

IN THE COURT OF COMMON PLEAS  
OF PIKE COUNTY

SAINT JUSTIN MARTYR HOUSE OF  
STUDIES, INC.

Plaintiff,

VS.

SOCIETY OF ST. JOHN, as agent and  
representative of BISHOP JAMES C.  
TIMLIN and the DIOCESE OF  
SCRANTON, 300 Wyoming Avenue,  
Scranton, PA 18503,

Defendants.

Case No. 2002-434

FIDAVIT OF DR. JEFFREY M. BOND

I, Jeffrey M. Bond, being duly sworn according to law, depose and state that:

1. I am the President of the Saint Justin Martyr House of Studies, Inc. and also a member of its Board of Directors.
2. Saint Justin Martyr House of Studies (SJMHS) is a corporation in the Commonwealth of Pennsylvania, the sole purpose of which is to establish the College of St. Justin Martyr (College). The College was to be associated with the Society of St. John (SSJ), a diocesan clerical association of the faithful established by Bishop James C. Timlin in the Diocese of Scranton, Pennsylvania.

3. Beginning in 1998, prior to the incorporation of SJMHS, the SSJ conducted a major fund raising effort aimed at Catholic donors with the stated intent of creating a Catholic village with a liberal arts college. During these fund raising efforts, the SSJ, through its Superior General, Rev. Carlos Urrutigoity, and other SSJ officers, claimed in various advertising venues that the monies raised would be used to support three entities: (1) the SSJ; (2) a Catholic liberal arts college; and (3) a Catholic village.

4. Prior to its suppression by Bishop Joseph Martino, who succeeded James Timlin as Bishop of the Diocese of Scranton, the SSJ raised over six million dollars. Despite the fact that the SSJ represented to the potential donors the fact that a portion of the funds would be utilized for the creation of a liberal arts college, very little money was actually directed by the SSJ to the College.

5. On April 1, 2000, the SSJ hired me to spearhead the formation of a Catholic liberal arts college to be associated with the SSJ as part of their Catholic village project. I was hired to establish the theoretical framework for the College, hire its faculty, and oversee the College's educational mission. Prior to my acceptance of the position as head of the college project, I was repeatedly assured by Rev. Urrutigoity that the SSJ would provide the monies to establish and operate the college, which would also include tuition payments to the College for educating the members of the SSJ, who would be among the College's first students. Indeed, Rev. Urrutigoity repeatedly stated that the SSJ would, through its fundraising, provide financial support for the College until such time as the College was in a position to be financially independent of the SSJ—though the SSJ would continue to make tuition payments to the College for the education of its members even after the College was financially independent.

6. On August 9, 2000, the SJMHS was incorporated as a non-profit corporation in the Commonwealth of Pennsylvania, the sole purpose of which was to establish the College. The founding Board of Directors of the SJMHS was composed of myself, Rev. Richard Munkelt, a member of the SSJ, and Deacon Joseph Levine, who was also a member of the SSJ. At that time, I was made President of the SJMHS, Rev. Munkelt was made Vice-President, and Deacon Levine was made Dean. On October 16, 2000, the SJMHS began its first academic year with a full course load for the members of the SSJ.

7. The SSJ's failure to honor its agreement with me and the SJMHS became evident over time. In fact, the SSJ did more to impede the progress of the College than to assist in its growth. Rev. Urrutigoity consistently failed to match his rhetoric about the importance of the College—which was highlighted in all the SSJ's fundraising projects—with concrete substantive measures to advance the College with funds and human resources. For example, without consulting the SJMHS's officers, Rev. Urrutigoity hired his former teacher from Argentina, Mr. Nestor Sequeiros, to teach Latin for the College. Not only was Mr. Sequeiros unable to communicate effectively in English, but he also proved resistant to any and all direction by me, whose complaints about Mr. Sequeiros' lack of work were repeatedly ignored by Rev. Urrutigoity. An estimated \$150,000 was wasted on Mr. Sequeiros with virtually no gain to the College.

8. The College's officers also watched in frustration as the SSJ spent lavishly on parties, trips, furniture, and other luxury items while the College found itself without funds for basic needs. Rev. Urrutigoity and the other members of the SSJ worked hard to cultivate the loyalty of its youthful following—especially that of boys and young men of

St. Gregory's Academy—but the financial support that had been promised to the College was not forthcoming. Bishop Timlin had initially housed the SSJ at St. Gregory's Academy in Elmhurst, PA, which was owned and operated by the Fraternity of St. Peter. Although Bishop Timlin had never done background checks on the priests of the SSJ, nevertheless he allowed them to live at St. Gregory's Academy and serve as chaplains and teachers to the high school boys who attended the Academy.

9. As it became increasingly clear that Rev. Urrutigoity was willing to use the College to raise money, but was not willing to share the monies raised by the SSJ in order to support the College, Rev. Munkelt and I made frequent requests to be given access to the SSJ's database and donors in order to raise money for the College. Although Rev. Urrutigoity never explicitly refused the College's requests to have access to the SSJ's database, Rev. Munkelt and I were put off again and again by feeble excuses. Rev. Munkelt and I were told that the SSJ needed to "streamline" its own fundraising before allowing the College access to the database. After endless discussions concerning the "complexity" of a shared database, Rev. Munkelt and I began to realize that the SSJ's eroding financial situation made them highly protective of their database and fearful of sharing it with the College. Yet Rev. Urrutigoity never honestly and forthrightly informed us that the College would never be allowed to use the SSJ's database and donors. Instead, Rev. Urrutigoity strung the College's officers along in order to keep them within the fold of the SSJ so that the SSJ could continue to advertise the College for its own financial purposes.

10. Rev. Urrutigoity further undermined the College's project by failing to give the SSJ members who were enrolled in classes the necessary time to prepare for class.

Despite Rev. Urrutigoity's repeated promises that there would be no interference with the students' study and class time, the students were continually imposed upon in such a way as to undermine their preparation for class. Moreover, as the financial problems of the SSJ increased, students were removed from classes to engage in full-time fundraising. As a result, the classes were gradually reduced in size to two or three students, and some classes were simply cancelled.

11. Finally, in May 2001, Rev. Urrutigoity, without prior warning, informed Rev. Munkelt and me at a finances and fundraising meeting that the College would have to begin to pay my salary by June, unless Rev. Munkelt and I were willing to do full-time fundraising for the SSJ under the direction of Rev. Urrutigoity. Recognizing at this point that any hope for the College would be lost if we agreed to fundraise for the SSJ under the direction of Rev. Urrutigoity, Rev. Munkelt and I decided, with Rev. Urrutigoity's support, to establish the College in Milford, rather than on the SSJ's property in Shohola, by piecing together a campus that was to include the Tom Quick Inn, which was for sale at the time, the classrooms of the local Catholic church in Milford, and apartment buildings in Milford for housing students. In addition, one of the members of the Board of Directors of the SJMHS, Dr. Russell Buss, entered into a contract to purchase a large home located next to the Catholic church in Milford, which was to serve as the headquarters for the College in Milford, PA.

12. In July of 2001, the College's Board of Directors decided that the College would open its doors to the public in the Fall of 2002. The College was therefore planning to launch a major fundraising campaign to be funded by one of its donors, Mr. Vincent Cioci, who also was planning to purchase the Tom Quick Inn for the College's use. All of these plans were brought to a halt, however, when on August 19, 2001, I learned from Mr. Alan Hicks, the Headmaster of St. Gregory's Academy, that Rev. Urrutigoity had a habit of sleeping with boys and young men in the same bed while he gave them "spiritual direction." Mr. Hicks informed me about Rev. Urrutigoity's habit because Mr. Hicks was hoping I could convince Rev. Urrutigoity to stop his practice of sharing his bed with boys and young men. Mr. Hicks was particularly concerned about this practice because, as he informed me, there was a rumor that a family from California was contemplating a lawsuit against Rev. Urrutigoity.

13. After I informed Rev. Munkelt concerning what he had learned about Rev. Urrutigoity's habit of sleeping with boys and young men who were under his spiritual direction, Rev. Munkelt confirmed this account for himself by meeting with Mr. Hicks and Mr. Howard Clark, the Assistant Headmaster of St. Gregory's Academy. Mr. Hicks told Rev. Munkelt and me that Rev. Urrutigoity had in fact slept one-on-one in the same bed with a dorm father of the Academy, and that was reputed to have slept with other youth of the Academy. Mr. Hicks added that he considered Rev. Urrutigoity to be a pervert. Mr. Clark added that his own son had admitted to sharing a bed with Rev. Urrutigoity. Mr. Hicks also informed Rev. Munkelt that Rev. Paul Carr, the District Superior of the Priestly Fraternity of St. Peter, had already brought the problem of Rev. Urrutigoity's "sleeping sickness" to the attention of Bishop **Timlin**.

14. Rev. Munkelt then resolved to meet with the Bishops of Scranton both to submit his resignation from the SSJ and to plead with them to do something about the SSJ and Rev. Urrutigoity in particular. On August 28, 2001, Rev. Munkelt had his first meeting with Bishop John M. Dougherty, auxiliary Bishop of the Diocese of Scranton. Rev. Munkelt received a sympathetic ear and even an admission that there were things seriously wrong with the SSJ. Bishop Dougherty told Rev. Munkelt that Bishop Timlin had let the SSJ know that he did not want them hosting youth gatherings on the Shohola property anymore. He advised Rev. Munkelt to see Bishop Timlin right away. Hence, on August 31, Rev. Munkelt met with Bishop Timlin. Rev. Munkelt told Bishop Timlin that he wanted to resign from the SSJ because of their abuse of the College and because of Rev. Urrutigoity's habit of sleeping with boys and young men. Bishop Timlin was defensive about the issue and claimed that it was all taken care of and that nothing immoral had occurred. Rev. Munkelt explained the financial improprieties of the Society, the improper use of the College, the lack of support of the College, and why the College had to separate itself from the SSJ due to Rev. Urrutigoity's inappropriate behavior with boys and young men. Bishop Timlin was indifferent and said that under the circumstances "the College may have to go." Rev. Munkelt then shared Bishop Timlin's response with me.

15. Given Bishop Timlin's inexplicable unwillingness to discipline Rev. Urrutigoity, I undertook to protect the College and its reputation by dissociating the College from the SSJ and purging any and all connection with the SSJ. Therefore, on September 10, 2001, the Board of Directors of the College met to remove Deacon Joseph Levine of the SSJ from the Board. On the day of the scheduled meeting, Bishop Timlin, who had been

contacted by Rev. Urrutigoity, intervened with a phone call to me. Bishop Timlin insisted that the College could not be separated from the SSJ. I explained to Bishop Timlin that the College must completely dissociate itself from the SSJ in order to protect the College for both financial and moral reasons. After all, the SSJ was using the College to raise money without giving the College any of the money raised, and furthermore that the College could not continue in association with the SSJ given Rev. Urrutigoity's immoral practice of sleeping with boys. Bishop Timlin vehemently objected to the use of the word "immoral." Bishop Timlin claimed that he, as a result of complaints made by others, had already investigated the matter and found that "no sin had been committed." Moreover, Bishop Timlin claimed that the College did not have the legal right to do what it was about to do. I explained to Bishop Timlin that the College was an independent corporation, and I objected to Bishop Timlin's unwillingness to discipline Rev. Urrutigoity. But after consulting with Rev. Munkelt and the rest of the Board of Directors, I agreed to suspend the deposition of Deacon Levine and to present the College's full case to Bishop Timlin.

16. The subsequent meetings of Fr. Munkelt and myself with the Bishops of Scranton which ended in early October of 2001, only exacerbated the College's problems with the SSJ. Both Bishops recognized that the SSJ had made a mess of things and admitted that they, the Bishops, had to answer for the SSJ since its members were nothing more than diocesan clerics. Rev. Munkelt and I maintained the point that the College had to separate from the SSJ because of its financial misconduct and immoral behavior with boys and young men. Bishop Dougherty was especially critical of the SSJ on all fronts, including what he called euphemistically the "donning problem," namely, Rev.



Urrutigoity's penchant for sleeping with boys and young men. Bishop Timlin stressed that he wanted everything to be kept quiet. At one meeting Bishop Timlin announced that the College could go its own way in the Diocese, but Bishop Dougherty strongly objected to such a separation from the SSJ, and Bishop Timlin relented. And yet Bishop Dougherty, who had apparently conducted something of an inquiry of his own, expressed his conviction (but not in the presence of Bishop Timlin) that Rev. Urrutigoity was a "cult leader" who was "capable of pederasty." In light of the abundant testimony that Rev. Urrutigoity was regularly plying minors with alcohol and sleeping with them in his private chambers, Bishop Dougherty acknowledged that Rev. Urrutigoity was "grooming" young men for sexual encounters. In consequence of this, Bishop Dougherty said that Rev. Urrutigoity should be deposed, if not laicized.

17. After this course of meetings, Rev. Munkelt called Bishop Dougherty to find out if Bishop Timlin was going to take the strong action against the Society that Bishop Dougherty over and over again said was needed. Rev. Munkelt informed Bishop Dougherty that two boys were currently working for Rev. Urrutigoity in his Shohola residence. Rev. Munkelt also informed Bishop Dougherty that another young man had spoken to Dr. Bond telling him that he too had slept with Rev. Urrutigoity, but claimed nothing sexual had happened. Rev. Munkelt then asked Bishop Dougherty if Bishop Timlin was going to take action. Bishop Dougherty indicated that there were complex financial considerations involved with respect to the SSJ. Rev. Munkelt then asked Bishop Dougherty if Bishop Timlin were being held hostage by the SSJ's large debt. Without hesitation or equivocation, Bishop Dougherty answered, "Yes."

18. After Rev. Munkelt's phone conversation with Bishop Dougherty, Rev. Munkelt and I had a final meeting with Bishop Timlin where Rev. Urrutigoity's sleeping with boys and young men was again discussed. Once again Bishop Timlin refused to label Rev. Urrutigoity's conduct as immoral, but only "perhaps imprudent." Moreover, Bishop Timlin refused to give Rev. Munkelt and me permission to establish the College independent of the SSJ. Bishop Timlin insisted that Rev. Munkelt and I go back to the SSJ and ask for the SSP s permission to establish the College independently of the SSJ in the Diocese of Scranton. Given the canonical status of the SSJ and the clear wrongdoing of Rev. Urrutigoity, not to mention the fact that the SJMHS was an independent civil corporation, the idea of going back to the SSJ to get their permission was preposterous. However, Rev. Munkelt and I honored the Bishop's wishes, hoping for peaceful co-existence with the SSJ in the Diocese, providing the Bishop took the necessary disciplinary measures to protect souls. However, the SSJ obstructed the College's path to canonical establishment in the Diocese of Scranton, and Bishop Timlin subsequently supported the SSJ. This collusion did grievous harm to the legitimate business and work of the College, and was entirely gratuitous inasmuch as the College had merely reported to the Diocese the scandalous misconduct of Rev. Urrutigoity and the SSJ.

19. It was then evident to Rev. Munkelt and me that a wholesale cover-up was underway by the SSJ and the Diocese of Scranton, and that this cover-up would render serious harm to both donors and future targets of clerical sexual abuse. As such, Rev. Munkelt and I agreed that they had a moral responsibility to investigate and expose the SSJ. Therefore, the Board of Directors of the College formally removed from its Board

the sole SSJ representative, Deacon Joseph Levine. And on October 14, 2001, the College published on its web site its formal separation from the SSJ.

20. Suspecting that Bishop Timlin's investigation of the SSJ was less than rigorous, I undertook my own investigation of the SSJ and Rev. Urrutigoity. By November 2001, I learned that there was a past case of a seminarian who in 1998 had formally accused Rev. Urrutigoity of sexually molesting him. Moreover, I learned that other young men had admitted to sleeping one-on-one with Rev. Urrutigoity, and that sleeping with Rev. Urrutigoity was part of his method of giving spiritual direction. The formal accusation of sexual molestation, which was known to the Diocese of Scranton because of a formal diocesan inquiry in 1998, was never disclosed in the meetings between the Bishops of Scranton and Rev. Munkelt and myself.

21. Subsequent investigation by me unveiled further sexual improprieties, including the fact Bishop Timlin knew that Rev. Urrutigoity had been expelled by the rector of a seminary in Argentina for sexual misconduct prior to the accusation made by the seminarian in 1998. Furthermore, I learned that another young man had been sexually molested by Rev. Urrutigoity and, when he was a minor, by Rev. Eric Ensey, the Chancellor of the SSJ and one of its founding members. Both Rev. Munkelt and I were acquainted with this young man, who subsequently brought a successful federal lawsuit against Rev. Urrutigoity, Rev. Ensey, the SSJ, the Fraternity of St. Peter, and the Diocese of Scranton. Finally, I received a report from a former vice-rector of a seminary in Italy that Rev. Marshall Roberts, another one the founders of the SSJ, had been dismissed from the seminary for making unwanted sexual advances toward a fellow seminarian.

22. Through my investigation, it became evident that the SSJ contained members who were sexual predators, and that the SSJ had lied to and defrauded donors. Furthermore, in order to obstruct justice, the SSJ engaged in electronic crime by destroying material on the College's web site where the case against the SSJ had been posted. Moreover, conversations with SSJ donors further revealed that the SSJ was making every effort to cover up their misconduct, and the SSJ and Diocese of Scranton were in collusion in an effort to undermine the reputation of the College and myself. Despite all the evidence I uncovered, the Diocese of Scranton continued to ally itself to the SSJ, even though the SSJ had done nothing for the Diocese but repeatedly expose and subject the Diocese to financial entanglements and huge liability from irresponsible real estate dealings, sexual misconduct, and lawsuits, all in the span of two years. Rather than suppress the SSJ, the Diocese sought to harm the College for reporting clerical misconduct even though the College, unlike the SSJ, had not preyed upon youth, was under no criminal investigation, and had not violated any Church law or episcopal mandate.

23. In particular, Bishop Timlin did great harm to the College and to me by repeatedly circulating the lie that I had complained to him about the SSJ only after Bishop Timlin withdrew his permission for the establishment of the College in the Diocese of Scranton. In this way, Bishop Timlin sought to present me as a "disgruntled employee" who had falsely charged the SSJ with sexual misconduct in order to get revenge against the SSJ and the Diocese of Scranton. Bishop Timlin and the then Superior General of the SSJ, Rev. Dominic O'Connor, went so far as to repeat these false charges against me in the Scranton Times where they published parallel columns on the same page claiming that I never mentioned the SSJ's sexual misconduct until after

Bishop Timlin suppressed the College. Although Bishop Timlin was personally aware of the fact that I had brought complaints of sexual misconduct to him long before the suppression of the College, nevertheless Bishop Timlin again and again, through emails, letters, and in the press, told donors and supporters of the College that I was simply a bitter and angry man who charged the SSJ with sexual misconduct only after Bishop Timlin had withdrawn his permission for the College to be established in Milford. The truth, however, is that the College was suppressed by Bishop Timlin because the College refused to remain associated with the SSJ priests when the College learned that Rev. Urrutigoity was abusing boys and young men.

24. In emails, letters, and in the press, Bishop Timlin repeatedly characterized the College's efforts to separate itself from the SSJ as a "hostile takeover" despite the fact that he knew that the College was an independent corporation over which neither the SSJ nor the Diocese of Scranton had control. Remarkably, Bishop Timlin took this stance against the College even though Bishop Timlin knew that Rev. Urrutigoity had been accused of sexual molestation by at least two different parties long before the College brought its own complaints to Bishop Timlin concerning Rev. Urrutigoity's habit of sleeping with boys and young men. Nevertheless, Bishop Timlin dismissed my concerns and Rev. Munkelt's concerns and instead suppressed the College.

25. Even after Bishop Timlin relieved Rev. Urrutigoity and Rev. Ensey of their duties when he was compelled to acknowledge that a credible accusation of sexual abuse had been made against these priests, Bishop Timlin still continued publicly to defend the SSJ

and to attack the College. On February 15, 2002, Bishop Timlin published on the SSJ's web site the following notice:

"To Whom It May Concern: As the Bishop of Scranton, I continue to support the Society of St. John wholeheartedly during these very difficult times. I urge everyone not to come to any negative judgments regarding the allegations made against two of the Society's priests without verifying all the facts. It is confusing and difficult to arrive at the facts because of all the erroneous accusations being made by the enemies of the Society. The Society at this point is alive and well and deserves the support of its friends. I should add that the so-called 'College of St. Justin Martyr' does not have ecclesiastical approval and, therefore, is not authorized to solicit funds as if it were a Catholic College."

In the above notice, Bishop Timlin "wholeheartedly" supported the SSJ even though he himself had removed two of their founding members because of credible evidence of sexual abuse. At the same time, he maliciously implied that the College of St. Justin Martyr was not only the source of "erroneous accusations," but was also presenting itself as a Catholic college with ecclesiastical approval. At no time, however, did the College or any of its officers make erroneous accusations against the SSJ, nor did the College ever present itself as a Catholic college with ecclesiastical approval. Hence, Bishop Timlin did great harm to the College by falsely portraying it in such a way as to suggest that the College was not worthy of support by Catholic donors and families.

26. In response to the charges filed in a federal lawsuit, Bishop Timlin finally did have Rev. Urrutigoity, as well as Rev. Ensey, sent to Southdown Institute in Canada for psychological evaluations. Concerning the reports from Southdown, it states in the minutes of the diocesan Independent Review Board dated March 21, 2002, that Rev. Urrutigoity's problems were classified under an "umbrella of personality disorders, principally antisocial and narcissistic." As for Rev. Ensey, the minutes state that his

"sexual attraction is toward adolescent boys, a stage that he appears to be locked into."

Bishop Timlin claimed that he never saw the Southdown reports; but as a member of the Independent Review Board, it is not possible that Bishop Timlin never saw these minutes which summarize the reports. Yet despite his knowledge of the findings from Southdown, Bishop Timlin continued to suppress the College and defame Dr. Bond, and Bishop Timlin continued to support the SSJ.


27. When a fourth victim of sexual abuse—another graduate of St. Gregory's Academy—came forward to accuse Rev. Urrutigoity in 2004, Bishop Timlin still continued to defend the SSJ and to claim that the College's accusations were not true. Bishop Timlin even went so far as to secure a 2.5 million dollar loan for the SSJ to help them pay their enormous debts.

28. When Bishop Timlin was replaced by Bishop Martino, Bishop Martino suppressed the SSJ based upon the information I had uncovered through his own investigation of the SSJ. But even though Bishop Martino relied upon the evidence uncovered by me, and even used some of the language from my expose on the SSJ, nevertheless Bishop Martino ignored the College's request for a just resolution to its long battle with the SSJ and the Diocese of Scranton. Hence, the SSJ was allowed to sell its Shohola property, and no effort was made by the Diocese to claim the movable property which by canon law belonged to the Diocese, and which could have been used to compensate the College for the injustice done to it by the SSJ and the Diocese of Scranton. Finally, while the College remained in a state of suppression, Bishop Martino permitted members of the SSJ, including Rev. Urrutigoity, to excardinate and to relocate

in other dioceses where they could continue to do harm to new victims and to defraud Catholic donors.

29. Attached hereto are true and correct copies of the following documents:

- Exhibit A            Articles of Incorporation of Saint Justin Martyr House of Studies (SJMHS).
- Exhibit B            Minutes of the Initial Meeting of the Board of Directors of SJMHS.
- Exhibit C            Minutes of the October 19, 2000 Board of Directors of SJMHS.
- Exhibit D            Minutes of the June 13, 2001 Board of Directors of SJMHS.
- Exhibit E            December 6, 2001 letter of resignation from the Board of Directors of SJMHS by Rev. Mr. Joseph Levine.
- Exhibit F            December 20, 2001 letter of resignation from the Board of Directors of SJMHS by Rev. Richard Munkelt.

  
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Jeffrey M. Bond

SWORN AND SUBSCRIBED BEFORE ME

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THIS 2.4 DAY OF JUNE, 2009.

NOTAR+ PUBLIC

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JENNIFE.;1  
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