

COGAN & COGAN

BARRISTERS AND SOLICITORS / AVOCATS ET NOTAIRES

BRUCE V. GEOFFREY, B.A. LL.B.

January 13, 1994

WITHOUT PREJUDICE

By Fax 932-2374

Our Ref: 36453

Attention: Jacques Leduc

Leduc, Lafrance-Cardinal
Barristers & Solicitors
340 Second Street East
Cornwall, Ontario
K6H 1Y9

Dear Sir:

RE: Allegations of Sexual Abuse

This will confirm our telephone conversation of earlier today, wherein I confirmed that I acted for David Silmsler. I acknowledge that you have forwarded to me a copy of a draft of a press release which the Bishop plans on reading to the media tomorrow being January 14, 1994, at 9:30am in Cornwall.

I am concerned that your draft press release contains a number of inaccuracies. These may be summarized as follows:

a) In the second paragraph on the first page there is an allegation that there was a decision reached "in conjunction with and in collaboration with the Solicitor for the Priest in question, and the Solicitor for the complainant in question..."

The decision to come forward to the media has not been reached in conjunction with the Solicitor for the complainant, the undersigned. Accordingly, I feel this statement should be deleted. As I am sure you are aware Mr. Adams' retainer with respect to this matter was confined to providing independent legal advice with respect to the September 3, 1993, agreement executed by Mr. Silmsler.

b) On page 3, in the fourth paragraph there is an allegation that "subsequently the complainant represented by counsel Sean Adams, agreed to accept compensation. During these negotiations all parties were represented by counsel."

COMMUNICATIONS:

TELEPHONE (613) 237-4000
TELECOPIER (613) 237-4906

REPLY TO:

BANK STREET CHAMBERS
102 BANK STREET
OTTAWA ONTARIO K1P 1N2

This is not true. As stated above Mr. Adams had an extremely limited retainer. Accordingly, it is my position that these statements are misleading and ought to be deleted in their entirety.

c) The third paragraph on page 4 requires some alteration as well. I believe that it is proper to state "the complainant did so having obtained independent legal advice". However, I believe that the second portion of that sentence being "having retained a Solicitor to represent him in this matter" is misleading and should be deleted.

d) The final paragraph on page 4 is also misleading. I would suggest that the words "where all parties were represented by independent legal counsel" be deleted in their entirety.

In the circumstances, I believe that if you agree to alter the draft press release in accordance with the comments contained above it will provide more accurate information to the media. As presently constituted this leaves the impression that my client was represented by Counsel throughout the time that he negotiated and concluded the settlement. Given that Mr. Adams' retainer was extremely limited, this is simply not the case.

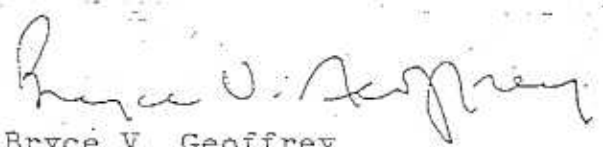
It is my sincere wish that you will agree to the amendments as I have proposed. If you fail to do so this could lead to the unfortunate situation wherein it may be necessary to convene a press conference in my capacity as Counsel for the complainant in order to address the inaccuracies put forth by the church. I hope we will be able to reach an agreement on this matter.

Finally, I have not had an opportunity to review the statements dealing with various incidents of contact between church officials and my client in December and January of last year. While I believe the church officials are providing you with information accurate to the best of their knowledge and belief at present I am not in a position to confirm or deny this.

Would you please contact me upon receipt of this correspondence in order that we may discuss this matter further.

Yours very truly

COGAN & COGAN



Bryce V. Geoffrey
/jmt