

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF LOUISIANA

JOHN DOE XX

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CIVIL ACTION NO. 3:11-cv-00651

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VS.

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HOLY SEE (State of the Vatican City),
THE REDEMPTORISTS/NEW ORLEANS
VICE PROVINCE, VERY REVEREND
HARRY GRILE, C.Ss.R., HIS
PREDECESSORS AND SUCCESSORS,
AS PROVINCIAL SUPERIOR
OF THE REDEMPTORISTS/DENVER
PROVINCE, ROMAN CATHOLIC CHURCH
OF THE DIOCESE OF BATON ROUGE,
MOST REVEREND ROBERT W.
MUENCH, HIS PREDECESSORS AND
SUCCESSORS, AS BISHOP OF THE
ROMAN CATHOLIC CHURCH OF THE
DIOCESE OF BATON ROUGE,
CHRISTOPHER JOSEPH SPRINGER, AND
FIREMAN’S FUND INSURANCE COMPANY

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JUDGE JAMES J. BRADY

MAG. JUDGE CHRISTINE NOLAND

**JOINT MOTION BY DEFENDANTS TO QUASH NOTICE OF INTENTION
TO TAKE DEPOSITION BY WRITTEN QUESTIONS AND SUBPOENA FOR
RECORDS FOR THE UNITED STATES CATHOLIC CONFERENCE OF BISHOPS**

NOW INTO COURT through their undersigned counsel come the following defendants who jointly move the Court to Quash the Notice of Intention to Take Depositions by Written Questions and the Subpoena for Records. The moving defendants are Redemptorist/New Orleans Vice

Province, Very Rev. Harry Grile, C.Ss.R, his Predecessors and Successors, as Provincial Superior of the Redemptorist/Denver Province, the Roman Catholic Church of the Diocese of Baton Rouge, Most Reverend Robert W. Meunch, his Predecessors and Successors as Bishop of the Roman Catholic Church of the Diocese of Baton Rouge and Fireman's Fund Insurance Company.

1.

On or about February 2nd undersigned counsel for the above mentioned parties received a Notice of Intention to take Depositions by Written Questions, which was directed to the United States Conference of Catholic Bishops, Secretariat of Child and Youth Protection, 3211 Fourth St., N.E., Washington, D.C. 20017. The notice was issued by the Legal Connection, Inc., of 5901 Old Fredericksburg Rd., D101, Austin, TX 78749. At the same time that the Notice of Intention to take Depositions by Written Questions was issued apparently a request for a subpoena duces tecum to produce records exhibited on Exhibit A was likewise requested to be served upon the United States Conference of Catholic Bishops.

2.

Undersigned counsel on behalf of the Redemptorist Order did not agree to waive any notice.

3.

Defendants mentioned above jointly move to quash this subpoena duces tecum which was issued through the auspices of the United States District Court for the Middle District of Louisiana and served through the United States District Court for the District of Columbia.

4.

A copy of the Notice of Intention to take Depositions by Written Questions and Exhibit A which calls for the records to be produced by the United States Conference of Catholic Bishops and

the facsimile transmission indicating that counsel for the Redemptorist did not waive. The notice is attached as Exhibit A.

5.

For reasons which will more fully be explained in the memorandum attached and submitted herewith simultaneously the defendants request that the Court quash the subpoena for records to the USCCB and the Notice of Intention to take Depositions by Written Questions.

6.

The documents called for are requested for the period January 1, 2002 to the present.

7.

The instant case, on the face of its petition, alleges sexual abuse which would have occurred over 30 years ago. The attempt to obtain documents from the U.S. Conference of Catholic Bishops dealing with reporting requirements to them from the Roman Catholic Church for the Diocese of Baton Rouge cannot lead to the discovery of admissible evidence since the records do not involve any period which is alleged to have been in any way related to the alleged date of abuse in the instant case.

WHEREFORE, defendants, mentioned above, jointly move that the Court quash the subpoena and the subpoena for records of the Notice of Intention to take Depositions by Written Questions.

Respectfully Submitted,

KINNEY ELLINGHAUSEN RICHARD &
DESHAZO

/s/ Don M. Richard
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of the Diocese of Baton Rouge and Fireman's Fund
Insurance, Co.*

CERTIFICATE OF SERVICE

I certify that the foregoing Motion to Quash was served electronically on all counsel of record
by electronic filing on the 29th day of February, 2012.

/s/ Don M. Richard