

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

JOHN DOE XX

§ C.A. NO. 3:11-cv-00651

VS.

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HOLY SEE (State of the Vatican City),
THE REDEMPTORISTS/NEW ORLEANS
VICE PROVINCE, VERY REVEREND HARRY
GRILE, C.S.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 DOCIA L. DALBY

**MEMORANDUM IN SUPPORT OF MOTION TO QUASH RECORD REQUESTS
AND AMENDED NOTICE OF INTENTION TO TAKE DEPOSITIONS
BY WRITTEN QUESTIONS**

MAY IT PLEASE THE COURT:

This is a Joint Memorandum in Opposition to the Requests for a Subpoena for Records and the Amended Notice of Intention to Take Deposition by Written Questions, which attempts to obtain records and information supplied by the Roman Catholic Church for the Diocese of Baton Rouge to the United States Conference of Catholic Bishops which is located in Washington, D.C.

This Court previously quashed a similar request by the Plaintiff for documents from the United States Conference of Catholic Bishops dated April 2, 2012.

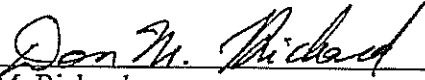
Defendants have recently responded to 101 Requests for Production Of Documents from the Plaintiff. The information sought from the United States Conference of Catholic Bishops by the Amended Notice of Intention to Take Deposition by Written Questions is information that was also sought directly from the Roman Catholic Church for the Diocese of Baton Rouge. The Roman Catholic Church for the Diocese of Baton Rouge has lodged certain objections to the Plaintiff's documents requests. Counsel for Plaintiff and counsel for Defendants are currently working to narrow the discovery issue raised in the discovery request.

Defendants believe the appropriate forum to determine the discoverability of the requested information would be before this Honorable Court at a hearing between the Plaintiff and the Defendants. The United States Conference of Catholic Bishops is not a party to this litigation and the documentation which is being sought by this discovery mechanism, to the best of undersigned counsel, is primarily documentation which was supplied by the Defendant, the Roman Catholic Church for the Diocese of Baton Rouge. Under these circumstances, if this Court deems the information discoverable, this information can be obtained from the Defendant. Allowing discovery from a third party circumvents the Defendants' right to object to the production in the appropriate forum.

For the reasons set forth, Defendants move that this Honorable court again quash the Amended Notice of Intention to Take Deposition by Written Question directed toward the United States Catholic of Catholic Bishops.

Respectfully submitted,

KINNEY ELLINGHAUSEN RICHARD &
DESHAZO

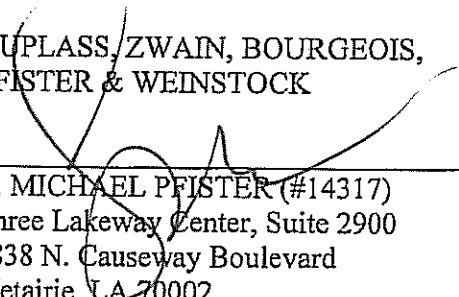


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*Attorneys For Defendants, Roman Catholic Church
Of The Diocese Of Baton Rouge, Most Reverend
Robert W. Muench, his Predecessors and
Successors, as Bishop of the Roman Catholic
Church of the Diocese of Baton Rouge, and
Fireman's Fund Insurance Company*

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of May, 2012, the foregoing was filed electronically with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to all counsel of record by operation of the Court's electronic filing system.



C. MICHAEL PINSTER