
TROY J. MERRYFIELD and
TODD D. MERRYFIELD,

Case No.: 2008-CV-000001

Plaintiffs,

vs.

**MOTION TO PREVENT DOCUMENT
DESTRUCTION**

CATHOLIC DIOCESE OF GREEN BAY, INC.,

Defendant.


Plaintiffs respectfully request that this honorable Court order Defendant Diocese of Green Bay to stop destroying documents that are or could be evidence in the case at bar. Plaintiffs' attorney recently took the deposition of Fr. John Doerfler, one of the top ranking officials in the Diocese. The deposition was taken in a Nevada case that involves John Feeney. In the deposition Fr. Doerfler admitted that the Diocese destroyed documents regarding John Feeney. Specifically the Diocese destroyed psychological reports on John Feeney. (Fr. Doerfler Depo. at 59) In addition to the documents on Feeney the Diocese has also destroyed documents on priests that were accused of sexually molesting minors. In 2007 the Diocese destroyed all the documents it had on a number of priests that had been accused of sexually molesting minors who had been dead for more than a year. (Id. at 24-26). Lastly, Fr. Doerfler testified that the Diocese's destruction of the documents for priests accused of sexually molesting minors who had been deceased for more than a year included laicization records. (Id. at 36) These are the Vatican documents which often tell the Vatican all of the abuse allegations against the priest and also show the Vatican's response. The destruction of all of those types of documents could

prejudice Plaintiffs and any further destruction of documents by the Diocese would exacerbate the situation.

Plaintiffs need to do more discovery and investigation to determine the extent of the destruction, but at a minimum Plaintiffs request that the Diocese not destroy any further documents on priests that have been accused of sexually molesting minors.

Respectfully Submitted,

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