants' duty of care to Plaintiff.

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1 133. Plaintiff was one of the class of persons for whose protection California Penal
2 Code section 11166 was specifically adopted to protect.

3 134. Had the Defendants adequately performed their duties under section 11166 of the
4 California Penal Code, and reported the molestation of Plaintiff and other minors, the report would
5 have resulted in the involvement of trained child sexual abuse case workers for the purposes of
6 preventing harm and further harm to Plaintiff and other minors, and preventing and/or treating the
7 injuries and damages suffered by Plaintiff as alleged herein.

8 135. As a proximate result of the Defendants' failure to follow the mandatory reporting
9 requirements of California Penal Code section 11166, and to report the acts of the priests, the
10 Defendants wrongfully denied and restricted Plaintiff and other minors from the protection of child
11 protection agencies which would have changed the then existing arrangements and conditions,
12 which provided the access and opportunities for the molestation of Plaintiff.

13 136. The physical, mental, and emotional damages and injuries resulting from the
14 sexual molestation of Plaintiff by the priests alleged herein, were the types of occurrences and
15 injuries the Child Abuse and Neglect Reporting Act was designed to prevent.

16 137. The Defendants continue to violate these statutory sections because of their
17 continued failure to report the abuse known to them.

18 138. As a proximate result of the acts of the Defendants described herein, Plaintiff was
19 hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
20 person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional,
21 spiritual, physical, and nervous pain and suffering. Plaintiff is informed and believes, and on that
22 basis alleges, that the injuries will result in continuing and permanent disability to her. As a result
23 of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
24 time of trial.

25 139. As a further proximate result of the acts of the Defendants described herein,
26 Plaintiff developed and continues to suffer from depression and frequent periodic episodes of
27 anxiety, panic, fear, and other forms of emotional distress. Plaintiff is informed and believes, and
28 on that basis alleges, that the injuries will result in some permanent disability to her. By reason

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1 thereof Plaintiff has suffered past and future damages in an amount to be determined at the time of
 2 trial.

3 140. As a further proximate result of the acts of the Defendants described herein,
 4 Plaintiff developed and continues to suffer from severe headaches, nausea, and other physical
 5 ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will result in
 6 some permanent disability to her. By reason thereof Plaintiff has suffered past and future damages
 7 in an amount to be determined at the time of trial.

8 141. As a further proximate result of the acts of the Defendants described herein,
 9 Plaintiff has been damaged in that she has been required, and will be required in the future, to
 10 expend money and to incur obligations for health care providers required in the treatment and relief
 11 of the injuries alleged, in an amount to be determined at the time of trial.

12 142. As a further proximate result of the acts of the Defendants described herein,
 13 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
 14 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

15 143. The above-described conduct of the Defendants was willful and outrageous, was
 16 committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
 17 mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was
 18 otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein,
 19 Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an
 20 award of exemplary or punitive damages.

21
 22 WHEREFORE, Plaintiff prays judgment against Defendants, and each of them, as
 23 follows:

24 FOR ALL CAUSES OF ACTION

- 25 1. For past and future general damages in an amount to be determined at trial.
 26 2. For past and future special damages in an amount to be determined at trial.
 27 3. For past and future lost earnings in an amount to be determined at trial.
 28

1 4. For punitive or exemplary damages in an amount appropriate to punish or set an
2 example of Defendants.

3 5. For costs of suit.

4 6. For interest as allowed by law.

5 7. For such other and further relief as the court may deem proper.
6

7 DATE: December 12, 2001

Law Offices of FREBERG & ASSOCIATES

8 By: 

KATHERINE K. FREBERG

Attorneys for Plaintiff,

Redacted

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Law Offices of
FREBERG & ASSOCIATES
4601 IRVING STREET, SUITE 1070
IRVING, CALIFORNIA 92614
TELEPHONE (949) 43-1111

DIOCESE OF ORANGE



OFFICE OF THE SECRETARY TO THE BISHOP/
DIRECTOR OF CLERGY PERSONNEL
MARYWOOD CENTER
P.O. BOX 14195
2811 E. VILLA REAL DRIVE
ORANGE, CALIFORNIA 92863-1595
PHONE (714) 282-3000
FAX (714) 282-3029
EMAIL fr.mcmckiernan@rcbo.org

December 21, 2001

Reverend John Lenihan
c/o Southdown Institute
1335 St John's Sideroad East
Aurora, Ontario L4G 3G8

Dear Father Lenihan,

Given recent allegations regarding **Redacted** and a lawsuit pending, I place you on Administrative Leave effective today.

During this Administrative Leave, your monthly salary and all other benefits will continue to be paid by Saint Edward the Confessor Parish.

This Administrative Leave will extend until further notice.

Be assured of my prayers for you during this difficult time. If at any time you need me, please do not hesitate to call me.

Fraternally yours in Christ,

A handwritten signature in cursive script that reads "Tod D. Brown".

Most Reverend Tod D. Brown
Bishop of Orange

TDB:td

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March 28, 2002

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His Holiness, John Paul II
Vatican City
Europe

 COPY

Your Holiness:

Under the provisions of canon law, I humbly request a dispensation from the obligations connected with the priesthood, including priestly celibacy, and ask that I be returned to the lay state.

My name is John Peter Lenihan. I was born in County Kerry, Ireland on March 5, 1946. I was baptized into the Roman Catholic Church on March 6, 1946 at Ballymacelligott Parish, County Kerry Ireland.

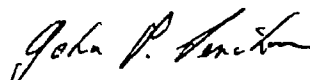
I was committed to priesthood from a very early age and attended Salesian College, Pallaskenry, County Limerick, Ireland for high school at a boy's boarding school from 1958 at the age of twelve until 1963. I immediately entered All Hallows Seminary, Dublin, Ireland. I progressed through philosophy (no degree in those days) and theology and was ordained June 15, 1969 at the age of 23.

I immediately came to Los Angeles Archdiocese and was assigned as associate pastor at All Souls Church in Alhambra, California. I have been in parish work for all of my 33 years as a priest. I was removed as Pastor of St. Edward Parish, Dana Point, California on September 18, 2001 and spend four months in residential treatment at Southdown, Toronto, Canada.

I was totally celibate until 1978 when I became involved with a teenager and that was followed by a sexual relationship with another teen shortly afterward. Both have now come to light and resulted in lawsuits, one in 1991, the other in 2002. Subsequently I had a number of adult relationships. After counseling, spiritual direction and pressure from the diocese, media, and plaintiffs and in the hope of personal salvation and holiness I desire this dispensation.

It is with deep regret that I present this petition to you. When ordained, I had fully intended a life of faithful service to Christ and the Church as a priest. However, I am now convinced it is vital for my spiritual welfare and for the good of the Church to submit this petition. I do so after careful deliberation. I have left the active priestly ministry, but maintain a deep love for Christ and a desire to actively practice my faith. I do not believe the granting of a dispensation would create any new scandal. People are aware of my status and family and friends have been most supportive and understanding of my decision. Therefore, I humbly and prayerfully entrust this petition to you, asking for a favorable decision.

Sincerely yours in Christ,



John Peter Lenihan
P.O. Box 30012 #192
Laguna Niguel, CA 92677-6192

000202

DIOCESE OF ORANGE



OFFICE OF HUMAN RESOURCES

MARYWOOD CENTER
2811 E. VILLA REAL DRIVE
P.O. BOX 14195
ORANGE, CA 92863-1595
PHONE (714) 282-3024
EMAIL: mschindler@arcop.org
FAX (714) 637-2988

FOR IMMEDIATE RELEASE

Contact: **Redacted** **Redacted**
Director of Human Resources

DIOCESE OF ORANGE AND ARCHDIOCESE OF LOS ANGELES SETTLE THE LENIHAN CASE FOR \$1.2 MILLION

This action settles the only sexual abuse litigation currently pending against the Diocese of Orange.

Orange, CA — APRIL 1, 2002 — Today, the Roman Catholic Diocese of Orange announced the settlement of a sexual abuse action brought by **Redacted** **Redacted** against Father John Lenihan, the Diocese of Orange and the Archdiocese of Los Angeles. This was the only pending sexual abuse litigation against the Diocese and a priest in Orange County. The Diocese of Orange and the Archdiocese of Los Angeles contributed to the settlement amount. A portion of the settlement funds will be contributed by insurance carriers, the balance from investment revenue. Contributions from the pastoral services appeal and other direct contributions were not used.

Father John Lenihan, a former pastor, was removed from public ministry last fall for other serious breaches of conduct, and shortly thereafter, Ms. **Redacted** **Redacted** filed her action. Lenihan was asked by Tod Brown, Bishop of the Roman Catholic Diocese of Orange to seek laicization, the canonical process to return a priest to the lay state, after which he lacks the ability to exercise Sacred Orders. Lenihan has agreed to leave the priesthood. It is anticipated that the Vatican will grant Lenihan's petition for laicization.

According to Bishop Brown, "I am deeply sorry for the hurt caused by the actions of Father Lenihan, and extend my apology to **Redacted** and all victims of sexual abuse by clergy. I ask that the good people of the Diocese of Orange remember all victims of abuse in their prayers of renewed hope during this Easter Season. The very painful reality of the injury caused by attacks on the innocent and vulnerable by a few priests have profoundly affected all. The Church should be a safe place. We are taking every feasible step to make sure that clergy, religious and lay people who act in the name of the Catholic Church in

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OFFICE OF CANONICAL SERVICES
DIOCESE OF ORANGE
2811 East Villa Real Drive
Orange, California 92867



MAILING ADDRESS:
Post Office Box 14195
Orange, California 92863-1595
(714) 282-3080 • Fax (714) 282-3087

His Eminence,
Jorge Arturo Card. Medina Estévez
Congregation for Divine Worship and Discipline of the Sacraments
Palazzo delle Congregazioni
Piazza Pio XII, 10
00120 Vatican City State

Your Eminence:

I would like to take the opportunity to thank you sincerely for your careful and speedy help in processing the recent Petition for Dispensation from the Obligations of Ordination of John Peter Lenihan.

I also would like to officially notify your Congregation that the Rescript was communicated to and accepted by John Lenihan, as indicated by his signature on the Rescript, included with this letter. The Rescript was also communicated to the Ordinary of Domicile, Cardinal Mahony of Los Angeles in California.

This Petition involved a most difficult situation, and your gracious help and consideration in bringing it to a quick resolution is much appreciated.

I offer my prayerful thanks and best wishes to Your Eminence and all who work under your supervision in the Congregation.

Sincerely yours in Christ,

A handwritten signature in dark ink, appearing to read "Tod D. Brown".

Most Rev. Tod D. Brown
Bishop of Orange in California

07/31/02
Date

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APOSTOLIC NUNCIATURE
UNITED STATES OF AMERICA

3339 MASSACHUSETTS AVENUE, N.W.
WASHINGTON, D.C. 20008-3687

No. 14.599.....

This No. Should Be Prefixed to the Answer

COPY

May 6, 2002

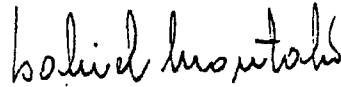
Dear Father Cook:

Thank you for your kind letter of May 3, 2002, and enclosures.

Rest assured that the documentation for a Petition for Laicization for John Peter Lenihan will be duly forwarded to the **Congregation for Divine Worship and the Discipline of the Sacraments** as quickly as possible.

With cordial regards and best wishes, I am

Sincerely yours in Christ,

+ 

Archbishop Gabriel Montalvo
Apostolic Nuncio

Reverend Douglas Cook
Judicial Vicar, Instructor
Office of Canonical Services
Post Office Box 14195
Orange, CA 92863-1595

000097

JAMES P. McDONOUGH, Esq., SBN: 99066
LAW OFFICES OF JAMES P. McDONOUGH
31441 Santa Margarita Parkway, Suite A-367
Rancho Santa Margarita, CA 92888
(949) 589-4665
Attorney for Plaintiff:

Redacted

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE, CENTRAL JUSTICE CENTER

Redacted

Plaintiff,

vs.

THE ROMAN CATHOLIC BISHOP OF
ORANGE, a corporation sole, THE ROMAN
CATHOLIC ARCHBISHOP OF LOS
ANGELES, a corporation sole, FATHER
JOHN LENIHAN, and DOES 1 through

Defendants.

Case No. _____

COMPLAINT FOR

- (1) BREACH OF FIDUCIARY DUTIES;
- (2) PROFESSIONAL NEGLIGENCE
(Civil Code section 43.93 and
Business & Professions Code
6146, subd. (c)(3))
- (3) GENERAL NEGLIGENCE;
- (4) SEXUAL HARASSMENT
(Civil Code section 51.9)
- (5) VIOLATION OF STATUTE
(Health & Safety Code sections
11150, 11153, 11154);
- (6) BATTERY;
- (7) CIVIL CONSPIRACY;
- (8) FRAUDULENT CONCEALMENT
OF FACTS AND MISREPRE-
SENTATION OF FACTS;
- (9) INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS;
- (10) NEGLIGENT SUPERVISION,
RETENTION, HIRING;

- (11) NEGLIGENCE
MISREPRESENTATION;
(12) NEGLIGENCE INFLICTION OF
EMOTIONAL DISTRESS

Plaintiff, **Redacted**, alleges:

THE PARTIES

1. Plaintiff, **Redacted**, ("Plaintiff") is at all times hereinafter a resident of the County of Orange, State of California.

2. Plaintiff is informed and believes, and on that basis alleges, that Defendant THE ROMAN CATHOLIC BISHOP OF ORANGE (hereinafter the "Orange Diocese"). is, and at all times mentioned herein was, a religious corporation sole organized under the laws of the State of California, having its principal office in the City of Orange, its jurisdiction and control extending to and in the City of Orange, the City of Laguna Niguel, and the City of Dana Point, County of Orange, State of California.

3. Plaintiff is informed and believes, and on that basis alleges, that Defendant THE ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES (hereinafter the "Los Angeles Diocese"), a corporation sole is, and at all times mentioned herein was, a religious corporation organized under the laws of the State of California, having its principal office in the City of Los Angeles, its jurisdiction and control extending to and in the City of Los Angeles, County of Los Angeles, State of California. Plaintiff is further informed and believes, and on that basis alleges, that the Los Angeles Diocese had certain jurisdiction and control over other dioceses in Southern

1 California, including the Orange Diocese. The Orange Diocese and Los Angeles Diocese are at
2 all times hereinafter referred to as the "Dioceses."

3
4 4. Defendant Father John Lenihan ("Father Lenihan") was a Roman Catholic priest.
5 Father Lenihan was an agent, employee, or servant of the Dioceses, and/or was under the
6 jurisdiction and control of the Dioceses. Plaintiff is informed and believes, and on that basis
7 alleges, that at some times, Father Lenihan was assigned as an associate pastor at St. Norbert
8 Catholic Church ("St. Norbert") located in the City of Orange, County of Orange, State of
9 California. Plaintiff is informed and believes, and on that basis alleges, that at some time later,
10 Father Lenihan was assigned as a pastor at St. Boniface Church, located in the City of Anaheim,
11 County of Orange, and as a pastor at St. Edward Roman Catholic Church ("St. Edward") located
12 in the City of Dana Point, County of Orange, State of California.
13

14
15 5. Plaintiff is informed and believes, and on that basis alleges, that St. Norbert, St.
16 Boniface, and St. Edward were owned by and under the jurisdiction and control of the Orange
17 Diocese, which was in turn, within the jurisdiction and control of the Orange Diocese, which was
18 in turn, within the jurisdiction and control of the Los Angeles Diocese as to certain matters.
19

20 6. Defendants Does 1 through 100, inclusive, are sued herein under fictitious names.
21 Their true names and capacities, whether individual, corporate, associate, or otherwise, are
22 unknown to Plaintiff. When their true names and capacities are ascertained. Plaintiff will amend
23 this Complaint by inserting their true names and capacities herein. Plaintiff is informed and
24 believes, and on that basis alleges, that each of the fictitiously named Defendants is responsible in
25 some manner for the occurrences herein alleged, and that Plaintiff's damages are herein alleged
26 were proximately caused by those Defendants. The Doe Defendants, the Defendant Dioceses,
27 and Defendant Lenihan are some times hereinafter referred to as the "Defendants."
28

1 7. Plaintiff is informed and believes, and on that basis alleges, that at all times
2 mentioned herein, Defendants, and each of them, were the agents, servants, employers, masters,
3 servants, or co-conspirators of each of the remaining co-Defendants, and in doing the things
4 hereinafter alleged were acting within the course and scope of such relationship and with the
5 permission, approval, ratification, or consent of their co-Defendants.
6

7 **FACTS PERTAINING TO ALL CAUSES OF ACTION**
8

9 **Father Lenihan's Sexual Abuse Molestations and Illicit Conduct of Plaintiff**
10

11 8. Plaintiff was raised in the Catholic faith and since her early childhood years and
12 continuing through the current date, has actively practiced Catholicism and has regularly attended
13 Church, and closely followed the Roman Catholic doctrines. Plaintiff acquired a deep respect and
14 admiration for priests as Church leaders and counselors over the years, and since her early years
15 of childhood and continuing through the current date, she frequently sought help from and looked
16 to priests for spiritual guidance, emotional counseling, and support and strength in dealing with a
17 history of emotional problems and psychological disabilities occurring over her life.
18

19 9. In or about January of 1999, the Plaintiff moved to Orange County and she and her
20 son attended St. Edward Catholic Church, located in the City of Dana Point, County of Orange.
21 Plaintiff, attended St. Edward Church on a frequent basis over the course of 1999, and she spent
22 many hours in prayer and contemplation at the Church, in an effort to develop inner strength and
23 support to deal with her long history of depression and other psychological and emotional
24 difficulties. The frequency and duration of Plaintiff's visits to the Church increased in the later
25 part of 1999, as the Plaintiff felt her life was spinning out of control and she was unable to deal
26 with her depression, emotions, anxiety and guilt.
27
28

1
2 10. On or about a particular day in January, 2000, the Plaintiff attended Mass at St.
3 Edward Church, and following mass, remained several hours in the Church obsessing over her
4 past life difficulties and seeking direction through prayer and contemplation as to how to deal with
5 current problems arising from her battle against alcoholism, physical dependence, and facing
6 family and relationship difficulties. At that time, Plaintiff was experiencing extreme emotional
7 distress and depression relating to her past history being raised in a dysfunctional family; entering
8 a disastrous marriage, which resulted in physical abuse, and life-threatening situations and the
9 eventual suicide of her husband; the subsequent raising of a handicapped son; physical incapacities
10 and limitations from a life-threatening disease; and extensive history of alcohol abuse and
11 treatment, which continually failed when the Plaintiff was presented with stressful situations and
12 emotional difficulties.

13
14 11. Plaintiff, as a result of her long history of emotional difficulties and scarring and as a
15 result then current concerns regarding a destructive relationship and concerns about remaining
16 sober, she presented herself to Father Lenihan as being an emotionally fragile, vulnerable,
17 depressed and co-dependent person. On that particular day in January, 2000, Plaintiff was inside
18 the Church and was approached by Father Lenihan who inquired whether he could be of any
19 assistance to her. Plaintiff told Father Lenihan she was having difficulty coping with emotional
20 problems and Father Lenihan told the Plaintiff that he could assist her and suggested that they
21 return to his office to further discuss her problems. Plaintiff and Father Lenihan proceeded to his
22 office and there they spoke for 45 minutes to one hour, during which time Plaintiff confided in
23 Father Lenihan confidential details of her past dysfunctional family, life relationships, physical
24 illnesses, alcohol and other emotional concerns and difficulties she had been experiencing over the
25 course of her life. Plaintiff explained to Father Lenihan that she had been seeing therapists for
26 alcohol-related problems, that now she was involved in a problematic relationship which was
27 causing her extreme anxiety, distress, and other difficulties, and she had concerns about returning
28 to her alcohol abuse, if she was unable to come to terms with her emotions and resolve her

1 underlying difficulties. Plaintiff also related to Father Lenihan that she was unable to personally
2 deal with her emotional difficulties and upset and that she would need counseling assistance in
3 dealing with these difficulties. Father Lenihan specifically advised the Plaintiff that he was
4 qualified and capable in assisting her in dealing with her emotional difficulties and as a priest in the
5 Catholic Church and counselor, he had helped counsel other parishioners overcome their personal
6 problems and resulting emotional difficulties, and he assured her that he could help her overcome
7 her emotional problems and difficulties by counseling her.
8

9
10 12. Plaintiff truly believed that she could place her trust, faith and confidence in Father
11 Lenihan as a Catholic priest and counselor, because of her long history and deep respect for the
12 Catholic Church and the priest's role as a leader of the Church and that the Catholic Church's and
13 Dioceses' function in allowing a priest in his capacity to counsel parishioners on family and other
14 psychologically-related problems. Plaintiff, in the past, sought counseling and assistance in
15 overcoming emotional difficulties and other related family problems, from Catholic priests in other
16 parishes and had in the past received the counseling needed. Plaintiff agreed to place her trust and
17 confidences in Father Lenihan as a result of his assurances that he was qualified and capable of
18 helping her overcome her difficulties as he had helped others in the past. Plaintiff, in reliance
19 upon these representations and at the express invitation of Father Lenihan, consented to allow
20 Father Lenihan to counsel and treat her for her emotional difficulties, and thereon began a
21 two-year therapeutic relationship in which Plaintiff began expressing confidences and secrets of
22 her life and innermost feelings to Father Lenihan.
23

24 13. At Father Lenihan's suggestion, Plaintiff began meeting Father Lenihan for
25 counseling sessions on the average 3-4 times per week and he began telephoning her at her house
26 2-3 times a week over the next month. Father Lenihan also requested that the Plaintiff begin
27 attending Father Lenihan's masses at St. Edward and Father Lenihan often called Plaintiff
28 reminding her of the times his masses were to be conducted. Frequently, after the masses, Father

1 Lenihan would engage Plaintiff in further discussions regarding her emotional difficulties and
2 problems. During these sessions, Plaintiff began feeling more comfortable and expressing more
3 and more details of her tragic emotional history and Father Lenihan became more aware of her
4 vulnerabilities and her co-dependent personality.
5

6
7 14. During the time that Father Lenihan was counseling Plaintiff, he became aware that
8 she was involved in a relationship in which he diagnosed as being "destructive" and he undertook
9 a course of persuading and encouraging the Plaintiff to dissolve the relationship, which Father
10 Lenihan, justified as being "necessary for her emotional stability and well being." Plaintiff resisted
11 Father Lenihan's persuasive advice, expressing on numerous occasions that due to her
12 co-dependence on alcohol and people and anorexic problems, she would be unable to deal with
13 her feelings of loss, stress and guilt involved in the break-up of her relationship, and that she
14 feared the loss of her sobriety and physical well-being arising from the termination of the
15 relationship. In response, Father Lenihan repeatedly assured the Plaintiff that it would be in her
16 "best interest" to dissolve her relationship and that he would "always be available" to protect her
17 and keep her alcohol free and emotionally and physically sound. Thereafter, Plaintiff, pursuant to
18 Father Lenihan's repeated demands that her "relationship be dissolved by Easter," succumbed to
19 his persuasion and ended the relationship as directed.
20

21 15. In or about the Spring of 2000, Father Lenihan upon learning that the Plaintiff
22 followed his advice and ended her relationship, Father Lenihan initiated daily counseling sessions
23 and/or telephone communications, and within a few weeks advised the Plaintiff that certain
24 Church officials were "talking" about the frequency of their consultation, and Father Lenihan
25 suggested that further meetings be conducted outside of the Church. At Father Lenihan's
26 suggestion, they began counseling sessions at the local library and Plaintiff's house and Father
27 Lenihan continued to have Plaintiff attend Father Lenihan's masses at St. Edward Catholic
28 Church. During this time, Father Lenihan continued to encourage the Plaintiff to disclose her

1 innermost secrets to him, and Father Lenihan was becoming more aware of her vulnerabilities and
2 weaknesses and allowed her to build a co-dependency on him. Thereafter, and continuing for the
3 next 18 months, Father Lenihan began expressing feelings of love and affection for her and began
4 further encouraging her to express similar feelings of love and affection and he caused her to build
5 a dependency on him.
6

7
8
9 16. Thereafter, commencing about June, 2000, and continuing through March, 2002,
10 Father Lenihan, through misrepresentations, deception and exploitation and breaches of Plaintiff's
11 confidence and trust, allowed and encouraged the Plaintiff to transfer her love and affection
12 towards him and unfairly taking advantage of Plaintiff, and Father Lenihan began to molest and
13 sexually, physically, and mentally abuse Plaintiff. These molestations and abuses by Father
14 Lenihan included, but was not limited to, sexual intercourse, groping and fondling of Plaintiff's
15 breasts, groping and fondling of Plaintiff's genitals, oral copulation, oral copulation on Father
16 Lenihan, penetration of Plaintiff's genitals and anus, with Father Lenihan's fingers and tongue,
17 masturbation, explicit sexual conversation and other lewd and lascivious acts. Furthermore,
18 Father Lenihan, during the course of their counseling relationship, began and continued to use
19 words of encouragement and praise to build her confidence, lavish her with gifts, dinners and
20 trips, and inundate her with flowers, letters and cards, all in an effort to encourage her to be
21 co-dependent on him. Father Lenihan, as he gained more control over Plaintiff's emotions, and
22 conduct, commencing on or about August, 2000, and continuing until March, 2002, began
23 demanding that Plaintiff be available daily from 10:00 p.m. until 11:00 p.m., whereupon on a daily
24 basis, Father Lenihan would telephone the Plaintiff from the Rectory and engage in explicit,
25 sexual, pornographic conversations, where he would describe various sexual conduct of his own
26 liking and command the Plaintiff masturbate and engage in other lewd acts while his pornographic
27 conversation continued over the telephone. On numerous other occasions, when Plaintiff was not
28 at home, knowing that Plaintiff lived with a minor child, and in total disregard of a 10 year old

1 child, Father Lenihan would leave detailed sexual conversation messages on Plaintiff's telephone
2 answering machine, whereby he would leave in detail messages of his sexual fantasies, desires and
3 proclivities.
4

5
6 17. As a approximate result of the acts of Father Lenihan described herein, Plaintiff
7 began developing a strong bond with Father Lenihan and developed a co-dependency on him, and
8 Plaintiff began experiencing serious bouts of guilt, insecurity, depression and nervousness as a
9 result of her inability to handle the relationship and her other emotional difficulties and shortly
10 after the counseling/sexual relationship and began in about June, 2000, began drinking heavily to
11 help deal with her problems. Plaintiff became even more emotionally distraught when Father
12 Lenihan began commanding that Plaintiff only confess her sins to him as required by the Catholic
13 tradition. Plaintiff began questioning her own belief and whether or not she was receiving "true
14 absolution" as a result of confessions to Father Lenihan. These religious concerns further
15 aggravated her anxiety, guilt, nervousness and depression, which over the course of their
16 relationship, led Plaintiff to seek help from at least six (6) Roman Catholic priests, affiliated with
17 the Dioceses. Plaintiff disclosed to these 6 priests, her counseling and sexual relationship with
18 Father Lenihan and the concerns and difficulties she was experiencing and none of the priests
19 embarked on a course of action to stop Father Lenihan from his abusive sexual exploitation of
20 Plaintiff, or to offer support to the Plaintiff.
21

22
23 18. Plaintiff is informed and believes that on or about late September, 2001, the
24 Dioceses temporarily removed Father Lenihan from his position as pastor of St. Edward Church
25 in Dana Point and sent him to South Down in Toronto, Canada for "rehabilitation." Plaintiff is
26 informed and believes, and thereon alleges, that the Dioceses temporarily removed Father Lenihan
27 from his position in September, 2001, and sent him for rehabilitation because Father Lenihan's
28 disclosure to the press that he had sexual affairs with four adult women.

1 19. On or about mid-late September, 2001, Father Lenihan expressly stated to the
2 Plaintiff that he was being sent to South Down for rehabilitation as a result of the Dioceses
3 learning that he had admitted to having sexual relationships with adult women and minor children
4 in the past. Plaintiff, by that time, had built a strong co-dependency on Father Lenihan and
5 expressed concerns about her emotional stability and well being, while Father Lenihan was away.
6 Father Lenihan indicated that he was concerned that his problem with the Dioceses would be
7 enhanced and that his position as a priest jeopardized, if the Dioceses were to learn of the explicit
8 details of their illicit counseling/sexual relationship with Plaintiff, and as a result, Father Lenihan,
9 not skilled or licensed as a physician in California or any state or country, illegally obtained a
10 month's supply of prescription drugs, including Prozac, Valium, and Xanax and directed and
11 instructed the Plaintiff to take this medication while he was away. Thereafter, Plaintiff began
12 consuming the drugs, as directed, and when the supply was consumed, approximately one month
13 later, Father Lenihan instructed her to telephone a licensed physician/friend of his to request
14 another prescription for Prozac, Valium and Xanax. Plaintiff was becoming dependent on these
15 drugs, and at Father Lenihan's request she contact the physician/friend, as instructed, and
16 received another month supply. After the second month of medication was consumed, Father
17 Lenihan again instructed Plaintiff to again contact his physician/friend for further refills; however,
18 the physician expressed concerns that the Plaintiff may be becoming addicted and refused to fill
19 that prescription. As a proximate result, Plaintiff built a co-dependency on the drugs and then
20 Plaintiff began consuming large quantities of alcohol as a substitute in an effort to deal with her
21 emotional problems.
22

23 20. Plaintiff is informed and believes, and on that basis alleges that the Dioceses and in
24 particular, Bishop Tod Brown and Monsignor John Urell, and other high officials in the Dioceses,
25 had actual and constructive knowledge of the illicit conduct occurring between Plaintiff and
26 Father Lenihan and failed to stop such conduct. Plaintiff further alleges that on or about May,
27
28

1 2001, a neighbor of Plaintiff notified a high official in the Dioceses of the conduct occurring
2 between Father Lenihan and the Plaintiff, and according to Father Lenihan, he was summoned
3 before Bishop Brown to discuss this situation. Furthermore, Plaintiff is informed and believes,
4 that on or about August, 21, 2001, a neighbor of the Plaintiff forwarded a letter directly to Father
5

6 **Redacted** also addressed to Monsignor Urell further advising the Dioceses of the conduct
7 occurring between the Plaintiff and Father Lenihan. A true and correct copy of the letter is
8 attached hereto as Exhibit "A" and is incorporated herein by reference.

9 **Father Lenihan Held Himself Out to the Public Professional Community,**
10 **California Courts, Dioceses and Explicitly to the Plaintiff as Being in the**
11 **Practice And of Being Able to Practice Psychology and Family Counseling**

12 21. Plaintiff is informed and believes, and on that basis alleges, that Father Lenihan's
13 and the Dioceses' overt conduct and explicit representations made to various members of the
14 parish, public, professional community, courts, judges, and Plaintiff, is sufficient establish that
15 Father Lenihan was actively engaged in psychological, marital, family and child counseling.
16 Plaintiff in consideration of the counseling services Plaintiff received by Father Lenihan, gave
17 donations to the Church. Plaintiff is further informed and believes, and thereon alleges, that the
18 representation and overt conduct by the Dioceses and Father Lenihan was sufficient to establish
19 that Father Lenihan was counseling Plaintiff herein and holding himself out as being qualified and
20 able to perform psychological, marital and family counseling and that he was experienced and
21 capable of performing said services as set forth in Business & Professions Code sections 2901(c),
22 4980.10. Specifically, Plaintiff is informed and believes, and on that basis, alleges, that Father
23 Lenihan held himself out as engaging in the practice and held himself out as being able to practice
24 psychology, marital and family counseling by performing the following conduct/actions and
25 making the following assertions, statements and representations:

26 A. Plaintiff is informed and believes, and on that basis alleges, that the
27 Dioceses specifically allowed and authorized, Father Lenihan, as a duly ordained priest and pastor
28

1 at St. Edward Church, to meet with and discuss personal problems, and counsel parishioners and
2 any other member of the public who had difficulties dealing with personal emotional problems
3 involving marital/family relationships, psychological and other problems, and other difficulties
4 presented by life. Plaintiff is unaware of, and specifically alleges that there were no policies,
5 directives or guidelines obligated to be followed and set forth by the Dioceses, forbidding
6 Catholic priests, and particularly Father Lenihan, from counseling and offering guidance and
7 counseling to parishioners and other members of the public who needed help in dealing with
8 emotional, psychological and family difficulties. Plaintiff is further informed and believes that the
9 Dioceses did not have in effect at the time of the Plaintiff's counseling relationship with Father
10 Lenihan, any policies, directives or guidelines directing priests, and specifically, Father Lenihan, to
11 refer any parishioners and other persons counseled with serious emotional and psychological
12 difficulties and concerns, to other professional practitioners, psychologists, psychotherapists,
13 psychiatrists, or other healing practitioners for assistance.
14

15
16 B. Father Lenihan approached the Plaintiff and upon learning that she was
17 unable to personally deal with or otherwise resolve or cope with her emotions and depression and
18 needed assistance to cope with her personal problems, Father Lenihan expressly offered to
19 personally counsel her and assist her in dealing with her psychological difficulties and depression.
20

21 C. Father Lenihan from the initial counseling session with the Plaintiff, on or
22 about January, 2000, and continuing on numerous occasions thereafter until about March, 2002,
23 continually and frequently represented to the Plaintiff that he was capable and could help her in
24 dealing with her psychological and emotional difficulties as he had helped other females with
25 similar problems. Father Lenihan continually assured Plaintiff that she could trust him, and over
26 the course of their counseling relationship, continually encouraged her to confide further in him
27 with the continual promise of always providing her with the needed support, guidance and
28 continued counseling to ensure her well being.

1 D. Plaintiff truly believed that Father Lenihan was authorized and capable to
2 counsel her and that she believed that he would act in her best interest in helping her with her
3 emotional and other psychological problems, because in the past she had sought help from priests
4 and received assistance in dealing with her emotional problems and because Father Lenihan
5 repeatedly assured her that he would help her overcome her emotional difficulties. Furthermore,
6 Plaintiff, on many various occasions in the past, had sought treatment with a variety counselors,
7 including psychologists dealing with general emotional problems and addictive disorders, and
8 through Plaintiff's experiences, learned that the customary methodology used by counselors was
9 to encourage her to express her feelings and confidences so that she could be properly treated.
10 Similarly, Father Lenihan used the same methodology by encouraging her to express her
11 innermost feelings and confidences, which led her to believe that she was being properly
12 diagnosed, treated and counseled for her difficulties.
13

14 E. On or about July, 2000, Father Lenihan, during a counseling session with
15 Plaintiff expressed concerns about her alcohol abuse and the physical effect it had on her. He
16 advised her to seek an examination from a physician and instructed her to request the physician to
17 prescribe the drug Dilantin to assist her. Pursuant to his request, Plaintiff contacted a physician
18 who was recommended by Father Lenihan and she requested and secured the drug requested.
19 Plaintiff in the past had been treated by psychologists that had recommended that she seek
20 consultation with licensed physicians to obtain various drugs as part of her therapeutic treatment
21 and as such, this led Plaintiff to further believe and trust that Father Lenihan was qualified and
22 offering legitimate counseling and therapeutic advise for her emotional difficulties.
23

24 F. On or about September 19, 2000, approximately four (4) months after
25 Father Lenihan transgressed the boundaries by exploiting the Plaintiff, in response to feelings of
26 guilt, depression, anxiety, and other emotional difficulties, Plaintiff began consuming large
27 amounts of alcohol and was arrested for driving under the influence of alcohol. Plaintiff plead
28

1 guilty, and sentencing hearing was set on or about February, 2001. Father Lenihan held himself
2 out to the Orange County Superior Court Judge as being a qualified counselor and publicly
3 represented to the Court and the Judge that he was providing counseling to the Plaintiff for her
4 emotional difficulties. A true and correct copy of the initial letter to the Court dated January 29,
5 2001, is attached hereto as Exhibit "B," and is incorporated by reference. In this letter, Father
6 Lenihan stated to the Judge the following pertinent representations:
7

8 "I have known **Redacted** for approximately one year, shortly after she moved to
9 this area. She came to me as the pastor of St. Edward Church, Dana Point, located
10 close to her apartment, for counseling. She was in a difficult and dubious
11 relationship which subsequently ended causing her great grief.
12

13 . **Redacted** has had a very difficult life. She grew up in a very dysfunctional family.
14 She was subject to physical and mental cruelty, particularly by an estranged father,
15 who terrified her (sic) and an older brother who belittled her. Her self worth was
16 found through her athletic ability, as she excelled in baseball often in Division one of
17 the university level. Following school, her life entered another traumatic phase,
18 with a disastrous marriage and the birth of a handicapped son. Her husband was
19 physically abusive, threatened her life and her son, and eventually committed suicide
20 leaving a letter and legacy that has affected **Redacted** this day. In light of all this,
21 **Redacted** has been an extraordinary survivor, yet understandably remains wounded. In
22 the course of helping her, I have directed her towards professional alcohol
23 counseling and urged her to battle her propensity to anorexia. I learned of a
24 particular difficult aspect of her drinking that if she suddenly stopped drinking
25 completely, she was liable to seizures.
26
27
28

1 . . . she is a daily Churchgoer, usually with her son, who enjoys the experience, and
2 I see her three times a week. She has also been dealing with severe underweight
3 bordering on anorexia, but with constant encouragement and counseling, she has
4 put on 10 pounds.

5
6 I see no value in her incarceration and it would be detrimental to her ongoing
7 progress.

8
9 . . . Her psyche is still fragile and could be destroyed by incarceration. She needs
10 affirmative, encouragement and a plan. I recommend a strong out patient program.
11 Components would include elements already in place: (1) counseling with Dr.

12 **Redacted** a certified counselor she is already seeing, or (2) counseling with
13 **Redacted**, a certified addictive and eating disorder counselor from Pacific Hills
14 Treatment Center three times a week (3) support from St. Edward Church, and
15 specifically from me, as pastor, (4) active interest contact with two support groups,
16 W.F.S. . . . and an eating support group . . .”

17
18
19 G. As part of the sentencing in connection with the DUI, the court scheduled
20 periodic reviews to ensure that the Plaintiff was complying with the court order. On or about July
21 7, 2001, Father Lenihan directed a letter to Judge Lindley of the Orange County Superior Court,
22 holding himself out as her counselor, and providing the Court with a status of the Plaintiff's
23 condition. A true and correct copy of the letter dated July 7, 2001, from Father Lenihan is
24 attached hereto and marked Exhibit “C” and incorporated herein by this reference. In this letter,
25 Father Lenihan makes the following representations:

26
27 “. . . I have been counseling **Redacted** about a year, dealing with various issues, and
28 in particular with her alcohol problem. While lacking particular expertise in that

1 area, I have been trying to help her control the disease through spiritual strength
2 and practical support. In recent months, she has been seeing me three times a week
3 and she has a number of other counseling and support systems, including a
4 psychologist who specializes in alcohol counseling.
5

6 I am happy to report that **Redacted** has now been sober for almost ten months, ever since
7 the incident resulting in her D.U.I. She is in very frail health, battling anorexia and
8 a number of other issues and I want to petition your leniency to avoid the use of
9 'Antibuse.' I believe she has already accomplished the objective involved and I
10 offer my personal help, if appropriate. . . ."
11

12 H. On or about October, 2001, Plaintiff was involved in an automobile
13 infraction, and at that time, was operating the vehicle without the needed driver's license and was
14 issued a citation for that offense. In anticipation of a hearing on that charge scheduled for on or
15 about October 17, 2001, Father Lenihan directed a letter to the Court on Plaintiff's behalf and
16 again represented to the court and held himself out as Plaintiff's counselor. A true and correct
17 copy of the letter to the Court is attached hereto as Exhibit "D," and incorporated by this
18 reference. Specifically, regarding Father Lenihan's counseling of the Plaintiff, he stated in that
19 letter as follows:
20

21 "I have been counseling **Redacted** for approximately 16 years
22 (sic). The (sic) time she has been a member of the Church and sought help. **Redacted**
23 was waging a heroine battle against alcohol. When I first met her, she
24 was still drinking and was in a destructive relationship, but she has turned all that
25 around. She has served her time for a D.U.I. even though it involved extraordinary
26 extra hardship because of her developmentally-disabled boy . . . She has been sober
27 completely for one year and two months in spite of great negative inducements.
28

1 She recently had a cancer operation, suffered from an eating disorder that has her
2 dangerously underweight and has very few supports. . .

3
4 In spite of enormous pressure ^{Redacted} has been the heroine, remained sober and she is
5 being counseled regularly by a psychologist with special alcohol qualifications and
6 receives additional counseling.
7

8 May I respectfully plead for special consideration and leniency from the court, and
9 know that your trust in her will not be misplaced. Any punitive measures at this
10 time would be catastrophic to her and her child, and I pray that you understand and
11 concur. . .”
12

13
14 I. On or about October 11, 2001, Father Lenihan was unable to personally
15 appear at court in connection with Plaintiff's driving without a license sentencing and he prepared
16 another letter directly to the Court, in which he held himself out as having been counseling the
17 Plaintiff and requested the court for special consideration in connection with her driver's
18 suspension. A true and correct copy of that letter dated October 11, 2001, directed to the court is
19 attached hereto as Exhibit "E," and incorporated herein by this reference. Specifically, in that
20 letter, Father Lenihan advised the Court as follows:

21 "This is to certify that **Redacted** continues to show excellent progress
22 in her battle against alcoholism. She marked a year of sobriety on September 19th
23 and continues to remain sober in difficult circumstances.
24

25
26 Her prohibition from driving makes it difficult to care for herself and her son, **Redacted**
27 and inhibits her ability to access helpful situations, such as Church, meetings and
28 medical. Personally, I am unable to continue to counsel and be available because of

1 changed circumstances, and I am trying to be a listening and encouraging voice
2 from a distance.
3

4 I believe she should be congratulated and encouraged for tremendous personal
5 growth under trying circumstances, and invite your special consideration of her
6 driving permission. . . “
7

8 J. Plaintiff is informed and believes that on numerous occasions, Father
9 Lenihan held himself out as a qualified psychologist, and/or family counselor to other professional
10 and licensed California psychologists in connection with his counseling relationship with the
11 Plaintiff. Specifically, shortly after Plaintiff's arrest for driving under the influence of alcohol on
12 or about September 19, 2000, she was instructed to seek special counseling for her alcohol
13 problem from a certified alcohol counselor. Plaintiff is informed and believes that on several
14 occasions, Father Lenihan personally met with and had communication with the certified alcohol
15 counselor in an effort to coordinate treatment efforts being undertaken with the Plaintiff. Plaintiff
16 is further informed and believes that Father Lenihan advised Plaintiff's alcohol counselor and led
17 him to believe that he was qualified and capable of offering counseling services to the Plaintiff and
18 that he indeed was counseling Plaintiff for various emotional and psychological issues.
19

20 K. On or about November, 1998, prior to the Plaintiff coming under the
21 control of and dependency on Father Lenihan, Plaintiff sought treatment for her alcohol problem
22 at Pacific Hills Treatment Center, Inc. in the City of San Clemente, County of Orange. There she
23 came under the care of a pastor, a California licensed alcohol and addiction counselor, who from
24 1998 and through the present time, continues to offer continuing counseling and support with the
25 Plaintiff, and was particularly focused on her alcohol problems and her efforts to keep her sober.
26 Father Lenihan, had several communications, with Plaintiff's counselor, and based on information
27 provided by Father Lenihan and the Plaintiff, Plaintiff's counselor was led to believe that Father
28

1 Lenihan was actively engaging in counseling of the Plaintiff for her emotional difficulties. Further
2 evidence of that belief, Plaintiff's other counselor also offered letters dated 10/15/01 and 11/21/01
3 to the court concerning the driving without a license charge, and specifically referenced therein
4 that he, together with Father Lenihan, were counseling the Plaintiff. A true and correct copy of
5 the letter dated 10/15/01 is attached hereto as Exhibit "F," and incorporated herein by this
6 reference. A true and correct copy of the letter dated 11/21/01 is attached hereto as Exhibit "G,"
7 and incorporated herein by this reference.
8

9
10 L. On or about August, 2001, the Plaintiff's neighbor had observed Father
11 Lenihan coming in and out of Plaintiff's house on numerous occasions and "holding hands and
12 kissing her" and confronted Father Lenihan with his observations. Father Lenihan admitted that
13 he was constantly there because she was an alcoholic and he was counseling her. A true and
14 correct copy of that letter confirming that conversation with the Plaintiff's neighbor, is attached
15 hereto as Exhibit "H," and incorporated herein by this reference.
16

17 M. On or about September, 2001, Father Lenihan represented to the Plaintiff
18 that he was being sent South Down for treatment as a result of the Dioceses discovering that he
19 admitted to a newspaper reporter that he had had sex with adult women while he was serving as a
20 Catholic priest. Father Lenihan was concerned that the Dioceses might learn of the sexual
21 intimacy with the Plaintiff and he expressed concern that the Plaintiff might be unable to deal with
22 his absence and she would likely disclose to the public and the Dioceses the sexual intimacies and
23 abuses which occurred during their counseling relationship. Father Lenihan, illegally and in
24 violation of Health & Safety Code sections 11150, 11153, 11154 obtained and secured a
25 prescription from a physician/friend in the name of the Plaintiff and gave the prescription to the
26 pharmacy and obtained Prozac, Valium, and Xanax. Plaintiff was surprised and was directed and
27 instructed by Father Lenihan to start taking the drug when he left to South Down. The drug
28 prescription obtained by Father Lenihan was obtained without examination by the physician/friend

1 of Father Lenihan. Plaintiff is informed and believes that the fraudulent procurement of a
2 prescription and prescribing and directing the Plaintiff to take drugs of Prozac, Xanax and Valium
3 without a prescription is a violation of numerous Codes, including the following: Business &
4 Professions Code section 4071; Health & Safety Code sections 11150, 11153, 11154 and 11210.
5

6 N. Plaintiff is informed and believes, that and on that basis alleges, that Father
7 Lenihan personally advised members of the Dioceses that he was counseling the Plaintiff for
8 various emotional and psychological issues and that she was in need of continued counseling. On
9 or about May, 2001, Father Lenihan contacted the Plaintiff and specifically advised her that one of
10 Plaintiff's neighbors had reported to the Dioceses that for an extended period of time that they
11 had been observing Father Lenihan at Plaintiff's house at various times of the day and they were
12 outraged by this conduct, which was perceived as sexual in nature. Father Lenihan informed the
13 Plaintiff that he was to appear before Bishop Brown of the Orange County Diocese to address the
14 complaints being made by Plaintiff's neighbors and Plaintiff was informed by Father Lenihan that
15 he would indeed meet with Bishop Brown on or about May, 2001. After the meeting, Father
16 Lenihan stated to the Plaintiff that during the course of the conversation with Bishop Brown, he
17 specifically informed the Bishop that he had been counseling the Plaintiff for various psychological
18 issues for a period of time, and he would need to continue to do so. Father Lenihan continued to
19 counsel and treat the Plaintiff following the meeting with Bishop Brown, and Plaintiff is informed
20 and believes that no action was taken to specifically to stop the counseling sessions.
21

22 **The Dioceses' Actual and Constructed Knowledge of**
23 **Father Lenihan's Counseling Relationship with the Plaintiff**
24 **And Father Lenihan Overstepping the Boundaries and Taking**
25 **Advantage of a Vulnerable and Co-Dependent Plaintiff and**
26 **Engaging In Exploitative Sexual Relations With Plaintiff**

27 22. During the time period in which Father Lenihan commenced counseling the Plaintiff
28 and began grooming her as a victim, commencing on or about January, 2000, and continuing
through March, 2002, Plaintiff was an emotionally vulnerable and co-dependent and fragile

1 person and was under the care and control of Father Lenihan and that the Dioceses had prior and
2 actual knowledge of Father Lenihan's propensities and qualities of sexual deviance and abuse
3 towards vulnerable minor and adult females and allowed Father Lenihan to meet with and counsel
4 the Plaintiff and others suffering from psychological and emotional disabilities, and owed to
5 Plaintiff, as a potential victim, a duty to control and stop Father Lenihan from using undue
6 influence and taking undue advantage of vulnerable females. Plaintiff is informed and believes,
7 and on that basis alleges, that actual notice was given to the Dioceses that Father Lenihan was
8 sexually abusing and transgressing the boundary of counselors and clergy policy by sexually
9 exploiting her for his own sexual gratification. Specifically, Plaintiff is informed and believes, and
10 on that basis, alleges that the Dioceses had knowledge of the illicit counseling/sexual relationship
11 with Plaintiff almost from the inception and refused and continued to refuse to stop such abusive
12 conduct.
13

14
15 23. Plaintiff is informed and provided actual notice to the Dioceses that Father Lenihan
16 was counseling her for various psychological and emotional difficulties and was sexually abusing
17 her. Specifically, in or around July, 2000, Plaintiff was experiencing periods of anger, guilt,
18 nervousness, in addition to suffering from depression, and, in particular, was tormented by the
19 fact that Father Lenihan had overstepped the boundaries of what began as counseling sessions for
20 emotional and psychological difficulties into sexual exploitation and harassment. At that time,
21 Plaintiff met with a Catholic priest at St. Edward Church and in that meeting disclosed her
22 counseling/sexual relationship, her feelings and the intimacies that she had had with Father
23 Lenihan and expressed concern that she may be "falling in love" with Father Lenihan. The priest
24 told her that she should "pray" to obtain strength and it was "her duty to avoid their relationship
25 and not to dress so provocative." Plaintiff is informed and believes and on that basis alleges that
26 the priest consulted failed to act on the information that the Plaintiff had disclosed to him nor to
27 attempt to stop Father Lenihan from further exploitation of the Plaintiff.
28

1 24. On or about September, 2000, Plaintiff's anxiety and emotional instability had
2 increased significantly as a result of her sexual exploitation and after obtaining no help from the
3 priest she confided in July, 2000, she went to the San Juan Mission Church, where she arranged
4 for a conference with a priest in that parish. During the conference, Plaintiff again disclosed her
5 counseling/sexual relationship with Father Lenihan and her emotional reaction and difficulties
6 arising therefrom. In response, the priest became angry at her and he commanded that she "stay
7 away from him" and he abruptly cut the meeting short and instructed the Plaintiff to leave.
8 Plaintiff is informed and believes and on that basis alleges that the priest consulted failed to act on
9 the information that the Plaintiff had disclosed to him regarding Father Lenihan's sexual
10 exploitations nor to attempt to stop Father Lenihan from further sexual exploitation of Plaintiff.
11

12 25. On or about August or September, 2000, Father Lenihan began exerting more
13 control over the Plaintiff as she increased her co-dependence on him and as the amount of control
14 increased, Father Lenihan began demanding that the Plaintiff engage in further exploitative and
15 demanding conduct, including being available, from 10:00 to 11:00 p.m., to accept his calls
16 involving explicit sexual conversation and direction by him, and compelling her to engage in
17 masturbation and other lewd acts while he inundated her with demeaning and sexual explicit
18 fantasies. Father Lenihan also began demanding that she seek "confessional absolution" directly
19 from him and during the confessional, he would engage in kissing, hand holding, and fondling.
20 This conduct, caused Plaintiff additional feelings of anxiety, guilt, since she had formed a strong
21 co-dependency on Father Lenihan and needed the continued support and treatment, yet this
22 conduct was in opposition to her sense of morality, common decency and religious conviction.
23 On August and September 2000, she sought help from a priest at St. Timothy Church, within the
24 control of the Dioceses, hoping to gain answers and help from a priest not close to Father
25 Lenihan. Over the course of the next 12-14 months, she met with this same priest on five (5)
26 occasions and at times he attempted to offer emotional support. The continued advice from this
27 priest was for her to seek help by "prayer" and "leave it in God's hands." Plaintiff is informed and
28

1 believes, and on that basis alleges, that the St. Timothy Church priest, to whom Plaintiff disclosed
2 a sexual exploitation occurring by Father Lenihan failed to act on that information.
3

4
5 26. On or about May, 2001, Plaintiff is informed and believes, and on that basis alleges,
6 that a neighbor of the Plaintiff, who was a devout Catholic and active parishioner in St. Edward
7 Catholic Church, telephoned the D.R.E. in the Dioceses and specifically advised her that he had
8 observed Father Lenihan on numerous occasions with Plaintiff for 2-3 hours and on many
9 occasions, he had personally observed Father Lenihan holding hands with Plaintiff and kissing her
10 in his neighborhood. Plaintiff is informed and believes the D.R.E. response to the neighbor was
11 "that's the way he is and the Dioceses has known it for years." Thereafter, on or about August
12 21, 2001, the same neighbor sent an email letter addressed to Father **Redac** and also addressed
13 to Msgr. John Ureal advising them about Father Lenihan's illicit conduct with Plaintiff. A true
14 and correct copy of the letter is attached hereto as Exhibit "A" and incorporated herein by this
15 reference. Specifically, the letter stated and notified the Dioceses in the following pertinent part:
16

17 "... it comes as a shock to me. . . I encountered Father John . . . visiting my
18 mother's next door neighbor, a single woman. The visits are at least three times
19 weekly, on Monday, Wednesday and Friday.

20
21 They begin at approximately 1:00 P.M. and last 2-3 hours. On some occasions,
22 his car is there after 10:00 p.m. On other occasions, he picks her up and is gone for
23 hours. On more than one occasion, Father John has been observed on the trail next
24 to her house holding the hands and kissing this individual. I have personally
25 witnessed this behavior . . . we have known about this going on since
26 mid-March . . .
27
28

1 Early in May I brought this matter up to the D.R.E. in the Dioceses. She said to
2 me, 'Aaron, that's the way he is, and the Dioceses has known it for years.' I then
3 decided to consult him personally as to why he is leaving a woman's house. I told
4 him that there are neighbors who have seen him on the trails and when he was
5 coming to the person's house three times a week. He told me he was there
6 counseling because she was an alcoholic. When I said Father John, they have seen
7 you on the trails with her, he said 'I'd better be more careful.' . . .
8

9 If you are interested in the indiscretions taking place at . . . with a woman named
10
11 **Redacted .**"

12
13 27. On or about May, 2001, Plaintiff is informed and believes, and thereon alleges, that
14 the Dioceses received actual notice of the misconduct occurring from Father Lenihan. Father
15 Lenihan informed the Plaintiff that he had received notice that Bishop Brown wished to see him in
16 connection with a report that was received by a neighbor complaining about the Father Lenihan
17 having sexual indiscretions with the Plaintiff and during his counseling relationship. Father
18 Lenihan advised the Plaintiff that he was afraid of the upcoming meeting and following the
19 meeting with Bishop Brown, Father Lenihan told the Plaintiff that he initially denied any
20 allegations concerning sexual promiscuity with the Plaintiff, but then Father Lenihan admitted to
21 having counseled Plaintiff for her emotional difficulties and that he held Plaintiff's "hand and
22 kissed her on occasions." Father Lenihan told the Plaintiff that Bishop Brown initially told him
23 that he should not continue to see the Plaintiff, and then Father Lenihan advised Bishop Brown
24 that he would continue to counsel the Plaintiff and she was in need of his counseling. Plaintiff is
25 informed and believes that Father Lenihan was not prohibited from seeing the Plaintiff after that
26 meeting.
27
28

1 28. On or about July, 2001, Plaintiff was becoming extremely more dependent and
2 mentally and emotionally disturbed as a result of all of the events that were transpiring and out of
3 desperation, she contacted another Catholic priest at another parish in Orange County and within
4 the jurisdiction of the Dioceses (St. Timothy Church) and disclosed her emotional dependency on
5 Father John and the sexual/counseling relationship that had evolved. The priest after listening to
6 her, stated that "Father Lenihan should have known better" and he requested that she pray for
7 strength to deal with the situation, and stated that "I'll pray for you." Plaintiff is informed and
8 believes that the priest to whom Plaintiff told this information failed to take any action to stop the
9 conduct from continuing.

10
11 29. On or about late September, 2001, Plaintiff is informed and believes and thereon
12 alleges that the Dioceses decided to send Father Lenihan to South Down facility for treatment.
13 Father Lenihan advised the Plaintiff that the Dioceses decision to send him to South Down was as
14 a result to him admitting in a newspaper to having sex with four adult women. Father Lenihan
15 expressed to Plaintiff that he was concerned about the Plaintiff's mental condition while he was
16 gone, and in addition to securing illegal drugs of Prozac, Xanax and Valium, Father Lenihan
17 stated to Plaintiff that if she needed someone to talk to, she could contact a priest that was then
18 and is now affiliated with St. Edward Church, who will assist her in dealing with her emotional
19 problems. Shortly after Father Lenihan for South Down, Plaintiff felt the need to speak with
20 someone about her problems, and as instructed by Father Lenihan, Plaintiff contacted the
21 designated priest at St. Edward Catholic Church. Plaintiff was extremely distraught and
22 depressed and in her meeting with that priest, explained how Father Lenihan started counseling
23 her and used her confidences and inner secrets to cause her to build a co-dependency on him, and
24 she felt abandoned and abused now that Father Lenihan was transferred to South Down. Plaintiff
25 related to the priest that over the ensuing 1-1/2 years, Father Lenihan inundated her with gifts,
26 flowers, love letters, and cards, and frequently took her to dinner and various motels throughout
27 Orange and San Diego Counties as he continued to counsel her. She showed the priest various
28

1 photographs of her and Father Lenihan and told him of nude photographs in which Father Lenihan
2 and she had taken of each other, and Plaintiff also played for him portions of numerous messages
3 containing explicit pornographic, sexual conversations left on her message machine by Father
4 Lenihan. Plaintiff also told the priest that Father Lenihan continued to call her from South Down
5 and sends flowers and cards. The priest was surprised and shocked by the information and in
6 particular, after hearing some of the telephone messages, and observing the photographs, that
7 priest assured Plaintiff that he would help her overcome her difficulties. He suggested that she
8 find a spiritual director and another counselor. The Plaintiff is informed and believes that the
9 Catholic priest to whom she disclosed this information failed to take any further action.
10

11
12 30. By January, 2002, Plaintiff felt abandoned and abused and had built up a
13 dependency and addiction to the narcotic prescriptions provided by Father Lenihan, including
14 Prozac, Valium and Xanax, and being unable to obtain those narcotics and with Father Lenihan
15 expressing reservations about their continued counseling/sexual relationship, Plaintiff began
16 abusing alcohol. Out of desperation in about mid-January, 2002, the Dioceses had arranged for a
17 visiting pastor to temporarily serve in the St. Edward Catholic parish, and in a final effort to
18 obtain help, Plaintiff scheduled a meeting with this visiting priest. The Plaintiff disclosed details
19 and intricacies of her counseling/sexual relationship with Father Lenihan and in particular, her
20 dependency on Father Lenihan and drugs and alcohol, and the priest responded in anger and
21 demanded that she leave his office.
22

23 31. Plaintiff is informed and believes and thereon alleges that the visiting priest with
24 whom she disclosed the information failed to act on that information. Plaintiff is informed and
25 believes that none of the priests Plaintiff consulted herein stopped Father Lenihan from his
26 sexually conduct.
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1 position where he could continue to take advantage of and continue to breach the trust and
2 confidences of vulnerable females, that he was likely to continue and cause physical harm and
3 damages to those vulnerable individuals, including the Plaintiff with whom he came in contact
4 with in a counseling relationship. Specifically, the Plaintiff is informed and believes, and on that
5 basis alleges, that the Dioceses for many years prior to Plaintiff's sexual abuse knew that Father
6 Lenihan had molested and sexually abused two minor females, and notwithstanding that
7 knowledge allowed Father Lenihan to remain as a priest and where he was likely to encounter and
8 to counsel emotionally vulnerable and dependent females and that he was unfit and incapable of
9 handling the "transference phenomena" commonly occurring during his counseling sessions with
10 emotionally disturbed females.

11
12 34. Plaintiff is informed and believes, and on that basis alleges that Father Lenihan
13 molested vulnerable minor females from on or around 1977 through on or around 1981, and that
14 the Dioceses had actual knowledge of these molestations both before the molestations and sexual
15 abuses of Plaintiff, and during the time that Plaintiff was being molested and sexually abused and
16 taken unfair advantage of by Father Lenihan. Specifically, Plaintiff is informed and believes, and
17 on that basis alleges, that:
18

19 A. From 1977 through 1981, Father Lenihan molested, and sexually abused
20 **Redacted**, a minor parishioner who attended St. Norbert; that the molestations and sexual abuse
21 by Father Lenihan of **Redacted** continued from the time shortly before **Redacted** turned 14
22 years old, until the time that she was 18 years old; and that the molestations and sexual abuses
23 included groping and fondling of Plaintiff's breasts, groping and fondling of Plaintiff's genitals,
24 kissing, masturbation, explicit sexual conversations, and other lewd and lascivious acts.
25

26 B. On September 1, 1978, **Redacted** step-father, **Redacted**, wrote a
27 letter to Cardinal Timothy Manning of the Los Angeles Dioceses. In his letter, Mr. **Redacted** notified
28

1 Cardinal Manning that Father Lenihan had telephoned his stepdaughter and was writing his
2 step-daughter romantic letters which contained sexual innuendo. A true and correct copy of the
3 letter is attached hereto as Exhibit "H" and incorporated herein by reference.
4

5 C. On September 8, 1978, Reverend Monsignor Clement J. Connolly,
6 Secretary to Cardinal Manning, wrote **Redacted** in response to his letter dated September 1,
7 1978. In his letter, Monsignor Connolly expressed his "deep appreciation" for the kindly manner
8 in which **Redacted** expressed his distress and the "confidence which **Redacted** indicated in leaving
9 this matter to the Archdiocese of Los Angeles' decision." Monsignor Connolly further went on to
10 say he was referring the matter to the Orange Diocese. A true and correct copy of the letter is
11 attached hereto as Exhibit "I," and incorporated herein by this reference.
12

13 D. On September 8, 1978, Reverend Monsignor Clement J. Connolly wrote a
14 letter to Chancellor Michael Driscoll of the Orange Dioceses, as follows: "Dear Mike: The
15 attached correspondence is self-explanatory. Hope you are well. Personal regards. Clement."
16 Monsignor Connolly attached the letter written by **Redacted**'s step-father. A true and correct
17 copy of the letter is attached hereto as Exhibit "J," and is incorporated herein by this reference.
18

19 E. Plaintiff is informed and believes, and on that basis alleges, that even
20 though actual notice was given to the Dioceses in September of 1978, that Father Lenihan was
21 molesting **Redacted**, a vulnerable minor female, Father Lenihan continued to molest and
22 sexually abuse **Redacted**. Plaintiff is further informed and believes, and on that basis alleges,
23 that in 1979, **Redacted**'s sister found Father Lenihan molesting **Redacted**, and that shortly
24 thereafter, **Redacted**'s sister telephoned the Los Angeles Diocese to inform the Diocese of the
25 molestation. Plaintiff is informed and believes, and on that basis alleges, that even though actual
26 notice was given to the Dioceses again in 1979, that Father Lenihan was molesting **Redacted**, a
27 minor, Father Lenihan continued to molest and sexually abuse **Redacted** until 1981.
28

1 35. Plaintiff is informed and believes, and alleges thereon, that prior to the time that
2 Father Lenihan began sexually abusing and exploiting the Plaintiff, the Dioceses became aware
3 that Father Lenihan from in or around 1978 and continuing through about 1982, took advantage
4 and molested another vulnerable minor female, by the name of **Redacted**
5 Specifically, Plaintiff is informed and believes, and on that basis alleges that:
6

7 A. **Redacted** informed and provided actual notice to the
8 Dioceses that Father Lenihan was molesting and sexually abusing her. Specifically, in or around
9 1982, **Redacted** met with the Catholic priest at the Church where her parents
10 attended, Holy Family. In that meeting, **Redacted** informed the Holy Family priest
11 of the molestations and sexual abuse of her by Father Lenihan.
12

13 B. Shortly thereafter, **Redacted** again informed and provided
14 actual notice to the Dioceses that Father Lenihan was molesting and sexually abusing her. In or
15 around 1982, **Redacted** met with another Catholic priest at Holy Family, and again
16 advised this priest of the molestations and sexual abuses of her by Father Lenihan. After a long
17 silence, this Catholic priest began yelling at **Redacted** "How long have you been
18 telling this story? Who else have you told these lies to? Who do you think you are telling these
19 stories" and dismissed her.
20

21 C. Plaintiff is further informed and believes, and on that basis alleges, that
22 Father Lenihan's supervisor at St. Norbert was aware that Father Lenihan was sexually active,
23 and that he may have known that Father Lenihan was molesting and abusing **Redacted**
24 Specifically, Father Lenihan told **Redacted** that the pastor at St. Norbert
25 was aware that Father Lenihan was sexually active, and that the pastor at St. Norbert had told
26 Father Lenihan that it was necessary that he be discreet."
27
28

1 D. Even after Plaintiff disclosed this information to the Dioceses, Father
2 Lenihan continued to molest and sexually abuse **Redacted** until in or about 1982.

3
4 **The Dioceses' Continuing Cover-up of the Sexual Abuse**
5 **and Exploitation of the Plaintiff and Other Victims and the**
6 **Refusal of the Dioceses to Stop the Injury to the Plaintiff**

7 36. Even though information had been disclosed to the Dioceses that Father Lenihan
8 had had inappropriate sexual contact with **Redacted** and **Redacted** and that
9 Father Lenihan had molested and sexually abused **Redacted** and **Redacted**, the
10 Dioceses covered up the molestations and abuses by Father Lenihan, continued to allow Father
11 Lenihan to act as a Catholic priest within the Dioceses, continued to hold Father Lenihan out as a
12 Catholic priest who could be trusted with vulnerable minor and adult female parishioners and
13 students on a daily basis, continue to allow Father Lenihan to counsel vulnerable minor and adult
14 parishioners and others with psychological and emotional problems and continued to move Father
15 Lenihan around to different Catholic Churches within the Dioceses.

16 37. Father Lenihan had disclosed to Plaintiff that the Dioceses were aware of his
17 abuses of **Redacted** **Redacted** and Plaintiff and his elicit sexual deviation, abuse
18 and misconduct. The knowledge by the Plaintiff that the Dioceses failed to act on the information
19 that Father Lenihan had molested and abused **Redacted** **Redacted** and Plaintiff
20 continued to hold Father Lenihan out as a Catholic priest who could be trusted, failed to remove
21 Father Lenihan from his positions within the Dioceses, and continued to allow Father Lenihan to
22 work around other vulnerable female persons in need of counseling, caused Plaintiff great mental,
23 emotional, spiritual, and physical pain and anguish.

24
25 38. Plaintiff is informed and believes, and on that basis alleges that it was not until
26 September of 2001 that the Dioceses removed Father Lenihan from his position as the pastor of
27 St. Edward in Dana Point. Plaintiff is further informed and believes, and on that basis alleges, that
28

1 the Dioceses removed Father Lenihan from that position in September of 2001 and sent him to
2 South Down because Father Lenihan disclosed to the press that he had had sexual affairs with
3 four adult women and continued to allow Father Lenihan to telephone Plaintiff, to counsel her and
4 to engage her in explicit sexual conversations and leave obscene messages.
5

6
7 **FIRST CAUSE OF ACTION**

8 **(Breach of Fiduciary Duties)**

9 **(As Against All Defendants)**

10 39. Plaintiff hereby incorporates by reference and realleges all of the allegations
11 contained in paragraphs 1-38, as though fully set forth herein.
12

13 40. Father Lenihan occupied a superior position of authority, respect and trust over
14 the Plaintiff, in that, he was an ordained priest, the priest of Plaintiff's Church, a counselor to
15 Plaintiff's emotional problems, and his expressed agreement and assertion to deal with Plaintiff's
16 problems and as a result of voluntarily asserting himself to act as her counselor, a relationship of
17 trust and confidence developed between Plaintiff and Father Lenihan. As a fiduciary and
18 counselor in Plaintiff's well being, Father Lenihan had an affirmative duty to act in Plaintiff's best
19 interests and to refrain from any conduct which has the foreseeability or unreasonable risk of
20 causing Plaintiff any mental or emotional harm. Father Lenihan had a further duty not to
21 wrongfully breach of exploit Plaintiff's trust and confidences placed in him during their counseling
22 and not use any information obtained to an unfair advantage to the Plaintiff.
23

24 41. Father Lenihan breached his fiduciary duty by acquiring information betraying
25 Plaintiff's trust and confidences gained during his counseling relationship, using that information
26 to Plaintiff's detriment and for Father Lenihan's own selfish gain. Specifically, Plaintiff alleges
27 that Father Lenihan breached his fiduciary duties to Plaintiff in the following respects:
28

1 A. Holding himself out to the Plaintiff as being a capable and qualified
2 counselor, who would act in her best interest and use the confidences and information obtained to
3 help her cope with her emotional feelings and distress. Father Lenihan knew Plaintiff would rely
4 on his representations and used the information obtained from her for his sexual gratification.
5

6 B. Inviting the Plaintiff and offering to serve to counsel her in connection with
7 her emotional difficulties and actually counseling her knowing that Plaintiff would rely and place
8 trust in him and act in her best interests, when Father Lenihan knew that he was not qualified to
9 handle the Plaintiff's problems that he might cause further psychic injury and damages to the
10 Plaintiff.
11

12 C. Offering and agreeing to counsel the Plaintiff for her emotional difficulties,
13 knowing that she would rely on his representation that he was capable of assisting her to cope
14 with her psychological problems and knowing that he had propensities, qualities and underlying
15 hidden desire to abuse and sexually exploit vulnerable females and in particular, the Plaintiff.
16

17 D. Concealing from the Plaintiff that he could not be trusted in looking out for
18 the best interest of the Plaintiff, and that Father Lenihan had previously taken unfair advantage of
19 and molested minor females who were equally vulnerable as the Plaintiff.
20

21 E. Invading Plaintiff's privacy and utilizing confidential and secret and
22 intimate details in Plaintiff's life, to cause her to grow a strong dependency on him so Father
23 Lenihan could control her and disclose confidences to third parties.
24

25 F. Making negligent and intentional misrepresentations to the Plaintiff and
26 specifically expressing desires of love and affection for her, knowing that the Plaintiff was
27 extremely vulnerable and likely to build a dependency on him.
28

1 G. Encouraging the Plaintiff to express her inner feelings and deep emotions
2 so that he could gain influence and control over her and force her to accept his perverted desires.
3

4 H. Misrepresenting and intentionally and negligently representing to Plaintiff
5 that Father Lenihan was qualified and capable of diagnosing and treating her psychological
6 condition, knowing that Plaintiff would rely on his representations, Father Lenihan further
7 breached his fiduciary duties owing to Plaintiff by depriving her from opportunities to seek
8 appropriate medical treatment and cure for her disabilities.
9

10 I. Holding himself out as being duly qualified and capable to treat the Plaintiff
11 and thereafter supplying her with prescription medication knowing that he was not qualified nor
12 legally authorized to prescribe and issue drugs, such as Prozac, Valium and Xanax, which are
13 potentially harmful to Plaintiff who is an emotionally fragile and co-dependent person.
14

15 J. The sexual conduct occurred between Father Lenihan and the Plaintiff
16 during a time when Plaintiff, as a patient, was receiving psychological counseling with Father
17 Lenihan and although consent was against her better judgment, and moral principles, it was able
18 to be subverted by Father Lenihan by abusing her trust and confidence placed in him during the
19 course of the relationship in which she was seeking guidance and counseling from him as a
20 Church leader and counselor.
21

22 42. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was
23 hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
24 person, all of which injures have caused, and continue to cause, Plaintiff great mental, emotional,
25 spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that
26 basis alleges that the injuries will result in continuing and permanent disability to her. As a result
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1 of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
2 time of trial.
3

4
5 43. As a further proximate result of the acts of Father Lenihan described herein,
6 Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent
7 periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is
8 informed and believes, and on that basis alleges, that the injuries will result in some permanent
9 disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to
10 be determined at the time of trial.

11
12 44. As a further proximate result of the acts of Father Lenihan described herein,
13 Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other
14 physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will
15 result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future
16 damages in an amount to be determined at the time of trial.

17
18 45. As a further proximate result of the acts of Father Lenihan described herein,
19 Plaintiff has been damaged in that she has been required, and will be required in the future, to
20 expend money and incur obligations for health care providers required in the treatment and relief
21 of the injuries alleged, in an amount to be determined at the time of trial.

22
23 46. As a further proximate result of the acts of Father Lenihan described herein,
24 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
25 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

26
27 47. The above-described conduct of Father Lenihan was willful and outrageous, was
28 committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,

1 mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was
2 otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein,
3 Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an
4 award of exemplary or punitive damages.
5

6 SECOND CAUSE OF ACTION

7 (Professional Negligence)

8 (As Against All Defendants)

9
10 48. Plaintiff hereby incorporates by reference and realleges all of the allegations
11 contained in paragraphs 1 through 47, as though fully set for herein.
12

13 49. Father Lenihan occupied a superior position of authority, respect and trust over
14 the Plaintiff in that he was an ordained priest, the priest of Plaintiff's Church, a counselor to
15 Plaintiff's emotional problems, and his expressed agreement and assertion to deal with Plaintiff's
16 problems and as a result of voluntarily asserting himself to act as her counselor, a relationship of
17 trust and confidence developed between Plaintiff and Father Lenihan. As a fiduciary and
18 counselor in Plaintiff's well being, Father Lenihan had an affirmative duty to act in Plaintiff's best
19 interests and to refrain from any conduct which has the foreseeability or unreasonable risk of
20 causing Plaintiff any mental or emotional harm. Father Lenihan had a further duty not to
21 wrongfully breach or exploit Plaintiff's trust and confidences placed in him during their counseling
22 and not use any information obtained to an unfair advantage to the Plaintiff.
23

24 50. Plaintiff is informed and believes, and alleges thereon, that Defendants, Father
25 Lenihan and Does 1-100, held themselves out to the general public, Church parishioners,
26 professional and licensed psychologists, and healthcare physicians in the community, Courts of the
27 State of California, the Dioceses and to the Plaintiff as being experienced, capable psychologist,
28 and/or family counselors and they were, in fact, offering counseling services to the Plaintiff to help

1 her emotional and psychological disabilities pursuant to Business & Professions Code sections
2 2901(c), 4980.10 and as such are required to possess the degree of skill, ability and expertise,
3 knowledge, qualifications and learning of similar practitioners in the community.
4

5 51. Commencing on or about January, 2000 and continuing until March, 2002,
6 Plaintiff sought professional treatment, assessment and counseling of her mental and emotional
7 condition from Father Lenihan. Father Lenihan specifically held himself out as a capable,
8 experienced and qualified counselor being able to provide professional counseling. Plaintiff was
9 led to believe, by Father Lenihan, that she would receive appropriate treatment as is necessary
10 relative to Plaintiff's then existing mental condition, health and well being, including, but not
11 limited to, counseling relating to relationship problems, sobriety, and past history of emotional
12 and psychological disabilities resulting in problems she was continuing to experience.
13

14 52. Father Lenihan expressly volunteered and agreed to perform therapeutic services
15 and pursuant to his role as a counselor, Father Lenihan undertook such employment and did agree
16 to render and provide such counseling services and otherwise do all things necessary and proper
17 for Plaintiff's general health and well being and to thereafter issue a course of care and treatment
18 customarily provided in the community. In consideration of Father Lenihan's counseling services,
19 Plaintiff made donations to the Church.
20

21 53. Father Lenihan and Does 1-100 breached his duty of due care and grossly,
22 negligently failed to possess and exercise that degree of skill and ordinary care possessed and
23 exercised by physicians, surgeons, hospitals, psychotherapists, marriage counselors, nurses,
24 dentists, pastors, nurses, attendants, technicians, paramedics, counselors, assistants, and the like
25 engaged in the profession in the same or similar locale as Defendants, and each of them, by
26 controlling, encouraging, fostering Plaintiff to participate in sexual conduct during the course of
27 psychotherapy, making Plaintiff an emotional and dependent person. In committing these acts,
28

1 Father Lenihan and Does 1-100, violated Civil Code sections 43.93 and 51.9, which prohibits
2 Father Lenihan and Does 1-100, and persons of a like profession from engaging in "sexual
3 contact" which included, but was not limited to sexual intercourse, groping and fondling of
4 Plaintiff's breasts, groping and fondling of Plaintiff's genitals, oral copulation, forced oral
5 copulation on Father Lenihan, penetration of Plaintiff's genitals and anus with Father Lenihan's
6 fingers and tongue, masturbation, explicit sexual conversation and other lewd and lascivious acts.
7

8
9 54. Such sexual contact occurred between the Father Lenihan and Plaintiff during the
10 time when Plaintiff, as a patient, was receiving counseling with Father Lenihan and consent was
11 against her better judgment, but was able to be subverted by Father Lenihan by abusing her trust
12 and confidence placed in him during the course of the relationship in which she was seeking
13 guidance and counseling from him as a Church leader and counselor.
14

15 55. Father Lenihan and Does 1-100 further negligently breached their duty of due care
16 owing to the Plaintiff and ordinarily possessed and exercised by other professionals in the same or
17 similar localities as Defendants, by knowingly deceiving the Plaintiff and failing to advise her of
18 the truth that Father Lenihan was not qualified to properly handle, diagnose and treat her
19 problems and that he was unable and unqualified, unskilled in dealing with the transference
20 phenomena and his sole intention was to exploit Plaintiff sexually for his own satisfaction.
21

22 56. Father Lenihan and Does 1-100 further negligently breached their duty of due care
23 owing to the Plaintiff and ordinarily possessed and exercised by other professionals in the same or
24 similar localities as Defendants, by failing to properly diagnose and develop an appropriate course
25 of treatment for Plaintiff's emotional and mental condition.
26

27 57. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was
28 hurt and injured in her health, strength, and activity, sustained injury to her nervous system and

1 person, all of which injures have caused, and continue to cause, Plaintiff great mental, emotional,
2 spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that
3 basis alleges that the injuries will result in continuing and permanent disability to her. As a result
4 of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
5 time of trial.
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8 58. As a further proximate result of the acts of Father Lenihan described herein,
9 Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent
10 periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is
11 informed and believes, and on that basis alleges, that the injuries will result in some permanent
12 disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to
13 be determined at the time of trial.
14

15 59. As a further proximate result of the acts of Father Lenihan described herein,
16 Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other
17 physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will
18 result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future
19 damages in an amount to be determined at the time of trial.
20

21 60. As a further proximate result of the acts of Father Lenihan described herein,
22 Plaintiff has been damaged in that she has been required, and will be required in the future, to
23 expend money and incur obligations for health care providers required in the treatment and relief
24 of the injuries alleged, in an amount to be determined at the time of trial.
25

26 61. As a further proximate result of the acts of Father Lenihan described herein,
27 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
28 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

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THIRD CAUSE OF ACTION

(General Negligence)

(As Against All Defendants)

62. Plaintiff hereby incorporates by reference and realleges all of the allegations contained in paragraphs 1 through 61, as though fully set for herein.

63. Father Lenihan occupied a superior position of authority, respect and trust over the Plaintiff, in that, he was an ordained priest, the priest of Plaintiff's Church, a counselor to Plaintiff's emotional problems, and his expressed agreement and assertion to deal with Plaintiff's problems and as a result of voluntarily asserting himself to act as her counselor, a relationship of trust and confidence developed between Plaintiff and Father Lenihan. As a fiduciary and counselor in Plaintiff's well being, Father Lenihan had an affirmative duty to act in Plaintiff's best interests and to refrain from any conduct which has the foreseeability or unreasonable risk of causing Plaintiff any mental or emotional harm. Father Lenihan had a further duty not to wrongfully breach or exploit Plaintiff's trust and confidences placed in him during their counseling and not use any information obtained to an unfair advantage to the Plaintiff.

64. Plaintiff is informed and believes, and alleges thereon, that Defendants, Father Lenihan and Does 1-100, held themselves out to the general public, Church parishioners, professional and licensed psychologists, and healthcare physicians in the community, Courts of the State of California, the Dioceses and the Plaintiff as being experienced, capable psychologist, and/or family counselors and they were, in fact, offering counseling services to the Plaintiff to help her emotional and psychological disabilities pursuant to Business & Professions Code sections 2901(c), 4980.10 and as such are required to possess the degree of skill, ability and expertise, knowledge and qualifications of learning of similar practitioners in the community.

1
2 65. Commencing on or about January, 2000 and continuing until March, 2002,
3 Plaintiff sought professional treatment, assessment and counseling of her mental and emotional
4 condition from Father Lenihan. Father Lenihan specifically held himself out as a capable,
5 experienced and qualified counselor being able to provide professional counseling. Plaintiff was
6 led to believe, by Father Lenihan, that she would receive appropriate treatment as is necessary
7 relative to Plaintiff's then existing mental condition, health and well being, including, but not
8 limited to, counseling relating to relationship problems, sobriety, and past history of emotional
9 and psychological difficulties, resulting in problems she was continuing to experience.

10
11 66. Father Lenihan expressly volunteered and agreed to perform therapeutic services
12 and pursuant to his role as a counselor, Father Lenihan undertook such employment and did agree
13 to render and provide such counseling services and otherwise do all things necessary and proper
14 for Plaintiff's general health and well being and to thereafter issue a course of care and treatment
15 customarily provided in the community. In consideration of Father Lenihan's counseling services,
16 Plaintiff made donations to the Church.

17
18 67. Father Lenihan and Does 1-100 breached his duty of due care and grossly,
19 negligently failed to possess and exercise that degree of skill and ordinary care possessed and
20 exercised by physicians, surgeons, hospitals, psychotherapists, marriage counselors, nurses,
21 dentists, pastors, nurses, attendants, technicians, paramedics, counselors, assistants, and the like
22 engaged in the possession in the same or similar locale as Defendants, and each of them, by
23 controlling, encouraging, fostering Plaintiff to participate in sexual conduct during the course of
24 psychotherapy, making Plaintiff an emotional and dependent person. In committing these acts,
25 Father Lenihan and Does 1-100, violated Civil Code sections 43.93 and 51.9, which prohibits
26 Father Lenihan and Does 1-100, and persons of a like profession from engaging in "sexual
27 contact" which included, but was not limited to sexual intercourse, groping and fondling of
28 Plaintiff's breasts, groping and fondling of Plaintiff's genitals, oral copulation, . oral

1 copulation on Father Lenihan, penetration of Plaintiff's genitals and anus with Father Lenihan's
2 fingers and tongue, masturbation, explicit sexual conversation and other lewd and lascivious acts.
3

4 68. Such sexual contact occurred between the Father Lenihan and Plaintiff during the
5 time when Plaintiff, as a patient, was receiving counseling with Father Lenihan and consent was
6 against her better judgment, but was able to be subverted by Father Lenihan by abusing her trust
7 and confidence placed in him during the course of the relationship in which she was seeking
8 guidance and counseling from him as a Church leader and counselor.
9

10 69. Plaintiff was an emotionally, co-dependent person when she came under the care
11 and control of Father Lenihan, who acquired confidential and discreet information from the
12 Plaintiff by betraying the trust and confidence placed in him and used the information obtained to
13 foster a co-dependency on him. As a result of Plaintiff's emotional state, she developed a strong
14 bond and co-dependency on Father Lenihan and was unable to emotionally cope with her feelings
15 and to stop Father Lenihan from molesting and sexually abusing her or otherwise terminating her
16 counseling relationship.
17

18 70. Father Lenihan and Does 1-100 further negligently breached their duty of due care
19 owing to the Plaintiff and ordinarily possessed and exercised by other professionals in the same or
20 similar localities as Defendants, by knowingly deceiving the Plaintiff and failing to advise her of
21 the truth that Father Lenihan was not qualified to properly handle her problems and that he was
22 unable and unqualified and unskilled in dealing with the transference phenomena and his sole
23 intention was to exploit Plaintiff sexually for his own satisfaction.
24

25 71. Father Lenihan and Does 1-100 further negligently breached their duty of due care
26 owing to the Plaintiff and ordinarily possessed and exercised by other professionals in the same or
27
28

1 similar localities as Defendants, by failing to properly diagnose and develop an appropriate course
2 of treatment for Plaintiff's emotional and mental condition.
3

4
5 72. Father Lenihan and Does 1-100 further negligently breached their duty of due care
6 owing to the Plaintiff and ordinarily possessed and exercised by other professionals in the same or
7 similar localities as Defendants, by concealing from the Plaintiff that Father Lenihan was not duly
8 licensed or qualified to prescribe and use certain drugs, such as Prozac, Valium, and Xanax to
9 treat patients he was counseling and by illegally providing Plaintiff with said drugs.

10
11 73. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was
12 hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
13 person, all of which injures have caused, and continue to cause, Plaintiff great mental, emotional,
14 spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that
15 basis alleges that the injuries will result in continuing and permanent disability to her. As a result
16 of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
17 time of trial.

18
19 74. As a further proximate result of the acts of Father Lenihan described herein,
20 Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent
21 periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is
22 informed and believes, and on that basis alleges, that the injuries will result in some permanent
23 disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to
24 be determined at the time of trial.

25
26 75. As a further proximate result of the acts of Father Lenihan described herein,
27 Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other
28 physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will

1 result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future
2 damages in an amount to be determined at the time of trial.
3

4 76. As a further proximate result of the acts of Father Lenihan described herein,
5 Plaintiff has been damaged in that she has been required, and will be required in the future, to
6 expend money and incur obligations for health care providers required in the treatment and relief
7 of the injuries alleged, in an amount to be determined at the time of trial.
8

9 77. As a further proximate result of the acts of Father Lenihan described herein,
10 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
11 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.
12

13 **FOURTH CAUSE OF ACTION**

14 **(Sexual Harassment, Civil Code section 51.9)**

15 **(Against Father Lenihan and Does 1-100, Inclusive)**

16 78. Plaintiff hereby incorporates by reference all of the allegations of paragraphs 1-77,
17 as though fully set forth herein.
18

19 79. Father Lenihan occupied a superior position of authority, respect and trust over
20 the Plaintiff in that he was an ordained priest, the priest of Plaintiff's Church, a counselor to
21 Plaintiff's emotional problems, and his expressed agreement and assertion to deal with Plaintiff's
22 problems and as a result of voluntarily asserting himself to act as her counselor, a relationship of
23 trust and confidence developed between Plaintiff and Father Lenihan. As a fiduciary and
24 counselor in Plaintiff's well being, Father Lenihan had an affirmative duty to act in Plaintiff's best
25 interests and to refrain from any conduct which has the foreseeability or unreasonable risk of
26 causing Plaintiff any mental or emotional harm. Father Lenihan had a further duty not to
27
28

1 wrongfully breach of exploit Plaintiff's trust and confidences placed in him during their counseling
2 and not use any information obtained to an unfair advantage to the Plaintiff.
3

4 80. Plaintiff is informed and believes, and alleges thereon, that Defendants, Father
5 Lenihan and Does 1-100, held themselves out to the general public, Church parishioners,
6 professional and licensed psychologists, and healthcare physicians in the community, Courts of the
7 State of California, the Dioceses and the Plaintiff as being experienced, capable psychologist,
8 and/or family counselors and they were, in fact, offering counseling services to the Plaintiff to help
9 her emotional and psychological disabilities pursuant to Business & Professions Code sections
10 2901(c), 4980.10 and as such are required to possess the degree of skill, ability and expertise,
11 knowledge and qualifications of learning of similar practitioners in the community.
12

13 81. Commencing on or about January, 2000 and continuing until March, 2002,
14 Plaintiff sought professional treatment, assessment and counseling of her mental and emotional
15 condition from Father Lenihan. Father Lenihan specifically held himself out as a capable,
16 experienced and qualified counselor being able to provide professional counseling. Plaintiff was
17 led to believe, by Father Lenihan, that she would receive appropriate treatment as is necessary
18 relative to Plaintiff's then existing mental condition, health and well being, including, but not
19 limited to, counseling relating to relationship problems, sobriety, and past history of emotional
20 and psychological disabilities resulting in problems she was continuing to experience.
21

22 82. Father Lenihan expressly volunteered and agreed to perform therapeutic services
23 and pursuant to his role as a counselor, Father Lenihan undertook such employment and did agree
24 to render and provide such counseling services and otherwise do all things necessary and proper
25 for Plaintiff's general health and well being and to thereafter issue a course of care and treatment
26 customarily provided in the community.
27
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1 83. Father Lenihan and Does 1-100 breached his duty of due care and grossly,
2 negligently failed to possess and exercise that degree of skill and ordinary care possessed and
3 exercised by physicians, surgeons, hospitals, psychotherapists, marriage counselors, nurses,
4 dentists, pastors, nurses, attendants, technicians, paramedics, counselors, assistants, and the like
5 engaged in the possession in the same or similar locale as Defendants, and each of them, by
6 controlling, encouraging, fostering Plaintiff to participate in sexual conduct during the course of
7 psychotherapy, making Plaintiff an emotional and dependent person. In committing these acts,
8 Father Lenihan and Does 1-100, violated Civil Code sections 43.93 and 51.9, which prohibits
9 Father Lenihan and Does 1-100, and persons of a like profession from engaging in "sexual
10 contact" which included, but was not limited to sexual intercourse, groping and fondling of
11 Plaintiff's breasts, groping and fondling of Plaintiff's genitals, oral copulation, oral copulation on
12 Father Lenihan, penetration of Plaintiff's genitals and anus with Father Lenihan's fingers and
13 tongue, masturbation, explicit sexual conversation and other lewd and lascivious acts.
14

15
16 84. Such sexual contact occurred between the Father Lenihan and Plaintiff during the
17 time when Plaintiff, as a patient, was receiving counseling with Father Lenihan and consent was
18 against her better judgment, but was able to be subverted by Father Lenihan by abusing her trust
19 and confidence placed in him during the course of the relationship in which she was seeking
20 guidance and counseling from him as a Church leader and counselor. Plaintiff was unable to stop
21 the sexual abuse because of her co-dependency on Father Lenihan.
22

23 85. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was
24 hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
25 person, all of which injures have caused, and continue to cause, Plaintiff great mental, emotional,
26 spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that
27 basis alleges that the injuries will result in continuing and permanent disability to her. As a result
28

1 of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
2 time of trial.
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4 86. As a further proximate result of the acts of Father Lenihan described herein,
5 Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent
6 periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is
7 informed and believes, and on that basis alleges, that the injuries will result in some permanent
8 disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to
9 be determined at the time of trial.
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11 87. As a further proximate result of the acts of Father Lenihan described herein,
12 Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other
13 physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will
14 result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future
15 damages in an amount to be determined at the time of trial.
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17 88. As a further proximate result of the acts of Father Lenihan described herein,
18 Plaintiff has been damaged in that she has been required, and will be required in the future, to
19 expend money and incur obligations for health care providers required in the treatment and relief
20 of the injuries alleged, in an amount to be determined at the time of trial.
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22 89. As a further proximate result of the acts of Father Lenihan described herein,
23 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
24 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.
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FIFTH CAUSE OF ACTION
(Violation of Statute - Health & Safety
Code sections 11150, 11153, and 11154)

(Against Father Lenihan and Does 1-100)

90. Plaintiff hereby incorporates by reference and realleges all of the allegations contained in paragraphs 1 through 89, as though fully set for herein.

91. Father Lenihan occupied a superior position of authority, respect and trust over the Plaintiff, in that, he was an ordained priest, the priest of Plaintiff's Church, a counselor to Plaintiff's emotional problems, and his expressed agreement and assertion to deal with Plaintiff's problems and as a result of voluntarily asserting himself to act as her counselor, a relationship of trust and confidence developed between Plaintiff and Father Lenihan. As a fiduciary and counselor in Plaintiff's well being, Father Lenihan had an affirmative duty to act in Plaintiff's best interests and to refrain from any conduct which has the foreseeability or unreasonable risk of causing Plaintiff any mental or emotional harm. Father Lenihan had a further duty not to wrongfully breach or exploit Plaintiff's trust and confidences placed in him during their counseling and not use any information obtained to an unfair advantage to the Plaintiff.

92. Section 11150 of the Health & Safety Code prohibits all persons other than a "physician, dentist, podiatrist, . . ." from writing or issuing a prescription. Health & Safety Code section 11153(a) provides, in pertinent part, as follows: "A prescription for a controlled substance shall only be issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his or her professional practice. . . except as authorized by this provision, the following are not legitimate prescriptions: (1) an order purporting to be a prescription, which is issued not in the usual course of professional treatment or in legitimate and authorized research, . . ."

1 93. Section 11154 of the Health & Safety Code provides as follows: "(a) Except in
2 the regular practice of his or her profession, no person shall knowingly prescribe, administer,
3 dispense, or furnish a controlled substance to or for any person or animal, which is not under his
4 or her treatment for a pathology or condition other than addiction to a controlled substance,
5 except as provided in this division. (b) No person shall knowingly solicit, direct, entice, aid, or
6 encourage a practitioner authorized to write a prescription to unlawfully prescribe, administer,
7 dispense or furnish a controlled substance."
8

9
10 94. Plaintiff is informed and believes, and on that basis alleges, that Father Lenihan, on
11 or about September, 2001, became concerned about the Plaintiff's co-dependency on him and that
12 the Plaintiff might reveal to the Dioceses the sexual abuses and molestation which had been
13 occurring during their counseling relationship. Father Lenihan, not a skilled, experienced, or a
14 licensed physician, contacted a physician/friend and illegally obtained a prescription for Prozac,
15 Valium, and Xanax, and upon securing the prescription, purchased those drugs and directed and
16 instructed the Plaintiff to take this medication while he was away. Thereafter, Plaintiff began
17 consuming her drugs, as directed, and when the supply was consumed, approximately one month
18 later, Father Lenihan instructed her to telephone the licensed physician/friend to request another
19 prescription for Prozac, Valium, and Xanax. Thereafter, after the second month of medication
20 was consummated, Father Lenihan again instructed Plaintiff to contact his licensed
21 physician/friend for further refills. Plaintiff is further informed and believes that Father Lenihan
22 knew, or should have known, in the exercise of reasonable diligence, that by providing
23 prescription medication of Prozac, Xanax and Valium, was a violation of Health & Safety Code
24 sections 11150, 11153, and 11154.
25

26 95. Plaintiff is further informed and believes, and on that basis alleges, that Father
27 Lenihan knew, or should have known in the exercise of reasonable diligence, that by illegally
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1 prescribing and instructing the Plaintiff to take the prescription drugs of Prozac, Valium, and
2 Xanax, he was creating an unreasonable risk of harm to the Plaintiff.
3

4 96. Plaintiff is informed and believes that Plaintiff was one of the class of persons for
5 whom Health & Safety Code sections 11150, 11153, and 11154 was adopted to protect.
6

7 97. Had Father Lenihan adequately performed his duties as a counselor and not
8 provided illegally obtained medication to the Plaintiff, Plaintiff would not have suffered from
9 injuries and damages as herein alleged.
10

11 98. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was
12 hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
13 person, all of which injures have caused, and continue to cause, Plaintiff great mental, emotional,
14 spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that
15 basis alleges that the injuries will result in continuing and permanent disability to her. As a result
16 of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
17 time of trial.
18

19 99. As a further proximate result of the acts of Father Lenihan described herein,
20 Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent
21 periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is
22 informed and believes, and on that basis alleges, that the injuries will result in some permanent
23 disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to
24 be determined at the time of trial.
25

26 100. As a further proximate result of the acts of Father Lenihan described herein,
27 Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other
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1 physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will
2 result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future
3 damages in an amount to be determined at the time of trial.
4

5 101. As a further proximate result of the acts of Father Lenihan described herein,
6 Plaintiff has been damaged in that she has been required, and will be required in the future, to
7 expend money and incur obligations for health care providers required in the treatment and relief
8 of the injuries alleged, in an amount to be determined at the time of trial.
9

10 102. As a further proximate result of the acts of Father Lenihan described herein,
11 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
12 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.
13

14 **SIXTH CAUSE OF ACTION**

15 **(Battery)**

16 **(Against Father Lenihan and Does 1-100)**

17 103. Plaintiff hereby incorporates by reference all of the allegations of paragraphs
18 1-102, as though fully set forth herein.
19

20 104. Father Lenihan occupied a superior position of authority, respect and trust over
21 the Plaintiff, in that, he was an ordained priest, the priest of Plaintiff's Church, a counselor to
22 Plaintiff's emotional problems, and his expressed agreement and assertion to deal with Plaintiff's
23 problems and as a result of voluntarily asserting himself to act as her counselor, a relationship of
24 trust and confidence developed between Plaintiff and Father Lenihan. As a fiduciary and
25 counselor in Plaintiff's well being, Father Lenihan had an affirmative duty to act in Plaintiff's best
26 interests and to refrain from any conduct which has the foreseeability or unreasonable risk of
27 causing Plaintiff any mental or emotional harm. Father Lenihan had a further duty not to
28

1 wrongfully breach of exploit Plaintiff's trust and confidences placed in him during their counseling
2 and not use any information obtained to an unfair advantage to the Plaintiff.
3

4 105. On or about September, 2001, during the course of counseling the Plaintiff for her
5 emotional difficulties, Father Lenihan illegally obtained a prescription, supplied, provided and
6 directed Plaintiff to take Prozac, Valium and Xanax, all drugs which are legally restricted. Father
7 Lenihan provided these drugs in violation of Health & Safety Code sections 11150, 11153, and
8 11154.
9

10 106. In doing these acts, Father Lenihan acted with the intent to, and did injure the
11 Plaintiff's person in an offensive and outrageous manner.
12

13 107. Plaintiff did not legally consent to Father Lenihan's act of giving her medication
14 and that she was extremely emotional and co-dependent on Father Lenihan as her counselor and
15 followed his advice.
16

17 108. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was
18 hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
19 person, all of which injures have caused, and continue to cause, Plaintiff great mental, emotional,
20 spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that
21 basis alleges that the injuries will result in continuing and permanent disability to her. As a result
22 of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
23 time of trial.
24

25 109. As a further proximate result of the acts of Father Lenihan described herein,
26 Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent
27 periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is
28

1 informed and believes, and on that basis alleges, that the injuries will result in some permanent
2 disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to
3 be determined at the time of trial.
4

5 110. As a further proximate result of the acts of Father Lenihan described herein,
6 Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other
7 physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will
8 result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future
9 damages in an amount to be determined at the time of trial.
10

11 111. As a further proximate result of the acts of Father Lenihan described herein,
12 Plaintiff has been damaged in that she has been required, and will be required in the future, to
13 expend money and incur obligations for health care providers required in the treatment and relief
14 of the injuries alleged, in an amount to be determined at the time of trial.
15

16 112. As a further proximate result of the acts of Father Lenihan described herein,
17 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
18 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.
19

20 113. The above-described conduct of Father Lenihan was willful and outrageous, was
21 committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
22 mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was
23 otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein,
24 Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an
25 award of exemplary or punitive damages.
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2
3 SEVENTH CAUSE OF ACTION

4 (Civil Conspiracy)

5 (As Against Father Lenihan and Does 1-100, Inclusive)

6 114. Plaintiff hereby incorporates by reference and realleges all the allegations contained
7 in paragraphs 1-113, as though fully set forth herein.

8 115. Father Lenihan occupied a superior position of authority, respect and trust over
9 the Plaintiff, in that, he was an ordained priest, the priest of Plaintiff's Church, a counselor to
10 Plaintiff's emotional problems, and his expressed agreement and assertion to deal with Plaintiff's
11 problems and as a result of voluntarily asserting his conduct to act as her counselor, a relationship
12 of trust and confidence developed between Plaintiff and Father Lenihan. As a fiduciary and
13 counselor in Plaintiff's well being, Father Lenihan had an affirmative duty to act in Plaintiff's best
14 interests and to refrain from any conduct which has the foreseeability or unreasonable risk of
15 causing Plaintiff any mental or emotional harm. Father Lenihan had a further duty not to
16 wrongfully breach or exploit Plaintiff's trust and confidences placed in him during their counseling
17 and not use any information obtained to an unfair advantage to the Plaintiff.

18
19 116. On or about September 1, 2001, Father Lenihan in his capacity as a counselor for
20 the Plaintiff, illegally prescribed and obtained a prescription for Prozac, Xanax and Valium and
21 after obtaining the fraudulent prescriptions, purchased the medications for the Plaintiff, and
22 directed her to take those narcotics. Plaintiff is informed and believes, and on that basis alleges
23 thereon, that Father Lenihan contacted a duly licensed physician/friend, Does 1-5, in order to
24 secure a prescription for Prozac, Xanax and Valium to give to the Plaintiff. Plaintiff is informed
25 and believes that Father Lenihan and Does 1-5 knowingly and willfully conspired themselves to
26 avoid the laws of the State of California, and allow Father Lenihan to acquire a prescription and
27 to obtain the illegal drugs to be given to Plaintiff. Plaintiff is informed and believes, and thereon
28 alleges, that the illegal drugs were paid for by Father Lenihan and his co-conspirator and to be

1 given to Plaintiff in an effort to prevent her from losing further emotional control and disclosing to
2 the Dioceses and the public the sexual abuse and exploitation resulting from Father Lenihan's
3 misconduct and exploitations as a counselor and Roman Catholic priest.
4

5
6 117. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was
7 hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
8 person, all of which injures have caused, and continue to cause, Plaintiff great mental, emotional,
9 spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that
10 basis alleges that the injuries will result in continuing and permanent disability to her. As a result
11 of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
12 time of trial.

13
14 118. As a further proximate result of the acts of Father Lenihan described herein,
15 Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent
16 periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is
17 informed and believes, and on that basis alleges, that the injuries will result in some permanent
18 disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to
19 be determined at the time of trial.

20
21 119. As a further proximate result of the acts of Father Lenihan described herein,
22 Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other
23 physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will
24 result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future
25 damages in an amount to be determined at the time of trial.

26
27 120. As a further proximate result of the acts of Father Lenihan described herein,
28 Plaintiff has been damaged in that she has been required, and will be required in the future, to

1 expend money and incur obligations for health care providers required in the treatment and relief
2 of the injuries alleged, in an amount to be determined at the time of trial.
3

4 121. As a further proximate result of the acts of Father Lenihan described herein,
5 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
6 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.
7

8 122. The above-described conduct of Father Lenihan was willful and outrageous, was
9 committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
10 mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was
11 otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein,
12 Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an
13 award of exemplary or punitive damages.
14

15 **EIGHTH CAUSE OF ACTION**
16

17 **(Fraud: Concealment of Facts and Misrepresentations)**

18 **(As Against All Defendants)**

19 123. Plaintiff hereby incorporates by reference and realleges all the allegations contained
20 in paragraphs 1-122, as though fully set forth herein.
21

22 124. Beginning in or around 1978, and continuing until today, Defendants had actual
23 and constructive knowledge that Father Lenihan had molested, and sexually, mentally, and
24 physically abusec **Redacted** **Redacted** and Plaintiff.
25

26 125. Plaintiff is informed and believes, and on that basis alleges, that Defendants
27 affirmatively represented to Plaintiff, and parishioners at Churches and schools owned,
28 maintained, and controlled by the Dioceses in which Father Lenihan worked, that Father Lenihan

1 was safe, and morally and spiritually beneficial and he was capable of performing his duties to all
2 parishioners, and others under Father Lenihan's control, direction, counseling and guidance.

3 Plaintiff is informed and believes, and on that basis alleges, that when Defendants made these
4 affirmative misrepresentations, Defendants suppressed the material facts that Father Lenihan had
5 on numerous occasions sexually, physically, and/or mentally abused Plaintiff, **Redacted**

6 **Redacted**, and/or knew of or learned of conduct by Father Lenihan which placed
7 Defendants on notice that Father Lenihan had certain deviant proclivities, propensities and
8 qualities to sexually abuse vulnerable females and was likely to continue abusing other vulnerable
9 minor and adult females and/or parishioners while counseling them.

10
11
12 126. Plaintiff was a parishioner at St. Edward, and was under Father Lenihan's
13 psychological counseling and care during these times, creating a special fiduciary relationship or
14 special care relationship with Defendants, and each of them. As the responsible party and/or
15 employer controlling Father Lenihan, with actual knowledge of Father Lenihan's prior sexual
16 misconduct, and as the operators of a Church where vulnerable females attended and were
17 allowed to be counseled by Father Lenihan, Defendants Dioceses were also in a special
18 relationship with Plaintiff.

19
20 127. Plaintiff is informed and believes, and on that basis alleges, that before, during and
21 after the time that Plaintiff was molested, sexually exploited, and abused by Father Lenihan,
22 Defendants had a duty to disclose to Plaintiff, parishioners, and others under Father Lenihan's
23 control, direction, counseling and guidance, that Father Lenihan had been and was continuing to
24 engage in sexually related conduct with vulnerable and dependent females, but intentionally
25 suppressed and concealed this information. The duty to disclose arose by the special trusting,
26 confidential, and/or fiduciary relationship between Defendants and Plaintiff as alleged herein,
27 pursuant to Tarasoff v. Regents Of Univ. of Cal., 17 Cal.3d 425, 131 Cal.Rptr. 14, 23 (1976) and
28 LiMandri v. Judkins, 52 Cal.App.4th 326, 60 Cal.Rptr. 539, 543 (1997); Heligts v. Schuman

1 (1986) 52 Cal.App.4th 337; by reason of the fact that Defendants made affirmative
2 representations regarding Father Lenihan, but suppressed the material facts about the
3 molestations, of other victims, pursuant to Randi W. v. Muroc Joint Unified School, 14 Cal.4th
4 1066, 929 P.2d 582, 592 (1997); by reason of the fact that Defendants had exclusive knowledge
5 of the material facts alleged herein regarding Father Lenihan which were not known to Plaintiff
6 and/or not assessable to Plaintiff, pursuant to LiMandri v. Judkins, 52 Cal.App.4th 326, 60
7 Cal.Rptr. 539, 543 (1997); Heligts v. Schuman (1986) 52 Cal.App.4th 337, and by reason of the
8 fact that a special relationship, as employer/employee, existed between the Defendant Dioceses
9 and Father Lenihan which imposed a duty upon the Defendant Dioceses to control Father
10 Lenihan's conduct, pursuant to Tarasoff v. Regents Of Univ. of Cal., 17 Cal.3d 425, 131
11 Cal.Rptr. 14, 23 (1976).
12

13
14 128. Plaintiff is informed and believes, and on that basis alleges, that said intentional and
15 deliberate suppression and concealment of facts included, but was not limited to: transferring
16 Father Lenihan from position to position whenever too many complaints or reports surfaced
17 regarding his molestations in any one location; making no investigation; issuing no warnings;
18 permitting Father Lenihan routinely and often to be alone with and counsel minors and other
19 vulnerably and emotionally dependent females; not having adopted a policy to prevent permitting
20 Father Lenihan routinely to be alone with and counsel minors, and other emotionally vulnerable
21 females, making no reports of any allegations of Father Lenihan's abuse and molestations to
22 minors in their care; and assigning and continuing to assign Father Lenihan to duties which placed
23 him in positions of authority and trust over minors, and emotionally dependent females in which
24 Father Lenihan could easily be alone with and sexually exploit such persons during counseling
25 sessions.
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2 129. Plaintiff is informed and believes, and on that basis alleges, that Defendants, and
3 each of them, made no attempt to take any negative action against Father Lenihan nor to monitor
4 or ensure he was properly performing his duties.

5
6 130. Plaintiff is informed and believes, and on that basis alleges, that said
7 representations, suppressions and concealment of facts were likely to mislead Plaintiff,
8 parishioners, students, and others to believe that Defendants had no knowledge of any charges, or
9 that there were no other charges of sexual misconduct against Father Lenihan, and that
10 Defendants were directly supervising and preventing Father Lenihan from contact with
11 parishioners, students, or counselees and that there was no need for them to take further action to
12 protect themselves.

13
14 131. Plaintiff is informed and believes, and on that basis alleges, that Defendants, and
15 each of them, knew at the time they represented, suppressed and concealed the true facts
16 regarding Father Lenihan's sexual molestations, that said representations, suppressions and
17 concealment of fact were misleading.

18
19 132. Plaintiff is informed and believes, and on that basis alleges, that Defendants, and
20 each of them, represented, suppressed and concealed the true facts with the intent to prevent
21 Plaintiff, parishioners, counselees, and others, from learning that Father Lenihan had been and was
22 continuing to molest minors, parishioners, counselees, vulnerable adults females, and others under
23 Father Lenihan's control, direction, counseling and guidance, with complete impunity; to induce
24 people, including Plaintiff, counselees, other parishioners, benefactors, and donors to the Dioceses
25 to participate and financially, support, and to continue to participate in and financially support
26 parishes, schools, camps and other Church money-making enterprises; to prevent further reports
27 and outside investigations into Father Lenihan's and Defendants' conduct; to prevent discovery of
28 Defendants' own fraudulent conduct; to avoid damage to the reputations of Defendants; to

1 protect their power and status in the Church hierarchy; to avoid damage to the reputation of the
2 Church; and to avoid the civil and criminal liability of Defendants and of Father Lenihan.

3
4 133. Plaintiff is informed and believes, and on that basis alleges, that at all times
5 mentioned herein, Defendants, with knowledge of the tortuous nature of their own and each
6 others' conduct, knowingly and intentionally gave each other substantial assistance to perpetrate
7 the fraud and deceit alleged herein.
8

9
10 134. Plaintiff is informed and believes, and on that basis alleges, that Plaintiff,
11 counselees, students, benefactors, donors, parishioners, and others, were misled by Defendants'
12 intentional representations, suppressions and concealment of facts, and in reliance thereon, were
13 induced to act or induced not to act exactly as intended by Defendants, and each of them, and
14 specifically Plaintiff was induced to believe that there were no allegations of sexual abuse against
15 Father Lenihan. Had Plaintiff, counselees, students, parishioners, and others, known the true facts
16 and not been ignorant of the representations, suppressions and concealment of facts and
17 misrepresentations, they would have decided not to participate further in counseling with Father
18 Lenihan or to further financially support the Dioceses' activities alleged herein; would not have
19 allowed themselves to be counseled and under the control of the Defendants and Father Lenihan;
20 would have reported the matters to the proper authorities, to other parishioners, to parents of and
21 to minor students so as to prevent future recurrences; would not have allowed counselees,
22 including Plaintiff, to be alone with or have any counseling relationship with Father Lenihan;
23 would have undertaken their own investigations which would have led to discovery of the true
24 facts; and would have sought psychological counseling for Plaintiff from legitimate medical
25 practitioners.
26

27 135. Plaintiff is informed and believes, and on that basis alleges, that as a direct and
28 proximate result of the wrongful conduct of said Defendants, Plaintiff was molested and sexually,

1 physically, and mentally abused by Father Lenihan, while being counseled for emotional and
2 psychological difficulties, as alleged herein.

3
4 136. Furthermore, the Defendants' fraud, which continues through today, caused
5 Plaintiff to experience recurrences of the severe mental distress, including fear, anger, shame,
6 humiliation, helplessness, and guilt, that Plaintiff had experienced at the time Plaintiff was
7 molested and abused; and further caused Plaintiff to experience extreme and severe mental
8 distress, manifested by the above feelings, that Plaintiff had been the victim of Defendants' fraud,
9 that Plaintiff had not been able to help herself because of the fraud, and that Plaintiff had not been
10 able because of the fraud to receive timely psychological counseling Plaintiff needed to deal with
11 problems Plaintiff had suffered and continues to suffer as a result of the molestations.
12

13
14 137. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was
15 hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
16 person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional,
17 spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that
18 basis alleges that the injuries will result in continuing and permanent disability to her. As a result
19 of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
20 time of trial.

21
22 138. As a further proximate result of the acts of Father Lenihan described herein,
23 Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent
24 periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is
25 informed and believes, and on that basis alleges, that the injuries will result in some permanent
26 disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to
27 be determined at the time of trial.
28

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2 139. As a further proximate result of the acts of Father Lenihan described herein,
3 Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other
4 physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will
5 result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future
6 damages in an amount to be determined at the time of trial.

7
8 140. As a further proximate result of the acts of Father Lenihan described herein,
9 Plaintiff has been damaged in that she has been required, and will be required in the future, to
10 expend money and incur obligations for health care providers required in the treatment and relief
11 of the injuries alleged, in an amount to be determined at the time of trial.

12
13 141. As a further proximate result of the acts of Father Lenihan described herein,
14 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
15 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

16
17 142. The above-described conduct of Father Lenihan was willful and outrageous, was
18 committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
19 mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was
20 otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein,
21 Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an
22 award of exemplary or punitive damages.

23 **NINTH CAUSE OF ACTION**

24 **(Negligent: Concealment of Facts and Misrepresentations)**

25 **(As Against All Defendants)**

26 143. Plaintiff hereby incorporates by reference and realleges all the allegations contained
27 in paragraphs 1-142, as though fully set forth herein.
28

1
2 144. Beginning in or around 1978, and continuing until today, Defendants had actual
3 and constructive knowledge that Father Lenihan had molested, and sexually, mentally, and
4 physically abused **Redacted** **Redacted** and Plaintiff.

5
6 145. Plaintiff is informed and believes, and on that basis alleges, that Defendants
7 negligently and carelessly represented and failed to disclose to Plaintiff, and parishioners at
8 Churches and schools owned, maintained, and controlled by the Dioceses in which Father Lenihan
9 worked, that Father Lenihan was safe, and morally and spiritually beneficial and capable of
10 performing his duties to all parishioners, and others under Father Lenihan's control, direction,
11 counseling and guidance. Plaintiff is informed and believes, and on that basis alleges, that when
12 Defendants made these affirmative misrepresentations, Defendants suppressed the material facts
13 that Father Lenihan had on numerous occasions sexually, physically, and/or mentally abused
14 Plaintiff, **Redacted**, and **Redacted** t, and/or knew of or learned of conduct by Father
15 Lenihan which placed Defendants on notice that Father Lenihan had certain deviant proclivities,
16 propensities and qualities and he was likely to sexually abuse vulnerable females and/or other
17 parishioners.

18
19 146. Plaintiff was a parishioner at St. Edward, and was under Father Lenihan's
20 psychological counseling and care during these times, creating a special fiduciary relationship or
21 special care relationship with Defendants, and each of them. As the responsible party and/or
22 employer controlling Father Lenihan, with actual knowledge of Father Lenihan's prior sexual
23 misconduct, and as the operators of a Church where vulnerable females attended, Defendants
24 Dioceses were also in a special relationship with Plaintiff.

25
26 147. Plaintiff is informed and believes, and on that basis alleges, that before, during and
27 after the time that Plaintiff was molested, sexually exploited, and abused by Father Lenihan,
28

1 Defendants had a duty to disclose to Plaintiff, students, parishioners, counselees and others under
2 Father Lenihan's control, direction, counseling and guidance, Father Lenihan had been and was
3 continuing to engage in sexually related conduct with vulnerable and co-dependent females, but
4 negligently and carelessly concealed this information. The duty to disclose arose by the special
5 trusting, confidential, and/or fiduciary relationship between Defendants and Plaintiff as alleged
6 herein, pursuant to Tarasoff v. Regents Of Univ. of Cal., 17 Cal.3d 425, 131 Cal.Rptr. 14, 23
7 (1976) and LiMandri v. Judkins, 52 Cal.App.4th 326, 60 Cal.Rptr. 539, 543 (1997); by reason of
8 the fact that Defendants made careless and negligent representations regarding Father Lenihan,
9 but suppressed the material facts about the molestations, of other victims, pursuant to Randi W. v.
10 Muroc Joint Unified School, 14 Cal.4th 1066, 929 P.2d 582, 592 (1997); by reason of the fact
11 that Defendants had exclusive knowledge of the material facts alleged herein regarding Father
12 Lenihan which were not known to Plaintiff and/or not assessable to Plaintiff, pursuant to
13 LiMandri v. Judkins, 52 Cal.App.4th 326, 60 Cal.Rptr. 539, 543 (1997); and by reason of the fact
14 that a special relationship, as employer/employee, existed between the Defendant Dioceses and
15 Father Lenihan which imposed a duty upon the Defendant Dioceses to control Father Lenihan's
16 conduct, pursuant to Tarasoff v. Regents Of Univ. of Cal., 17 Cal.3d 425, 131 Cal.Rptr. 14, 23
17 (1976).
18

19
20 148. Plaintiff is informed and believes, and on that basis alleges, that said negligent and
21 careless representations, suppression and concealment of facts included, but was not limited to:
22 transferring Father Lenihan from position to position whenever too many complaints or reports
23 surfaced regarding his molestations in any one location; making no investigation; issuing no
24 warnings; permitting Father Lenihan routinely and often to be alone with minors, counselees and
25 other vulnerably and emotionally dependent females; making no reports of any allegations of
26 Father Lenihan's abuse and molestations to minors in their care; and assigning and continuing to
27 assign Father Lenihan to duties which placed him in positions of authority and trust over minors,
28

1 and emotionally dependent females in which Father Lenihan could easily be alone with such
2 persons during counseling sessions.

3
4 149. Plaintiff is informed and believes, and on that basis alleges, that the representation
5 made by the Defendants, and each of them, were, in fact, false. The true facts were that Father
6 Lenihan had a history of molesting and sexually abusing vulnerable females, and that his
7 propensities and qualities to abuse females made him a danger to vulnerable females, who came
8 under his control and counseling sessions. Defendants, and each of them, made these
9 representations with no grounds believing them true, and in reliance thereon, the Plaintiff allowed
10 Father Lenihan to continue counseling her.

11
12 150. Plaintiff is informed and believes, and on that basis alleges, that said
13 representations, suppressions and concealment of facts were likely to mislead Plaintiff,
14 parishioners, students, and others to believe that Defendants had no knowledge of any charges, or
15 that there were no other charges of sexual misconduct against Father Lenihan, and that
16 Defendants were directly supervising and preventing Father Lenihan from illicit contact with
17 parishioners, students, or counseling and that there was no need for them to take further action.

18
19 151. Plaintiff is informed and believes, and on that basis alleges, that Defendants, and
20 each of them, knew or should have known at the time they represented, suppressed and concealed
21 the true facts regarding Father Lenihan's sexual molestations and sexual abuse, that said
22 representations, suppressions and concealment of facts were misleading.

23
24 152. Plaintiff is informed and believes, and on that basis alleges, that Defendants, and
25 each of them, represented, suppressed and concealed the true facts with the intent to prevent
26 Plaintiff, parishioners, counselees, and others, from learning that Father Lenihan had been and was
27 continuing to molest minors, parishioners, counselees, vulnerable adults females, and others
28

1 under Father Lenihan's control, direction, counseling and guidance; to induce people, including
2 Plaintiff, counselees, other parishioners, benefactors, and donors to the Dioceses to participate
3 and financially support, and to continue to participate in and financially support parishes, schools,
4 camps and other Church money-making enterprises; to prevent further reports and outside
5 investigations into Father Lenihan's and Defendants' conduct was to prevent discovery of
6 Defendants' own fraudulent conduct; to avoid damage to the reputations of Defendants; to
7 protect their power and status in the Church hierarchy; to avoid damage to the reputation of the
8 Church; and to avoid the civil and criminal liability of Defendants and of Father Lenihan.
9

10
11 153. Plaintiff is informed and believes, and on that basis alleges, that Plaintiff,
12 counselees, students, benefactors, donors, parishioners, and others, were misled by Defendants'
13 representations, suppressions and concealment of facts, and in reliance thereon, were induced to
14 act or induced not to act exactly as intended by Defendants, and each of them, and specifically
15 Plaintiff was induced to believe that there were no allegations of sexual abuse against Father
16 Lenihan. Had Plaintiff, counselees, students, parishioners, and others, known the true facts and
17 not been ignorant of the suppressions and concealment of facts and misrepresentations, they
18 would have decided not to participate further or to further financially support the Dioceses'
19 activities alleged herein; would not have allowed themselves to be counseled and under the
20 control of the Defendants and Father Lenihan; would have reported the matters to the proper
21 authorities, to other parishioners, to parents of and to minor students so as to prevent future
22 recurrences; would not have allowed counselees, including Plaintiff, to be alone with or have any
23 counseling relationship with Father Lenihan; would have undertaken their own investigations
24 which would have led to discovery of the true facts; and would have sought psychological
25 counseling for Plaintiff from legitimate medical practitioners.
26
27
28

1 154. Plaintiff is informed and believes, and on that basis alleges, that as a direct and
2 proximate result of the wrongful conduct of said Defendants, Plaintiff was molested and sexually,
3 physically, and mentally abused by Father Lenihan, as alleged herein.
4

5 155. Furthermore, the Defendants' negligent fraud, which continues through today,
6 caused Plaintiff to experience recurrences of the severe mental distress, including fear, anger,
7 shame, humiliation, helplessness, and guilt, that Plaintiff had experienced at the time Plaintiff was
8 molested and abused; and further caused Plaintiff to experience extreme and severe mental
9 distress, manifested by the above feelings, that Plaintiff had been the victim of Defendants' fraud,
10 that Plaintiff had not been able to help herself because of the fraud, and that Plaintiff had not been
11 able because of the fraud to receive timely psychological counseling Plaintiff needed to deal with
12 problems Plaintiff had suffered and continues to suffer as a result of the molestations.
13

14 156. As a proximate result of the acts of Father Lenihan described herein, Plaintiff was
15 hurt and injured in her health, strength, and activity, sustained injury to her nervous system and
16 person, all of which injures have caused, and continue to cause, Plaintiff great mental, emotional,
17 spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that
18 basis alleges that the injuries will result in continuing and permanent disability to her. As a result
19 of the injuries, Plaintiff has suffered past and future damages in an amount to be determined at the
20 time of trial.
21

22 157. As a further proximate result of the acts of Father Lenihan described herein,
23 Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent
24 periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is
25 informed and believes, and on that basis alleges, that the injuries will result in some permanent
26 disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to
27 be determined at the time of trial.
28

1 158. As a further proximate result of the acts of Father Lenihan described herein,
2 Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other
3 physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will
4 result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future
5 damages in an amount to be determined at the time of trial.
6

7 159. As a further proximate result of the acts of Father Lenihan described herein,
8 Plaintiff has been damaged in that she has been required, and will be required in the future, to
9 expend money and incur obligations for health care providers required in the treatment and relief
10 of the injuries alleged, in an amount to be determined at the time of trial.
11

12 160. As a further proximate result of the acts of Father Lenihan described herein,
13 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
14 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.
15

16 161. The above-described conduct of Father Lenihan was willful and outrageous, was
17 committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
18 mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was
19 otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein,
20 Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an
21 award of exemplary or punitive damages.
22

23 TENTH CAUSE OF ACTION

24 (Intentional Infliction of Emotional Distress)

25 (As Against All Defendants)

26 162. Plaintiff hereby incorporates by reference and realness all the allegations contained
27 in paragraphs 1-161, as though fully set forth herein.
28

1
2 163. Father Lenihan occupied a position of authority, respect, and trust over Plaintiff in
3 that Father Lenihan was an adult, an ordained priest, and the priest of Plaintiff's Church and
4 counselor of her emotional problems. The Dioceses likewise occupied a position of authority,
5 respect, and trust over Plaintiff in that they controlled and exercised jurisdiction over the
6 Churches which Plaintiff attended and controlled the activities and duties of Father Lenihan.

7 164. Plaintiff felt great trust, faith and confidence in the Defendants.

8
9 165. Father Lenihan's above-described conduct was intentional and malicious and done
10 for the purpose of causing Plaintiff to suffer humiliation, mental anguish, and emotional and
11 physical distress which continues through today.

12 166. Furthermore, the Dioceses' above-described conduct was intentional and malicious
13 and done for the purpose of causing Plaintiff to suffer humiliation, mental anguish, and emotional
14 and physical distress. The Dioceses' conduct in covering up the molestations and abuses by
15 Father Lenihan, continuing to allow Father Lenihan to act as a Catholic priest within the Dioceses,
16 continuing to hold Father Lenihan out as a Catholic priest who could be trusted with counselee's
17 and continuing to allow Father Lenihan to work with counselees on a daily basis, and continuing
18 to move Father Lenihan around to different Catholic Churches within the Dioceses, continued
19 through at least September of 2001.

20
21 167. As a proximate result of the acts of Defendants herein, Plaintiff was hurt and
22 injured in her health, strength, and activity, sustained injury to her nervous system and person, all
23 of which injuries have caused, and continue to cause, Plaintiff great mental, emotional, spiritual,
24 physical nervous pain and suffering. Plaintiff is informed and believes, and on that basis alleges,
25 that the injuries will result in continuing and permanent disability to her. As a result of the
26
27
28

1 injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time
2 of trial.

3
4 168. As a further proximate result of the acts of Father Lenihan described herein,
5 Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent
6 periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is
7 informed and believes, and on that basis alleges, that the injuries will result in some permanent
8 disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to
9 be determined at the time of trial.

10
11 169. As a further proximate result of the acts of Father Lenihan described herein,
12 Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other
13 physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will
14 result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future
15 damages in an amount to be determined at the time of trial.

16
17 170. As a further proximate result of the acts of Father Lenihan described herein,
18 Plaintiff has been damaged in that she has been required, and will be required in the future, to
19 expend money and incur obligations for health care providers required in the treatment and relief
20 of the injuries alleged, in an amount to be determined at the time of trial.

21
22 171. As a further proximate result of the acts of Father Lenihan described herein,
23 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
24 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.

25
26 172. The above-described conduct of Father Lenihan was willful and outrageous, was
27 committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
28

1 mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was
2 otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein,
3 Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an
4 award of exemplary or punitive damages.
5

6 **ELEVENTH CAUSE OF ACTION**

7 **(Negligent Infliction of Emotional Distress)**

8 **(As Against All Defendants)**

9 173. Plaintiff hereby incorporates by reference and realleges all the allegations contained
10 in paragraphs 1-172, as though fully set forth herein.
11

12 174. Defendants Dioceses knew or should have known that Father Lenihan had been and
13 was continuing to engage in sexually related conduct with Plaintiff, **Redacted**, and
14 **Redacted**. Defendants Dioceses had a duty to disclose to Plaintiff, students, parishioners,
15 counselees, and others under Father Lenihan's control, direction, counseling and guidance,
16 parents and the authorities that Father Lenihan had been and was continuing to engage in sexually
17 related conduct with minors. The duty to disclose arose by the special trusting, confidential,
18 and/or fiduciary relationship between Defendants and Plaintiff as alleged herein, pursuant to
19 Tarasoff v. Regents Of Univ. of Cal., 17 Cal.3d 425, 131 Cal.Rptr. 14, 23 (1976) and LiMandri v.
20 Judkins, 52 Cal.App.4th 326, 60 Cal.Rptr. 539, 543 (1997); by reason of the fact that Defendants
21 made affirmative representations regarding Father Lenihan as alleged above, but suppressed the
22 material facts about the molestations, pursuant to Randi W. v. Muroc Joint Unified School, 14
23 Cal.App.4th 1066, 929 P.2d 582, 592 (1997); by reason of the fact that the Defendants had
24 exclusive knowledge of the material facts alleged herein regarding Father Lenihan which there
25 were known to Plaintiff and/or not assessable to Plaintiff, pursuant to LiMandiri v. Judkins, 52
26 Cal.App.4th 326 (1977); and by reason of the fact that a special relationship, as
27 employer/employee, existed between the Defendant Dioceses and Father Lenihan, which imposed
28

1 a duty upon the Defendants Dioceses to control Father Lenihan's conduct, pursuant to Tarasoff v.
2 Regents Of Univ. of Cal., 17 Cal.3d 425, 131 Cal.Rptr. 14, 23 (1976).
3

4 175. Plaintiff felt great trust, faith and confidence in Father Lenihan and Defendants
5 Dioceses, as her spiritual leaders and counselors.
6

7 176. Defendants Dioceses negligently failed to disclose, misrepresented, suppressed, and
8 concealed this information regarding Father Lenihan, before Plaintiff was molested and sexually
9 abused by Father Lenihan, during the time that Plaintiff was molested by Father Lenihan, and after
10 the time that Plaintiff was molested by Father Lenihan.
11

12 177. Defendants Dioceses' hereinabove-described conduct caused Plaintiff to suffer
13 humiliation, mental anguish, and emotional and physical distress, which continues through today.
14

15 178. As a proximate result of the acts of the Defendants described herein, Plaintiff was
16 hurt and injured in her health, strength and activity, sustained injury to her nervous system and
17 person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional,
18 spiritual, physical nervous pain and suffering. Plaintiff is informed and believes, and on that basis
19 alleges, that the injuries will result in continuing and permanent disability to her. As a result of the
20 injuries, Plaintiff has suffered past and future damages in an amount to be determined at the time
21 of trial.
22

23 179. As a further proximate result of the acts of Father Lenihan described herein,
24 Plaintiff developed and continues to suffer from loss of religious faith, depression and frequent
25 periodic episodes of anxiety, panic, fear, guilt and other forms of emotional distress. Plaintiff is
26 informed and believes, and on that basis alleges, that the injuries will result in some permanent
27
28

1 disability to her. By reason thereof Plaintiff has suffered past and future damages in an amount to
2 be determined at the time of trial.
3

4 180. As a further proximate result of the acts of Father Lenihan described herein,
5 Plaintiff developed and continues to suffer from severe headaches, nausea, anorexia, and other
6 physical ailments. Plaintiff is informed and believes, and on that basis alleges, that the injuries will
7 result in some permanent disability to her. By reason thereof, Plaintiff has suffered past and future
8 damages in an amount to be determined at the time of trial.
9

10 181. As a further proximate result of the acts of Father Lenihan described herein,
11 Plaintiff has been damaged in that she has been required, and will be required in the future, to
12 expend money and incur obligations for health care providers required in the treatment and relief
13 of the injuries alleged, in an amount to be determined at the time of trial.
14

15 182. As a further proximate result of the acts of Father Lenihan described herein,
16 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
17 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.
18

19 183. The above-described conduct of Father Lenihan was willful and outrageous, was
20 committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
21 mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was
22 otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein,
23 Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an
24 award of exemplary or punitive damages.
25
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27
28

1 TWELFTH CAUSE OF ACTION

2 (Negligent Supervision/Retention/Hiring)

3 (As Defendant Dioceses and Defendant Does 1-100)

4 184. Plaintiff hereby incorporates by reference and realleges all the allegations contained
5 in paragraphs 1-183, as though fully set forth herein.
6

7 185. Plaintiff is informed and believes, and on that basis alleges, that as a result of the
8 affiliation of Plaintiff with the Church, and the other Church officials, and after having allowed
9 Plaintiff to enter into a fiduciary and counseling relationship with Father Lenihan, and consultation
10 with other Church priests, a special fiduciary relationship of human and spiritual trust, and
11 healing/practitioner patient relationship exists. Said special fiduciary relationship between
12 Plaintiff and Defendant Dioceses exists because of the actual knowledge obtained by the Dioceses
13 concerning Father Lenihan's deviant sexual propensities and proclivities around vulnerable
14 co-dependent females, and notwithstanding that knowledge, the Dioceses allowed, authorized and
15 sanctioned Father Lenihan to come in contact with the public and other vulnerable females who
16 were likely to, and did indeed, place their confidence and trust in Father Lenihan as a counselor
17 and priest.
18

19 186. As alleged above, Plaintiff was sexually harassed, Plaintiff an emotionally
20 vulnerable and dependent person, was sexually molested, abused and exploited by Father Lenihan
21 and said conduct constitutes a breach of duty owed to the Plaintiff by the Dioceses to properly
22 supervise, hire and control Father Lenihan and to provide a safe haven for Plaintiff and other
23 vulnerable counselees. Defendant Dioceses had the right to supervise, hire or fire, monitor and
24 control Father Lenihan.
25

26 187. Defendant's Dioceses knew or should have known that Father Lenihan had been and
27 was continuing to engage in sexually related conduct with Plaintiff, **Redacted** a, and
28

1 limited to: that at no time during the periods of time alleged herein did Defendants Dioceses have
2 in place a system or procedure to supervise and/or monitor priests, and in particular, Father
3 Lenihan, to ensure that these priests did not continue to molest and abuse counselees and others,
4 especially after having an affirmative knowledge that Father Lenihan had a history and propensity
5 to take advantage of vulnerable minor and adult females under his direction and control; knowing
6 of, and failing to remove or otherwise stop priests and in particular, Father Lenihan, from
7 molesting and sexually abusing the Plaintiff after having knowledge that he was sexually abusing
8 and exploiting the Plaintiff's vulnerabilities and building a co-dependency on him; transferring
9 Father Lenihan from position to position whenever too many complaints or reports surfaced
10 regarding molestation in any one location and covering up the information and transfers while
11 issuing misleading statements concerning Father Lenihan's integrity to serve as a priest and
12 counselor; making no investigation into allegations made involving sexual molestation and abuse
13 of the Plaintiff; issuing no warnings concerning Father Lenihan's propensities and routinely
14 allowing Father Lenihan to counsel vulnerable minor and adult females; not establishing follow-up
15 psychological counseling after being placed on notice that Father Lenihan had previously
16 molested, and sexually abused vulnerable females; not having adopted a policy prohibiting Father
17 Lenihan from routinely counseling minors and other emotionally dependent and vulnerable
18 females.
19

20
21 191. Plaintiff is informed and believes, and on that basis alleges that the Defendants
22 Dioceses further breached their duty to properly supervise, retain and hire Father Lenihan when,
23 after having explicit knowledge of Father Lenihan's past indiscretions and molestation of
24 vulnerable minor females, he was authorized and assigned to duties in parishes, which put him in a
25 position where he was in frequent contact with the public and people who are likely to place their
26 trust and confidence in Father Lenihan and that he was likely to come in contact with and engage
27 in counseling sessions with vulnerable minor and adult females. As a result, Defendants Dioceses
28 knew, or should have known, that by allowing Father Lenihan to be put in a position to counsel

1 vulnerable and co-dependent females, he was likely to take unfair advantage and would be unable
2 to handle a transference phenomena, which frequently occurs in such counseling relationships with
3 emotionally dependent persons. Notwithstanding this knowledge, and the likelihood and danger,
4 the Defendant Dioceses failed to make any efforts to warn potential victims of Father Lenihan's
5 propensities and underlying qualities and sexual desires and in fact, created a misconception
6 concerning the qualifications and integrity of Father Lenihan.
7

8
9 192. Plaintiff is informed and believes, and on that basis alleges, the Defendant Dioceses
10 further breached their duties of due cause, by allowing Father Lenihan to be transferred, after
11 having knowledge that he had molested minor females, in violation of directive from the U.S.
12 Conference of Catholic Bishops in 1993, which forbade treatment and/or reassignment of priests
13 who molest minors.
14

15 193. Plaintiff is informed and believes, and on that basis alleges, that Defendant
16 Dioceses further breached its duty of due care by violating a 1998 Directive and Policy issued by
17 Defendant, The Roman Catholic Archbishop of Los Angeles, which mandated Defendant, The
18 Roman Catholic Bishop of the Orange County Diocese to report all cases in which a priest
19 molested a minor to the legal authorities.
20

21 194. Plaintiff is informed and believes, and on that basis alleges, that Defendant
22 Dioceses further breached its duty of due care owing to the Plaintiff, by allowing Father Lenihan
23 to molest and sexually abuse the Plaintiff by taking advantage of her vulnerability during a
24 counseling session after having explicit knowledge thereof and knowing that Father Lenihan's
25 conduct was in violation of a directive and policy of Defendant, The Roman Catholic Bishop of
26 Orange County Diocese, and Dioceses known as "Respecting the Boundaries." Plaintiff is
27 informed and believes, and thereon alleges, that said policy expressly forbidding sexual
28 relationships with vulnerable adults and others, was adopted and in force and effect during certain

1 time periods in which Father Lenihan was molesting and sexually abusing the Plaintiff and after
2 the Dioceses had actual knowledge of said molestations. A true and correct copy of said policy
3 entitled "Respecting the Boundaries," is marked Exhibit "K." Said policy states, in pertinent part,
4 as follows:

5 " . . . Sexual misconduct by clergy, Church personnel, Church leaders, and
6 volunteers, is contrary to Christian morals, doctrine, and Canon law. It
7 is never acceptable. We recognize that sexual misconduct may have
8 devastating consequences for victims and their families . . .

9
10 Sexualized conduct or sexualized behavior by a person in a ministerial
11 or pastor role directed at a parishioner, employee, student, spiritual
12 directee, counseling client, or anyone who has sought the Church ministry.

13
14 . . . Q. What if the victim does not stop the sexual contact when it began
15 or what if the victim initiated it?

16
17 A. It is a common dynamic in ministry for some to feel attracted
18 to those in Church leadership positions, or to feel flattered by his or her
19 attention. **This never excuses any form of sexual misconduct.** Clergy
20 or other Church leaders who engage in any form of sexual misconduct are
21 violating the ministerial relationship, misusing their authority and power,
22 and are taking advantage of the vulnerability of those who are seeking
23 spiritual guidance.

24
25
26 **Because of the respect and even reverence with which many people view**
27 **the Church's ministries, there is always an imbalance of power and hence,**
28 **a vulnerability inherent in the ministerial relationship. By definition,**

1 therefore, there is an absence of meaningful consent to any activity,
2 even if the person is an adult. Because of the imbalance of power,
3 conduct inappropriate to the ministerial relationship is never okay.
4

5 It is always the responsibility of the Church leader to maintain the
6 appropriate emotional and sexual boundaries of those they serve
7 and those with whom they work . . .
8

9
10 Q: How will the Diocese of Orange handle sexual misconduct
11 claims against a member of the clergy, (i.e., Bishops, priests, or
12 deacons)?

13
14 A: When a member of the clergy is accused, a special committee
15 will be convened by the Vicar General, and with the Assistant Ministry
16 Coordinator, will respond promptly to the Complaint. In dealing with the
17 Complaint, the members of the Committee will:

18 Make every effort to act in a way that protects people from
19 being harmed, including relieving an accused priest or
20 deacon from ministerial duties when warranted by
21 substantial facts and/or risk of harm;

22
23 Comply with applicable civil reporting mandates
24 governing sexual abuse;

25
26 Offer victims and their family assistance in obtaining
27 psychological counseling and spiritual direction . . ."
28

1
2 195. Plaintiff is informed and believes, and on that basis alleges that those individuals
3 employed or governed by the Defendant Dioceses were aware, and understood how vulnerable,
4 emotionally disturbed female minors and vulnerable adult females were to abuse by priests, and in
5 particular, by Father Lenihan.

6
7 196. At all times that the Plaintiff was being molested and sexually abused by Father
8 Lenihan, Defendants Dioceses were placed on actual and constructive notice that Father Lenihan
9 had molested minor students in the past and knew or should have known that the Defendant had
10 the propensities and qualities to similarly molest and sexually exploit emotionally vulnerable and
11 co-dependent adult females, such as the Plaintiff. Furthermore, during the time that Father
12 Lenihan was molesting and sexually abusing the Plaintiff, these Dioceses were put on actual and
13 constructive notice that Father Lenihan was molesting and sexually abusing the Plaintiff.
14 Notwithstanding this information, the Defendant Dioceses continued to retain Father Lenihan and
15 continued to fail to supervise and continued to allow Father Lenihan to continue with his sexual
16 perverse ways.

17
18 197. As a proximate result of the acts of the Defendants described herein, Plaintiff was
19 hurt and injured in her health, strength, and activity, sustained injury to nervous system, and
20 person, all of which injuries have caused, and continue to cause, Plaintiff great mental, emotional,
21 spiritual, physical and nervous pain and suffering. Plaintiff is informed and believes, and on that
22 basis alleges, that the injuries will result in continuing and permanent disabilities to her. As a
23 result of the injuries, Plaintiff has suffered past and future damages in an amount to be determined
24 at the time of trial.

25
26 198. As a further proximate result of the acts of Father Lenihan described herein,
27 Plaintiff has been damaged in that she has been required, and will be required in the future, to
28

1 expend money and incur obligations for health care providers required in the treatment and relief
2 of the injuries alleged, in an amount to be determined at the time of trial.
3

4
5 199. As a further proximate result of the acts of Father Lenihan described herein,
6 Plaintiff has been affected in her ability to advance in her employment and thereby has lost wages,
7 and will continue to lose wages, to her damage in an amount to be determined at the time of trial.
8

9 200. The above-described conduct of Father Lenihan was willful and outrageous, was
10 committed in reckless disregard of the probability of causing Plaintiff severe emotional distress,
11 mental anguish, humiliation, and psychological, spiritual, and physical injury and illness, and was
12 otherwise intended to cause injury to Plaintiff. Additionally, in doing the acts as described herein,
13 Father Lenihan has been guilty of fraud, oppression, or malice. Plaintiff is therefore entitled to an
14 award of exemplary or punitive damages.
15

16 WHEREFORE, Plaintiff prays for judgment against Defendants, and each of them, as
17 follows:
18

19 **FOR ALL CAUSES OF ACTION**
20

- 21 1. For past and future general damages in an amount to be determined at trial;
22
23 2. For past and future special damages in an amount to be determined at trial.
24
25 3. For past and future lost earnings in an amount to be determined at trial;
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27 4. For punitive and exemplary damages in an amount appropriate to punish or set an
28 example of the Defendants;

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- 5. For costs of the suit.
- 6. For attorneys' fees.
- 7. For interest as allowed by the law.
- 8. For such other and further relief as the court may deem proper.

DATED: May 8, 2002

LAW OFFICES OF JAMES P. McDONOUGH

By: James P. McDonough
James P. McDonough
Attorney for Plaintiff, **Redacted**

EXHIBIT "A"

000296

Redacted Hierarchy Name

From: Redacted
Sent: Wednesday, August 22, 2001 10:15 AM
To: Redacted
Subject: (no subject)

Aug 21,C1

Dear Fr. Redacted

In reading the very disappointing article today in the Orange County Register regarding Msgr. Harris, I was very interested in the paragraph referring to Fr. John Lenihan and his indiscretions. It came as no shock to me, due to the fact every time I come to Laguna Niguel to visit my Mother I encounter Fr. John. He is visiting my mother's next door neighbor, a single women. The visit's are at least three times weekly on Monday, Wednesday and Friday.

They begin at approximately 1:00pm and last about two to three hours. On some occasions his car is there after 10:00pm. On other occasions he picks her up and is gone for hours. On more then one occasion Fr. John has been observed on a trail next to the house holding hands and kissing this individual. I personally have witnessed this behavior.

There are other neighbors who happen to be his parishioners that have also witnessed his routine of visiting this women. We have known about this going on since mid march. It could have been going on longer, but we were not aware of it. It has caused great stress to my Mother and other neighbor's who hold the priesthood in high esteem.

Early in May I brought the subject up to a D.R.E. in the dioceses. She said to me "Aaron, that's the way he is, and the dioceses has known it for year's." I then decided to confront him personally as he was leaving the women's house. I told him that there where neighbors who had seen him on the

trails and knew he was coming to the person's house three times a week. He told me he was there counseling her because she was an alcoholic. When I said Fr. John they have seen you on the trail's with her, he said "I better be more careful." He thanked me for making him aware of this. I was so shocked by his response I wasn't sure what to do. As you and I both know,

000297

counseling is not done in the home and not three times a week for three hours a session. It also does not included physical contact.

I have great love for the Church and have been an active member my whole life. I do feel that this type of behavior needs to be stopped. The Bishop, Vicar General and the Vicar for Priest must call these priest to reprimand. I am the first to call for an optional celibate priesthood, as we know that is not the rule in the western Church. When Fr. John was ordained he knew the vows and the rules of the Church.

I pray that you will take action immediately to put a stop to his flamboyant disregard for the vow of chastity. The Church must stand up and put a stop to all indiscretion's in the priesthood. the Church has been silent to long.

If you are interested the indiscretion's take place at **Redacted**
Laguna Niguel with a women named **Redacted**

Thank you for your time and I thank you in advance for your swift action on this matter.

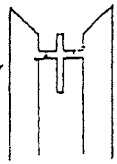
In His name,

Redacted

000298

EXHIBIT "B"

000299



St. Edward Catholic Church

33926 Calle La Primavera + Dana Point CA 92629-2018 + 949/496-1307 + FAX 949/496-1557

January 29, 2001

To Whom It May Concern:

I have known **Redacted** for approximately one year, shortly after she moved to this area. She came to me, as the pastor of St. Edward Church, Dana Point, located close to her apartment, for counseling. She was in a difficult and dubious relationship, which subsequently ended causing her great grief. I had no inkling for quite a while that she had a problem with alcohol. I never saw her incapable of functioning normally and, in particular, unable to give total attention and care to her **Redacted**. He is a very exceptional child in many ways. He suffers from acute attention deficit disorder and hyperactivity, is physically and emotionally under developed, yet also capable of great love, devotion and insights. He is not able to feed himself for lack of finger dexterity, yet has a strong throwing arm, he can keep himself amused for a long time yet explode into deviant behavior, is not yet fully potty trained, yet can sing and dance with great rhythm. His center of his world is his mother and he maintains a tenuous relationship with his school, which has him in a special education program.

Redacted has had a very difficult life. She grew up in a very dysfunctional family. She was subject to physical and mental cruelty particularly by an estranged father who terrified her and an older brother who belittled her. Her self worth was found through her athletic ability as she excelled in basketball up to the division one university level. Following school her life entered another traumatic phase with a disastrous marriage and the birth of a handicapped son. Her husband was physically abusive, threatened the life of her son and herself, and eventually committed suicide leaving a letter and a legacy that has effected **Redacted** to this day. In the light of all this, **Redacted** has been an extraordinary survivor, yet understandably remains wounded. In the course of helping her, I have directed her towards professional alcohol counseling and urged her to battle her propensity to anorexia. I learned of a particularly difficult aspect of her drinking, that if she suddenly stopped drinking completely she was liable to seizures.

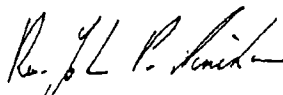
The pivotal definitive change occurred with her arrest on suspicion of driving under the influence. Knowing she could have a seizure, which in fact occurred the next day, yet determined, she resolved to stop drinking completely. She has not had a drink since that day and now has over four months of continuous sobriety. She has returned to professional counseling even with the financial strain involved. She is a daily churchgoer, usually with **Redacted**, who enjoys the experience, and I see her regularly three times a week. She has also been dealing with severe underweight bordering on anorexia but with constant encouragement and counseling she has put on over 10 pounds.

000300

I see no value in incarceration and believe it would be extremely detrimental to her ongoing progress. I firmly believe ~~Redacted~~ is absolutely sincere and determined and has embarked on a new life of complete sobriety. Her psyche is still fragile and could be destroyed by incarceration. She needs affirmation, encouragement and a plan. I recommend a strong outpatient program. Components would include elements already in place (1) Counseling with Dr. ~~Redacted~~ a certified alcohol counselor she is already seeing and/or (2) Counseling with ~~Redacted~~ a certified addictive and eating disorder counselor from Pacific Hills treatment center three times a week, (3) Support from St. Edward Church, and specifically from me-as pastor (4) active internet contact with two support groups, W.F.S.(Women for Sobriety), and an eating support group (Remember it Hurts).

Thanking you for your consideration of this letter, and begging your clemency on her behalf,

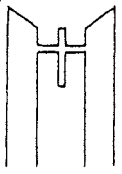
Yours Sincerely,


Rev. John P. Lenihan

000301

EXHIBIT "C"

000302



St. Edward Catholic Church

33926 Calle La Primavera + Dana Point, CA 92629-2018 + 949/496-1307 + FAX 949/496-1557

July 7, 2001.

Dear Judge Linchey,

My name is Rev. John Lenihan and I am pastor at St. Edward Catholic Church in Dana Point. [Redacted] is a registered parishioner with

[Redacted] her [Redacted], a delightful but developmentally disabled child. I have been counselling [Redacted] for about a year, dealing with various issues and particularly with her alcohol problem. While lacking in particular expertise in that area I have been trying to help her control the disease through spiritual strength and practical support. In recent months she has been seeing me three times a week and she has a number of other counselling and support systems, including a psychologist who specializes in alcohol counselling.

I am happy to report that [Redacted] has now been sober for almost 10 months, ever since the incident that resulted in her D.U.I. She is in very frail health, battling anorexia and a number of other issues, and I want to petition your leniency to avoid the use of "antibuse". I believe she has already accomplished the objectives involved and I offer any personal help if appropriate.

Thank you for listening to me and with understanding for the difficulties and issues involved.

000303

EXHIBIT "D"

000304

St. Edward Church
38426 Calle La Primavera
Livermore, CA 94529.

To whom it concerns:

I have been counseling ^{Redacted} for approximately 1 1/2 yrs. The time she has been a member of the church and sought help. ^{Redacted} has waged a herculean battle against alcoholism. When I first met her she was still drinking and in a destructive relationship but she has turned all that around. She has served her time for a D. U. I. even though it involved extraordinary extra hardship because of her developmental disabled little ^{Redacted} who is a wonderful child but needs constant attention including feeding. She has been sober completely for 1 yr. and 2 months in spite of great negative inducements. She recently had a cancer operation, suffers from an eating disorder that has her dangerously underweight and has very few supports. Her only relative in contact is her, ^{Redacted} her has band committed suicide some years back and she has nobody locally. Nevertheless she is faithful to A.A. and all recommended groups, she has tried to help and help a fellow alcoholic that has alcohol stress and she walks to the market, and takes a bus to church whenever possible.

As you know this incident occurred when she

000305

was returning from mass at St. Timothy, the local church. I cannot overemphasize the importance of regular church attendance daily in her continued sobriety and this was the reason she was in her case. While not condoning or minimizing the offence I know that her intense desire to get to church was the reason. In fact her only two great needs are to get to the market and church and both are so essential I could foresee some kind of limited licencing to enable her to do both and restrict her driving to these essentials.

In spite of enormous pressures ^{Redacted} has been heroic in maintaining her sobriety, and she is being counselled regularly by a psychologist with special alcohol qualifications and receives additional counselling.

May I respectfully plead for special consideration and leniency from the court and know that your trust in her will not be misplaced. Any punitive measures at this time would be catastrophic to her and ^{Redacted} and I pray you understand and concur.

Thanking you for your special consideration,
Yours Sincerely & Respectfully, Rev. John P. Leachman
Pastor.

EXHIBIT "E"

000307

St. Edward Church
Guna Point,
CA. 92624.

Oct. 11 2001

To whom it may concern,

This is to certify that,

Redacted

Redacted

continues to show excellent progress in her battle against alcoholism. She marked a year of sobriety on Sept. 19th and continues to remain sober in difficult circumstances.

Her prohibition from driving makes it very difficult to care for herself and her. Redacted and inhibits her ability to access helpful situations such as church, meetings, and medical. Personally I am unable to continue to counsel and be available because of changed circumstances and I am trying to be a listening and encouraging voice from a distance.

I believe she should be congratulated and encouraged for tremendous personal growth under trying circumstances and invite your special consideration of her driving permission.

Yours Sincerely,

Rev. J. L. P. Ketchum

000308

EXHIBIT "F"

000309



PACIFIC HILLS
TREATMENT CENTERS, INC.

10/15/01

To whom it may concern;

This is a progress report/follow-up regarding Ms. [Redacted]. She continues to stay sober, and work her two recovery programs. I am pleased to report that Ms. [Redacted] has recently celebrated one year of sobriety (Sept. 19, 2001.). Ms. [Redacted] continues to counsel with me for both her alcohol and eating disorder issues. She is also continuing with her Women For Sobriety Support group and is sponsoring a young woman in the program. She is also continuing to counsel with alcohol counselor [Redacted] and Father John Lenihan.

If you have any questions, please feel free to contact me at Pacific Hills Treatment Center at (949) [Redacted].

Sincerely,

[Redacted]

[Redacted]

EXHIBIT "G"

000311



PACIFIC HILLS
TREATMENT CENTERS, INC.

Redacted

DC

Telephone: 949-369-2915

Pager: 949-512-3114

Assessment: 800-NO-ABUSE

LS
INC.

11-21-01

Redacted Minister

217 Avenida Monterey, Suite A, San Clemente, CA 92672
www.pachills.com

My name is Redacted day concern:

My name is Redacted and I am an
addictions counselor at Pacific Hills Treatment
center. I have been counseling MS. Redacted
for her problems with alcohol and eating
disorders for over a year. Today she is
celebrating 1 year and 2 months of sobriety,
in spite of many, very challenging circumstances,
including being a widowed mother of an emotionally/
mentally handicapped child. MS. Redacted recovery
program consists of daily church services,
addictions counseling with myself, Redacted
(C.A.C.) and Father John Lenihan. MS. Redacted
got her ticket while returning from St. Timothy's
church, which is vital for her recovery. MS.
Redacted has been in a Catch-22 in that she
needs these sobriety tools, yet needs to drive
to access these support systems. To incarcerate
MS. Redacted would be counter-productive to her
recovery, as well as put her son at great risk.

Sincerely,

Call for further information or a free confidential assessment 800-NO-ABUSE

Redacted

000312

LA_2013_11_21_Lenihan_000249

EXHIBIT "H"

000313

Redacted

Redacted

September 1, 1978

Cardinal Timothy Manning
1531 West 9th Street
Los Angeles, California 90015

Your Eminence:

This is in regard to a Father John Lanahan who is assigned to St. Norbert Parish in or near Anaheim, and my step-daughter, [Redacted], age 15, who has lived for the past two years, with her step-mother, at [Redacted] Anaheim, 92807.

[Redacted] has been living in California by choice, but asked to spend this summer with my wife (her natural mother) and I. She has received several letters from a Father John whom she identified as her church counselor. My wife also accepted a telephone call from him and let him talk to [Redacted]. I became suspicious and read his letters which were romantic and contained sexual innuendo. I questioned Mary very intensely and she admitted having intimate physical relations with him but denied sexual intercourse. I immediately telephoned Lanahan who knew exactly who I was. He readily admitted having a romantic attachment to [Redacted], having physical knowledge of her, but denied intercourse or self-exposure to her.

I have informed [Redacted]'s step-mother that [Redacted] will not be returning to Los Angeles. Father Lanahan wrote a letter to me which I threw away. I have promised [Redacted] that no one will be told of this affair outside of this immediate family. I cannot remain silent about this 32 year old priest who may need more help than the teens he is assigned to counsel.

I propose to leave this matter entirely in your hands, Sir. It is repugnant to me and since I am not of your faith, my anger is high. You may respond or not, as you desire.

Sincerely,

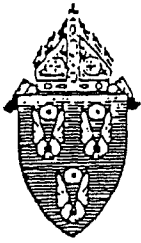
< [Redacted]

[Redacted]

000314

EXHIBIT "I"

000315



ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015
388-8101

September 8, 1978.

Redacted

Dear Mr. Redacted

Please accept this response to your letter of September 1st to Cardinal Manning.

We appreciate deeply the kindly manner in which you have expressed your distress and the confidence which you indicate in leaving this matter to our decision.

Since Father Lenihan is in the Diocese of Orange, I am referring this matter to the bishop's office there.

With kind regards, I am

Sincerely yours,

Reverend Monsignor Clement J. Connolly
Secretary to the Cardinal

V

cc: Fr. Driscoll ✓

000316

EXHIBIT "J"

000317

THE CHANCERY OFFICE
1531 West Ninth Street
LOS ANGELES, CALIFORNIA 90015

September 8, 1978

Dear Mike:

The attached correspondence is self-explanatory.

Hope you are well.

Personal regards,

Clem

Plaintiff's EXHIBIT 1
FOR IDENTIFICATION
EILEEN M. GOMEZ, CSR
December 15, 1990
WIT. Norman McFarland

000318

EXHIBIT "K"

000319

RESPECTING THE BOUNDARIES

Keeping
Ministerial
Relationships
Healthy and Holy



Diocese of Orange

000320

"Jesus spoke to them again, saying 'I am the light of the world. Whoever follows me will...have the light of life.'"
(John 8:12)

Dear Brothers and Sisters in Christ,

God gifted humans with gender and sexuality, making us male and female and saw that this was good. The Bible teaches that any good gift from God can become twisted or corrupted and may cause injury and offend human dignity.

Together we are called to minister to all of God's people and show special tenderness and care for those who are vulnerable. We as the Church strive to create worship, educational and work environment where all persons treat each other with dignity, charity and respect.

Sexual misconduct by clergy, church personnel, church leaders and volunteers is contrary to Christian morals, doctrine and canon law. ***It is never acceptable.*** We recognize that sexual misconduct may have devastating consequences for the victims and their families, for the Church community, and for the transgressor. While this subject is troubling and distasteful to all of us, basic information about sexual misconduct in the ministerial setting is needed in order to protect the vulnerable and assure the integrity of ministerial relationships.

The Diocese makes this pamphlet available to its parents, teachers, lay and ordained parish ministers, and parishioners at large as part of its effort to ensure the integrity of its ministries. It also endeavors to explain how issues of sexual misconduct are addressed within our Church and to give information on where to seek assistance and how to respond most effectively in situations where sexual misconduct has occurred. With the wisdom that comes from the Spirit, let us work together to respect ministerial boundaries and keep ministerial relationships healthy and holy.

Yours in Christ,

Most Reverend Tod D. Brown
Bishop of Orange

Defining the Problem:**Sexual Misconduct in the Ministerial Relationship****Q. What constitutes a "ministerial relationship"?**

A. This is a relationship in which a person is receiving pastoral care from a church leader.

Whenever a person begins a relationship with any person in his or her capacity as a church official or leader, a ministerial relationship is created. This applies to:

- Clergy (bishops, priests, deacons);
- Members of religious communities (priests, brothers, sisters);
- Lay ministers, lay pastoral associates, youth ministers and liturgical ministers;
- Spiritual directors and pastoral counselors;
- School personnel;
- Seminary faculty, staff and administrators; and
- Religious education teachers, church camp counselors and choir directors.

The Nature of Sexual Misconduct

Sexual misconduct is a general term that includes sexual harassment, sexual exploitation and sexual abuse.

More specifically:**Q. What is sexual misconduct in the ministerial relationship?**

A. Sexualized contact or sexualized behavior by a person in a ministerial or pastor role directed at a parishioner, employee, student, spiritual directee, counseling client, or anyone who has sought the Church's ministry.

Q. What is sexual harassment?

A. Sexual harassment is unwanted sexualized conduct or language between co-workers in the church setting. Although difficult to define precisely, sexual harassment may include but is not limited to the following:

- Making unsolicited sexual advances and propositions;
- Using sexually degrading words to describe an individual or an individual's body;
- Telling inappropriate or sexually related jokes;
- Retaliating against the co-worker who refuses sexual advances; and
- Offering favors or employment benefits, such as promotions, favorable performance evaluations, favorably assigned duties or shifts, recommendations and the like in exchange for sexual favors.
- Making unsolicited sexual advances and propositions;
- Using sexually degrading words to describe an individual or an individual's body;
- Telling inappropriate or sexually related jokes;
- Retaliating against the co-worker who refuses sexual advances; and
- Offering favors or employment benefits, such as promotions, favorable performance evaluations, favorably assigned duties or shifts, recommendations and the like in exchange for sexual favors.

Q. What is sexual exploitation?

A. Sexual exploitation is the sexual contact between a church leader and a person who is receiving pastoral care from the church leader.

Q. What is sexual abuse?

A. Sexual abuse is sexual contact between a church leader and a minor or a "vulnerable adult" as defined by law.

Either sexual exploitation or sexual abuse can include **physical contact** from the church leader such as:

- Sexual touch or other intrusive touching (i.e. tickling wrestling, or other physical contact) that causes uneasiness or discomfort in the one touched.
- An inappropriate gift (such as lingerie).
- A prolonged hug when a brief hug is customary behavior.
- Kissing on the lips when a kiss on the cheek would be appropriate.
- Showing sexually suggestive objects or pornography.
- Sexual intercourse, anal or oral sex.

Sexual exploitation or sexual abuse can also include **verbal behavior** such as:

- Innuendo or sexual talk;
- Sexual comments;

- Tales of sexual exploits, experiences or conflicts; and
- Making sexual proposals.

Q. *What if the victim did not stop the sexual contact when it began or what if the victim initiated it?*

A. It is a common dynamic in ministry for some to feel attracted to those in church leadership positions, or to feel flattered by his or her attention. ***This never excuses any form of sexual misconduct.*** Clergy or other church leaders who engage in any form of sexual misconduct are violating the ministerial relationship, misusing their authority and power, and are taking advantage of the vulnerability of those who are seeking spiritual guidance.

Because of the respect and even reverence with which many people view the Church's ministers, there is always an imbalance of power and hence a vulnerability inherent in the ministerial relationship. By definition, therefore, there is an absence of meaningful consent to any activity, even if the person is an adult. Because of this imbalance of power, conduct inappropriate to the ministerial relationship is never okay. It is always the responsibility of the Church leader to maintain the appropriate emotional and sexual boundaries of those they serve and those with whom they work.

Q. *What is the impact of ministerial sexual misconduct on its victims?*

A. Victims of ministerial sexual misconduct frequently feel deep shame or self- condemnation. They may fear not being believed or fear being blamed by Church officials or members. Many times they desire to protect the abuser or the Church from scandal, or may not even realize that the way they were treated was abusive. Sadly, victims can experience a crisis of faith and even leave the Church altogether.

Response to Complaints of Sexual Misconduct

Q. *How are complaints or allegations of sexual misconduct handled in the Diocese of Orange?*

A. The Diocese of Orange treats all complaints of sexual misconduct seriously and deals with such allegations in a prompt, thorough and

confidential manner with compassion and consideration for all those involved.

- A complaint against a Diocesan priest or deacon, religious personnel assigned in the Diocese of Orange, Catholic school personnel, or other Diocesan employee may be initiated by a telephone call to (714) 282-3000; or in writing directed to the Vicar General (in the case of clergy and religious personnel) or to the Director of Human Resources (in the case of lay personnel or volunteers). The address is:
2811 E. Villa Real Drive,
Orange, California 92863
- A complaint against a Diocesan priest or deacon, religious personnel assigned in the Diocese of Orange, Catholic school personnel, or other Diocesan employee may also be initiated by calling **1-800-364-3064**.
- All complaints will initially be referred to the Diocese of Orange Assistance Ministry Coordinator who will respond to the complainant and assist the complainant in directing the complaint to the proper authority.
- Complaints against religious personnel assigned in the Diocese of Orange will normally be referred to the respective religious order superiors or provincial generals.
- Complaints against parish employees or volunteers may be directed to the pastor or parochial vicar of the parish in question or directly to the Director of Human Resources for the Diocese of Orange.

Q. How will the Diocese of Orange handle sexual misconduct claims against a member of the clergy (i.e. bishops, priests or deacons)?

- A.** When a member of the clergy is accused, a special committee will be convened by the Vicar General, and with the Assistance Ministry Coordinator, will respond promptly to the complaint. In dealing with the complaint, the members of the committee will:
- Make every effort to act in a way that protects people from being harmed, including relieving an accused priest or deacon from ministerial duties when warranted by substantiated facts and/or risk of harm;
 - Comply with applicable civil reporting mandates governing sexual abuse;
 - Offer victims and their families assistance in obtaining psychological counseling and spiritual direction; and
 - Deal as openly as possible with members of the parish community while respecting the privacy of the individuals involved and in accordance with Church law governing such situations.

Preventing Sexual Misconduct

Q. What is being done to prevent sexual misconduct in the Church?

A. Every effort is made to assure that all persons ministering in the Diocese of Orange are aware of and will abide by the policies prohibiting sexual misconduct and of the procedures for dealing with incidents of sexual misconduct.

School personnel are screened for their ability to work safely with children, are provided information to help recognize and deal with issues of child sexual abuse, and are offered guidance and instruction on appropriate professional conduct with students.

All seminarians and candidates for the diaconate receive extensive evaluation and psychological assessment before entering formation. After ordination, priests and deacons receive ongoing training on maintaining the integrity of the ministerial relationship.

Every person has the right to be respected and treated with the dignity befitting a child of God. Every person is owed respect of appropriate boundaries. Every person has the right to challenge offensive and inappropriate behavior and comments. It is the responsibility of everyone to protect the safety of children, families, women and men, and to promote healing of injury with justice and mercy toward all.

**"The Light shines in the darkness and the darkness has not overcome it."
(John 1:5)**

Diocese of Orange
2811 E. Villa Real
Orange, California 92863
(714) 282-3000

Complaint Toll Free Line
1-800-364-3064



CONGREGATIO DE CULTU DIVINO ET DISCIPLINA SACRAMENTORUM

Prot. N. 899/02/S

D.nus IOANNES PETRUS LENIHAN, presbyter Dioecesis Arausicanae in California, humiliter petit dispensationem a sacro coelibatu et ab omnibus oneribus sacrae Ordinationi conexas.

SS.mus D. N. IOANNES PAULUS, Papa II,

die 28 maii 2002

habita relatione de casu a Congregatione pro Cultu Divino et Disciplina Sacramentorum, precibus annuit iuxta sequentes rationes:

1. Dispensationis Rescriptum, a competenti Ordinario oratori quamprimum notificandum ad normam n. 2:

a) *Effectum sortitur a momento notificationis;*

b) *Amplectitur inseparabiliter dispensationem a sacro coelibatu et simul amissionem status clericalis. Numquam oratori fas est duo illa elementa seiungere, seu prius accipere et alterum recusare;*

c) *Si vero orator est religiosus, Rescriptum concedit etiam dispensationem a votis;*

d) *Idemque insuper secumfert, quatenus opus sit, absolutionem a censuris.*

2. Notificatio dispensationis oratori fieri potest vel personaliter vel ab ipso Ordinario eiusve delegato aut per ecclesiasticum actuarium vel per "epistulas perscriptas" (raccomandata, certificada, enregistrée, registered, einschreiben). Ordinarius unum exemplar restituere debet rite ab oratore subsignatum ad fidem receptionis Rescripti dispensationis ac simul acceptationis eiusdem praeceptorum.

3. Notitia concessionis dispensationis adnotetur in libris baptizatorum parociae oratoris.

4. Quod attinet ad celebrationem canonici matrimonii, applicandae sunt normae quae in Codice Iuris Canonici statuuntur. Ordinarius vero curet ut res caute peragantur sine pompa vel exteriore apparatu.

5. Auctoritas ecclesiastica, cui pertinet Rescriptum oratori rite notificare, hunc enixe hortetur, ut vitam Populi Dei, ratione congruendi cum nova eius vivendi condicione, participet, aedificationem praestet et ita probum Ecclesiae filium se exhibeat. Simul autem eidem nota faciat ea quae sequuntur.

000100

a) *Presbyter dispensatus eo ipso amittit iura statui clericali propria, dignitates et officia ecclesiastica; ceteris obligationibus cum statu clericali conexas non amplius adstringitur;*

b) exclusus manet ab exercitio sacri ministerii, iis exceptis de quibus in cann. 976 et 986 § 2 ac propterea nequit homiliam habere, nec potest officium gerere directivum in ambitu pastoralis neve munere administratoris paroeccialis fungi;

c) item nullum munus absolvere potest in Seminariis et in Institutis equiparatis. In aliis Institutis studiorum gradus superioris, quocumque modo dependentibus ab Auctoritate ecclesiastica, munere directivo fungi nequit;

d) in Institutis studiorum gradus superioris ab Auctoritate ecclesiastica dependentibus necne, nullam disciplinam proprie theologicam vel cum ipsa intime conexam tradere potest;

e) in Institutis autem studiorum gradus inferioris dependentibus ab Auctoritate ecclesiastica munere directivo vel officio docendi disciplinam proprie theologicam fungi nequit. Eadem lege tenetur presbyter dispensatus in tradenda Religione in Institutis eiusdem generis non dependentibus ab Auctoritate ecclesiastica;

f) per se presbyter a sacerdotali coelibatu dispensatus et a fortiori matrimonio iunctus, abesse debet a locis in quibus eius antecedens conditio nota est nec ubique fungi potest servitio Lectoris et Acolythi aut distributionis eucharisticae communionis.

6. Ordinarius dioecesis domicilii vel commorationis oratoris, pro suo prudenti iudicio et propria onerata conscientia, auditis quibus interest et circumstantiis bene perpensis, dispensare potest ab aliquibus immo ab omnibus clausulis Rescripti quae supra sub litteris e, f, apponuntur.

7. Pro regula habeatur ut hae dispensationes nonnisi transacto aliquo temporis spatio a notificatione amissionis status clericalis elargiantur ac scripto consignentur.

8. Denique oratori aliquod opus pietatis vel caritatis imponatur.

9. Tempore autem opportuno Ordinarius competens breviter ad Congregationem de peracta notificatione referat, et si qua tandem fidelium admiratio adsit, prudenti explanatione provideat.

Contrariis quibuscumque minime obstantibus.

Ex Aeditus Congregationis, die 28 maii 2002.

DE NOTIFICATIONE ORIGINALI

Georgius A. Card. Medina Estévez
Praefectus

Congregationis asservatur.

Receiv. by 311121 110

+ Franciscus Pius Tamburrino
+ Franciscus Pius Tamburrino
Archiep. a Secretis

R. Ferrera, Subr.

Dies notificationis 21 June 2002

John P. Ferrera
Subsignatio Oratoris in signum acceptionis

+ Todd B. Brown
Subsignatio Ordinarii

000101

1 PETER M. CALLAHAN, ESQ. (SBN 44937)
2 CALLAHAN, McCUNE & WILLIS LLP
3 111 Fashion Lane
4 Tustin, California 92780-3397
Tel : (714) 730-5700
Fax : (714) 730-1642

5 Attorneys for Defendant
6 THE ROMAN CATHOLIC BISHOP OF ORANGE

7
8
9 SUPERIOR COURT OF CALIFORNIA
10 COUNTY OF ORANGE - CENTRAL JUSTICE CENTER

11 **Redacted**

12
13 Plaintiff,

14 vs.

15 THE ROMAN CATHOLIC BISHOP OF
16 ORANGE, a corporation sole, THE
17 ROMAN CATHOLIC ARCHBISHOP OF
18 LOS ANGELES, a corporation sole,
19 FATHER JOHN LENIHAN, and DOES 1
20 through 100,

21 Defendants.

Case No.: **Redacted**
UNLIMITED
JUDGE: STEVEN PERK
DEPARTMENT: C27
COMPLAINT DATE: 8/14/02

RELEASE OF ALL CLAIMS

DISCOVERY CUT OFF: NONE
MOTION CUT OFF: NONE
MSC DATE: NONE
TRIAL DATE: NONE

21 The undersigned plaintiff **Redacted**, hereinafter called "Claimant"
22 has brought a claim for damages arising out of events that occurred on or about the dates set
23 forth in the complaint filed in this action, which is incorporated herein by reference, alleging
24 various damages.

25 An agreement has been reached between the claimant and the various defendants
26 and their insurance companies which have issued policies to those defendants that might
27 provide benefits in that situation.
28

1 The terms of that agreement are as follows: The claimant, over the age of 18
2 years, has agreed, for the sole consideration of Four Hundred Thousand Dollars
3 \$400,000.00, receipt of which is hereby acknowledged, does hereby and on behalf of his
4 heirs, successors and assigns, release, acquit and forever discharge THE ROMAN
5 CATHOLIC BISHOP OF ORANGE, a Corporation Sole, THE ROMAN CATHOLIC
6 ARCHBISHOP OF LOS ANGELES, a Corporation Sole, its attorneys, their or its agents,
7 servants, employees and all other persons, EXCEPT DEFENDANT JOHN LENIHAN,
8 firms, associations or partnerships from any and all claims, actions, causes of actions,
9 demands, damages, costs, cost of service, expense and compensation whatsoever which the
10 undersigned claimant now has or which may hereinafter accrue on account of or in any
11 way growing out of any and all known and unknown, foreseen and unforeseen bodily and
12 personal injuries and property damages and the consequences thereof or to result from the
13 accident, casualty or event described in the complaint herein.

14 It is understood and agreed that this settlement is the compromise of a doubtful
15 and disputed claim, and that the payment made is not to be construed as an admission of
16 liability on the part of the party or parties hereby released, and that said releasees deny
17 liability therefor and intend merely to avoid litigation and buy their peace.

18 It is further understood that all rights under Section 1542 of the Civil Code of
19 California and any similar law of any state or territory of the United States are hereby
20 expressly waived. Said section reads as follows:

21 "1542. Certain claims not effected by general release. A general release does
22 not extend to claims which the creditor does not know or suspect to exist in
23 his favor at the time of executing the release, which if known by him must
24 have materially affected his settlement with the debtor."

25 The undersigned hereby declare(s) and represent(s) that the injuries sustained are or
26 may be permanent and progressive and that recovery therefrom is uncertain and indefinite
27 and in making this Release it is understood and agreed, that the undersigned rely(ies)
28 wholly upon the undersigned's judgment, belief and knowledge of the nature, extent, affect

1 and duration of said injuries and liability therefor and is made without reliance upon any
2 statement or representation of the party or parties hereby released or their representatives or
3 by any physician or surgeon by them employed.

4 The undersigned further declare(s) and represent(s) that no promise, inducement or
5 agreement not herein expressed has been made to the undersigned, and that this Release
6 contains the entire agreement between the parties hereto, and that the terms of this Release
7 are contractual and not a mere recital. The undersigned and his/her attorneys further
8 declare(s) and represent(s) that all outstanding bills and liens from any source including but
9 not limited to governmental entities have/has or will be satisfied, and both the undersigned
10 and his/her attorneys agree to defend and indemnify the defendants, their insurance
11 company and lawyers, in the event that any lien claims are made against any such
12 indemnitees.

13 It is intended by the parties to this agreement that the above settlement is a final
14 disposition and payment for any type of loss arising out of the aforementioned incident
15 including, but not limited to, property damage, personal injury and/or related death, mental
16 distress, living expenses, loss of consortium, loss of services, loss of earnings, medical or
17 legal bills or any other possible benefit accrued or which might accrue under the terms of
18 the complaint or which might be payable under an insurance policy. In return for the
19 payment specified above, the claimant agrees to this release and further agrees to release
20 and discharge the defendants, their attorneys, and their insurance company and any person
21 entitled to coverage under that insurance policy for any type of loss, lien or claim
22 whatsoever, including but not limited to any cause of action for violation of any statute, or
23 arising in tort or contract, and the claimant further agrees that the responsibility for bills,
24 liens or encumbrances of any type whatsoever arising out of any damage to the claimant or
25 the claimant's property now lies with that claimant and not with the settling defendants or
26 their insurance company.

27 For your protection, California law requires the following to appear on this form:
28

1 "It is unlawful to (a) present or cause to be presented any false or fraudulent
2 claim for the payment of a loss under a contract of insurance and (b) prepare,
3 make or subscribe any writing with the intent to present or use the same, and
4 to allow it to be presented or used in support of any such claim. Every person
5 who violates any provision of this section is punishable by imprisonment in
6 the state prison not exceeding three years or by fine not exceeding \$1,000 or
7 by both."

8 ATTENTION: READ CAREFULLY BEFORE SIGNING AND CONSULT WITH
9 COUNSEL SINCE YOUR SIGNATURE GIVES UP LEGAL RIGHTS.

10 The parties, individually and by and through their counsel, stipulate for settlement of
11 the case as set forth above, and agree pursuant to CCP Section 664.6 that the court, upon
12 motion, shall enter judgment pursuant to the terms of this settlement.

13 I have read the foregoing Release of All Claims and agree to its terms.

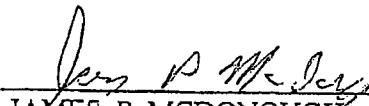
14 Dated this 28th day of August, 2002

15
16 **Redacted**

17 **Redacted**

18
19 My name is James P. McDonough and I am the attorney of record for the claimant.
20 I have read the foregoing Release of All Claims. I have explained the terms of this
21 document to my client, and my client and I agree to the terms expressed therein.

22 Dated this 28th day of August, 2002.

23
24 
25 JAMES P. MCDONOUGH

26 tom2004\corr\release
27
28