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4 Nicholas Aguilar Rivera. The purpose of this line of inquiry was to ascertain if the issue of  
5 contacting Father Nicholas Aguilar Rivera's Superior, Bishop Norberto Rivera, or contacting  
6 Father Nicholas Aguilar Rivera's diocese The Diocese of Tehuacan was discussed and if it was  
7 not discussed the reasons therefore. It is clear that while Father Nicholas Aguilar was an  
8 extern priest in Los Angeles he remained under the authority of his bishop, Bishop Norberto  
9 Rivera. It is also clear that while an extern priest in Los Angeles up until present Father  
10 Nicholas Aguilar Rivera must obey orders from the Bishop of the Diocese of Tehuacan. The  
11 questions blocked by defense attorney's improper instruction precludes plaintiff from inquiring  
12 into relevant matters that will shed light on whether California Courts may exercise  
13 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full  
14 and complete inquiry can be made.

15 **68. Question:**

16 Q Yes. And at this point in time that you  
17 13 wrote the letter or at any time before this, was there  
18 14 anything that prevented from Nicolas -- excuse me --  
19 01:32:41 15 that prevented Bishop Rivera from sending such a letter  
20 16 to the other bishops in Mexico warning them that this  
21 17 guy was a molester?

22 **Response/Objection:**

23 18 MR. WOODS: I'm going to object to the question  
24 19 as beyond the scope of the jurisdictional issues and  
25 01:32:56 20 instruct the witness not to answer.

26 **Reason answer should be compelled:**

27 Any party may obtain discovery regarding any matter, not privileged, that is relevant to  
28 the subject matter involved in the pending action or to the determination of any motion made

1 in that action, if the matter either is itself admissible in evidence or appears reasonably  
2 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*  
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27 into relevant matters that will shed light on whether California Courts may exercise  
28 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full

1 and complete inquiry can be made.

2 69. Question:

3 Q Is there anything under Canon Law that  
4 23 prevented Bishop Rivera from cooperating with the  
5 24 extradition of Nicolas Aguilar back to the U.S. for  
6 01:33:17 25 prosecution?

7 Response/Objection:

8 1 MR. WOODS: Same objection, same instruction.

9 Reason answer should be compelled:

10 Any party may obtain discovery regarding any matter, not privileged, that is relevant to  
11 the subject matter involved in the pending action or to the determination of any motion made  
12 in that action, if the matter either is itself admissible in evidence or appears reasonably  
13 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*  
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11 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full  
12 and complete inquiry can be made.

13 70. **Question:**

14 Q Okay. And, in fact, there's a number of  
15 01:34:21 20 things that Bishop Rivera could do that you didn't have  
16 21 the power to do to both get this guy back here and to  
17 22 prevent other kids from being harmed in Mexico?

18 **Response/Objection:**

19 23 MR. WOODS: Objection.

20 24 MR. SELSBERG: Objection; calls for speculation

21 01:34:43 25 and assumes facts not in evidence.

22 01:34:45 1 MR. WOODS: Object. Beyond the scope of the

23 2 jurisdictional issues and instruct the witness not to

24 3 answer.

25 **Reason answer should be compelled:**

26 Any party may obtain discovery regarding any matter, not privileged, that is relevant to  
27 the subject matter involved in the pending action or to the determination of any motion made  
28 in that action, if the matter either is itself admissible in evidence or appears reasonably  
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25 into relevant matters that will shed light on whether California Courts may exercise  
26 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full  
27 and complete inquiry can be made.

28 71. Question:

Q Bishop, as -- as an Ordinary, you have the

1 6 ability to locate priests under your control, do you

2 7 not?

3 **Response/Objection:**

4 8 MR. WOODS: Same objection, same instruction.

5 **Reason answer should be compelled:**

6 Any party may obtain discovery regarding any matter, not privileged, that is relevant to  
7 the subject matter involved in the pending action or to the determination of any motion made  
8 in that action, if the matter either is itself admissible in evidence or appears reasonably  
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5 into relevant matters that will shed light on whether California Courts may exercise  
6 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full  
7 and complete inquiry can be made.

8 **72. Question:**

9 Q And to investigate both their whereabouts and  
10 11 their activities, at least the priests under your  
11 12 control, correct?

12 **Response/Objection:**

13 13 MR. WOODS: Same objection, same instruction.

14 **Reason answer should be compelled:**

15 Any party may obtain discovery regarding any matter, not privileged, that is relevant to  
16 the subject matter involved in the pending action or to the determination of any motion made  
17 in that action, if the matter either is itself admissible in evidence or appears reasonably  
18 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*  
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14 into relevant matters that will shed light on whether California Courts may exercise  
15 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full  
16 and complete inquiry can be made.

17 73. **Question:**

18 Q And at this time, besides the civil  
19 01:35:35 20 authorities, Bishop Rivera was the one who had the most  
20 21 control over Nicolas Aguilar because he was a priest of  
21 22 Tehuacan?

22 **Response/Objection:**

23 23 MR. SELSBERG: Objection; calls for speculation.

24 24 MR. WOODS: I agree. Calls for speculation.

25 01:35:54 25 It's also beyond the scope of jurisdictional issues and

26 01:35:57 1 instruct the witness not to answer.

27 **Reason answer should be compelled:**

28 Any party may obtain discovery regarding any matter, not privileged, that is relevant to  
the subject matter involved in the pending action or to the determination of any motion made



1 in that action, if the matter either is itself admissible in evidence or appears reasonably  
2 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*  
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27 into relevant matters that will shed light on whether California Courts may exercise  
28 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full  
and complete inquiry can be made.

1 74. Question:

2 25 Q And if he didn't know where he was at this  
3 1 point in time as the bishop of Tehuacan, he could have  
4 2 written to other bishops in Mexico and said "I've got a  
5 3 priest who I'm trying to locate" and seek information  
6 4 from the other -- the bishops in Mexico the same way you  
7 01:39:48 5 wrote this letter to him, right?

8 Response/Objection:

9 6 MR. WOODS: Object that it goes beyond the scope  
10 7 of the jurisdictional issues and instruct the witness  
11 8 not to answer.

12 Reason answer should be compelled:

13 Any party may obtain discovery regarding any matter, not privileged, that is relevant to  
14 the subject matter involved in the pending action or to the determination of any motion made  
15 in that action, if the matter either is itself admissible in evidence or appears reasonably  
16 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*  
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13 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full  
14 and complete inquiry can be made.

15 **75. Question:**

16 Q Okay. "And from U.S. and Mexican press."

17 9 At the last paragraph on this -- on this full  
18 01:47:28 10 paragraph on this page beginning with "The priest's  
19 11 parents," I'd like you to go down and address the  
20 12 sentence -- I'll read it to you, then ask you a  
21 13 question.

22 14 It states, "You will understand that I'm not  
23 01:47:44 15 in a position to find him, much less force him to return  
24 16 and appear in court."

25 17 Cardinal, is it correct to say that as a  
26 18 bishop, he is in a position to attempt to locate them  
27 19 through his resources, and if he does, order him to  
28 01:48:18 20 return to the U.S. and appear in court?

**Response/Objection:**

1 21 MR. SELSBERG: Objection; compound, calls for  
2 22 speculation.

3 23 MR. WOODS: I am going to object to the question  
4 24 as beyond the scope of the jurisdictional facts and

5 01:48:34 25 instruct the witness not to answer. Plus, we've plowed

6 01:48:38 1 this territory about a hundred times already.

7 **Reason answer should be compelled:**

8 Any party may obtain discovery regarding any matter, not privileged, that is relevant to  
9 the subject matter involved in the pending action or to the determination of any motion made  
10 in that action, if the matter either is itself admissible in evidence or appears reasonably  
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8 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full  
9 and complete inquiry can be made.

10 **76. Question:**

11 Q Okay. You state here, "I would like to tell  
12 19 you I have not received any letter nor any other  
13 01:53:37 20 information." The next -- actually, the last full  
14 21 paragraph beginning with "I'm very confused," I'm going  
15 22 to read that and ask you a question.  
16 23 "I'm very confused because in your letter of  
17 24 January 27, '87, you did not mention any other personal  
18 01:54:00 25 problem concerning Father Aguilar." It must be "If you  
19 01:54:06 1 had written me that Father Aguilar had some homosexual  
20 2 problem, I assure you that we haven't received that in  
21 3 the Archdiocese. We have here in the Archdiocese of  
22 4 Los Angeles quite a clear plan of action: We do not  
23 01:54:25 5 admit priests with any homosexual problems."  
24 6 At this point in time, where had it been  
25 7 written that there was a plan of action in the  
26 8 Archdiocese that you do not admit any priests with any  
27 9 homosexual problem?

28 **Response/Objection:**

01:54:47 10 MR. WOODS: I'm going to object to the question

1 11 as beyond the scope of jurisdiction and instruct the

2 12 witness not to answer.

3 **Reason answer should be compelled:**

4 Any party may obtain discovery regarding any matter, not privileged, that is relevant to  
5 the subject matter involved in the pending action or to the determination of any motion made  
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3 into relevant matters that will shed light on whether California Courts may exercise  
4 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full  
5 and complete inquiry can be made.

6 **77. Question:**

7 Q Is it fair to say, Cardinal, that as an  
8 7 Ordinary, as a Cardinal Archbishop, you are required to  
9 8 avoid scandal under the Canons and the protocols you  
10 9 operate?

11 **Response/Objection:**

12 01:56:45 10 MR. WOODS: I'm going to object -- I'm going to  
13 11 object to the question as beyond the scope of the  
14 12 jurisdictional issues and instruct the witness not to  
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15 questions blocked by defense attorney's improper instruction precludes plaintiff from inquiring  
16 into relevant matters that will shed light on whether California Courts may exercise  
17 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full  
18 and complete inquiry can be made.

19 **78. Question:**

20 Q Is it fair to say that the sexual molestation  
21 16 by a priest is considered under the church protocols to  
22 17 be scandalous and kept -- to be dealt with by church  
23 18 authorities alone?

24 **Response/Objection:**

25 19 MR. WOODS: Object to the question as beyond the  
26 01:57:15 20 scope of the deposition and instruct the witness not to  
27 21 answer.

28 **Reason answer should be compelled:**

Any party may obtain discovery regarding any matter, not privileged, that is relevant to



1 the subject matter involved in the pending action or to the determination of any motion made  
2 in that action, if the matter either is itself admissible in evidence or appears reasonably  
3 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*  
4 *2017.010.*) At issue in this matter is the sexual abuse of plaintiff, what defendants knew of  
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28 into relevant matters that will shed light on whether California Courts may exercise  
jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full

1 and complete inquiry can be made.

2 **79. Question:**

3 23 Q In 1987 and 1988, was there a protocol in  
4 24 place that required priests and, in particular,  
5 01:57:29 25 Ordinaries to avoid scandal and keep accusations of  
6 01:57:35 1 sexual molestation among themselves?

7 **Response/Objection:**

8 2 MR. WOODS: I'm going to object to the question  
9 3 as beyond the scope of jurisdiction and instruct the  
10 4 witness not to answer.

11 **Reason answer should be compelled:**

12 Any party may obtain discovery regarding any matter, not privileged, that is relevant to  
13 the subject matter involved in the pending action or to the determination of any motion made  
14 in that action, if the matter either is itself admissible in evidence or appears reasonably  
15 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*  
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11 into relevant matters that will shed light on whether California Courts may exercise  
12 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full  
13 and complete inquiry can be made.

14 **80. Question:**

15 Q Are you familiar with the 1962 document  
16 7 solicitation and a confessional promulgated by the  
17 8 Vatican that establishes a protocol for keeping matters  
18 9 of sexual abuse secret and among church authorities?

19 **Response/Objection:**

20 01:58:10 10 MR. WOODS: I object to the question as beyond  
21 11 the scope of the jurisdictional issues and instruct the  
22 12 witness not to answer.

23 **Reason answer should be compelled:**

24 Any party may obtain discovery regarding any matter, not privileged, that is relevant to  
25 the subject matter involved in the pending action or to the determination of any motion made  
26 in that action, if the matter either is itself admissible in evidence or appears reasonably  
27 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*  
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23 into relevant matters that will shed light on whether California Courts may exercise  
24 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full  
25 and complete inquiry can be made.

26 81. **Question:**

27 Q If such a Vatican - document had been issued

28 01:58:20 15 by the papal office and the congregation of the doctrine

16 in 1962 and issued to all of the Ordinaries across the

1 17 world, it would have applied to you, as an Ordinary, as  
2 18 well as Norberto Rivera?

3 **Response/Objection:**

4 19 MR. WOODS: Objection.

5 01:58:41 20 MR. SELSBERG: Objection; calls for speculation,  
6 21 assumes facts not in evidence.

7 22 MR. WOODS: Object to the question as compound,  
8 23 confusing, and beyond the scope of the jurisdictional  
9 24 issues and instruct the witness not to answer.

10 **Reason answer should be compelled:**

11 Any party may obtain discovery regarding any matter, not privileged, that is relevant to  
12 the subject matter involved in the pending action or to the determination of any motion made  
13 in that action, if the matter either is itself admissible in evidence or appears reasonably  
14 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*  
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10 into relevant matters that will shed light on whether California Courts may exercise  
11 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full  
12 and complete inquiry can be made.

13 **82. Question:**

14 Q Did you think that that letter was lost or  
15 13 not sent by him?

16 **Response/Objection:**

17 14 MR. SELSBERG: Objection; calls for speculation.

18 02:10:26 15 MR. WOODS: Calls for speculation and beyond the

19 16 scope of the jurisdictional issues. Instruct the

20 17 witness not to answer.

21 **Reason answer should be compelled:**

22 Any party may obtain discovery regarding any matter, not privileged, that is relevant to  
23 the subject matter involved in the pending action or to the determination of any motion made  
24 in that action, if the matter either is itself admissible in evidence or appears reasonably  
25 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*  
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21 into relevant matters that will shed light on whether California Courts may exercise  
22 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full  
23 and complete inquiry can be made.

24 **83. Question:**

25 Q -- the March 23rd, 1987, letter, was never  
26 6 sent?

27 **Response/Objection:**

28 7 MR. WOODS: Object to the question as calls for  
8 speculation and beyond the scope of the deposition and

1           9 instruct the witness not to answer.

2 **Reason answer should be compelled:**

3           Any party may obtain discovery regarding any matter, not privileged, that is relevant to  
4 the subject matter involved in the pending action or to the determination of any motion made  
5 in that action, if the matter either is itself admissible in evidence or appears reasonably  
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2 into relevant matters that will shed light on whether California Courts may exercise  
3 jurisdiction over the Mexican Defendants. Defendant must be compelled to answer so a full  
4 and complete inquiry can be made.

5 **84. Question:**

6 Q Okay. I read this to be an Archdiocese of  
7 02:16:10 25 Mexico document stating that Nicolas Aguilar is going to  
8 02:16:14 1 be at a parish, and it also notes that he will need  
9 2 permission from his bishop to serve in such a parish.

10 3 Do you read this letter that way?

11 **Response/Objection:**

12 4 MR. WOODS: I'm going to object to the question  
13 02:16:32 5 as beyond the scope of the jurisdictional issues and  
14 6 instruct the witness not to answer. It also calls for  
15 7 speculation, the document speaks for itself.

16 **Reason answer should be compelled:**

17 Any party may obtain discovery regarding any matter, not privileged, that is relevant to  
18 the subject matter involved in the pending action or to the determination of any motion made  
19 in that action, if the matter either is itself admissible in evidence or appears reasonably  
20 calculated to lead to the discovery of admissible evidence. (*Code of Civil Procedure Section*  
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