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Proof of Claim form: John Doe 161B

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Proof of Claim form: John Doe 161B

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

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO

FILED
at 3:08 o'clock P M

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, ephobophilia, 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 _____

_____ #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).

City _____ #2 State _____ Zip Code _____

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

Email address: _____ #2

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 Zip Code

(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?

I was sexually abused as a child by Fr. Arthur Perrault, who was acting as an agent for, and empowered and protected by, the Archdiocese of Santa Fe, Annunciation Parish, and the Servants of the Paraclete.

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

Perrault was my family priest in the Catholic Community surrounding Annunciation Parish, and I was one of his victims of childhood sexual abuse. He was my confessor, and was held out by my family to me and all my cousins as a Man of God, that could do no wrong. Perrault literally lived within my extended family, and my grandmother was his #6, and she helped the Archdiocese help Perrault flee the country ahead of law enforcement and a wave of lawsuits in about 1992.

- 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.

Fr. Perrault abused me at an apartment complex, where he had an apartment, behind the Classic Hotel at Menaul and Louisiana in Albuquerque New Mexico.

- 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.

It happened twice in 1977 during the summer.

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 10 or 11, since I turned 11 in July that year.

- e. What happened (describe what happened):

Fr. Perrault somehow had permission from my mom or my grandparents to take me to his apartment for the evening, and to bring me home the next day. I believe it was related to my mom and her three kids moving into grandma's house upon a complicated divorce scenario between my parents. They put my younger brother in Annunciation Catholic School, while me and my sister went to public school. I'm guessing Fr. Perrault said he'd help me as a counselor and father figure since my mom knew I was missing my dad and all.

At any rate, at bedtime, he took me into his bed to sleep, and started fondling me with a lot of small talk. His hands were all over my body and in my underwear. That went on for a long time, until I fell asleep. A few weeks or so later, he took me to his apartment again. The same routine unfolded, but this time he touched and stroked my genitals even more than the first time. It was all very focused and sexual, looking back, and nothing like a grope or something. He insisted that I lay on top of him belly to belly, and kept trying to get me to stroke and masturbate his penis too, but I wouldn't. The next day before taking me home he told that what happened should remain between us, and that "others" wouldn't understand. Instead, I told my mom about it a few days later, and from then on she ran interference for me and all the cousins. She made sure I was around other adults whenever Fr. Perrault was at the house, and tried to make sure we were not alone with him. Although she made every attempt to limit Perrault's access to me, there were many times he would physically engage me. He would grab me, hug me while pulling me into his body to control me. This was an ongoing issue for years at every holiday or family gathering. I do not think she knew Fr. Perrault was abusing several of us cousins in these years, but I don't know. I didn't know for sure either, but slowly came to know, as one of them came forward. I do know that she did protect me, and it was common knowledge that he was a powerful and well respected priest, so I admire her for that, under the circumstances where my grandparents protected him, and even moved into his house when he disappeared in about 1992.

- 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 told my mom #3 after the second incident of abuse by Perrault in 1977, even though he instructed me not to tell anyone.

I called a lawyer in the 90s, but never went to his office, and was put off by his attitude. I told each of my three wives the fact that I was abused, without details, in the context of our marriage problems and issues. I discussed it without any details with my brother #3 in May 2019, when he contacted me and asked me if Fr. Art ever did anything to me, and my lawyer in June 2019.

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

I quit being a Catholic not long after the sexual abuse.

- 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.

There was no witness.

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)?

All through the rest of my school years I had serious confusion about whether I was gay or something, because why would Perrault pick me to sleep with him? I felt that I was a failure at making him happy because I didn't masturbate him, and then told my mom. Well in to young adult years I was confused about my sexuality, but I didn't act on that confusion. I felt recrimination, especially because Fr. Perrault was always with the family whenever we went to grandma's house. He traveled with my grandparents to Hawaii and other trips, and had a room at their home that he could come and go from. Perrault's relationship with my grandparents created a situation whereby I would look for every excuse or opportunity to avoid going to their house, both during family gatherings as well as independently. As soon as my age allowed me to get a job, I used work as an excuse to avoid Sunday gatherings with my grandparents, mom, and siblings at church (we went with them every Sunday) where Perrault was preaching. And he had this apartment by the Mall. I'd second guess myself constantly, asking 'is this who I am'? What he did was not horseplay-type fondling, but prolonged intimate heated sexual advances by a grown man, but on a child. As a child with no experience in romance whatsoever, it was extremely powerful and traumatic.

I also saw some of my cousins and my brother deteriorate while I learned how to compartmentalize and minimize and deny. I tried to just focus on my school and sports, but it doesn't really ever leave the back of the mind. I graduated from Sandia H.S. at age 17 in May #6, and went straight into the #6 from 1985 to 1989, leaving as a #6. I also married my first wife at age 19, and we had two children, who are now 26 and 33, and one lives in France, and the other in the Dallas area. I had trust, controlling, and anger issues, and after 14 years we divorced. I've had another marriage and divorce since then, and am about to get married a third time. I'm uncertain whether the anger and controlling issues arise from the family priest being a sexual predator, but I believe so, and I believe it has affected my ability to be with anyone, but I am hopeful that more transparency from the Archdiocese will lead to more transparency by me and everyone.

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

No, I haven't.

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: #1 Court: U.S. Bankruptcy Court

Date filed: #6 Case No.

Chapter: 7 11 12 13 Name of

Name of Case: #1 Court: I

Date filed: #6 Case No.

Chapter: 7 11 12 13 Name of

#6

4. State whether you have previously commenced any lawsuit seeking damages for the identified sexual abuse. If yes, please state:

- 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: 6-6-2019

Signature: #1 _____

Print Name _____

Relationship to Sexual Abuse Claimant: _____