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Proof of Claim form: Suzanne M. Cully (JaneD Q-B)

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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 Doe "QB"

12:05 pm
5/13/19
Filed

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF 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: _____

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 assaulted as a child by Fr. Walter Cassidy while he was employed by and acting as an agent empowered and protected by the Archdiocese of Santa Fe and Our Lady of Guadalupe Parish.

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

Fr. Cassidy was a priest of the Our Lady of Guadalupe Parish and Archdiocese of Santa Fe, I was a child parishioner of the Catholic Church.

- 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 first incident was on a school bus on the way home from catechism in Albuquerque New Mexico.

The Second incident happened in the confessional of Our Lady of Guadalupe Parish.

- 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.

Both incidents happened in the fall of 1965.

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 in first grade and was 8 years old.

- e. What happened (describe what happened):

Fr. Cassidy took me onto his lap while driving the school bus, fondled my vagina under my panties, and digitally penetrated me. Later he manipulated the confessional process to ensure he knew who I was and sexualized the conversation. (PLEASE SEE ATTACHMENT "A")

- 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 reported the abuse by Cassidy to the Archdiocese in 1993; I then had about two months of therapy, discussing the abuse. I have not made a claim for compensation and did not sign a release of any kind. At the same time I told my parents and siblings, and have since told many friends: #3

#3 In 2007 I also told an intake nurse that I had been sexually abused by a priest as a child. This was in Virginia and I don't remember his name.

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

Catholic as a child, but since then no religious affinity or affiliation—Cassidy destroyed that.

- 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.

None whose names I can recall, although other children on the bus may have seen what Cassidy was doing.

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)?

Cassidy sexualized me as an eight year old. In addition to the physical and psychological pain of being penetrated by his fingers, he caused permanent developmental damage. (PLEASE SEE ATTACHMENT "B")

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

The Archdiocese paid for two months of counseling with a therapist named Kris in 1993. I was placed on disability for my injuries by Dr. E.B. Hall in 2010.

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: 3/22/2019

Signature: Suzanne Cully

Print Name: Suzanne Cully

Relationship to Sexual Abuse Claimant: Same

Suzanne M. Cully – POC Attachment A (Abuse):

It was a Saturday afternoon in the fall of 1965, I was eight years old and was standing in a line, up against the wall in Our Lady of Guadalupe church, where my mother had just dropped us off for confession. The Priest who was hearing our confessions just around the corner in the brown wooden box had fondled me on the bus home from catechism the last time I saw him. He pulled me up onto his lap, and as he fondled me under my panties, I squirmed to get off. His smell was dirty. I ran out the door of the school bus even though it was not my stop. I ran all the way home.

Suddenly Father Cassidy appeared in front of our line at church and was telling us to hurry. I didn't want him to see me but I couldn't hide and he was staring at me. He knew where I was in line. The priest is never supposed to know who was coming into the confessional. He went back into the box to continue with confession.

I watched the people going in and out of the confessional, as I inched up the line, and then kneeling at a pew to say their penance. Penance was the number of Our Fathers and Hail Marys you had to say to god before you were fully redeemed by the body and blood of Christ, which you will eat and drink the next morning at Mass. It was very orderly. The system the priests used to quantify the ratio of sins to prayers was logical, although there did not seem to be an actual formula. It went something like this: If you were only given 3 Hail Marys and 7 Our Fathers you had a mostly sin-free week. Mine usually ran in the 10 to 12 range. I knew a kid who got 25 to 28 respectively, but I never knew why.

I didn't want him to know it was me in the confessional. The only thing that made my being there bearable at all was the fact that the priest didn't know it was me doing the talking. When he came out of the confessional to hurry us along, I noticed that he looked directly at me. I was several kids back from the front of the line. He seemed angry, and after I recited my list of sins he asked me a question:

"Do you ever play with yourself?"

"I play *by myself*, sometimes," I said.

"No. Down there." His voice was hushed and conspiratorial. "Do you play with yourself down *there*?"

No. I leaned back away from his face in the screen. He was talking about where he touched me now. When he saw my reaction, that I wasn't going to play, he quit being nice. The door was closed and it was dark in the box. I couldn't leave, and I couldn't stay. I'd made him mad and I didn't know why. And I couldn't leave. I could see his face on the other side of the wooden screen. He could get me and I couldn't get out.

I remember that I had a lot of penance. Then I remember running from the car to the bathroom to throw up when I got home. I remember staying in bed, and refusing dinner. We went to mass the next morning, where Father Cassidy gave his sermon from on high, way over my head, and over everyone else's too. Daddy might not have liked him much, but there was a life-sized statue of the crucifixion on the alter behind him, and that was his authority. He was a good man. God-good. *Really* good. What he did was dirty, so my conclusion was that I made him bad and by extension, I made good men bad. Black and white. Good and bad. These were concepts I could grasp and trust. Daddy was good. I'll make him bad just by being near him. Because I was bad. I'd better stay away from all of them. Daddy too. Especially Daddy. I was eight years old and had learned to hate myself just for being who I was.

Suzanne M. Cully – POC Attachment B (Impact of Abuse):

Cassidy sexualized me as a small child, only eight years old. He warped my entire sexual perception. It had not occurred to me to play with myself. But I knew that what he did to me on the bus, and what he said to me in the confessional, was sexual and it was really dirty and painful and awful. I tried to count every sexual partner I've had in my life, and when I got to 100 I had to quit. That fact alone has given me much shame. But it makes more sense in light of my introduction to sex. I have had multiple abortions and been physically beaten and almost killed by a boyfriend. I have struggled with alcohol and (for a while) drugs, for my entire adult life including 2 hospital stays and treatment. I have lost jobs from my abuse of alcohol and my erratic temperament. I have had a life-long struggle with depression and anxiety, which I have been treating medically for over thirty years.

I was diagnosed with borderline personality disorder in 2012, when I was taken to the psychiatric hospital by the police in handcuffs after telling my sister that I was going to kill myself. I could not bear living anymore and I had become psychotic from long-term acute depression and anxiety. The psychiatrist who diagnosed me called my family members and spent time on the diagnosis. When she told me I had borderline, she followed up with an immediate, "but it's not your fault." She said it was a result of childhood trauma and the scarring on my brain from cortisol, which is a hormone that tears across the frontal lobe of the brain during trauma. When I panicked because of Father Cassidy, I injured my brain, and that would create problems for me for the rest of my life. It has hurt me to the point that I am no longer able to work, and I was put on disability in 2010. The psychiatrist Dr. E. B. Hall, who put me on disability, told me "You have had enough. You need a break." I had been in psychiatric wards five times at that point. I was bombing out of yet another job, and headed for another psych ward visit, when he saw me and decided I needed to stop everything, including work.

I turned against myself in many ways during my life. It is hard to rid yourself of the hatred that you have felt for yourself for most of your life. There is no hate switch that you can turn off.

