

S-1611860  
Vancouver Registry

**In the Supreme Court of British Columbia**  
(BEFORE THE HONOURABLE MR. JUSTICE CROSSIN)

Vancouver, B.C.  
October 18, 2019

**BETWEEN:**

**ROSEMARY ANDERSON**

**PLAINTIFF**

**AND:**

**FATHER ERLINDO MOLON and the ROMAN CATHOLIC BISHOP  
OF THE DIOCESE OF KAMLOOPS, A CORPORATION SOLE**

**DEFENDANTS**

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**PROCEEDINGS AT TRIAL**  
(Excerpt - Cross-examination and re-examination of  
Archbishop Adam Exner)

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### EXHIBITS

**NIL**

### RULINGS

**NIL**

**Proceedings**

1 Vancouver, B.C.  
2 October 18, 2019  
3

4 THE CLERK: In the Supreme Court of British Columbia at  
5 Vancouver on this 18th day of October, 2019. In  
6 the matter of Anderson versus Roman Catholic  
7 Bishop of the Diocese of Kamloops, My Lord.  
8

9 **ADAM EXNER**  
10 a witness called for the  
11 Defendants, recalled.  
12

13 **CROSS-EXAMINATION BY MS. KOVACS, CONTINUING:**  
14

15 Q Archbishop Exner, thank you for coming back today.  
16 There was something you said and I have it written  
17 down in my student's notes, and I want to quote  
18 it. I'd like to start there.  
19 You said yesterday [as read in]:  
20

21 I wasn't blind, I knew that if I sent him --  
22  
23 Being Father Molon.

24  
25 -- to another parish, I could, in due time,  
26 expect to have a similar pattern there  
27 because he took himself with him in going to  
28 another parish. In another sense, it really  
29 hurt me to send him anywhere, knowing that he  
30 was going to do the same thing elsewhere  
31 because he wasn't learning anything and  
32 didn't even seem to be concerned about  
33 learning anything.  
34

35 That was true when you said that yesterday?

36 A Yeah, I think that's...

37 Q We then went on to discuss Pope John Paul II and  
38 we got a bit carried away with that line of  
39 questioning and you'd mentioned that you had met  
40 him several times over the course of your career.  
41 He became pope in October of 1978; is that right?

42 A I don't remember.

43 Q Somewhere in the time that you were in Kamloops.

44 A I don't remember.

45 Q Okay, that's fine.

46 A I did -- the first time I met him when I was in  
47 Winnipeg and he came to Canada, that's where I met

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

- 1 him.
- 2 Q Right. So that was after your tenure in Kamloops.  
3 That was after your time in Kamloops?
- 4 A Yes.
- 5 Q Yes. Now -- and before Pope John Paul II, it was  
6 Pope Paul VI?
- 7 A VI, right.
- 8 Q Right. So you were actually appointed as Bishop  
9 of Kamloops by Pope Paul VI?
- 10 A Yes.
- 11 Q Correct. Now, you said yesterday that you didn't  
12 want to be bishop, that this was a burden imposed  
13 upon you; is that correct?
- 14 A Well, I didn't feel that I was particularly  
15 capable of doing a good job. You know, I wanted  
16 the best interests of the church to be served and  
17 I wasn't so sure that I was the one, because I --  
18 from the time I was ordained until I became a  
19 bishop, I was a teacher, and so I didn't have any  
20 experience of administration and personnel  
21 management or any of that, none of it.
- 22 Q No training or experience?
- 23 A None.
- 24 Q And when you're appointed as a bishop, you're  
25 appointed by the pope?
- 26 A Yes.
- 27 Q And you have to obey that appointment; you don't  
28 have a choice?
- 29 A You don't, no.
- 30 Q Because, of course, when you are ordained as a  
31 priest at first you take a vow of obedience to  
32 your superior?
- 33 A Yes.
- 34 Q Now, was it the same when you were appointed  
35 Archbishop of Winnipeg and then Vancouver? Those  
36 were appointments, and weren't offices you sought?
- 37 A Yeah, they were appointments, and there's no  
38 discussion.
- 39 Q And I take it that each of your appointments,  
40 first a bishop, then Archbishop of Winnipeg and  
41 Archbishop of Vancouver, those came with great  
42 responsibility?
- 43 A Obviously.
- 44 Q And you said you approached your role as Bishop of  
45 Kamloops with fear and trepidation, I think were  
46 your words?
- 47 A Fear and trembling.

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1 Q Fear and trembling, thank you. Was some of that  
2 fear because you were constrained by a system from  
3 doing the right thing sometimes?  
4 A Mainly because of inexperience; I had no  
5 experience of what it meant to be a bishop. I had  
6 no experience whatsoever, so I was walking into no  
7 man's land, and that is kind of scary.  
8 Q And I take it there was no explicit instruction or  
9 training about how to deal with a problem such as  
10 Father Molon?  
11 A There was no training at all for how to be a  
12 bishop; none whatsoever.  
13 Q And as the Bishop of Kamloops and later as  
14 Archbishop of Winnipeg and Vancouver, though, you  
15 were privy to Vatican policy; is that right?  
16 A To who?  
17 Q You were privy to Vatican policy. You --  
18 A Oh, yes.  
19 Q -- you knew the policies of the Vatican.  
20 A More or less. There are so many.  
21 Q Yes, I'm sure.  
22 A I couldn't keep on top of everything.  
23 Q It's a complicated system.  
24 A It is.  
25 Q And as a bishop, you have a vow of obedience to  
26 the Vatican?  
27 A To the pope.  
28 Q To the pope, because this is the hierarchy of the  
29 church.  
30 A Right.  
31 Q Right. Now -- and you were required to be  
32 obedient to the pope?  
33 A Yes.  
34 Q Now, you'd agree that Father Molon had not only  
35 broken his vows of celibacy and obedience, but he  
36 was guilty of sexual offences. You'd agree with  
37 that?  
38 A Yes.  
39 Q Because he -- as in your words, he had -- and my  
40 word was "predation", your word was "playboy", but  
41 there quite a few female parishioners that he had  
42 taken advantage of.  
43 A I suspect that there were. I never knew how many.  
44 Q Right. Now, you agree that you had an option to  
45 laisize Father Molon.  
46 A Not laisize him, but prevent him from functioning  
47 as a priest.

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

- 1 Q But you knew that you could seek to laisize him.  
2 You didn't have that power yourself, but you could  
3 seek to have it done?  
4 A I could apply for it, yes.  
5 Q Right; because in the Roman Catholic church, a  
6 clergyman can be dismissed from the clerical state  
7 either as a voluntary request if he wishes to  
8 leave the priesthood, or as a penalty for certain  
9 grave offences. That can happen.  
10 A Mm-hmm.  
11 Q Sorry, that's yes?  
12 A Yes.  
13 Q Yes. I'll catch --  
14 A I'm sorry.  
15 Q -- the mm-hmms, don't worry. Now, so this can be  
16 accomplished by papal decree.  
17 A Yes.  
18 Q Only the pope can laisize a priest?  
19 A Yes.  
20 Q And to laisize a priest as a penalty for a grave  
21 serious offence, you have to send the priest's  
22 file to the Vatican; in your words, apply.  
23 A I would suppose so.  
24 THE COURT: Excuse me. Could you spell laisize?  
25 MS. KOVACS: Yes, I will, and perhaps we'll comment on  
26 that. L-a-i-c-i-z-e.  
27 Q What is laicization, Archbishop?  
28 A Reduced to the state of a layman with no priestly  
29 powers of any kind.  
30 Q And, that's possible to do in the Roman Catholic  
31 church?  
32 A Yes.  
33 Q And there's a process for that under canon law.  
34 Sorry, that's a yes?  
35 A Which I'm not familiar with.  
36 Q Right; but you know that there's a process?  
37 A Oh, yes.  
38 Q Now -- so if, theoretically, you apply to the pope  
39 to laicize a priest, you'd have to wait for the  
40 Vatican to decide to do that; is that right?  
41 A Yeah, I couldn't decide when.  
42 Q In all your years as Bishop of Kamloops,  
43 Archbishop of Winnipeg and Archbishop of  
44 Vancouver, had you ever sought to laicize any  
45 priest for -- by way of penalty?  
46 A I thought of it, but I never did.  
47 Q Was it understood by you that that process was

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1           unlikely to be successful?  
2   A       Unlikely to be...?  
3   Q       Successful.  
4   A       Discussable?  
5   Q       Successful, laicization. If you applied, what  
6           were the chances that you would have gotten it?  
7   THE COURT: Do you mean broadly, or --  
8   MS. KOVACS: Yes.  
9   THE COURT: -- in particular, or what do you mean?  
10  MS. KOVACS: Let's -- I'll reframe the question.  
11  Q       Archbishop Exner, you understand that Rome, the  
12           pope, can laicize a priest for an offence, for a  
13           grave offence?  
14  A       Yes.  
15  Q       And that was not your power, that was the pope's  
16           power, right?  
17  A       Yes.  
18  Q       And the pope can only act in the various  
19           jurisdictions of the world through its bishops,  
20           though.  
21  A       Well, in every country, the pope has a nuncio --  
22  Q       Yes.  
23  A       -- who is the -- like when we have to contact  
24           Rome, the first contact is the nuncio in Canada.  
25  Q       And that's in Ottawa?  
26  A       That's in Ottawa, yes.  
27  Q       So the papal nuncio --  
28  A       He's like an ambassador to Canada.  
29  Q       Right. Vatican has -- the Vatican has its papal  
30           nuncios or ambassadors every -- all over the  
31           world.  
32  A       All -- yes.  
33  Q       But as an entity, as an institution, the Roman  
34           Catholic church operates in Canada, for example,  
35           through diocesan corporations such as the Diocese  
36           of Kamloops.  
37  A       Yes.  
38  Q       That is the only way it can operate --  
39  A       That's -- yes.  
40  Q       -- as an entity.  
41  A       Yes. Yes, that's the organization structure.  
42  Q       Right. Now, you found Father Molon guilty of  
43           sexual offences, correct?  
44  A       Yes.  
45  Q       And in fact he admitted those sexual offences to  
46           you.  
47  A       Yes.



**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

- 1 Q He said, "I'm human". And you had already  
2 considered asking him to leave in the spring of  
3 1976; isn't that right?
- 4 A Yes.
- 5 Q Because he was, in your words, and your speaking  
6 notes at Mass, in serious trouble.
- 7 A Mm-hmm.
- 8 Q And that was before Rosemary Wright ever entered  
9 the picture, correct? Right, the nodding doesn't  
10 turn up on the record, Archbishop.
- 11 A What's the -- what is the statement?
- 12 Q So -- so he was -- in your Mass notes, and I can  
13 take you to them if you would like me to, but you  
14 had said that he was in serious trouble in 1976  
15 and you had considered asking him to leave then.  
16 He almost left then.
- 17 A If I wrote it, then I meant it.
- 18 Q Right. Now, he was a serial offender, correct?
- 19 A Yes.
- 20 Q So laisization was an option available to you;  
21 that was one option?
- 22 A Yes.
- 23 Q But you didn't pursue that option.
- 24 A I did not for good -- for these reasons. It was a  
25 -- a very acute shortage of priests. He was a  
26 very capable one. People loved him, that's why I  
27 had a lot of opposition when I leaned on him from  
28 the people. They couldn't understand why I was  
29 leaning on him, they loved him.
- 30 Q Right. If you --
- 31 A He preached well, he was very kind to people, he  
32 was very generous with his time. He was like --  
33 externally was a model priest in so many ways.
- 34 Q And that's the word I wish to comment on,  
35 externally, Archbishop. You agree with me that  
36 that was superficial.
- 37 A He was two sides -- the two sides to him, yes, I  
38 agree.
- 39 Q Because he was not a good priest?
- 40 A No.
- 41 Q He was terrible priest?
- 42 A Yes.
- 43 Q And he's breaking his vows?
- 44 A Yes. And I -- I put the clamp on him.
- 45 Q As much as you could?
- 46 A Yeah.
- 47 Q But you didn't pursue laisization because you knew

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1 the Vatican wouldn't approve it, right?  
2 A Oh, I didn't say that, and I don't know what the  
3 Vatican would do. I can't speak for them.  
4 Q But generally in your experience, laisization was  
5 not granted easily by the pope, was it?  
6 A There's quite a few go through removal, yeah.  
7 Q Yeah.  
8 A Quite a few. I don't have any statistics, but  
9 it's not -- it's not that it's like almost  
10 impossible to do that. It's done regularly.  
11 Q Is it?  
12 A Oh, yes. Mind you, we're talking of the world  
13 scene.  
14 Q Do you recall that there was generally a concern  
15 in the '70s and '80s about really slow responses  
16 from the Vatican about laisization applications?  
17 Are you aware of that?  
18 A No, I was not aware of that. I don't know if it's  
19 any slower then or was before or not. I just  
20 don't have the facts.  
21 Q But you didn't pursue laisization.  
22 A I did not.  
23 Q Why?  
24 A The -- I just said, because he was a good priest  
25 in many ways, and because the church needed  
26 priests so badly.  
27 Q But, Archbishop, he was a terrible priest. He was  
28 harming parishioners.  
29 A I know that, and I put him -- I prevented him from  
30 functioning as a priest, but I was hoping that he  
31 might have turn heart -- turn of heart, accept  
32 professional assistance, and be rehabilitated.  
33 Q But he --  
34 A That was my hope.  
35 Q Right; but he never fulfilled that hope, did he?  
36 A No, he didn't -- I didn't -- wasn't able to  
37 realize that hope.  
38 Q And by suspending him, that only --  
39 A That still left the door open for him to be  
40 rehabilitated --  
41 Q So that's the --  
42 A That's what I was hoping for.  
43 Q Right. That's the answer, isn't it, Archbishop,  
44 that laisization means there's no door open. He's  
45 not coming back to the priesthood.  
46 A No, laisization, he's out, period. Here, he still  
47 had a chance, and that's what I -- I didn't want

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1 to shut the door.  
2 Q Even though he was a serial offender.  
3 A Well, I mean, there's such a thing as mercy in the  
4 church, and if a person becomes contrite and asks  
5 for forgiveness, we forgive and we rehabilitate.  
6 That's what I was hoping to do with him --  
7 Q But he refused --  
8 A -- but it didn't work.  
9 Q He refused that help.  
10 A He refused that, yes.  
11 Q We're going to come back to this in a moment.  
12 Now, you didn't know how many women --  
13 A I had no idea, still don't.  
14 Q It could have been 50.  
15 A I have no idea.  
16 Q Now, before we move on from the topic of the  
17 Vatican, I just want to understand the  
18 organizational structure a little bit more,  
19 because we had touched upon the curia yesterday.  
20 So there's the pope and his curia, right?  
21 A Well, there's 16 congregations around the pope.  
22 Q Yes.  
23 A There's the curia and then 16 congregations around  
24 him, and then a bunch of [indiscernible] and  
25 stuff.  
26 Q Right.  
27 A It's a big huge organization.  
28 Q It is.  
29 A Yeah.  
30 Q Complicated organization.  
31 A Yeah, because --  
32 Q Complicated structure.  
33 A Yeah, complex.  
34 Q And the curia, the Roman curia is really -- they  
35 are the --  
36 THE COURT: Would you please spell that for me, please?  
37 MS. KOVACS: C-u-r-i-a, My Lord.  
38 THE COURT: Thank you.  
39 MS. KOVACS:  
40 Q They assist the pope in governing the Catholic  
41 church, right?  
42 A Yes.  
43 Q They're the administration of the Vatican?  
44 A In a sense, yes.  
45 Q So that -- and you talked about the 16, but it  
46 includes secretariats, curial congregations,  
47 pontifical councils, pontifical commissions,

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1 tribunals and other offices.  
2 A Lots of them.  
3 Q And as Bishop of Kamloops, that is who you answer  
4 to. That was your superior. The curia and the  
5 pope.  
6 A Yes.  
7 Q But the curia informs the pope.  
8 A Yes.  
9 Q And, to some degree, the pope's decisions and  
10 actions are confined by the curia.  
11 A Well -- are defined?  
12 Q Confined.  
13 A Confined.  
14 Q The curia controls some of the decisions for the  
15 pope politically.  
16 A Yes.  
17 Q So even, for example, the current pope, Pope  
18 Francis, have you had the pleasure of meeting him?  
19 A No, I've never met him.  
20 Q Right. But he's known as a progressive pope.  
21 A Yes.  
22 Q But you'd agree that based on your knowledge of  
23 how the government system works for the Catholic  
24 church, he is somewhat restricted in his ability  
25 to change, or to effect change, because of the  
26 curia.  
27 A Possibly.  
28 Q Because there are conservative elements --  
29 A I can't speak for him, but I suspect that that may  
30 be true.  
31 Q Right. And what I want to know is your knowledge  
32 based on your experience as part of the hierarchy.  
33 You know that there are conservative elements in  
34 that curia.  
35 A Yes.  
36 Q And change is sometimes restricted by those  
37 conservative elements.  
38 A That -- yes, or they are -- they resist change,  
39 some --  
40 Q They --  
41 A Some of them do. Can't generalize. Never  
42 generalize, not true.  
43 Q No, that's true, there are good people in this  
44 church, aren't they -- aren't there?  
45 A Oh, yes.  
46 Q And there are some not-so-good people in this  
47 church.

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1 A As elsewhere.  
2 MR. HOGG: I wonder -- I'm going to object here. We've  
3 heard a lot of this starting off with the cross,  
4 and now again this morning, after my friend's had  
5 time to reflect on it. I keep wondering about  
6 relevance to sex assault in Kamloops in 1976, '77,  
7 whenever it occurred. This interminable  
8 questioning about what he knows or what little --  
9 this -- with respect to this gentleman knows about  
10 the internal workings of Rome and so on, with a  
11 few visits and having studied there in his early  
12 years many decades ago, I'm not sure it's helpful  
13 to the court. I'm not sure it's relevant to what  
14 you have to determine in this case, which is  
15 limited. It's limited to quantum.  
16 MS. KOVACS: My Lord, I'm happy to address that  
17 objection.  
18 THE COURT: All right.  
19 MS. KOVACS: This -- as I said yesterday, the context  
20 is incredibly important. The plaintiff claims  
21 punitive damages against the defendant diocese,  
22 not against Father Molon, not against Archbishop  
23 Exner personally. We have not named Archbishop  
24 Exner. Archbishop Exner was the director of a  
25 corporate entity. That corporate entity acts  
26 within the Diocese of Kamloops as obedient to an  
27 international religious order and it is a system.  
28 It's that system that my client seeks relief  
29 against, and that my client seeks punitive damages  
30 against.  
31 I wish to continue with this line of  
32 questioning because it is relevant. It's going to  
33 be relevant to the submissions made at the end of  
34 the day. I'm going to move on from the larger --  
35 THE COURT: Well, I --  
36 MS. KOVACS: -- Catholic structure shortly.  
37 THE COURT: I -- all right, well, that would be, I  
38 think, helpful, because I hear what you're saying  
39 and --  
40 MS. KOVACS: Yes.  
41 THE COURT: -- I'm sure that you'll connect all those  
42 dots for me in due course, but it seems to me  
43 you've tilled this ground --  
44 MS. KOVACS: I have.  
45 THE COURT: -- quite a bit.  
46 MS. KOVACS: I have. All right. And I will -- I will  
47 promise you, My Lord, I will connect those dots

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1           for you in my closing argument.  
2   Q       Now, option A, laisization of Father Molon, was  
3           not something you considered. It's not something  
4           you were wishing to pursue for him?  
5   A       The thought occurred to me, but again, I've  
6           explained why.  
7   Q       Yes, you have.  
8   A       There was a shortage of priests, he was very  
9           capable, but he, you know, had trouble that I was  
10          hoping that he would agree to be rehabilitated.  
11   Q       Right. Now, option B was one we talked about  
12          yesterday was to move him to another parish.  
13          You'd made that offer to him?  
14   A       I'm -- yeah, I suppose I did, I don't remember.  
15   Q       He didn't accept that option?  
16   A       I don't remember all the details. I can't, it's  
17          over 40 years old and I'm over 90 years old.  
18   Q       I -- I appreciate that, Archbishop.  
19   A       My memory is very limited.  
20   Q       Yes, I appreciate that, but you --  
21   A       I can't remember.  
22   Q       But you agree it was in your notes and it must  
23          have been accurate. Sorry, that's a yes? We got  
24          a head nod again.  
25   A       Yes.  
26   Q       Thank you.  
27   A       Sorry.  
28   Q       That's okay. Option C was to send him to  
29          Southdown or Guest House for --  
30   A       That's what I really --  
31   Q       -- rehabilitation?  
32   A       -- wanted to do.  
33   Q       But he refused that?  
34   A       Yes.  
35   Q       So your last resort after he refused options --  
36          well, you refused option A and he refused options  
37          B and C. Your last resort was to suspend him and  
38          kick him out?  
39   A       That's what I did.  
40   Q       Right; but that was your last resort?  
41   A       Yes.  
42   Q       Now, eventually you did this, but not until  
43          October of 1977 in writing, correct?  
44   A       Yes.  
45   Q       Right. And that's in the documents, we've already  
46          gone through that. You agree that another option  
47          you could have pursued, an additional option, is

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1 to warn the Vancouver archdiocese as well as other  
2 dioceses around you of Father Molon.  
3 A Well, the way -- the way normally things work, and  
4 normally, is when a priest leaves one diocese,  
5 before he starts working in the diocese, the  
6 diocese that accepts him consults with the bishop  
7 of the diocese where he had been before. So --  
8 and then that's covered.  
9 Q So you were -- you were -- sorry, you were hoping  
10 to send him back to the Philippines? That was one  
11 option.  
12 A That was one option, yes.  
13 Q To ask his pope to recall him?  
14 A His bishop to recall him, yes.  
15 Q Or, sorry, his bishop, my apologies. And, in  
16 fact, you wrote to his bishop asking for that to  
17 happen, correct?  
18 A I don't remember what I asked him, but I remember  
19 writing to him.  
20 Q Maybe let's just take a look at that.  
21 MS. KOVACS: If I could have Exhibit 5 put before the  
22 witness, please.  
23 Q Tab 25, Archbishop. My apologies, this is a  
24 really faded copy.  
25 MR. HOGG: Which tab is it?  
26 MS. KOVACS: Tab 25, please.  
27 Q Do you have that before you, Archbishop?  
28 A Yes, I do. Thank you.  
29 Q All right. So this letter appears to be dated  
30 June 10th of 1977.  
31 A Yes.  
32 Q You see that?  
33 A Yes.  
34 Q And it's addressed to the Most Reverend Cipriano  
35 V. Urgel --  
36 A Right.  
37 Q -- in Bishop of Palo, Palo, Philippines.  
38 A Yes.  
39 Q And second page, it's your signature line.  
40 A Yes.  
41 Q All right. And third-to-last paragraph, starting  
42 with "Again...".  
43 A Yes.  
44 Q [As read in]:  
45  
46 I am sorry to have to narrate the sad news to  
47 you --

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1  
2           So you're writing to him to tell him about Father  
3           Molon.  
4       A     Yes.  
5       Q  
6  
7           Let us pray for him asking God to help him  
8           mend his ways and return to his priestly  
9           commitment.  
10  
11          So you want him to return to the priesthood.  
12       A     Yes, because he's very capable; people loved him,  
13           and he was very generous with his time in serving  
14           people. So I wanted to rehabilitate him. I did.  
15       Q     He was also generous, you'd agree with me, with  
16           his sexual urges?  
17       A     I did not -- I don't deny that. I'm very  
18           painfully aware of that.  
19       Q     Tab 26, Archbishop, the next tab over.  
20       A     Yes.  
21       Q     This is a letter dated August 11th of 1977, and  
22           this is the return letter from the Bishop of Palo  
23           to you.  
24       A     Yes.  
25       Q     And penultimate paragraph [as read in]:  
26  
27                   As suggested by Your Excellency, I am  
28                   enclosing my letter for Father Molon.  
29  
30          So he actually has written a letter to Father  
31          Molon recalling him.  
32       A     I don't know what was in the letter. I can't  
33           remember.  
34       Q     And we don't have that letter.  
35       A     I don't -- I remember -- I can't remember what was  
36           in it.  
37       Q     Right. Now --  
38       THE COURT: Can I just -- I haven't -- you haven't  
39           taken us through this before, have you?  
40       MS. KOVACS: I don't believe my friend did, no.  
41       THE COURT: No. And so just orient me here.  
42       MS. KOVACS:  
43       Q     So, Archbishop --  
44       THE COURT: What -- what letter is missing?  
45       MS. KOVACS:  
46       Q     So, Archbishop Exner, this appears to be a letter  
47           dated August 11th, 1977. It's a reply letter from



**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1 Bishop Urgel of Palo.

2 A Yes.

3 Q And the letter is in response to your letter which  
4 we just looked at, at Tab 26, correct?

5 A That's -- yes, that's correct.

6 Q And that letter that you sent to him --

7 THE COURT: Oh, I see.

8 MS. KOVACS:

9 Q -- is quite lengthy, but it really was explaining  
10 the situation to the Bishop of Palo and asking for  
11 him to recall Father Molon.

12 A 'Cause I -- I thought that maybe he had more  
13 chance of rehabilitating him than I did.

14 Q Right.

15 A I don't know if that was true or not, but I wasn't  
16 getting anywhere, so I thought maybe his own  
17 bishop might.

18 Q Right. And just so we can be clear on the  
19 timeline here, this is -- you write to this bishop  
20 in June of 1977 which is several months after you  
21 deliver your speech about Father Molon at Mass.

22 A Yeah.

23 Q So, at this point, Father Molon is going rogue.  
24 He's living in the community and being harboured  
25 by a family?

26 A Yes.

27 Q So, at this point, you've already tried options B  
28 and C, which were refused?

29 A Yes.

30 Q So another option that you're pursuing is to try  
31 and recall him now to --

32 A Hoping that his own bishop might be more  
33 successful in dealing with him than I was.

34 Q Right, because that was where he was ordained?

35 A I imagine that's where he was ordained. At least  
36 he was incardinated in that diocese, could have  
37 been ordained elsewhere.

38 Q Right. So, just so I can be clear on what you're  
39 asking the Bishop of Palo to do, if we look at  
40 page 2 of Tab 25 -- that's the previous 2. Second  
41 paragraph in [as read in]:

42

43 If I've waited so long before informing Your  
44 Excellency about these sad matters, it is  
45 because I still had hopes of helping Father  
46 Lindo. Presently these hopes are getting  
47 very weak. I really don't know how I can

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1 help him when he refuses to see me.  
2  
3 Next paragraph:  
4  
5 For his own good and for the good of his  
6 location as a priest, I believe it would be  
7 good for him to leave Kamloops. Perhaps  
8 recalling him to his diocese in the  
9 Philippines would be helpful to him. Should  
10 you wish to communicate with Father Molon,  
11 you may send letters in care of my address.  
12 I could see to it that these letters get to  
13 him through third parties.  
14  
15 So that's what you were asking the Bishop of Palo  
16 to do, was send a letter recalling him, correct?  
17 A It's obvious, yes.  
18 Q Yes. And so Tab 26, then, so that we could --  
19 we've given some background now to His Lordship --  
20 is the Bishop of Palo's response letter to you  
21 which suggests he's enclosing that very letter you  
22 asked for.  
23 A Mm-hmm.  
24 Q But we don't have that letter. All right.  
25 THE COURT: So are we calling this option D?  
26 MS. KOVACS: Sure, option D. So option D was to recall  
27 him.  
28 Q To your knowledge, did Father Molon accept option  
29 D?  
30 A To be recalled?  
31 Q Yes.  
32 A Obviously he didn't because he's still here.  
33 Q Right.  
34 A At least that's my conclusion.  
35 Q Right. And in fact -- we'll get to this, but this  
36 was not the last you'd heard of Father Molon. He  
37 did reappear and meet with you on one occasion,  
38 didn't he?  
39 A He did -- I'm sorry?  
40 Q He reappeared and met with you on an occasion  
41 after this still?  
42 A I don't remember that.  
43 Q We'll get to that in the course of --  
44 A I do not remember that.  
45 Q All right. We'll see if some of the  
46 correspondence will refresh your memory.  
47 A Maybe.

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1 Q All right. Now, so he didn't accept option D.  
2 Had you considered laisization at that point?  
3 A The thought occurred to me but, once again, my  
4 reason for going slow on laisization was that  
5 there was a huge shortage of priests, he was a  
6 very capable one, but had gone off track. I was  
7 trying to rehabilitate him. I thought at that  
8 time there was still some hope, but I wasn't  
9 getting anywhere, nor did his own bishop get  
10 anywhere.  
11 Q Right.  
12 A But I wanted to go as far as I possibly could to  
13 rehabilitate him.  
14 Q You wanted to help him?  
15 A I wanted to help, yes.  
16 Q Had you done anything to help Rosemary Wright at  
17 this point?  
18 A No, I have to confess I fell short there.  
19 Q Back to -- actually maybe we'll go off course a  
20 little bit here. With respect to Rosemary Wright,  
21 she says you had not one but three meetings. Do  
22 you deny that or simply don't remember it?  
23 A I remember one meeting.  
24 Q But do you deny that there were three, or is it  
25 possible --  
26 A I cannot remember any others. I remember one  
27 meeting. That means I don't remember the others.  
28 If there were, I -- I just don't remember them.  
29 Q Right. She says that the second and third  
30 meetings were focused on you asking her to leave  
31 the diocese.  
32 A I do not remember ever having asked her to leave  
33 the diocese.  
34 Q It's possible that you did?  
35 A No, I don't think so. I think if I had done that,  
36 I would remember it. I do not remember that.  
37 That's the honest truth.  
38 Q Are you aware that her recollection of that -- of  
39 your meeting with her is that you said, "If you  
40 don't leave, they will crucify you and make you  
41 insane." Do you remember that?  
42 A No, no.  
43 MR. HOGG: I'm going to object to that. That -- she's  
44 putting evidence -- this witness is not sitting  
45 through the trial. He didn't hear that, and  
46 that's quite appropriate. So again --  
47 THE COURT: Yeah.

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1 MR. HOGG: -- she's putting evidence --  
2 THE COURT: Yes.  
3 MR. HOGG: -- frankly, she can put it another way, but  
4 it's not appropriate way to cross-examine to say,  
5 "Well, this person said, this person says, what do  
6 you say about that?"  
7 THE COURT: No, I -- Mr. Hogg, I agree with you.  
8 MS. KOVACS: Yeah, *Browne v. Dunn* applies. I will  
9 rephrase my question.  
10 THE COURT: No, no, it's got nothing to do with *Browne*  
11 *v. Dunn*. My suggestion to you is that whether  
12 he's aware that she's given that evidence is not  
13 relevant. You can certainly put the proposition  
14 to him.  
15 MS. KOVACS: I will do that.  
16 THE COURT: In other words, "I suggest she said this,  
17 she said that", at this meeting.  
18 MS. KOVACS: I will do that, My Lord.  
19 THE COURT: Right.  
20 MS. KOVACS:  
21 Q Archbishop, I'm going to suggest to you that the  
22 third meeting with Rosemary Anderson --  
23 A As far as I can recall, and this is the honest-to-  
24 God truth, I had only one meeting with her. I  
25 cannot remember a second or a third one. If they  
26 did exist, I don't remember them.  
27 Q Right.  
28 A My mind is blank.  
29 Q You have to appreciate that I'm going to put it to  
30 you, and I suggest to you, that you told Rosemary  
31 Anderson she had to leave town or else they would  
32 crucify her and make her insane.  
33 A I don't remember saying that. I do not recall  
34 saying that.  
35 Q Do you deny saying that or is it that you don't  
36 remember?  
37 A I don't -- I will deny saying that. I don't think  
38 I ever said anything like that or that I would.  
39 Q Were you concerned about Rosemary Wright staying  
40 in Kamloops?  
41 A No.  
42 Q You were concerned about scandal though, correct?  
43 A Yes. She was not the source of the scandal.  
44 Q But she was a continuing reminder of the scandal  
45 if she stayed; isn't that right?  
46 A That's correct. But I didn't want to punish her.  
47 I had no reason for punishing her.

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

- 1 Q But you did punish her, Archbishop, didn't you.  
2 You asked her to leave.
- 3 A I did not ask her to leave. I've repeatedly said  
4 that. How many times do I have to say it?
- 5 Q But you --
- 6 A I did not ask her to leave. I do not remember  
7 asking her. That's maybe the better way to say  
8 it.
- 9 Q Okay.
- 10 A I do not remember asking her to leave.
- 11 Q That's fine. And you've already said you failed  
12 on not offering her any assistance.
- 13 A I -- yes, I should have offered assistance.
- 14 Q Now, Archbishop Exner, I'd like you to go to Tab  
15 33, please. You have that before you?
- 16 A Yes.
- 17 Q It appears to be a letter dated April 6th of 1978  
18 from then Archbishop Carney of Vancouver --
- 19 A Yes.
- 20 Q -- addressed to you.
- 21 A Yes.
- 22 Q It's a short letter and it says [as read in]:  
23  
24 As you know, we have received a telephone  
25 call that a priest, apparently at one time  
26 serving in your diocese, and now allegedly  
27 suspended, celebrated Mass in St. Joseph's  
28 Parish, Vancouver. I would appreciate  
29 hearing from you whether or not this priest  
30 is suspended, and also whether or not you  
31 know his whereabouts. Often these problems  
32 tend to gravitate to the metropolitan  
33 centres, and I think I should inform our  
34 priest of the man's presence if he is indeed  
35 is suspended and is moving around Vancouver.  
36
- 37 A Yes.
- 38 Q Do you have a recollection of receiving this  
39 letter?
- 40 A Yes.
- 41 Q All right. And in fact Archbishop Carney is  
42 telling you here, look, he's actually ministering  
43 in a church in Vancouver.
- 44 A Yes, I realize that.
- 45 Q All right. So you hadn't warned the Archdiocese  
46 of Vancouver about Father Molon.
- 47 A Well, you don't -- when you do something like

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1           this, you don't go -- what are we supposed to do?  
2           Warn every diocese in Canada and beyond? I can't  
3           do that. I mean administratively it's impossible  
4           to do these things.  
5        Q     You could certainly send a bulletin or a note or a  
6           letter to your nearest diocese.  
7        A     No.  
8        Q     That wasn't an option you considered?  
9        A     [No audible response].  
10       Q     But if you turn to Tab 34, Archbishop, this is  
11           your reply letter to Archbishop Carney, dated  
12           April 17th, 1978.  
13       A     Yes.  
14       Q     And you've given some background on Father Molon.  
15           Now, third paragraph down [as read in]:  
16  
17                    After discussing this -- the matter with my  
18                    consultors --  
19  
20           That would be your Presbyteral Council?  
21       A     No, there's a difference between consultors and  
22           Presbyteral Council. They're two different  
23           bodies.  
24       Q     Oh, who were your consultors?  
25       A     I don't remember the names. I had about four or  
26           five of them.  
27       Q     Were those private consultors?  
28       A     They're priests of the diocese. But, you know, I  
29           don't remember the names. I don't -- and even --  
30           I don't even know how many I had.  
31       Q     So this is not even the formal Presbyteral  
32           Council. This is an informal consultors group  
33           that you would speak to before making a decision  
34           such as --  
35       A     There are certain things you deal with the  
36           consultors, there's certain things you deal with  
37           the Council of Priests. It's two different  
38           bodies.  
39       Q     So tell me, explain to me the two different bodies  
40           and when you would speak to the consultors and  
41           when you would speak to the Presbyteral Council?  
42       A     I know there are terms of reference. I can't  
43           remember what they are. I just can't, I'm sorry.  
44       Q     That's okay. Were there any minutes taken --  
45           taken at --  
46       A     Yes.  
47       Q     -- with consultors?

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

- 1 A Yes.
- 2 Q So that's another body.
- 3 A They're on the record. They're in Kamloops.
- 4 Q Okay.
- 5 A There's a -- consultants minutes are their own  
6 record, as are the priestly council.
- 7 Q All right. Okay, thank you, Archbishop. Now you  
8 say that, in this letter, second to -- third-to-  
9 last line, it starts with, "It did not occur to me  
10 at the time...". Do you see that?
- 11 A Yes.
- 12 Q [As read in]:  
13  
14 It did not occur to me at the time, but I  
15 realize now that I made a mistake in limiting  
16 the suspension to the Diocese of Kamloops. I  
17 am very sorry about that. I could have  
18 spared you the problems you are facing now.  
19
- 20 Could you have suspended him beyond the Diocese of  
21 Kamloops?
- 22 A I'm not a canonist. I would have to ask a canon  
23 lawyer. I don't -- I just don't know. Maybe  
24 that's what prompted me to suspend him in Kamloops  
25 Diocese. I am not a canon lawyer, I don't know,  
26 I'd have to consult with a canon lawyer on that,  
27 I'm sorry.
- 28 Q Right. Do you recall speaking with a canon lawyer  
29 before suspending --
- 30 A No, I did not.
- 31 Q All right.
- 32 A For good reason, I didn't have a canon lawyer, or  
33 not a high -- no professionally qualified canon  
34 lawyer.
- 35 Q What was the good reason that you didn't have one?
- 36 A Every diocese has its limitations, and that was  
37 one of the limitations of the Kamloops Diocese.  
38 It's a small diocese.
- 39 Q Mm-hmm.
- 40 A Doesn't have those.
- 41 Q You could, though, as a courtesy, ask the  
42 archdiocese to put you in contact with one of  
43 their canon lawyers?
- 44 A I suppose so.
- 45 Q Right; so, there were resources you could have  
46 found if you needed them?
- 47 A But I didn't think I needed to go that far.

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

- 1 Q Last paragraph [as read in]:  
2  
3 At one time I still had hope for Father  
4 Molon's rehabilitation. That hope has since  
5 been badly shattered.  
6  
7 That was true at the time that you wrote this  
8 letter?  
9 A Yes.  
10 Q You were giving up hope?  
11 A Well, I -- yeah, because I was getting nowhere  
12 with him. I tried and tried and tried.  
13 Q All right. Now, I'd like to take you to Tab 36,  
14 please.  
15 A Thank you.  
16 Q This is a letter from the chancery, from the  
17 Diocese of Rockville Centre in New York. That's  
18 the header, you see that at the top?  
19 A Pardon?  
20 Q Do you see the header at the top? It's from --  
21 A Yes, yes.  
22 Q -- the Diocese of Rockville Centre. That's in New  
23 York?  
24 A Yes, yes.  
25 Q It's dated November 20th of 1981.  
26 A Yes.  
27 Q It's addressed to you -- or to Father -- sorry, to  
28 the Most Reverend Wilfred Emmett Doyle.  
29 A Who was the Bishop of Nelson Diocese, not  
30 Kamloops.  
31 Q Right; and it says [as read in]:  
32  
33 The Reverend Erlindo Molon has recently come  
34 to the Diocese of Rockville Centre seeking to  
35 exercise his priestly ministry on a temporary  
36 basis.  
37  
38 So he's shown up in New York.  
39 A Mm-hmm.  
40 Q  
41  
42 In our interview, he stated that he served in  
43 Penticton, B.C. May I respectfully request  
44 any information you may feel pertinent to  
45 divulge concerning Father's service in the  
46 Diocese of Nelson.  
47



**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1 A Mm-hmm.  
2 Q And it says:  
3  
4 Please feel free to have your delegate call  
5 me.  
6  
7 And he's provided a phone number there. That's  
8 from the Reverend John Maisaroché [phonetic],  
9 which is the vice-chancellor in the Diocese of  
10 Rockville.  
11 A Yes.  
12 Q Right. Did this letter come to you? Do you  
13 recall receiving it?  
14 A Well, it was addressed to Bishop Doyle. It  
15 wouldn't come to me.  
16 Q Right. So let's look to the next tab, Tab 37.  
17 This may assist us. You'll see this is a letter,  
18 it's marked "Confidential" --  
19 A Yes.  
20 Q -- at the top. Typewritten, it's dated December  
21 9th of 1981.  
22 A Yes.  
23 Q Has your signature block at the bottom.  
24 A Pardon?  
25 Q That's your signature block at the bottom?  
26 A Yes.  
27 Q Bishop of Kamloops at the time?  
28 A Yes.  
29 Q It's addressed back to Reverend Maisaroché of the  
30 Diocese of Rockville Centre.  
31 A Yes.  
32 Q And it says [as read in]:  
33  
34 Your letter of November 20th, 1981 addressed  
35 to Bishop Doyle of the Diocese of Nelson  
36 requesting a reference regarding Reverend  
37 Erlindo Molon was forwarded to me.  
38  
39 You don't have a recollection of this, Archbishop?  
40 A Yes, I remember this.  
41 Q Okay. So the letter was sent to you, and you say  
42 [as read in]:  
43  
44 To the best of my knowledge, Father Molon  
45 never served in Penticton or anywhere else in  
46 the Diocese of Nelson. However, he did serve  
47 in the Diocese of Kamloops for a period of

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1                   time. For a time, Father Molon did  
2                   reasonably good pastoral work. However, as  
3                   time went on, he got involved in ways which  
4                   were totally unacceptable. Eventually I had  
5                   little choice but to suspend him. It was in  
6                   this connection that he left the Diocese of  
7                   Kamloops. I sincerely hope and pray that he  
8                   has changed his ways. Should you need more  
9                   information, please do not hesitate to  
10                   contact me. I trust that the information  
11                   provided will be kept confidential.

12  
13                   Why was it important that the information be kept  
14                   confidential, Archbishop.

15   A               To avoid scandal. You don't want to broadcast  
16                   this kind of behaviour on his part all over the  
17                   world.

18   Q               Right; because it affects the moral superior --

19   A               It affects the morale --

20   Q               -- superiority of the church?

21   A               -- of the -- all the -- of everybody, clergy and  
22                   laity.

23   Q               Did you actually speak to Reverend Maisaroché on  
24                   the phone, do you recall?

25   A               I don't remember.

26   Q               If we turn the page over to Tab 38, now, this is a  
27                   letter from St. Raymond's Roman Catholic Church in  
28                   East Rockaway, New York. That's the header.

29   A               Mm-hmm.

30   Q               It's dated December 18th, 1981, and it's signed by  
31                   Reverend William Singleton, pastor of that church.

32   A               Mm-hmm.

33   Q               Addressed to you.

34   A               Yes.

35   Q               It says [as read in]:

36  
37                   Upon learning from Father Maisaroché, the  
38                   vice-chancellor of the Rockville Centre  
39                   Diocese, that the faculties of the Diocese of  
40                   Rockville Centre had been revoked on Father  
41                   Molon --

42  
43                   So his faculties were revoked there.

44   A               Yes.

45   Q               You're being informed of that. And you'd agree  
46                   with me that faculties of a priest are not easily  
47                   revoked without reason.

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1 A Exactly.  
2 Q Right [as read in]:  
3  
4 -- I immediately informed Father Molon that  
5 he could no -- he would no longer be able to  
6 publicly exercise his priestly duties in the  
7 diocese. I offered Father Molon the  
8 hospitality of the rectory until he was able  
9 to put his affairs in order. While Father  
10 Molon was with us, approximately eight  
11 months --  
12  
13 So he was there for eight months you're being  
14 informed?  
15 A Must have been. That's what he says. I wasn't  
16 there.  
17 Q Now, Archbishop, I'm going to suggest to you that  
18 you had a phone call with either Reverend  
19 Singleton or Reverend Maisaroché and you were  
20 informed that Father Molon had sexually assaulted  
21 other women in Rockville Diocese.  
22 A I don't remember that. I have no recollection of  
23 such a thing.  
24 Q You can assume, receiving a letter of this kind  
25 where you're being informed that his faculties --  
26 A I know that there was trouble, but I didn't know  
27 exactly what.  
28 Q Right.  
29 A I did not -- I cannot remember a phone call giving  
30 me any details. That's as much information as I  
31 had. That's it.  
32 Q But you would agree that a revocation only happens  
33 for seriously grave offences.  
34 A Yes, normally.  
35 Q So you would have known that at the time?  
36 A Oh, yes, that I knew.  
37 Q He was in trouble?  
38 A I wasn't surprised.  
39 Q Because this was his pattern?  
40 A That was the pattern.  
41 Q Tab 39, Archbishop.  
42 A Yes.  
43 Q This is a letter from Reverend Maisaroché, so he's  
44 the vice-chancellor of the diocese.  
45 A Rockville Centre.  
46 Q Right. Addressed to you.  
47 A Yes.

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

- 1 Q [As read in]:  
2  
3 I write to acknowledge and thank you for your  
4 letter of December of December 9th, 1981,  
5 concerning Reverend Erlindo Molon. As of  
6 this date the faculties of the Diocese of  
7 Rockville Centre have been revoked.  
8  
9 So you're being informed by the chancery that his  
10 faculties are revoked in that jurisdiction.  
11 A Mm-hmm.  
12 Q And then it says:  
13  
14 I have been informed that, as of last week,  
15 it was Father Molon's intention to return to  
16 Canada at the beginning of the New Year and  
17 find a position in the Canadian army.  
18 Unfortunately, I have no further details as  
19 of when or where. If I do ascertain this  
20 information, please be assured of my future  
21 cooperation.  
22  
23 Do you have a recollection of receiving this  
24 letter?  
25 A Yes.  
26 Q Now, it's a little bit backwards, but I'd like you  
27 to go back to Tab 35 please -- no, no, sorry --  
28 yes, 35.  
29 A Thank you.  
30 Q I'm going to suggest -- so this is a letter  
31 typewritten from you to Reverend Singleton who's  
32 the pastor at the Rockaway Church --  
33 A Yes.  
34 Q -- in New York, and it's dated January 12th, 1981,  
35 but I'm going to suggest it is actually misdated  
36 and it should be 1982. Because if you look to the  
37 bottom -- to the first paragraph, it says [as read  
38 in]:  
39  
40 Thank you for your letter of December 18th,  
41 1981.  
42  
43 Do you see that?  
44 A Yes.  
45 Q Right. So it's probably something we all do which  
46 is put last year's date in January.  
47 A You're probably right.

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

- 1 Q Right. It says [as read in]:  
2  
3 Thank you for your letter of December 18th,  
4 1981 re Father Erlindo Molon. The  
5 information provided in your letter is very  
6 helpful to me in my efforts to help Father  
7 Molon become re-established in priestly  
8 ministry.  
9
- 10 You were hoping to help him.  
11 A I was hoping to get him to go to -- to get  
12 professional help.  
13 Q It says:  
14  
15 Father Molon worked in this diocese for  
16 approximately two years and left the diocese  
17 in 1977 because of some serious problems that  
18 had developed. From 1977 till now, I did not  
19 have any direct contact with Father Molon  
20 and, for that matter, did not really know  
21 where he was or what he was doing. I am  
22 happy to hear that he served for eight months  
23 in your parish and that he did well. He is  
24 capable of doing good work.  
25  
26 Last week Father Molon came to see me. This  
27 was the first direct contact since 1977.  
28  
29 Do you remember this meeting with Father Molon?  
30 A No, I don't.  
31 Q  
32  
33 He seems to have resolved his problems and I  
34 am now hopeful that he could become re-  
35 established in priestly ministry. He seems  
36 to have resolved his problems.  
37
- 38 A From what he told me, but that's not necessarily  
39 the truth.  
40 Q Right.  
41 A "He seems". You know, from what he told me, he  
42 seemed to have made progress. He seemed. That  
43 doesn't -- that doesn't mean to say I was  
44 convinced that that was true.  
45 Q So you weren't convinced that he had reformed?  
46 A No, I really didn't trust him anymore after that.  
47 Q Right. But he -- and in fact he had just had his

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1 faculties revoked in Rockville.  
2 A Mm-hmm, yes.  
3 Q Archbishop Exner, are you aware that Rockville  
4 Diocese was subject to a grand jury inquiry in  
5 2003?  
6 A No, I wasn't.  
7 Q Are you aware that there are various files in that  
8 grand jury report with respect to priests who had  
9 been credibly accused?  
10 A No, I don't, I have no knowledge of that.  
11 Q Do you recall whether or not Reverend Maisaroché  
12 or Reverend Singleton ever told you that Father  
13 Molon had sexually assaulted a teenage girl?  
14 A No.  
15 Q You don't have any recollection of --  
16 A The only -- the only information I ever got is in  
17 these letters. I never talked to these men on the  
18 phone. I have no other information, never had.  
19 Q Okay. But you weren't convinced in any event that  
20 he had changed.  
21 A And obviously he hadn't.  
22 Q But it says in the next paragraph, Archbishop [as  
23 read in]:  
24  
25 Father Molon has applied for a position as  
26 military chaplain in the Canadian Armed  
27 Forces.  
28  
29 You'd agree with me that a military chaplain in  
30 the Canadian Armed Forces isn't going to just  
31 service men. He's servicing families.  
32 A Yes, I realize that.  
33 Q [As read in]:  
34  
35 I will help him insofar as I can to obtain  
36 this position.  
37  
38 A I think I -- I regret saying that, and I regret --  
39 regret that I didn't lower -- that I would do  
40 that. I think I was -- I made a mistake.  
41 Q Archbishop, I appreciate your making that mistake  
42 in a very tough role. You're -- you're -- it's a  
43 tough job to be bishop.  
44 A Tell me. I had 30 years of it.  
45 Q Right.  
46 A Tell me.  
47 Q And it's tougher in a system where this is the

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1 norm, moving -- it's tougher in a system where  
2 this is the norm, moving a priest, who was a  
3 problem, from parish to parish. That was the norm  
4 then, wasn't it?  
5 A Oh, I never did that.  
6 Q But you did do it in this case, Archbishop.  
7 A Pardon?  
8 Q You did do it in this case.  
9 MR. HOGG: Well, I'm going to object to that. That's  
10 not the evidence. He did not move this man.  
11 MS. KOVACS: Well, let's move to the next document,  
12 then.  
13 A Okay.  
14 Q Archbishop?  
15 A Yes.  
16 Q Tab 40, please.  
17 A Tab 40.  
18 MS. LEUNG: It was -- here we go.  
19 A Thank you.  
20 MS. KOVACS:  
21 Q This is a letter on National Defence letterhead.  
22 Do you see that?  
23 A Yes.  
24 Q It's dated April 30th of 1982.  
25 A Right.  
26 Q From the Canadian Forces base in Trenton, Astra,  
27 Ontario.  
28 A Yes.  
29 Q It's signed by Father Lindo.  
30 A Yes.  
31 Q It's addressed to you.  
32 A Yes.  
33 Q And first he says [as read in]:  
34  
35 May I express to you my heartfelt  
36 congratulations for the promotion the Holy  
37 Father has given you.  
38  
39 So this was when you were promoted to Archbishop  
40 of Winnipeg.  
41 A Yes.  
42 Q But you were still at your bishop's residence in  
43 Kamloops.  
44 A At that time, yes.  
45 Q He says [as read in]:  
46  
47 I know that you will be facing a greater

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1                   responsibility too in your work as shepherd  
2                   of souls. I will be offering Masses for your  
3                   intention. May I thank you also for helping  
4                   me to get the chaplaincy job.  
5  
6                   You helped him get a chaplaincy job, didn't you,  
7                   with the military?  
8    A            Not beyond what is in the file here. I did not  
9                   actively promote him, not in the least.  
10   Q            But Father Lindo was writing to you saying, "Thank  
11                  you for your help, Archbishop. You helped me get  
12                  back into Canada and get into work with the --  
13                  with the military."  
14   A            I don't know what he means by that.  
15   Q            Well, you helped him, didn't you?  
16   A            I don't know how. He got that job on his own. I  
17                  did not contact anybody in the military. I did  
18                  not recommend him. He got the job on his own.  
19                  How he did it, I don't know.  
20   Q            You're saying you didn't help him?  
21   A            Not -- not by writing, not by phone; not by  
22                  talking to anybody.  
23   Q            But Archbishop, in that last letter we just  
24                  reviewed, you said, "I will help him in any way I  
25                  can".  
26   A            But I don't remember doing anything. I didn't do  
27                  anything to get him a military job. I really  
28                  didn't. I was surprised he got it.  
29   Q            At this point, though, you know he's in the  
30                  military?  
31   A            At this point I know he's in the military.  
32   Q            And Archbishop, I'm going to put it to you that  
33                  you helped him get this job. You wrote a  
34                  reference letter and you helped him get this job.  
35   A            Well, where is the reference letter?  
36   Q            I don't know.  
37   A            I do not -- I don't remember --  
38   Q            Perhaps the defendant diocese could tell us.  
39   A            -- reference letter. I'm sorry, but I don't.  
40   Q            At this point, though, you know that he's working  
41                  with military families?  
42   A            Yes.  
43   Q            And you know that he is a serial offender?  
44   A            Yes.  
45   Q            Did you write to the national defence to warn them  
46                  that he is a serial offender and that women are at  
47                  risk?



**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1 A I probably should have done that. I don't think I  
2 did. I should have.

3 Q Archbishop Exner, I'm going to suggest to you that  
4 what you did to help Father Molon was in keeping  
5 with the *modus operandi* of the Catholic church.

6 MR. HOGG: Well, I'm going to object. She's --

7 A That's a generalization, though.

8 MR. HOGG: -- she's putting evidence through -- excuse  
9 me. She's putting evidence to this witness that's  
10 not evidence.

11 MS. KOVACS: I'm suggesting something and I --

12 MR. HOGG: He's denied helping him. She won't get off  
13 that topic.

14 MS. KOVACS: No. I'm entitled to keep on it.

15 MR. HOGG: Want to bet?

16 THE COURT: Well, I think that's up to me, isn't it?

17 A In fact, I was surprised that he got --

18 THE COURT: Just -- just a -- Archbishop -- Archbishop,  
19 just pause for a moment. There's been an  
20 objection to the question and so I have to just  
21 think about the question for a minute, okay? So  
22 we'll just --

23 A Thank you.

24 THE COURT: -- rest easy for a sec.

25 MS. KOVACS: My Lord, if I may make a brief submission  
26 on that.

27 THE COURT: Yes.

28 MS. KOVACS: This is cross-examination. And the  
29 defendant diocese is part of an organized religion  
30 and it is the plaintiff's right to attempt to  
31 establish through this witness that this is a  
32 systemic problem, and --

33 THE COURT: Well, it is if it's relevant, and you're  
34 telling me at the end of the day it's going to be  
35 relevant to your claim for punitive damages. I'll  
36 have to, of course, trust you on that. I don't  
37 think -- I think the objection is the form of the  
38 question. There's -- why don't -- why don't you  
39 ask it again?

40 You're firstly suggesting there is a systemic  
41 problem, and then you want to suggest something to  
42 this witness about how he conducted himself in  
43 relation to that. But there's no evidence there's  
44 a systemic problem. So I think that's the issue.

45 MS. KOVACS: My Lord, I'm almost going to suggest that  
46 judicial notice could be taken it's a systemic  
47 problem because it is well known worldwide.

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1                   But, in any event, what I will do is continue  
2                   to ask a question, and we'll see where we go from  
3                   there.  
4   THE COURT: All right.  
5   MS. KOVACS: I won't spend too much time on this.  
6   THE COURT: No, that's fine.  
7   MS. KOVACS:  
8   Q    Archbishop Exner, as Bishop of Kamloops,  
9           Archbishop of Winnipeg and Archbishop of  
10          Vancouver, Father Molon wasn't the only priest --  
11          problem priest you ever handled; isn't that right?  
12   A    True.  
13   Q    Right. There was more than one?  
14   A    Yes.  
15   Q    There was more than two?  
16   A    Yes.  
17   Q    More than ten?  
18   A    No. I wouldn't say more than ten.  
19   Q    You had a few to handle?  
20   A    Pardon?  
21   Q    You had a few to that you had to handle?  
22   A    I did, yes.  
23   Q    You'd agree with that in each of those cases, the  
24          way to handle a problem priest who was accused --  
25          credibly accused of a sexual violation was to send  
26          him to Southdown or another treatment facility and  
27          move him to another parish; isn't that right?  
28   A    Getting good help for them.  
29   Q    Right; and then move them to another parish?  
30   A    Yes.  
31   Q    You'd agree in this instance --  
32   A    But, the -- I also have to point out that, in my  
33          30 years, the number of priests who were sexual  
34          offenders were very few. Most of them had to deal  
35          with alcohol or psychological problems. Most of  
36          them were alcoholics. I had a lot of alcoholics  
37          to deal with, and I rehabilitated some, I must  
38          say. Some of them were very fine afterwards.  
39   Q    Hmm.  
40   A    But they had to get professional help.  
41   Q    You never reported any of those problem priests to  
42          the police, correct?  
43   A    Pardon?  
44   Q    You never reported any of those problem priests to  
45          the police, did you?  
46   MR. HOGG: Well, I -- I don't know -- I don't know if  
47          there's a basis for this, because why would he

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1           have put -- why would he phone the --  
2    A       Why would I --  
3    MR. HOGG: No, No.  
4    A       Sorry.  
5    MR. HOGG: Why would he phone the police if he had an  
6           alcoholic priest?  
7    A       That's what my question would be too.  
8    MR. HOGG: It makes no sense.  
9    THE COURT: I think -- I think -- all we know now is  
10           there's "problem priests". So --  
11   MS. KOVACS: I will further develop that.  
12   Q       Archbishop Exner, what I referred to as "problem  
13           priests", you've answered saying many of them were  
14           alcoholics. We're talking about sexual offenders,  
15           priests who are sexual offenders, correct?  
16   A       Yes.  
17   Q       All right. And you never reported any of those  
18           sexual offenders to the police, correct?  
19   A       No. I didn't have --  
20   Q       Because that just would --  
21   A       -- that many.  
22   Q       None of them were reported to the police?  
23   A       No.  
24   Q       Because that wasn't the way the church dealt with  
25           these problems?  
26   A       Obviously.  
27   Q       Now, Archbishop Exner, over the years --  
28   THE COURT: Just -- can I just --  
29   MS. KOVACS: Yes, of course.  
30   THE COURT: -- give me a moment, please.  
31   MS. KOVACS: Sorry, My Lord.  
32   THE COURT: Thank you.  
33   MS. KOVACS:  
34   Q       Now, Archbishop Exner, over the years you have  
35           dealt with a handful of what we've called problem  
36           priests, sexual offenders?  
37   A       Yes.  
38   Q       Have you also dealt with victims?  
39   A       Some, yes.  
40   Q       And you had the opportunity to observe those  
41           victims?  
42   A       I've helped some of them.  
43   Q       Can you tell me in your observations, what are  
44           some of the signs or symptoms of spiritual injury?  
45           You've already --  
46   A       That's such a general question; I wouldn't know  
47           how to answer it.

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1 Q Right. You've agreed yesterday, early on in my  
2 cross-examination, that spiritual harm does occur  
3 when someone is sexually violated by a priest?  
4 A Obviously.  
5 Q Are you able to tell me in your observation what  
6 you have seen in terms of the pattern of symptoms  
7 and suffering in a victim?  
8 A I was aware of that, yes.  
9 Q What did you see?  
10 A Pain. Pain and confusion.  
11 Q Deep pain.  
12 A Deep pain. Woundedness.  
13 Q And Archbishop Exner, you are 90 years old and  
14 soon to be 91 on Christmas Eve this year?  
15 A Pardon?  
16 Q You will be 91 on Christmas Eve this year?  
17 A Yes.  
18 Q And do you believe that there will come a time  
19 when you will stand before God and be judged?  
20 A Yes.  
21 Q Do you admit that you failed to protect Rosemary  
22 Wright in your pastoral -- because she was in your  
23 pastoral care when you were in -- the Bishop of  
24 Kamloops?  
25 A I should have offered her help. I did by -- I  
26 did, that -- I had agreed that I failed there.  
27 Q And in fact you'd agree that you failed her even  
28 before she was assaulted because you hadn't dealt  
29 with Father Molon, had you?  
30 A Well, I wish I would have known how. You know, I  
31 did the very best I could, but he was a difficult  
32 person to deal with. It's not that easy.  
33 Q You had options available to you. We already  
34 reviewed those options. I don't need to go  
35 through them again.  
36 A Okay.  
37 Q They were options.  
38 A Okay.  
39 Q You understand, Archbishop, that it is beyond the  
40 scope of this trial and the jurisdiction of this  
41 court to impose any personal penance on you for  
42 any of your personal failures. This is not a  
43 church, this is not a confessional; this is a  
44 court of law. You appreciate that?  
45 A Yes.  
46 Q But when we talk about reconciliation, there is  
47 the Catholic understanding of reconciliation,

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1           which is the sacrament of confession?  
2    A       Yes.  
3    Q       And then there is the lay meaning of  
4           reconciliation which is the restoration of  
5           friendly relations. You understand that meaning  
6           as well?  
7    A       Yes.  
8    Q       And you are aware that Rosemary Anderson is a  
9           baptized and confirmed Catholic?  
10   A       Yes.  
11   Q       She is a child of God.  
12   A       Yes.  
13   Q       She's one of the faithful.  
14   A       I'd say so.  
15   Q       And continues to be today, to your knowledge?  
16   A       Pardon?  
17   Q       She continues to be today, to your knowledge?  
18   A       I don't know. I've lost track of her. She went  
19           to Ontario or someplace, I -- I don't know where  
20           she went.  
21   Q       All right.  
22   A       So I lost track of her.  
23   Q       Do you believe that the church's treatment of  
24           Rosemary Anderson and the result of her complaint  
25           has been sinful?  
26   MR. HOGG: Okay, I'll object to that. I don't -- I  
27           don't know that the court's here to take in  
28           evidence and say, well, we're going to assign  
29           damages 'cause they sinned. It's a matter of law  
30           here. These people should leave the matters of  
31           the church outside the court.  
32   MS. KOVACS: My Lord, I will respectfully say that  
33           litigation for a victim of sexual assault and  
34           abuse is very challenging. There is no  
35           appropriate forum for a victim to find peace and  
36           serenity. Reconciliation is not something this  
37           court has the power to order, but it is something  
38           that my client has instructed me to ask for in  
39           closing my cross-examination, and I would  
40           respectfully ask for leave to continue this line  
41           of questioning. It won't be long. It is  
42           important for this plaintiff to have the  
43           opportunity.  
44   MR. HOGG: The only thing I'll say is that with the  
45           greatest of respect to the plaintiff, knowing the  
46           basis of her claim and having done the discovery,  
47           it's not for the plaintiff to run this court.

**Adam Exner (for Defendants)**  
**cross-exam by Ms. Kovacs**

1 THE COURT: I think that I understand what you're  
2 saying and I understand how this proceeding may  
3 not fulfil all of the difficulties of the  
4 plaintiff. It may be that the Archbishop can have  
5 a discussion with your client today, this morning.  
6 But I'm reluctant to deal with these matters  
7 beyond the framework of what we have to decide.  
8 MS. KOVACS: Yes, I appreciate that, My Lord. Perhaps  
9 I may just end, then, with two questions. I will  
10 ask to speak with Archbishop Exner afterwards with  
11 my friend's permission, but before I close my  
12 cross-examination.  
13 Q Archbishop Exner, I just have two questions to  
14 clarify your position here today. You are here as  
15 a witness. You no longer have authority over the  
16 defendant diocese, correct?  
17 A I have no authority whatsoever.  
18 Q So if you personally are able to achieve  
19 reconciliation with Rosemary Anderson, that is not  
20 binding upon the diocese?  
21 A No.  
22 MS. KOVACS: My Lord, those are my questions.  
23 THE COURT: All right. Thank you. Any re-examination?  
24 MR. HOGG: A couple -- four or five minutes.  
25

**RE-EXAMINATION BY MR. HOGG:**

26  
27  
28 Q You were asked initially whether -- when my  
29 learned friend, Ms. Kovacs asked you about canon  
30 law initially, the question was, "Well, canon law  
31 provides for this -- provides for a lot of things,  
32 including sexual problems. It's a code". And you  
33 said, "I'm not aware", and then there were some  
34 other questions and answers. Did you actually  
35 study canon law yourself?  
36 A Yes.  
37 Q How much?  
38 A As -- the amount needed to be ordained, and that  
39 was at the Gregorian University in Rome. But, you  
40 know, the canon code is thick. We covered only a  
41 small portion of it that's needed for priestly  
42 functioning in the parish. So I'm not expert on  
43 canon law. You know, people spend years studying  
44 the code and getting degrees. It's a difficult  
45 thing.  
46 Q So you got minimum training in it?  
47 A I have minimum training in canon law.

**Adam Exner (for Defendants)**  
**re-exam by Mr. Hogg**

1 Q There were then questions sometime later about  
2 there can be trials, canon law trials and so  
3 forth. I'm curious of this; have you ever seen a  
4 canon law trial?  
5 A No.  
6 Q Have you ever known one to occur in any diocese in  
7 Canada since you've been a --  
8 A Never heard of one.  
9 Q Exhibit 5, you're -- you may have in front of you,  
10 been on it for a while --  
11 A Tab 5?  
12 Q -- 524, the page that's laying right in front of  
13 you, if you just turn -- I think it's -- let me  
14 just check that reference. Okay. I'm on page 2  
15 -- are you on 25 -- so 25 --  
16 A Tab 25?  
17 Q And it's --  
18 A Yes.  
19 Q -- the top three follow -- the Erlindo Molon,  
20 March 16, 1977. It was your Mass you did then?  
21 A Yes.  
22 Q You flip to the second page --  
23 THE COURT: No, it's Tab 24.  
24 MR. HOGG: I'm sorry? Did I --  
25 THE COURT: Yeah.  
26 MR. HOGG: Yes, 20 --  
27 THE COURT: You said 25. It's 24?  
28 MR. HOGG: Oh, my note says 24. It's just -- I'm out  
29 of sync with -- I forget what that encyclopedia  
30 said. I'm out of sync. My mouth's out of sync  
31 with my notes. It's Tab 24, please.  
32 A Yeah, that's right.  
33 Q And you recognize that as your Mass --  
34 A Notes.  
35 Q -- speaking notes?  
36 A Yes.  
37 Q Yeah. Second page, please.  
38 A Yes.  
39 Q And there's a paragraph 8 -- 6, 7, 8, see 8?  
40 A Yes.  
41 Q And you were questioned about the third hyphenated  
42 point, you see, where it says [as read in]:  
43  
44 Then too, I offered him two parishes where he  
45 could go.  
46  
47 You were questioned on that. But my friend quit

**Adam Exner (for Defendants)**  
**re-exam by Mr. Hogg**

1 the sentence. It says:  
2  
3 Then too, I offered him two parishes where he  
4 could go where he could get help and where he  
5 could continue in his priestly ministry.  
6  
7 Is this note accurate, at the time you --  
8 A Well, at the -- at the time --  
9 Q -- made it, you think it --  
10 A -- I typed it, it was accurate. I really --  
11 Q All right.  
12 A -- don't remember everything I meant by it.  
13 Q All right. So can you tell the court -- so the  
14 way it reads, you're -- an option was to send him  
15 to a couple of parishes, but it was -- they were  
16 parishes where he could get help?  
17 A Yeah.  
18 Q So there were such parishes that actually had help  
19 -- whereas the Diocese of Kamloops didn't -- had  
20 treatment?  
21 A Yeah.  
22 Q Thank you. Tab 22, please. You were -- there's a  
23 two-page letter here undated and you see it says  
24 [as read in]:  
25  
26 Dear Bishop Exner.  
27  
28 A Yes.  
29 THE COURT: Just one moment. Could you just pause,  
30 please, Mr. Hogg?  
31 MR. HOGG: Yes.  
32 THE COURT: Now what tab are you on now?  
33 MR. HOGG: I'm on Tab 22, please.  
34 THE COURT: Twenty-two, yes. Thank you.  
35 MR. HOGG:  
36 Q And Bishop Exner, are you there? It's a letter to  
37 you undated.  
38 A Yes.  
39 Q And if you flip the page, it's this letter from  
40 this person called Elsie.  
41 A Mm-hmm.  
42 Q Yes?  
43 A Yes.  
44 Q And is this an example of the split in the parish,  
45 the push and the pull you had, that --  
46 A That's one example.  
47 Q -- some were for, and some were against Molon?



**Adam Exner (for Defendants)**  
**re-exam by Mr. Hogg**

- 1 A Yeah.
- 2 Q Is that right?
- 3 A Yes.
- 4 Q Okay. And so I suppose I missed a question with  
5 respect to this last one I questioned you where an  
6 option was to send him to another parish. Through  
7 your abilities, through your letters, through your  
8 efforts, did you ever send him to another parish  
9 insofar as it may be relevant?
- 10 A Not that I recall.
- 11 Q On the situation with Palo in the Philippines  
12 recalling him, his diocese -- was it the Diocese  
13 of Palo?
- 14 A Palo.
- 15 Q If they recalled him, is it your evidence he never  
16 accepted the recall?
- 17 A I suspect that was the case. He had a mind of his  
18 own. He went where he wanted to.
- 19 Q One last thing -- Tab 23, please, of Exhibit 5.
- 20 A 23.
- 21 Q You were asked then in cross-examination, you were  
22 questioned about the October 1977 letter where you  
23 -- it was quite strong letter, and it says  
24 clearly, "Look, Father Molon, you're suspended."  
25 You remember that letter?
- 26 A Yes.
- 27 Q Yeah. This letter at Tab -- and so your evidence  
28 was suspension was the last resort.
- 29 A Right.
- 30 Q And the counsel was referring you to the October  
31 letter. Now, on Tab -- Exhibit 5, Tab 23, 1, 2,  
32 3, 4, go to the last paragraph, number 3, on the  
33 first page, please.
- 34 A Yes. Yes.
- 35 Q This was the letter you wrote to Ms. Barbara  
36 Nutellings [phonetic], a parishioner in Kamloops.
- 37 A Yes.
- 38 Q Second sentence [as read in]:  
39  
40 So some people ask why he should -- why he  
41 should be asked to leave for one mistake.  
42  
43 You'll note the date here, this top right, is  
44 March 15, '77.
- 45 A Yes.
- 46 Q When you wrote this letter, had you asked him to  
47 leave by then?

**Adam Exner (for Defendants)**  
**re-exam by Mr. Hogg**

1 A I don't remember.

2 MR. HOGG: Those are my questions. Thank you.

3 THE COURT: Archbishop, thank you very much. You're  
4 excused now, okay?

5 All right. Just pause for a moment here.

6 Okay, thank you. We'll take the morning break.

7

8 (WITNESS EXCUSED)

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10 [EXCERPT CONCLUDED AT 11:14:21 A.M.]

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14 Transcriber: D. Rochfort

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I hereby certify the foregoing to be a true and accurate transcript of the evidence recorded on a sound recording apparatus, transcribed to the best of my skill and ability.



D. Rochfort  
Court Transcriber