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Proof of Claim form: John Doe 145B

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

JD145B

FILED
at 3:08 o'clock PM

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO

JUN 07 2019

United States Bankruptcy Court
Chapter 11 Albuquerque, New Mexico

Case No. 18-13027-t11

In re:

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

Debtor.

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: _____

PART 2: IDENTIFYING INFORMATION

A. Sexual Abuse Claimant

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

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

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

Email address: _____ **# 2** _____

Social Security Number: _ **#4** _____

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

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

May we send confidential information to your email: Yes No (Please contact my attorney)

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 _____

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?

Fr. Robert DeSantis sexually abused me. He was employed and empowered to abuse me by the Archdiocese of Santa Fe and St. John the Baptist parish in Santa Fe.

Br. Tom McConnell sexually abused me. He was employed and empowered to abuse me by the Archdiocese of Santa Fe and St. Michael's Catholic School and by the Christian Brothers de la Salle, now known as the Christian Brothers Major Superiors.

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

Fr. DeSantis was our parish priest and I served as his altar boy.

Br. Tom was my English teacher and my wrestling coach at St. Michael'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 abuse by Fr. DeSantis occurred in St. Johns church, and in areas and at my home. He impulsively would grope me.

The abuse by Br. Tom occurred in the gym at St. Michael's school.

- 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.

The abuse by Fr. DeSantis occurred when I was in 10th and 11th grades 1970 to 1971.

The abuse by Br. Tom occurred in October 1971, I was in 10th to 11th grade and was 15 to 16 years old.

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.

Please see above.

- e. What happened (describe what happened):

I started serving as an Altar boy at St Johns in Santa Fe NM. I was 10 years old. The first Mass I served was on Nov 29th, 1964. I will always remember this date as I had learned and memorized all the prayers in Latin, but on this day the Mass was converted to English. I was trained in a group. I don't remember who trained us, but at the time father Galli was the priest I mainly served with. He never approached me or touched me inappropriately.

Later when I was still serving Father DeSantis was our priests. He would come to our house. He did touch me inappropriately – fondling me, grabbing me and pulling me close to his body, hugging me, grabbing my breast and also pinching me. It was all over my clothes – my clothes were never removed. I think he thought he was teasing me but it was outright sexual harassment.

I lived in a household that my father was very abusive to my mother and sister as well as myself. The abuse was both mental and physical with beatings. My father was mentally ill and should have sought help. My mother divorced him in my senior year only after I pulled a knife and taken a gun away from him. This had a big part in my decision to come to #6 so that I could focus on my education and not deal with his domination and control over my decisions like he did my sister and mother. I am describing the situation so that you can understand why I never discussed this incident with my father at the time.

I was sexually, mentally and physically abused by Br. Tom McConnell in October of 1971. I was with my friend and fellow classmate #3 whom I was spending the night with. We did not have dates for homecoming that year. Instead #3 decided that I should try drinking a few beers with him and just hanging out at what we deemed the spot. Well I did not drink or smoke in High School as I was dedicated athlete and trying to earn scholarships to pay for my College Education. I was trying to earn scholarship to Notre Dame or US Airforce Academy. I did end up getting accepted at Notre Dame and was secondary alternate to AirForce Academy. That night after drinking maybe 1 or 2 beers at most I was pretty inebriated. #3 decides to go to the Homecoming in person at St Mikes and walk in. If can remember a lot of the football players had banned going to homecoming over some protest about the cheerleaders. So I went inside with #3 Well I was slurring my words and it did not take long for Bro Tom to approach me and write me up. Nobody was used to seeing me do anything like this so it was quite a shocker to my classmates. I told Br. Tom about my situation with my Dad and if he found me out that I was more afraid of what would happen at home then at school. He told me to come in to the gym weight room that Saturday. He would be only one there and he would administer my punishment in lieu of other consequences that would get back to my parents.

When in the weight room that day he made me do bench presses on the weight machine with my shirt off. All the while he kept hitting my stomach as hard as I could stand. He also kept telling me how good my abs looked, and that he really like how my physique had developed. He really also took a belt and whipped my buttocks that day while making me bend over. He fondled me pretty much all over but let me go home after he beat me up without him getting naked or trying to make me have sex with him. I took Br. Tom's comments as sexual but I could not avoid him because he was my English teacher. After the abuse, Br. Tom would periodically make comments about my ass and other inappropriate sexual type comments. I could not totally avoid him. This was a form of sexual and mental abuse to me. I know today the type of punishment and behavior by Br. Tom would be considered criminal and would be considered Sexual Harassment and Physical assault. I never told my wife about this as I carried this with me all these years. You have to understand that mentally I was so determined to get out on my own I would let nothing stand in the way of me achieving my goals to go to college as far away from my Father as possible. That is why I held this incident in for so long.

- 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)?

I've told no body about any of this abuse except my lawyers. I told my lawyers this year.

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

Catholic

- 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.

No witnesses.

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. DeSantis' abuse made me distrust priests and authority figures. He knew he was sexually harassing me and it was a sort of cruel game with him.

The abuse by Br. Tom was physically painful when he was beating me for my punishment. I was extremely embarrassed when it was happening and felt shame. I also became very angry after his abuse. I lost out on the opportunity to continue to wrestle and in other activities because I would not engage in any activities with Br. Tom after the abuse. I lost trust in people. My family was so dis-functional I looked to outsiders for stability. Br. Tom took away my ability to find an escape anywhere. I felt like the entire world in Santa Fe was ready to hurt me.

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

I have not sought counseling.

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 X (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 never

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: 6/7/2019

Signature:

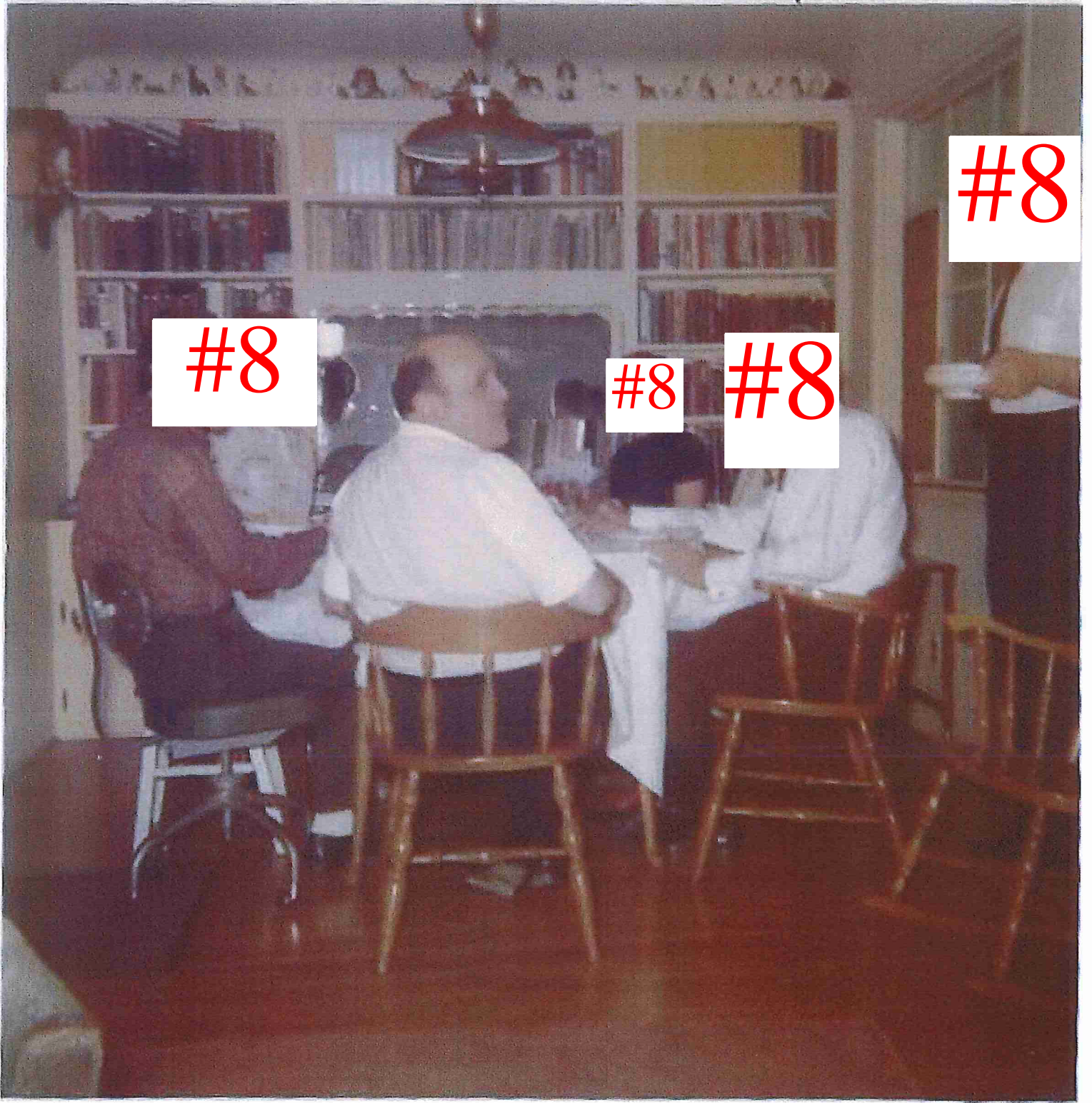
#1

Print Name _____

Relationship to Sexual Abuse Claimant: Self

#8





#8

#8

#8

#8

ERNEST THOMPSON SETON

A MAN AMONG THE WILD

#1

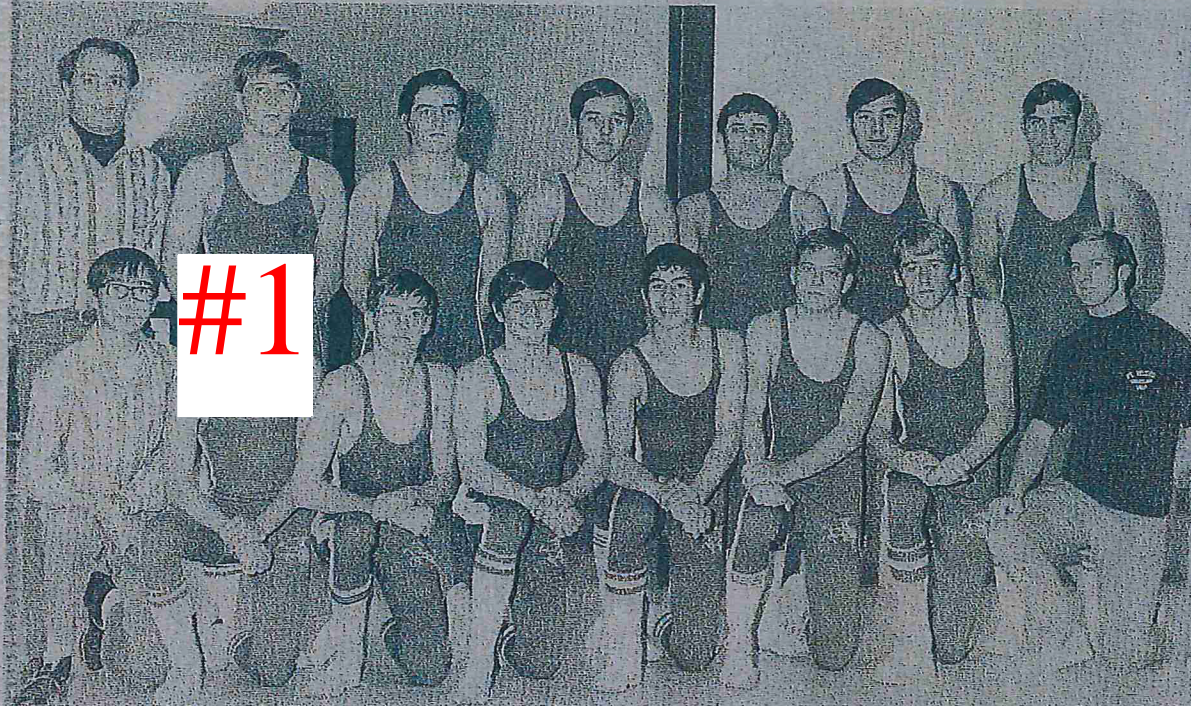
Presented to
Brother Thomas McConnell



HORSEMEN OF THE WEEK are, from left, #10 [redacted] and #10 [redacted] St. Michael's High Coach Mike Noonan made the choices earlier this week following the Horsemen's loss to St. Pius. (New Mexican Sports Photo)

B2

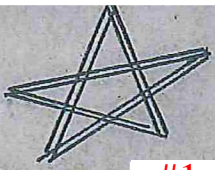
#6



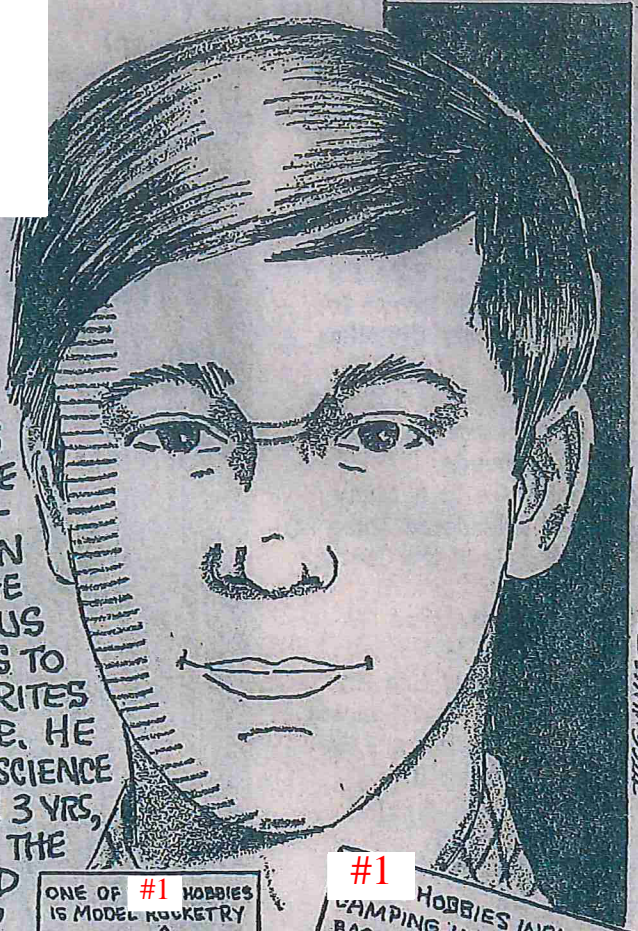
ST. MICHAEL'S WRESTLERS, open their season tonight hosting Los Alamos at 7. The team, front row, from left, Manager James Ipiotis, Mike Vigil, Terry Solan, Carlos Mendonca, Charlie Gonzales, Jeff Albers, Steve Rogers and Manager Lawrence Walker. Back row, from left, Coach Al Salazar, #1 [redacted] Ben Vigil, Tom-Blanchard, David Garcia, Gene Garcia and Gary Vigil. (New Mexican Sports Photo)

with the hill salute to Santa Fe TEENAGERS!

#1



16-YEAR-OLD #1 IS A JUNIOR AT ST. MICHAEL'S HIGH, WHERE HE IS ON THE HONOR ROLL AND IS SERVING HIS SECOND YEAR ON THE STUDENT COUNCIL. HE HAS SUNG IN THE CHORUS FOR 2 YEARS, HE BELONGS TO THE SPEECH CLUB, & HE WRITES FOR THE LITERARY MAGAZINE. HE HAS BELONGED TO BOTH THE SCIENCE CLUB & THE CHESS CLUB FOR 3 YRS, AND HE IS PRES.-ELECT OF THE LATTER. HE HAS LETTERED IN TENNIS & FOOTBALL, AND HAS BEEN ON THE WRESTLING TEAM FOR 2 YRS. IN JANUARY HE RECEIVED A GOLD MEDAL AS WINNER OF THE 128. LB, DIVISION IN ST. MIKE'S INVITATIONAL TOURNAMENT. AS A FRESHMAN, HE WAS IN THE VCS CLUB & ON THE SAN MIGUEL NEWSPAPER STAFF.



#1 HOBBIES INCLUDE CAMPING, HUNTING, HIKING, BASEBALL, BOWLING, FISHING, STAMP COLLECTING, & PIANO PLAYING. HE IS A LIFE SCOUT, & IS PRES. OF EXPLORER POST 31. HE IS A DIRECTOR OF ALTAR BOYS, A C.Y.C. REPRESENTATIVE, & IS ON THE BOARD OF A COIN CLUB. HE HAS WORKED IN SUMMER CAMPS & HAS HAD A PAPER ROUTE. HE WOULD LIKE TO ATTEND THE U.S. AIR FORCE ACADEMY AFTER GRADUATING FROM ST. MIKE'S.



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THE FIRST NATIONAL BANK OF SANTA FE

MEMBER FEDERAL DEPOSIT INSURANCE CORPORATION

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Thursday

Funeral mass will be celebrated at 10 a.m. Thursday for Mrs. Patricia Lake Atkisson of 546 Canyon Rd. who died Monday following a brief illness.

The mass will be at Cristo Rey Church with interment to follow in Memorial Gardens Cemetery. Arrangements are with Berardinelli Mortuary.

Survived by a daughter, Mrs. Karl T. Tani of Santa Fe; two sons, Christopher Mares and his wife of Stockton, Calif., and Mark Wingate of Denver, Colo.; a sister, Joan Lake of Fresno, Calif., and four grandchildren. Mrs. Atkisson had lived in Santa Fe for three years.

She was a member of the Junior League, Kappa Kappa Gamma and the St. Vincent Hospital Auxilliary. For the past year she had been employed at St. John's College book store.

Mrs. Atkisson was a 1939 graduate of Dominican College in San Rafael, Calif. The family requests contributions be made to that college in lieu of flowers.

CAMBIO hosts state officials

CAMBIO de Santa Fe will host state CAMBIO officials at a special meeting at the State Employes Credit Union office at 225 Montezuma St. at 8 p.m. today.

Carlos Lopez, New Mexico chairman, and Luis Torres, northern New Mexico coordinator, will discuss a \$930 grant from the state CAMBIO board for recruitment of membership.

Three minority businesses' requests for technical assistance will be considered. The group also will look into funding possibilities so that the local chapter can establish its own high-risk, low interest revolving loan fund.

All active CAMBIO members are urged to attend.

Blackout on attempts to skyjack suggested

WASHINGTON (AP)—Strict controls over news on air line hijackings might help cut down on hijack attempts, according to the Professional Air Traffic Controllers Organization (PATCO).

John F. Leyden, the PATCO president, called for "an immediate blackout on skyjacking attempts" in a letter to Transportation Secretary John A. Volpe Tuesday.

"The twisted minds which contrive these heinous schemes receive their instant expertise through elaborate detailed

accounts of previous attempts in the newspapers and television," he said.

"Too often vivid details depicted by the media serve as an incentive to an already unbalanced mind which would even contemplate a crime of such serious magnitude," he added.

Leyden said PATCO was not seeking to directly suppress news, but that it wanted "a change in the method used in disseminating that news." He did not elaborate.



#1 a member of Explorer Post 31, receives the Eagle award at ceremonies held at the Inn of the Governors, Sunday, July 9th at 10 a.m. The award is the highest award given in boy scouting ranks. Presenting the award are Monsignor Joseph Charwicz of St. Johns Catholic Church and Mrs. Ed Allesandro.

advised, "and only took nine months to be completed in Rio Arriba County." "As a result," he stated, "we think they over assessed the real value of the property." "For example, a case was brought before us today where a house over 250 years old was assessed at about \$6,300!"

Naranjo advised that he was optimistic about the prospects of doing something about the situation and mentioned the possibility that the county might reject the current appraisal figures.

"About 125 people called or came down today to talk about their appraisal problems." "These people seem to have been 100 per cent right with their grievances," he said.

"It will take some more time and investigation", he concluded, "but we should know more about the situation toward the end of the year."

Burglars rob two SF homes

Burglars struck at two Santa Fe residences Tuesday and stole a ring valued at \$165 and a purse containing \$40.

Santa Fe police said Mrs. Houston Davis, 446 San Francisco St., reported someone opened a bedroom window and stole a purse containing \$40 from a table near the window. police later recovered the purse which was empty.

In another burglary, Amada Koury, 507 Weber St. told police someone entered her residence and stole a ruby ring valued at \$165. she said she apparently left the door unlocked when she left the residence tuesday afternoon. police were unable to find any signs of forced entry.

Santa Fe police are investigating the incidents.

The balloon flight record of duration of 69 hours, 20 minutes, is held by the Soviet Union.