

University of New Mexico

UNM Digital Repository

Proofs of Claims

Hall & Monagle LLC Records

6-7-2019

Proof of Claim form: Jane Doe P-B

Hall & Monagle, LLC

Follow this and additional works at: https://digitalrepository.unm.edu/cswr_asf_hmclaims



Part of the [Catholic Studies Commons](#), [Ethics in Religion Commons](#), [Religion Law Commons](#), and the [United States History Commons](#)

Recommended Citation

Hall & Monagle, LLC. "Proof of Claim form: Jane Doe P-B." (2019). https://digitalrepository.unm.edu/cswr_asf_hmclaims/8

This Record is brought to you for free and open access by the Hall & Monagle LLC Records at UNM Digital Repository. It has been accepted for inclusion in Proofs of Claims by an authorized administrator of UNM Digital Repository. For more information, please contact disc@unm.edu.

Proof of Claim form: Jane Doe P-B

Content Notice

This item is part of the Archdiocese of Santa Fe Institutional Abuse Collection, and it may contain descriptions of physical, emotional, sexual, and religious abuse, including abuse of minors. Other potentially sensitive topics within the collection include mental health conditions, substance abuse, and other forms of violence.

Resources are available if you or someone you know needs support for any reason.

For the National Sexual Assault Hotline, call 800-656-HOPE (4673) or go to <https://hotline.rainn.org/online>

For the 988 Suicide and Crisis Lifeline, call or text 988, or go to <https://chat.988lifeline.org/>

For the Substance Abuse and Mental Health Services Administration Helpline, call 1-800-662-4357

For crisis treatment in New Mexico: <https://www.nmhealth.org/contact/crisis/>

Survivors Network of those Abused by Priests resources: https://www.snapnetwork.org/resources_for_survivors

To report abuse:

- <https://archdiosf.org/report-abuse>
- <https://www.reportbishopabuse.org/>

To report child abuse:

- <https://www.childhelpline.org/>

Keywords

child sexual abuse, church abuse, New Mexico, Archdiocese of Santa Fe

Disciplines

Catholic Studies | Ethics in Religion | Religion Law | United States History

Jane Doep-B

FILED
at 3:12 o'clock P M

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO

JUN 07 2019

United States Bankruptcy Court
Albuquerque, New Mexico

In re:

ROMAN CATHOLIC CHURCH OF THE
ARCHDIOCESE OF SANTA FE, a New Mexico
corporation sole,

Debtor.

Chapter 11

Case No. 18-13027-t11

CORRECTED SEXUAL ABUSE PROOF OF CLAIM

This form has been corrected solely with respect to the address for hand delivery.

IMPORTANT:

**THIS FORM MUST BE RECEIVED NO LATER THAN
June 17, 2019 AT 5:00 P.M. (PREVAILING MOUNTAIN TIME)**

Carefully read Notice and Instructions that are included with this **CONFIDENTIAL PROOF OF CLAIM** and complete all applicable questions. Send together with one copy to: Clerk of the United States Bankruptcy Court, District of New Mexico at the following address: Office of the Clerk of Court-ATTN SEALED DOCUMENTS, U.S. Bankruptcy Court, District of New Mexico, Pete V. Domenici U.S. Courthouse, 333 Lomas Blvd. NW, Suite 360 Albuquerque, NM 87102. If you prefer to hand deliver the completed Confidential Proof of Claim form to the Clerk, the physical address for hand delivery is Clerk of the United States Bankruptcy Court, District of New Mexico, 333 Lomas Blvd. NW, Suite 360 Albuquerque, NM.

If you mail or deliver the Confidential Proof of Claim form it must be received by the Clerk no later than 5:00 p.m. (prevailing Mountain Time) on June 17, 2019.

YOU MAY WISH TO CONSULT AN ATTORNEY REGARDING THIS MATTER.

AND YOU MAY ALSO OBTAIN INFORMATION FROM THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS BY CALLING TOLL FREE AT 888-570-6217.

FAILURE TO COMPLETE AND RETURN THIS FORM MAY RESULT IN YOUR INABILITY TO VOTE ON A PLAN OF REORGANIZATION AND RECEIVE A DISTRIBUTION FROM THE ROMAN CATHOLIC CHURCH OF THE ARCHDIOCESE OF SANTA FE, COMMONLY KNOWN AS THE ARCHDIOCESE OF SANTA FE (THE "ARCHDIOCESE").

UNLESS YOU INDICATE OTHERWISE IN PART 1 BELOW, YOUR IDENTITY WILL BE KEPT STRICTLY CONFIDENTIAL, UNDER SEAL, AND OUTSIDE THE PUBLIC RECORD OF THE BANKRUPTCY COURT. HOWEVER, THIS PROOF OF CLAIM AND THE INFORMATION IN THIS PROOF OF CLAIM WILL BE PROVIDED

PURSUANT TO COURT-APPROVED CONFIDENTIALITY GUIDELINES TO THE ARCHDIOCESE, THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS AND TO SUCH OTHER PERSONS AS THE BANKRUPTCY COURT DETERMINES NEED THE INFORMATION IN ORDER TO EVALUATE THE CLAIM.

THIS PROOF OF CLAIM IS FOR SEXUAL ABUSE CLAIMANTS ONLY.

For the purposes of this Proof of Claim, a **Sexual Abuse Claim** is defined as any Claim (as defined in section 101(5) of the Bankruptcy Code) against the Archdiocese resulting or arising in whole or in part, directly or indirectly from any actual or alleged sexual conduct or misconduct, sexual abuse or molestation, indecent assault and/or battery, rape, pedophilia, ephebophilia, or sexually-related physical, psychological, or emotional harm, or contacts, or interactions of a sexual nature between a child and an adult, or a nonconsenting adult and another adult, sexual assault, sexual battery, sexual psychological or emotional abuse, humiliation, or intimidation, or any other sexual misconduct, and seeking monetary damages or any other relief, under any theory of liability, including vicarious liability, any negligence-based theory, contribution, indemnity, or any other theory based on any acts or failures to act by the Archdiocese or any other person or entity for whose acts or failures to act the Archdiocese is or was allegedly responsible.

For Purposes of this Proof of Claim, a **Sexual Abuse Claimant** is defined as the person asserting a Sexual Abuse Claim against the Archdiocese, or if a minor, then his parent or legal guardian.

TO BE VALID, THIS PROOF OF CLAIM MUST BE SIGNED BY YOU OR YOUR ATTORNEY. IF THE SEXUAL ABUSE CLAIMANT IS DECEASED OR INCAPACITATED, THE FORM MAY BE SIGNED BY THE SEXUAL ABUSE CLAIMANT'S REPRESENTATIVE, EXECUTOR OF THE ESTATE OR THE ATTORNEY FOR THE ESTATE. IF THE SEXUAL ABUSE CLAIMANT IS A MINOR, THE FORM MAY BE SIGNED BY THE SEXUAL ABUSE CLAIMANT'S PARENT OR LEGAL GUARDIAN, OR THE SEXUAL ABUSE CLAIMANT'S ATTORNEY.

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

PART 1: CONFIDENTIALITY

THIS SEXUAL ABUSE PROOF OF CLAIM (ALONG WITH ANY ACCOMPANYING EXHIBITS AND ATTACHMENTS) WILL BE MAINTAINED AS CONFIDENTIAL PURSUANT TO COURT-APPROVED GUIDELINES UNLESS YOU EXPRESSLY REQUEST THAT IT BE PUBLICLY AVAILABLE BY CHECKING THE BOX AND SIGNING BELOW. ONLY THE SEXUAL ABUSE CLAIMANT MAY WAIVE CONFIDENTIALITY IN THIS PART 1.

- I do not want this Proof of Claim (along with any accompanying exhibits and attachments) to be kept confidential. Please verify this election by signing directly below.

Signature: _____

Print Name: _____

PART 2: IDENTIFYING INFORMATION

A. Sexual Abuse Claimant

First Name _____ #1 Middle Initial _____ Last Name _____ Jr/Sr/III _____

Mailing Address (If party is incapacitated, is a minor or is deceased, please provide the address of the individual submitting the claim. If you are in jail or prison, your current address).
#2 _____

City _____ #2 State/Prov. _____ Zip Code (Postal Code) _____ Country(if other than U.S.A.) _____

Telephone No(s):
Home: _____ Work: _____ Cell: #2 _____

Email address: n/a _____

Social Security Number: #4 _____

If you are in jail or prison, your identification number: _____

May we leave voicemails for you regarding your claim? Yes No (please contact my attorneys)

May we send confidential information to your email: Yes No (please contact my attorneys)

Birth Date: #2 _____ Male Female
Month Day Year

Any other name, or names, by which the Sexual Abuse Claimant has been known:

_____  _____

B. Sexual Abuse Claimant's Attorney (if any):

Hall & Monagle, LLC
Law Firm Name

Brad D. Hall
Attorney's First Name Middle Initial Last Name

320 Gold Ave SW #1218
Street Address

Albuquerque, NM 87102
City State/ Prov. Zip Code (Postal Code) Country
(if other than U.S.A.)

(505) 255-6300 (505) 255-6323 brad@hallmonagle.com

Telephone No.

Fax No.

E-mail address

PART 3: NATURE OF COMPLAINT

(Attach additional separate sheets if necessary)

NOTE: IF YOU HAVE PREVIOUSLY FILED A LAWSUIT AGAINST THE ARCHDIOCESE IN STATE OR FEDERAL COURT, YOU MAY ATTACH THE COMPLAINT. IF YOU DID NOT FILE A LAWSUIT, OR IF THE COMPLAINT DOES NOT CONTAIN ALL OF THE INFORMATION REQUESTED BELOW, YOU MUST PROVIDE THE INFORMATION BELOW.

- a. Who committed the acts of sexual abuse or other wrongful conduct?

As a young girl I was sexually abused by Fr. Gerald Armstrong and Fr. Alvin Pilie, who were priests enabled, employed, and protected by the Archdiocese of Santa Fe and the Jesuits in Albuquerque.

- b. What is the position, title or relationship to you (if known) of the abuser or individual who committed these acts?

They were priests at Immaculate Conception Parish while I was a 1st grader at St. Mary's Catholic School.

- c. Where did the sexual abuse or other wrongful conduct take place? Please be specific and complete all relevant information that you know, including the City and State, name of the School (if applicable) and/or the name of any other location.

The sexual abuse took place in some sort of basement or cellar at Immaculate Conception Parish in Albuquerque, and at a cabin east of Albuquerque (in the mountains).

- d. When did the sexual abuse or other wrongful conduct take place?

1. If the sexual abuse or other wrongful conduct took place over a period of time (months or years), please state when it started, when it stopped, and how many times it occurred.

Fr. Armstrong started sexually abusing me in 1968, and Fr. Pilie started shortly after him. The two of them continued abusing me into 1969. The sexual abuse ended when I started 3rd grade at a public school instead of Catholic school. I would estimate 5-7 rapes at the cabin, and at least 30 rapes in the cellar/basement at Immaculate Conception.

2. Please also state your age(s) and your grade(s) in school (if applicable) at the time the abuse or other wrongful conduct took place.

I was ages 6-7 and in 1st and 2nd grade.

- e. What happened (describe what happened):

The abuse began in 1968 while I was going to school at St Mary's, near Immaculate Conception Parish. The priest would summon me from class to the rectory, and then take me down a set of stairs, to some sort of basement or cellar at the parish. As a little girl I thought of it as a cave – as "The Cave." Fr. Armstrong penetrated me with an object, and vaginally raped me with his penis many times in that cellar/basement. I was six. Fr. Pilie started raping me in the same way in that same location soon after Fr. Armstrong. There were other times they brought me to a cabin in the mountains, but I don't know which mountains. I remember that the cabin had vertical glass slat-blinds, a huge fireplace, a big rocking chair, and a thin narrow kitchen. Fr. Armstrong and Fr. Pilie would feed me alcohol to help facilitate the rapes – "so that it won't hurt" they said. They always had a lot of beer and wine with them, and would tell me I had to drink as much as I could. Then they would tell me to "be still, lay down". I came to learn that the more I drank the less I would feel, and I didn't want to feel what they were doing to me. I would feel sick from the alcohol, when it was done – but I would feel sick without the alcohol, too, and I would feel more pain.

Sometimes Fr. Armstrong and Pilie were together when they raped me. I don't know exactly how many times they were together when they raped me.

I remember running home from St. Mary's after a rape in "the Cave," with my special white blouse, which was torn. I was crying, and I got in trouble with my mom for tearing my blouse. By 3rd grade, I was begging my parents to let me leave St. Mary's, even though I could not tell them why. I told them I wanted to go to public school with my neighborhood friends. My parents finally relented, and I went to 3rd grade at #6 Elementary. That is when the rapes ended.

- f. Did you tell anyone about the sexual abuse or other wrongful conduct and, if so, who did you tell and when (this would include parents; relatives; friends; the Archdiocese; attorneys; counselors; and law enforcement authorities)?

In 2009, I told the pastor at Immaculate Conception that I had been abused. He called Annette Klimka, and I told her too. I then told investigators from the Jesuits about what had happened. I have had counseling over the years, but I have struggled so badly with alcoholism over the years that I don't know what I told my counselors. I told my sister #3 in April 2019, and my attorneys in January 2019. In early 2019, I also told Lt. #10, who has been extremely helpful and supportive.

- g. Identify any church or religious organization you have belonged to or have been affiliated with.

I was raised Catholic, the 6th of 7 children. Now, I am not religious but hold on to my spiritual awareness. I would never trust a religious organization again.

- h. State whether there were any witnesses to the abuse. If there were any witnesses, please list their name(s) and any contact information you have.

I don't know if there were any witnesses other than the priests, who would sometimes watch each other rape me.

PART 4: IMPACT OF COMPLAINT

(Attach additional separate sheets if necessary)

(If you are uncertain how to respond to this Part 4, you may leave this Part 4 blank, but you will be required to complete this Part 4 within thirty (30) days after a written request is made for the information requested in this Part 4)

1. What injuries (including physical, mental and/or emotional) have occurred to you because of the act or acts of sexual abuse or other wrongful conduct that resulted in the claim (for example, the effect on your education, employment, personal relationships, health, and any physical injuries)?

Fr. Armstrong and Pilie taught me that the more I drank the less it would hurt. Now, I am an alcoholic and it has destroyed my life. I have attempted treatment more times than I can remember, and each time I have attempted to beat my addiction I have failed. My relationships with my family, friends, and my daughter have been ruined as a result. I love my daughter so much, but she is exhausted with me and she won't often speak with me.

I can't hold on to a job. It has been years since I could, and I live in complete poverty on the verge of homelessness. I water down vodka to stay conscious while avoiding withdrawals and seizures, and I am alone. I have been diagnosed with severe bi-polar disorder. The manic highs and the depressive lows, and see-sawing paranoia that accompanies them make it almost impossible to complete an alcohol treatment program. So, I am imprisoned. I want to escape my mental illness but my alcoholism prevents me from sustaining therapy. I want to escape my alcoholism but my mental illness prevents me from sustaining inpatient treatment.

I feel that I am near to death. I am on the verge of heart failure. I am tormented day and night by the memories of the rapes that I suffered as a young child. Those are my worst secrets and I have been forced to live with them alone. If it weren't for my daughter Samantha I think I would have ended my own life years ago. Ultimately I want my daughter to forgive me for my failings as a mother, and to see the Church take responsibility for the harm they have caused me and my daughter.

2. Have you sought counseling or other treatment for your injuries? If so, with whom and when?

I have had counseling for my alcoholism over the years, but I don't recall when or the names of the doctors. I very badly want therapy for the childhood sexual abuse and successful alcohol addiction treatment.

PART 5: ADDITIONAL INFORMATION

1. Prior Claims: Have you filed any claims in any other bankruptcy case relating to the sexual abuse described in this claim.

Yes No (If "Yes," you are required to attach a copy of any completed claim form.)

If "Yes," which case(s):

2. Settlements: Regardless of whether a complaint was ever filed against any party because of the sexual abuse or other wrongful conduct, have you settled any claim relating to the sexual abuse or other wrongful conduct described in this claim?

Yes No (If "Yes," please describe, including parties to the settlement. You are required to attach a copy of any settlement agreement.)

3. Bankruptcy. Have you ever filed bankruptcy? Yes No (If "Yes," please provide the following information:

Name of Case: _____ Court: _____

Date filed: _____ Case No. _____

Chapter: 7 11 12 13 Name of Trustee: _____

4. State whether you have previously commenced any lawsuit seeking damages for the identified sexual abuse. If yes, please state: NO

a. Where and when you commenced the lawsuit:

b. The parties to the lawsuit:

c. The case number if any:

d. The result of the lawsuit:

Sign and print your name. If you are signing the claim on behalf of another person or an estate, print your title.

Under penalty of perjury, I declare the foregoing statements to be true and correct.

Date: 1-17-19

Signature: _____

#1

Print Nam _____

Relationship to Sexual Abuse Claimant: _____