

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

3 - - -
4 JOHN DOE,)
5 Plaintiff,)
6 vs.) Civil Action
7 FR. ENSEY, FR. URRUTIGOITY,) No. 02-0444
8 DIOCESE of SCRANTON, et al,)
9 Defendants.)

9 - - -
10 Deposition of MATTHEW SELINGER
11 Friday, October, 24, 2003

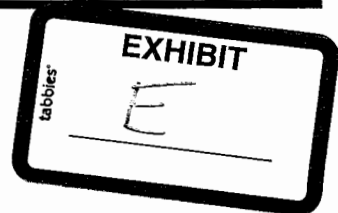
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13 The deposition of MATTHEW SELINGER, called as a
14 witness by the plaintiff, pursuant to notice and the
15 Federal Rules of Civil Procedure pertaining to the
16 taking of depositions, taken before me, the
17 undersigned, Jessica L. Tapia, a Notary Public in and
18 for the Commonwealth of Pennsylvania, at the office of
19 Marks, O'Neill, O'Brien, & Courtney, P.C.,
20 3200 Gulf Tower, 707 Grant Street, Pittsburgh,
21 Pennsylvania 15219, commencing at 10:10 o'clock a.m.,
22 the day and date above set forth.

18 - - -
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1 **APPEARANCES:**
 2 On behalf of the Plaintiff (telephonically):
 3 Law offices of James Bendell:
 4 James Bendell, Esquire
 5 P.O. Box 587
 6 Port Townsend, Washington 98368
 7 On behalf of the Defendants:
 8 (No appearance.)

9 **ALSO PRESENT:**
 10 Justin Wiener, Videographer

11 **ALSO RECORDED VIA VIDEOTAPE**

12 **INDEX**

13
 14
 15 **EXAMINATION BY: PAGE**

16 Mr. Bendell 4

17
 18
 19
 20
 21
 22
 23
 24
 25

1 On the phone, both to Mr. Cogniti, and to
 2 Mr. Semini, on different calls, I said that was
 3 fine, I will just make it a discovery deposition.
 4 And so the attorneys, for whatever reason, have
 5 chosen not to show up for this deposition.

6 They wanted to depose Jeff Bond at
 7 9:00 o'clock, however, they were told by Mr. Bond
 8 that he was not going to be here, because he
 9 had -- he needed a delay in the deposition for
 10 reasons of his own.

11 I would also like to state for the record,
 12 that although nobody is here, I arrived at this
 13 location approximately 20 minutes before 10:00,
 14 at which time I saw Mr. Semini and Father Ensey
 15 leaving the area of the building.

16 This appears to be another example of the
 17 way the Post Conciliar Religion treats victims of
 18 child molestation.

19 So with that, for the record, I will
 20 proceed with my questions.

21 **EXAMINATION**

22 **BY MR. BENDELL:**

23 Q Mr. Selinger, when were you born?

24 A In '74.

25 Q And what is your date of birth?

1 **MR. WIENER:** The time is 10:10 a.m.
 2 The court reporter may now administer the
 3 oath.

4 ---
 5 **MATTHEW SELINGER**

6 called as a witness by the plaintiff, having been
 7 first duly sworn, as hereinafter certified, was
 8 deposed and said as follows:

9 **MR. BENDELL:** Before we begin the
 10 deposition, I need to put some procedural matters
 11 on the record.

12 This deposition was originally scheduled,
 13 by agreement of all counsel, for Friday at
 14 1:00 p.m. earlier this week. Mr. Cogniti asked
 15 me if I could move the deposition, because he is
 16 going to a swearing-in ceremony at
 17 Fordham University, his alma mater. At some
 18 inconvenience to myself, as well as Mr. Selinger,
 19 who was kind enough to move the deposition, we
 20 agreed to move the deposition. It was moved to
 21 this morning at 10:00.

22 Yesterday, we received protest from
 23 Mr. Cogniti's office that the deposition should
 24 not go forward, because he didn't realize it was
 25 a perpetuation deposition.

1 A February 22nd.

2 Q And you are a Catholic; is that correct?

3 A Yes.

4 Q And at one time, did you attend the
 5 seminary at Saint Pius X at Winona?

6 A Let's see. I graduated in '92. I think it
 7 was '94 to '96, and then I left for a year, year and a
 8 half and I went back for another year and a half.

9 Q And that was in Winona, Minnesota?

10 A Yes.

11 Q Now, at that seminary, did you get to know
 12 a Father Carlos Urrutigoity?

13 A Yes.

14 **MR. BENDER:** Court reporter, that's
 15 U-r-r-u-t-i-g-o-i-t-y.

16 Q And who was he?

17 A He was a seminary professor.

18 Q And did you become friends with
 19 Father Urrutigoity?

20 A Yes.

21 Q Did he have any spiritual relationship with
 22 you?

23 A He was my spiritual director.

24 Q Was he also your confessor?

25 A Yes.

1 Q Did you ever take vacations with him?

2 A He took them with me. The vacations we
3 went on, I'd go home. Like seminarians, I get two a
4 year and then the summer. And a couple times that I
5 went home with my family, he came with me.

6 Q Now, did a practice begin wherein
7 Father Urrutigoity would sleep in the same bed with
8 you?

9 A No.

10 Q Did he ever sleep in the same bed with you?

11 A One time we were in his office and just
12 talking, up late, and we ended up going into his room
13 and ended up laying on the floor and talking, and
14 everything like that. And we ended up sleeping in the
15 same bed.

16 He was intrigued with the idea that I grew
17 up with three brothers. And he told me -- he asked me
18 where we all slept. And we didn't have a lot of
19 money, we all slept in the same bed.

20 And other than that, he felt that because
21 we were friends, that why couldn't he bunk with me,
22 you know, hang out all night.

23 I relented for a while and then I figured,
24 well, big deal. You know, on a different level, to
25 me, I seen not a big deal with it. I mean, growing

1 today, you say 15. And it was of that nature that the
2 proposal that everybody was working on started.

3 Q And what was the proposal?

4 A It started out basically to be, they want
5 it to be within the Society of Saint Pius X, with no
6 intentions of ever going out of it, with the superiors'
7 okay.

8 And what it was, was just kind of like a
9 more rigorous training and contemplate of life and to
10 be done in the Society of Saint Pius X.

11 Well, when it came to head, the superiors
12 looked at it as something that was going to undermine
13 the society or they looked at it as something bad, not
14 bad in itself, but because he was leading it,
15 Father U, they looked at it as disobedient and
16 everything and they were pretty much kicked out.

17 Q Now, when they were kicked out, did you go
18 with them?

19 A Yes.

20 Q And why was that?

21 A Well, I'd say about 80 percent of it was
22 because whenever Father got kicked out, I think he
23 knew that it was coming and we talked about it and
24 I says, "Well, where I come from, Father, if your
25 buddy gets in trouble, you don't tuck tail and run,

1 up, through high school, a bunch of us would go
2 out -- and out of high school -- drinking and end up
3 staying at a guy's house, everybody sleeping on the
4 floor, or on the bed or something. It was not a big
5 deal to me.

6 And he felt that he wanted to be a part of
7 that, to be a buddy and said that, you know,
8 basically, it would be cool if he got to do it too.

9 Q Now, was there a development at Winona
10 wherein some of the priests at Saint Pius X wanted to
11 start a new entity of some type?

12 A You mean the Society of Saint John?

13 Q Yes.

14 A Yeah. I found out about it, I think, I
15 don't know -- I think it was at the end of my first
16 year. Father U had his computer and everything and he
17 had a bunch of priests that they used to talk about.

18 Basically, they got tired of -- they wanted
19 saints, and they wanted them now, and pretty much an
20 elite.

21 And he told me his ideas and asked me if I
22 had ideas and I says, "Well, if a man wants to try to
23 be a better man in the faith, how could that be bad?"

24 And that's kind of where it started. Just,
25 you know, instead of saying five decades of the rosary

1 you stick by him."

2 And it was good, and I agreed with what
3 they were trying to do and whatever. You know,
4 whenever it came down, they basically said, "Leave."

5 I was left with the decision of, do I just
6 stay here or do I go with my friend and what I thought
7 was right. So I got up and left with him.

8 Q Now, while you were at Winona and
9 Father Urrutigoity was at Winona, was there an
10 incident with Father Urrutigoity in which he made a
11 request regarding a suppository?

12 A To kind of make -- to sum it up, in about
13 the first two years of what happened with him and I,
14 the first day I met him at Winona, before I was a
15 seminarian, I came and he approached me and
16 Jason Winschel, a buddy of mine from Pittsburgh who
17 was going to enter the seminary, which he didn't for
18 another year, but he came across as someone who looked
19 like he wanted -- he was very intelligent, but kind of
20 awkward and he looked like we wanted to be cool.

21 And we went down to the river and he says,
22 you know, "It's cold, but tough guys can swim."

23 I says to my buddy, Jason, you know, "We're
24 from Pittsburgh, we can swim pretty well."

25 And he says, "Well, jump in."

1 And I says, "I don't have any, you know,
2 trunks or anything." And Jason said the same thing.
3 And he says, "We're all men. You never
4 been naked in front of a guy, your buddies?"
5 I'm like, "No. Showers, locker room," I
6 says, "but I hardly want to jump into a cold river
7 naked."
8 That was the first incident. Didn't think
9 much of it. I thought he was a weird Argentinean
10 priest trying to learn how Americans were and trying
11 to be cool with us.
12 Then I was -- during Lent, I wanted to give
13 up meat for 40 days. And I thought it would be very
14 hard, but I wanted to try it. And I did it for a
15 couple weeks.
16 And I got constipated, I got real sick,
17 because I was living off of soup and vegetables.
18 So there was a guy in the seminary,
19 Anthony, I forget his last name, he was Italian, he
20 always had a pill for everything.
21 And I went to Father's room and I says, you
22 know, "I'm sick and I haven't went to the bathroom in
23 two weeks." I said, "I need something to, you know,
24 go to the bathroom." And I says, "I know Anthony got
25 Metamucil. Can I get some?"

1 He said, "Well, I'll go ask for you."
2 He went and asked and he came back and he
3 said he didn't have any, which threw my mind real
4 quick. I figured, the guy's always got it, but why
5 would the father lie?
6 And he says, "I'll go to the store and get
7 you some."
8 So he came back with a depository.
9 Q You are talking about Father Urrutigoity
10 now?
11 A Yeah. He came back and he gave it to me.
12 And I went to put it in my mouth, I didn't know what
13 it was.
14 And he says, "No, that goes in your rear."
15 I don't know if that's the word he used, but --
16 And I says, "All right. I never heard of
17 these."
18 And he says, "They're common and they work
19 the best."
20 All right. So I went to the bathroom and
21 he says, "What are you doing?"
22 And I says, "I'm guess I'm going to do
23 this."
24 And he said, "What; I'm not your friend?"
25 I says, "Well, yeah."

1 He says, "Why do you have to go secret to
2 do something like that?"
3 I says, "Well, I have many friends, but
4 I don't want them watching me pee."
5 And he says, "Well, I think that's" -- and
6 this is the big thing with Father U, is, "That's part
7 of your pride, Matt. You know, you come from a rough
8 background and you depend on your own strength to do
9 everything, and you have to break your pride to let
10 God get into your heart, because with self-love, God
11 can't get in there."
12 And all these things that he said is true.
13 But they don't apply, obviously, in this.
14 And reluctantly, I says, "Okay." And I
15 kind of went into the bathroom and did it real quick.
16 And he came in, and I did it without him
17 and he got real mad at me.
18 And I just says, "Well, Father, it's going
19 to take me a while to be able to swallow that much
20 pride."
21 Does that answer the question?
22 Q Yes.
23 A Okay.
24 Q Also, while you were at Winona, did
25 Father Urrutigoity ever express to you some sort of a

1 theory involving that you and he were one person or
2 something like that?
3 A He had an idea that when you're buddies,
4 you do everything for each other. You know, you die
5 for your buddy. You're running from the cops, you
6 know, or whatever you do, you never leave youR buddy
7 hanging. So much so, friendship in the supernatural
8 realm, we're friends, you know, we are the same faith
9 and everything, it's deeper.
10 And Father believed that because both
11 Catholic, both in the family of God, so to say, and
12 everything, that we were so close spiritually, that we
13 were one.
14 And he used to write on his computer, the
15 screen saver, "Ego et pater unum sumus."
16 Q Which means?
17 A I and the Father are one.
18 Q That's from the Bible; right?
19 A Yes.
20 Q Those are the words of Jesus?
21 A Yes.
22 Q And how did he apply that to you?
23 A Basically, that we were of the same; we
24 were the same.
25 He said, "Kind of like, more so like

1 when" -- okay. "When you're married, that the two
 2 become one flesh." Okay.
 3 Which is true, but obviously, they're two
 4 different people, but the one flesh is in the eyes of
 5 God in a way.
 6 And he said, "Well, if two people become
 7 one, why can't two friends become one?"
 8 So he took that to every level that you
 9 could imagine, and in fact, he would actually confess
 10 his sins to me.
 11 Q So, you are not an ordained priest; is that
 12 right?
 13 A No.
 14 Q So did he -- what type of confession was
 15 this?
 16 A Just, "Matthew, you know, I did some things
 17 wrong."
 18 You know, obviously, I'm not a priest and I
 19 was never under the seal of confession, but I feel no
 20 need to tell his sins.
 21 Q I'm not going to ask you that, but what was
 22 the format?
 23 A He would just say, you know, "Matthew, you
 24 know, I did something bad today. I was under a lot of
 25 stress and I did this and, you know, I did this."

1 laying in bed. And from what I can remember, Father U
 2 knocked at the door and he says, basically -- I forget
 3 exactly what he said, but the shit hit the fan.
 4 And he said that everybody -- somebody
 5 found the document in the hall, the proposal, and
 6 showed it to the bishop and the bishop kicked him out
 7 and everybody that was in association with it.
 8 And then he says, "What are you going to
 9 do?"
 10 And I looked at him, I said, "Well, I got
 11 to go. I mean, you know, I can't leave you guys
 12 hanging. I'll go."
 13 So we left, I think it was the next day.
 14 Q And where did you first go?
 15 A I went to, I think the lady's name was
 16 Maloney. I can't remember, it started with an M.
 17 Q And what city was this in?
 18 A That was in, I think, Rockford.
 19 Q Okay. And who all was there with you at
 20 Rockford?
 21 A I know Father U was with me and -- well, it
 22 was me, Father U, Chris Manuele and Father Fullerton,
 23 that left together. Two were priests; and me and
 24 Chris weren't.
 25 I remember some of us staying all there at

1 Q Did you give him some form of forgiveness?
 2 A No. No. No. No. No. It was just kind
 3 of like, he would say, "Hey, I messed up in these
 4 areas. Please forgive me." In the sense of because
 5 we were friends and because we're one and because we
 6 are trying to get to heaven together, if I mess up,
 7 I'm dragging you down.
 8 Q Do you remember when it was approximately
 9 that you and the other future -- you and the other
 10 persons at Winona left Winona to start this new group?
 11 A When?
 12 Q Yes.
 13 A Well, we didn't decide. It was --
 14 Q I'm sorry. I will withdraw the question.
 15 After -- you said something about the
 16 society -- the future society of priests were, quote,
 17 "kicked out" of Winona?
 18 A Yes.
 19 Q My question is: Where did you all go?
 20 A Well, it was Easter, and I went home.
 21 Easter night, I was playing basketball at the seminary
 22 and I tore my ACL in my knee, so I had to get it
 23 operated on. And I came back late on a plane, because
 24 I was still healing.
 25 And when I got back, I was immovable,

1 once and then sometimes Father Fullerton would leave
 2 with Manuele or just Manuele would leave, you know.
 3 They would kind of take us to this house, because not
 4 all four can stay in the same house because of space
 5 all the time. So we'd go back and forth, you know.
 6 Some people would stay here, some people would stay
 7 there.
 8 And we did that for a while, I think for
 9 like three weeks or something. And finally, I think
 10 it was Father U that knew a doctor in Rockford,
 11 Illinois who was going on vacation, I believe out of
 12 the country --
 13 Q Yes.
 14 A -- and he let us use his house.
 15 Q And did you all then go to that house?
 16 A Yeah. We all went to the house and that's
 17 kind of where it started.
 18 Q Did you notice any peculiar artwork at the
 19 house?
 20 A Yeah. That was my first complaint. I
 21 mean, I'm a guy and you're constantly trying to fight,
 22 you know, against such things, especially when you're
 23 trying to do good and be in the seminary and they got
 24 naked ladies all over the room.
 25 Everybody's excuse was, "That's Picasso,"

1 or, "that's Leonardo."

2 I'm like, "Well, I don't care if it was
3 Fred Flinstone. I mean, there's a naked girl on the
4 wall, you know, you got to -- either you're going to
5 look at it, or you got to try to fight not to look at
6 it all the time. Can't we find a better place?"

7 Q Now, while you were at that place, what
8 happened with regard to devotional practices such as
9 the rosary and the breviary?

10 A That was what kind of started everything.
11 We were there, and after about a week, I noticed
12 myself and others that -- like, for instance,
13 Father Fullerton would put on a T-shirt and a pair of
14 Spandex and get on his bike and ride all day around
15 Rockford.

16 You know, no one was wearing a cassock.
17 Father U kept a cassock on mostly. But other than
18 him, no one wore a cassock.

19 I didn't see anybody praying the breviary
20 too much; of course, they could have done it in
21 private.

22 I didn't see people praying the rosary too
23 much, they could have done it in private.

24 But the whole point of everything that we
25 were doing was to do things more and do it in

1 the floor."

2 And then that's when I says, "Well Father,
3 why don't you sleep with Cary" -- no, Father Cary, he
4 wasn't a priest then -- "and I'll just take the
5 floor?"

6 And I was getting upset at everybody
7 because I found myself doing much less and out of the
8 seminary and more room and more time to myself. I
9 started noticing Father U more.

10 He was getting upset because I was pulling
11 away. And I was trying to do it to think, but not let
12 him know that I was doing it, so that he would get off
13 my back.

14 So I pushed for him to sleep with Cary and
15 told him I'd take the floor. And the reason I gave
16 was, because I wanted to sacrifice to sleep on the
17 floor out of friendship.

18 Well, he bought it, I think, and he ended
19 up sleeping with Cary.

20 Q Now, were there other places in the house
21 to sleep, couches and things?

22 A Yeah, but most of them were -- no, I don't
23 think, because there was many -- like I said, there
24 was maybe six or seven seminarians and priests and
25 there was a couple, Chris Manuele's parents, obviously

1 communion, so everybody pray the rosary, all
2 15 decades together every day, public office, doing
3 extra. And that's the very reason why we left, or at
4 least we started the Society of Saint John.

5 And I complained and I says, "Not only are
6 we not doing more, but we're doing less than where we
7 were."

8 And I says, "You know, I don't like to see
9 you guys doing it, but it's not helping me. And we're
10 living in the world, in this house with books filled
11 with pornographic art and paintings on the wall and
12 everything. How the heck are we going to do better?"

13 And the excuse that I was given was, "It's
14 difficult right now, there's nothing set up for us,
15 we're just going to have to get through it."

16 And tension started at that point. Then,
17 Bassle, Sarlino and O'Connor, who are priests now for
18 the Society of Saint John, they came to visit and
19 I think it was Manuele's parents.

20 There was a bunch of us at the house.
21 Well, there wasn't -- everybody couldn't get their own
22 room.

23 And Father said, you know, "We'll get the
24 same room because we're best friends and maybe we'll
25 share it with two other guys, but they can sleep on

1 they needed their own bed and privacy.

2 And the seminarians and priests didn't want
3 to be downstairs. We were told by the priests,
4 because, unless you sleep in your cassock, you know,
5 during the night, what if somebody, one of the women
6 or something, comes down to go to the bathroom and
7 she's not dressed properly or you're not dressed
8 properly?

9 We kind of wanted to give everybody their
10 own privacy, and that's why I took the floor.

11 Q What happened that night, later?

12 A I was sleeping and pretty much I woke up
13 and his hand was on my private area.

14 Q I know this is embarrassing, but to be
15 specific, what organ was his hand on?

16 A What do you call it? The vulgar word is
17 "penis."

18 Q Was it the penis or testicles; which was
19 it?

20 A It was the top, you know.

21 Q The top of the penis?

22 A Well, no, the actual penis.

23 Q Okay. His hand was on the penis.

24 Now, how do you know it was

25 Father Urrutigoity's hand?

1 A Well, I felt it and I noticed it. You
 2 know, a guy's sleeping and they wake up, the first
 3 thing they notice?
 4 Q Yes.
 5 A Okay. Well, when I woke, I was in that
 6 state.
 7 Q You had an erection?
 8 A Yeah.
 9 Q And then what happened?
 10 A And his hand was on the bottom of it.
 11 Well, I knew it. And I opened my eyes and
 12 he was kneeling beside me with his hand on the bottom
 13 of my penis and I was erected.
 14 Q "He," being Father Urrutigoity?
 15 A Yes. Basically, I was caught between two
 16 things. I wanted to jump off and rip his head off,
 17 and unless I could do that, I could do nothing.
 18 I thought about it and I might have been
 19 okay to do it, but my dad told me once a guy hit a
 20 priest and his arm was frozen forever.
 21 Now, Father U, regardless, whether he's a
 22 killer, a rapist, a mass murderer, whatever, he's a
 23 priest.
 24 And I'm afraid to hit someone who was,
 25 although he's that kind of a man, he is an

1 Alter Christi. And you know, you don't lightly maim
 2 or kill a priest, regardless of what they do, unless
 3 you are trying to save a life or whatever.
 4 I was hurt because everything in the back
 5 of my head that I started to think about him was
 6 confirmed at that minute.
 7 And I basically wrestled in my sleep, like
 8 I was waking up, to scare him. He took his hand off
 9 me. I rolled on my side and I just laid there.
 10 He crawled back up in the bed real quietly
 11 and I laid on the floor for the rest of the night.
 12 And my basic question was: When I came to
 13 the seminary and I offer myself to do the best that I
 14 can, and he's my spiritual director, and I put my
 15 spiritual life in his hands, but I did it through our
 16 Lady and our Lord, how in the heck can they let this
 17 happen? The very person I'm supposed to trust and do
 18 trust, and they let this priest do this to me.
 19 So that was my confusion, not so much
 20 Father U, because it all came clear to me what he was,
 21 what his intentions were. And that was something
 22 where, either beat the hell out of him or walk away.
 23 Q So how long did you continue to stay in
 24 that house?
 25 A Well, the next night, obviously, what I

1 tried to do was take naps during the day and stay up
 2 at night. And the only thing I had to figure out is,
 3 what to do and how to do it.
 4 The one thing was that he mentioned,
 5 because of my addiction to snuff, that he wanted me to
 6 quit. And this was a little back. And I couldn't
 7 quit, I kept chewing. There was seminarians that
 8 chewed and I would bum one off of them.
 9 Q By "snuff," you mean chewing tobacco?
 10 A Yeah. And I was mad that I couldn't beat
 11 it, and I told Father I wanted to, but it was tough.
 12 And I said, basically, "I'd like to," you
 13 know, "I got to make a promise never to do it again."
 14 And he says, "Well, don't take oaths
 15 lightly, if you make an oath."
 16 So how it unraveled was, I made an oath to
 17 Father U to never chew again without his explicit
 18 permission.
 19 Later, that bothered me because I found out
 20 exactly what oaths were and how they should be made.
 21 And I made an oath to a priest and not to God, which
 22 is wrong.
 23 At this point, the only thing binding, and
 24 the only thing that I had to figure out was one, how
 25 to get out of this oath, because I knew I would chew

1 again.
 2 And two, was that I pride myself in good
 3 judgement in people and here I had a lot of time to
 4 spend with this man and I judged him as to be okay.
 5 He was a little different and a little weird, and
 6 I figured it was because he was Argentinean. I had to
 7 get used to different cultures and that.
 8 And I could never have been more wrong in
 9 my judgment, which made me question how can I ever
 10 judge somebody or trust somebody again when I think
 11 I'm doing the best and I think I got God's help. And
 12 here I'm this wrong.
 13 And there was pride there because this guy,
 14 although I couldn't pretty much kick the snot out of
 15 him, he beat me, and I wanted to beat him. But I
 16 wanted to beat him the way he beat me.
 17 Q And how's that?
 18 A Intellectually, through the mind. He
 19 twisted, turned and everything to my mind and finally
 20 I found out.
 21 Well, I wanted to get out, without him
 22 knowing until the very end. But how I had to do it
 23 was get out of the oath. And how do I get out of the
 24 oath without him knowing I know what's going on?
 25 So that night, I slept in another bed by

1 myself. I forget how I did it. I just said, you
 2 know, "I'm not feeling well" or, "I got some thinking
 3 to do. I want to sleep, you know, in a room by
 4 myself, no seminarians, no priests, no nobody."
 5 As I was sleeping there -- well, not
 6 sleeping there, laying there all night he came into my
 7 bed and knelt down beside me. He motioned forward,
 8 obviously to do what he did the night before and I
 9 said, "Oh, Father, what's wrong? Can't you sleep?"
 10 And he says, "I been having temptations in
 11 my sleep, dreams of girls or whatever, and I just came
 12 to pray beside your bed."
 13 I says, "Okay." I says, "Well, I have been
 14 having trouble sleeping and I just fell asleep, so go
 15 back to bed and I'll pray for you."
 16 He said, "Thank you," and left.
 17 We did that for a couple days and then he
 18 had to go to St. Louis to talk to a couple priests.
 19 Father Fullerton told me I had to go with him. I
 20 said, "Well, Father," and I made up a couple excuses,
 21 I wanted to stay here. I didn't want to go down
 22 there. I didn't want to travel.
 23 And he says, "Someone's got to go. He
 24 requested you. Go ahead and go with him so he doesn't
 25 fall asleep at the wheel," and so forth.

1 On the way down, we didn't talk for about
 2 an hour. And then he said, "What's wrong?"
 3 And I says, "Nothing." And I just
 4 basically blamed it on my vocation, I didn't know what
 5 I wanted to do.
 6 I told him, "I want to make a request and I
 7 want to be released of my vow of chewing."
 8 He said, "No."
 9 I says, "All right. Well, I don't think we
 10 can go any further until I'm released of my vow of
 11 chewing."
 12 He said, "Why?"
 13 And I says, "Because I think that I made a
 14 vow to you and not to God and that bothers me and I
 15 want to change that to be a clean slate so I can go
 16 forward."
 17 We fought the whole way to St. Louis,
 18 telling me that I'm prideful, I'm backing down on our
 19 friendship and all these things.
 20 I said, "Fine."
 21 And he never gave me the permission to get
 22 out of the vow.
 23 Finally, a couple days down there -- we
 24 slept in an Argentinean house. He wasn't there most
 25 of the time, I was. It was the same room, separate

1 beds. I stayed up every night. He never tried
 2 anything when he was there.
 3 Then one night that we were both -- I think
 4 it was the night or two nights before I was supposed
 5 to go -- we were both supposed to go, but we were
 6 there, and I said my prayers and went to bed, and he
 7 came over and he says, "What's wrong? I need to know
 8 what's wrong."
 9 I says, "I'm not talking until I'm released
 10 of my vow."
 11 And he said, "Okay. Fine." And he got
 12 real mad. "You're released of your vow, you're
 13 released of everything, you have no more connection
 14 with vows or anything with me at all. Are you happy,"
 15 you know, and all mad.
 16 And I stood up and I said, "Yes, I am. And
 17 since that's out of the way," and that's when I
 18 confronted him.
 19 I walked up to him and I says, "Father,
 20 I know what you did that night. I woke up, your hand
 21 was on me." I says, "You know it and I know it."
 22 I says, "You tried it again the next night,
 23 I faked like I was sleeping, you didn't know that.
 24 And this whole time I've been trying to release myself
 25 of that vow, and I did it." I, you know -- "I got out

1 of it and now I have no connection with you at all. I
 2 know what you did. I think you're a fag. I think
 3 that you need to go see a priest, confess your sins,
 4 and never be a spiritual director to another
 5 seminarian or anybody ever again, or a confessor. And
 6 you need help, from a priest first, and then maybe
 7 psychologically from a Catholic psychiatrist or
 8 something."
 9 I says, "I'm going to go back home. I'm
 10 leaving and I never want to see you again or hear from
 11 you."
 12 I took the car back to Rockford, Illinois,
 13 got back and Father Fullerton and Chris Manuele were
 14 there and they were leaving to go to Armada, where my
 15 brother was graduating from a Catholic school and my
 16 parents would be there.
 17 I asked them, "Hey I'm going to come with
 18 you because I'm going to go home and see my family."
 19 I played it off like nothing was bothering
 20 me, nothing, because I didn't want to get into
 21 anything, explain anything or stop where I was going.
 22 Got in the U-Haul with them two, we went to
 23 Armada. I got there, left with my parents and never
 24 seen or talked to Father U again.
 25 Q Now, sometime after this incident with

1 Father U, did you talk to Father Ensey about it?
 2 A What happened was, I got home and as far as
 3 Father U, I was like, I had bad judgment, I trusted
 4 this guy and not a priest. I -- obviously, I got a
 5 lesson that I learned here. I don't know exactly what
 6 it is, but I learned a lesson. Pretty much, Father
 7 U's a fag and I messed up, end of story, deal with it,
 8 move on.

9 But my big thing was the whole idea was how
 10 was I to trust in the church, in my faith, when I did
 11 as best as I could and I messed up that bad. So I was
 12 struggling with that.

13 And as much as I wouldn't like to admit
 14 there was, getting over the fact that I befriended
 15 this fag.

16 Q Right. Right.

17 A And, you know, who else is one that I don't
 18 know, who I think is my buddy who's going to crawl in
 19 and try to do something weird like that again?

20 So I didn't want to tell anybody for a
 21 bunch of reasons. One, pride; you were touched by a
 22 queer, you know, this happened to you.

23 Two, if you tell Catholics or non
 24 Catholics, right away they say, "Another priest,
 25 another fag, they're all like that."

1 left, I don't want to know why." But he already
 2 knew. He said, "You just need time to get away. Do
 3 you want to come out to California?"

4 "Yeah. That would be great."

5 I flew out, I got there. After a couple
 6 days, we were on the beach and it was at night, we
 7 were walking and he asked me how things were going and
 8 I came out and I just told him. I told him
 9 everything, what Father did, everything.

10 When we were done, Father Ensey looked at
 11 me and he said, "Obviously, I can never go with this
 12 man. I can never talk to him; nothing."

13 Q Referring to Father Urrutigoity?

14 A Yeah. I said, "Well, no kidding."

15 So, the next couple days, we didn't really
 16 talk too much about the details, again, and I went
 17 home.

18 When I got home, he called me and he said
 19 that he was going to Scranton to confront Father U.

20 I said, "Well, go ahead and call me when
 21 you're done."

22 He called me from Scranton and said
 23 Father U was in Rome, when he got back he would talk
 24 to him. He called me a week, two weeks later, and he
 25 says, "I've talked to Father U, I told him what you

1 I didn't want to tell my family because
 2 then they would play the, "Are you all right," and
 3 they think that you need all these hugs and everything
 4 like that, and I didn't want that kind of thing.

5 It was tough and I didn't know who to tell,
 6 what they were going to do. I didn't want it out.

7 So my dad noticed right away something was
 8 wrong, he bugged me for a couple weeks.

9 Finally, I was out on the porch, smoking a
 10 cigarette, and he came out and he asked and I told
 11 him. I told him to promise me he would never tell a
 12 single person as long as he live. He said, "Okay."

13 The next day, he called Father Ensey. I
 14 didn't talk to my dad for about a week. And then he
 15 explained to me that he did it because of the greater
 16 good, although I didn't want anybody to know, but if I
 17 didn't tell anybody, it might happen to somebody else
 18 and that person might actually walk away from the
 19 faith.

20 Q Right.

21 A Or just actually damage that person and
 22 many other souls.

23 So he told Father Ensey. I didn't know he
 24 told Father Ensey.

25 Father Ensey called and said, "I know you

1 said and he admitted it."

2 Q He said Father Urrutigoity admitted what?

3 A He admitted that he touched me, he admitted
 4 my whole story that I told Father Ensey.
 5 Father U said that it was all true.

6 Q About when were you having this discussion
 7 with Father Ensey?

8 A It was -- I was going to say it was in the
 9 summer, but in California I guess it's always the
 10 summer. My brother graduated from Armada, Michigan
 11 I'm going to guess in June.

12 Q What year?

13 A '98.

14 Q I want to examine Exhibit No. 6.

15 A All right.

16 Q This is a letter that Father Ensey wrote to
 17 Bishop Timlin in March of 1999. If you look at the
 18 second paragraph, about the fourth line down, it says,
 19 there's a sentence that says as follows, quote, "It is
 20 also true that Father Urrutigoity himself has always
 21 denied having perpetrated any of the improprieties
 22 with which he had been charged, and ever with the
 23 greatest fidelity to his role as Matthew's spiritual
 24 director and friend," end quote.

25 This conversation with Father Ensey that

1 you are talking about, in which he says that
2 Father Urrutigoity admitted the sexual touching, that
3 conversation took place before this letter was
4 written; is that right?

5 A Hold on. I'm not -- Exhibit 6 -- I'm not
6 finding where you're at here. It says, it starts out
7 with, "As a close personal friend of both
8 Fr. Urrutigoity and Matt?"

9 Q Yes.

10 A And you said the fourth line down?

11 Q There's a sentence there that starts with
12 the word "However."

13 A Yes. "Is it true that Fr. U himself has
14 also denied" --

15 Q "Always denied."

16 A "Always denied." Yeah, that's wrong.

17 Q So this letter that Father Ensey wrote in
18 March of '99 was written some lengthy time after his
19 conversation with you in which Ensey said Urrutigoity
20 admitted fondling you; is that right?

21 A Yeah. The thing with Father -- with this
22 particular thing is that whenever -- just to finish
23 the end, and I don't have to keep going into it.

24 Whenever Father Ensey called me back, he
25 said that he told Father Fullerton and they both

1 confronted Father U and Father U admitted it.

2 And I says, "What the hell are you still
3 doing there?"

4 He says, "We still have things to talk
5 about."

6 I says, "Well, when you figure that out,
7 then you can call." Pretty much, "Well, obviously you
8 don't believe me now, or you do and you don't care,
9 and so therefore, why am I still talking to you?"

10 Bye."

11 He later came back down, wanted to talk
12 about it more and everything and he told me that it
13 happened like it did, but Father U said that I was
14 sick and he was doing that because he can tell if
15 you're aroused, you're sick, or like, if you look at
16 someone's tongue and it's all cracked then there's
17 something going wrong in the soul, because it's so
18 connected to your innard organs, and stuff like that.

19 It was a medical reason that he said that
20 he was doing this.

21 Q Father Urrutigoity had some sort of medical
22 protocol involving touching a man's penis to see if
23 he's sick?

24 A This is what he claims. He would do a
25 bunch of things like that. He said he would give

1 communion and look at people's tongues and tell if
2 that person was suffering more than the next person
3 with, you know, a smooth tongue. And he said he could
4 do this, you feel this guy, whatever, and you can tell
5 that there was something being bothered. And my thing
6 was, "Father, every guy knows when you wake up or when
7 you're sleeping, if you're comfortable, it happens."

8 Q Right.

9 A That's a bunch of bull.

10 You know, Father Ensey was asked, this is
11 where he first denied me telling him, because
12 Father Ensey was asked by Bishop Timlin if I ever told
13 him. Father Ensey said, "No."

14 And he told me the reason he said no was
15 because he was my spiritual director and felt in
16 confidence that couldn't tell Father Ensey that --
17 Bishop Timlin that.

18 Q I see.

19 So at this point, Father Ensey had become
20 your spiritual director?

21 A Father U told him to take care of me.
22 Father Ensey listened to me when I was out in
23 California, talked me through with it. After that,
24 there was really no other things in friendship.

25 Honestly, I never really looked at him as

1 my spiritual director. I wasn't confessing to him,
2 I wasn't really confiding in. I talked to him about
3 that problem.

4 And whenever you're not in the seminary,
5 who has a spiritual director? You go to your church,
6 you confess to the priest that's there. If you have
7 big problems, you ask the closest priest available.
8 It's not like a spiritual director that you constantly
9 go to.

10 And although Father Ensey's right, if he is
11 my spiritual director, and I was talking to him, then
12 he could hold that back. So he wasn't lying per se.

13 I disagree, because obviously, if I went
14 and told Bishop Timlin or his chancellors or whoever,
15 myself, why couldn't Father Ensey tell them? But
16 that's left to his discretion, I guess.

17 Q Now, after you hung up the phone with
18 Father Ensey, did you have additional conversations
19 with him?

20 A Father Ensey?

21 Q Yes.

22 A We talked now and again, and it was more or
23 less, "How are you doing." I said -- I told him, my
24 father told him, "Listen, if you hang around with
25 Father U, he's colored pink, you're going to be

1 colored pink. He's obviously doing this stuff, so if
 2 you hang around with him, people are going to think
 3 you're doing it, so leave."
 4 Whenever, finally, he got accused and
 5 everything and started coming down to him, I looked to
 6 him to be, my judgement was, he's being colored pink
 7 like Father U.
 8 But did he really do it? I don't think.
 9 Again, I questioned my judgment now,
 10 especially when it comes to that.
 11 But if I was to guess did he do it; no.
 12 But, I was concerned because he was there for me when
 13 I needed somebody the most, so I was going to be
 14 there.
 15 Q Backing up. If you had to guess what?
 16 I got lost there.
 17 A I was going to say, in my head, when I
 18 talked to Father Ensey and he was being accused of
 19 these things --
 20 Q Are you talking about this lawsuit now?
 21 A Yeah.
 22 Q Okay. Ensey was not accused of molesting
 23 you?
 24 A No.
 25 Q I'm sorry. Please continue.

1 A No, I just -- basically the question was:
 2 Is he a fag too?
 3 Q Right.
 4 A And he's obviously my friend and my
 5 brothers' friend. He was their teacher in school.
 6 I asked my brothers, they said, "No," you know.
 7 And then we started thinking, well, we've
 8 told him, told him to get away, he knows that Father U
 9 did that to me. He told me he believed me, Father U
 10 admitted it and he's still there. Why hasn't he
 11 left?
 12 Q Now, was there an occasion that Father U
 13 called you about a year ago?
 14 A No. He -- I read through these papers when
 15 I got here --
 16 Q Yes.
 17 A -- and Exhibit No. 2
 18 Q Hold on a second, let me get that. Right.
 19 A Actually, no that was Fellay's letter. I'm
 20 looking for Father U's letter.
 21 Q Exhibit No. 3 is one. I think there might
 22 be a couple more. Yes. Exhibit 3 is the
 23 Father Urrutigoity letter.
 24 A Okay. Yeah. He wrote, and this is -- "I
 25 encouraged Matthew to take some time off at home to

1 make a week retreat in order to discern better his
 2 vocation and his docility to whatever was God's will
 3 for him. Although I stayed in touch with Matthew over
 4 the next two months or so" -- that's just a lie,
 5 because when I came home one time, an odd car was
 6 parked in my driveway. I just figured it was him,
 7 even if it wasn't, I wasn't taking a chance. I didn't
 8 go home. I stayed at a buddy's because I did not want
 9 to talk to him or ever see him.
 10 And I told him I didn't want to talk to him
 11 or ever see him, because the first time, I didn't hit
 12 him, but if I'd see him now, maybe not. I don't
 13 know.
 14 I just told him I didn't know what I would
 15 do. Like the first time, get out of jail for free.
 16 If you try and follow me, I might not be able not to
 17 beat the hell out of you.
 18 Q Right.
 19 A So that's a lie. I've never seen him and
 20 I've never talked to him after that day.
 21 And then it says, "I asked Father Ensey to
 22 take care of his spiritual direction due to tension
 23 that had surfaced with him." Maybe.
 24 "Matthew did not make good use of his time
 25 at home and his behavior began to deteriorate

1 noticeably."
 2 Who was noticing a deterioration? Was it
 3 him? I didn't talk to him, didn't see him.
 4 Was it Father Ensey? I wasn't talking to
 5 him, I mean, at the time.
 6 And who was going to monitor my behavior,
 7 other than my family? And I'll pull them all in right
 8 now, and that wasn't the case. They noticed my
 9 silence and that something was bothering me.
 10 Obviously, he saying I'm going down the bad path or
 11 something.
 12 Q That's what they're saying.
 13 A They're just trying to discredit me so
 14 that -- then it says, "After a while, when his father
 15 was confronting him because of such conduct" -- no,
 16 not because of conduct, because he was asking
 17 me, "Matt, why aren't you talking to me? What's
 18 bothering you?"
 19 "He accused me of approaching him with
 20 dishonest intentions while he was asleep." Again, it
 21 wasn't a dishonest intention I accused him of, it was
 22 the act of him putting his hand on my penis.
 23 Q Right.
 24 A And then he goes on further, he says, "Back
 25 into a life of disorder," you know, basically, saying

1 that I went home and just started becoming a wild man,
2 and that's why, you know -- which is definitely a
3 lie.

4 That was one thing that I was upset about.
5 I've never seen this letter before.

6 Q The question I was asking was not so much a
7 conversation with Father Urrutigoity. What I asked
8 was: About a year ago, did Father Ensey call you?

9 A Probably. I don't know what time you're
10 talking about, but I kept in touch with and was
11 Father Ensey's friend up to his last visit that he
12 made to me.

13 Q That's the visit I'm asking about. When
14 was that?

15 A It was, I mean -- it was this summer
16 obviously. It was probably about a month and a half
17 ago.

18 Q I'm sorry. I thought it was a year ago.
19 It was a month and a half ago.

20 And tell us how that visit came about?

21 A Well, I had been calling Father Ensey,
22 e-mailing him for about a year, roughly.

23 Q Okay.

24 A Because I haven't heard anything from him,
25 and I know he's being accused of this too. He was

1 down Saturday.

2 When he came down, I already promised a
3 picnic over at my buddy's house with his family, I
4 figured I'd take Father Ensey along, throw some
5 horseshoes, drink a couple beers. I didn't want to
6 talk about anything Saturday.

7 Sunday, I was going to spend with the
8 family and I wanted the last thing to talk with
9 Father Ensey about was the business, so that it would
10 be over, he would leave and I would have time to
11 think.

12 So we put it off until Sunday night. We
13 took a walk. That's when I figured -- it slowly hit
14 me what was going on.

15 Father Ensey said that there's a
16 possibility that I would be subpoenaed. If I was --
17 and it was for basically he got accused, he said, of
18 molestation.

19 I says, "What do you mean? Accused in what
20 way?"

21 And he said, "Well, of molesting a boy."

22 I said, "What are you saying, Father," I

23 says, "like molesting, like tried to kiss him or you
24 tried to, you know, get him up the rear?"

25 And he says, "B."

1 there for me so I'm offering my, you know -- and I'd
2 write him a letter, "Are you still alive? Are you in
3 the country? Just let me know you're okay, and that's
4 enough, you don't have to give me the whole spiel."

5 He never responded, never got a hold me.

6 Out of the blue, he calls me one evening and says,
7 "Hey, Matt, it's Father Ensey. I got a free weekend,
8 I want to come down and see you and the family."

9 My family was in South Carolina on
10 vacation, my mom, my dad, my brothers and sisters.

11 And I says, "Well, my family, you know, my
12 wife and kids, we're the only ones around, but you're
13 more than welcome to come down."

14 He said, "Okay. I'll come down Friday and
15 I got to leave Monday." He hung up the phone.

16 Well, I got off the phone and I thought to
17 myself, "That was a business call."

18 I don't talk to the guy for a year, all of
19 a sudden, he calls me up and says he has to talk to
20 me. Okay. There's something going on. It's
21 business.

22 I called my dad, told my dad and he said
23 right away, "You're right, something's going on."

24 Father Ensey called back and said he
25 couldn't come down Friday, he had paperwork, he'd be

1 And I says, "I ain't going to ask you if
2 you did, obviously what?"

3 He's like, "Of course not."

4 And I said, "I know, I know, I just, you
5 know -- formality."

6 And he said basically, if I'm subpoenaed,
7 and he made it sound like it would be a thing just
8 against Father U. And if I answered the subpoena, and
9 went to court and I told my story, it would bury
10 Father U, which in turn would bury him, because he's
11 associated with him, he's my friend, and if I bury
12 Father U, then it's going to bury Father Ensey, him.

13 I says, "Yeah, that's a possibility."

14 I said, "Father, you kind of had many chances to get
15 out of this."

16 "Well, you know, I have. I went to this
17 diocese," and so forth.

18 And then he said to me, "You know, if they
19 subpoena you, you can't get out of it. Now, you can
20 leave the county."

21 And I says, "Well, you know, my wife and
22 kids; I have a family, I have a job. You just can't
23 pack up and leave. I mean, if it was to save

24 somebody's life, a friend, and I had to move, that's
25 something to consider, but not to not go to court

1 because Father U might go to jail or get money. Not
2 only do I not care, but good. And, you know, maybe
3 this won't happen to somebody else."

4 And he says, "I know. I know. I was just
5 telling you that that's the only way to get out of the
6 subpoena."

7 And he said, it was along the lines of,
8 "You know, you really can't lie."

9 And I said, "Father, you know I don't lie,
10 you know I'm not going to lie, especially in court and
11 especially when I have no reason to lie. I'm not
12 getting anything out of it and I got no agenda. I
13 tried to walk away from this five years ago.
14 Everybody keeps calling, 'Tell your story again. Tell
15 your story again. Tell your story again.' And every
16 time I do, no one believes me anyhow or they do, like
17 Bishop Timlin or his guys said they believed me, but I
18 wasn't asking money so they left me alone and they
19 figured I would just go away, which I tried. Now Bond
20 and all of this happens again. So I'm not going lie."

21 And I started thinking, well, he threw two
22 things out on the table, get out of the country, lie.
23 Okay.

24 Q Right.

25 A The third was, he says, "Well, my lawyer,

1 And I says, "All right."

2 He says, "Of course, you know if anybody
3 knew this was going on, we could get in trouble."

4 Basically, he could get in trouble.

5 Q Father Ensey or the lawyer?

6 A Father Ensey and Father U, because they're
7 pretty much coming to me, knowing that I'm going to be
8 subpoenaed and trying to get as much information, and
9 try to get me on whatever, to do whatever before I get
10 subpoenaed. He says because he can't talk to me
11 definitely after I get subpoenaed or it's an
12 interference or something like that.

13 So he says, "This guy is a good guy, he's
14 everything." And then he says, and this is what
15 struck up red flags, "He's a good guy. He's got
16 strong ties to the Mafia. He's not in the Mafia, but
17 he's got good strong ties to the Mafia," and left it
18 at that.

19 And then it hit me, the format that he was
20 going, he said, one, "You can get out of the country
21 to avoid the subpoena."

22 Two, "If you don't do that, and you have to
23 go, what about lying?" I mean, he didn't ask me to do
24 it, but he brought it up.

25 Three, "My lawyer wants to talk you and

1 he's a very" -- first he discredited this guy.
2 I don't know this guy, but basically, he said he's a
3 mental case.

4 Q You mean the guy who was charging
5 molestation?

6 A Right. "He's a mental case and he's
7 looking for sympathy and a buck."

8 And I says, "Okay. But you know what,
9 Father, you know, he may be, but not everybody that's
10 been accusing Father U" -- and we're not talking one
11 or two, we're talking three or four, and I know,
12 myself, another person who was molested by Father U,
13 who nobody knows about, and this guy, if came out and
14 told, his reputation is impeccable.

15 I asked him, I says, "If it ever comes to
16 something, do I bring up your name?"

17 And he said, "No."

18 And I said, "Why?"

19 And he said, quote, "Because I don't want
20 to deal with the shit you're going through," end
21 quote.

22 So he told me that this lawyer, his lawyer,
23 Father Ensey's and Father U's lawyer is a good man,
24 Catholic, he wants to know the truth, he would like to
25 talk to me.

1 he's tied with the Mafia."

2 So to me, in my head, there was a format of
3 trying with the least, where you leave the country,
4 get him out of the way, "Would you lie?"

5 I'm saying this is the format that I'm
6 picking up.

7 And last, was the threat, I think was an
8 outright threat. Why would he tell me that his lawyer
9 is in the Mafia, which I think is just stupid, because
10 he knows me.

11 Do you think I'm going to get scared and
12 say, you know, "Okay. That was enough. Boy, they
13 might come kill me."

14 I'm got going do anything. And that's
15 when -- that's when I made my judgement of
16 Father Ensey. Whether he came up with that himself or
17 was sent to do that, I don't know. The guy hasn't
18 talked to me for a year and all of a sudden, he comes
19 down and says, "If you're subpoenaed, these are the
20 things that's going to happen."

21 So I told him -- right away, I thought to
22 myself, The Godfather. Keep your friends close, keep
23 your enemies closer.

24 I told Father Ensey, "Sure, I'll talk to
25 your lawyer. I'm telling the truth. I can tell

1 anybody the truth. And it shouldn't hurt, right, so
 2 I'll tell your lawyer the truth."
 3 Meanwhile, I know that he wants me to talk
 4 to his lawyer, because that guy in court, if I ever
 5 have to go there, that he's going to try to make me
 6 look like the biggest idiot east of the Mississippi.
 7 That's why he wants to talk to me, I'm guessing, so
 8 that he can think about what I say, whatever, and then
 9 try to come up with something, at least be prepared.
 10 And so I told him, "Yeah, I'll talk to him,
 11 sure."
 12 That was the end of the conversation pretty
 13 much. We went home; he left the next morning.
 14 Q Did his lawyer ever call you?
 15 A I don't think so. I seen a lot of phone
 16 numbers. I get anything with 570 number, I usually
 17 don't answer or I didn't.
 18 Q Did his lawyer ever send you a letter?
 19 A No.
 20 Q Have you talked to Father Ensey again since
 21 this day?
 22 A No. He called continuously; probably for
 23 the first week every day, for the second week, like
 24 every other day, and maybe the third week, like once.
 25 Just, you know, I told my wife, "He's not

1 place and that's the only answer I never got. Maybe I
 2 got to go back if I got and find out if I got to be a
 3 priest and put this behind me.
 4 So I talked to Father Iscara, who was
 5 Father U's friend from Argentina, and he convinced me
 6 to come back to find out if I had a vocation.
 7 So I went back and when I got there,
 8 obviously, there was -- everybody wanted to know why I
 9 left, and I didn't tell. I told my superiors and that
 10 was it.
 11 And then, that's when, I think -- I can't
 12 remember if it was the bishop or Father Iscara that
 13 said -- I think it was the bishop at the seminary,
 14 Bishop Williamson, told me to tell Bishop Fillay, the
 15 General Superior of the Society.
 16 So, I wrote a letter and told him. He
 17 wrote me a letter saying that pretty much my duty was
 18 to inform Father U's superior now, who was
 19 Bishop Timlin. So I told Bishop Timlin, and I wrote
 20 him a letter and I think he got back to the bishop.
 21 Some letters were written to the bishop and some were
 22 to me, not many.
 23 They set up a meeting in Winona or a little
 24 outside of Winona, between Winona and Rochester in one
 25 of the houses for retired priests or something like

1 here," or, "He's in the bathroom, he'll call you back.
 2 He's hunting," whatever.
 3 But I never talked to him again. I didn't
 4 want to talk to him because, one, personal reasons,
 5 obviously.
 6 You know, he knows what went on. He knows
 7 and he's done nothing, and now it comes down to me and
 8 it seems like he wants me to go even further and, you
 9 know, he was just asking me to do ridiculous things.
 10 Q Let me ask you this: Was there an occasion
 11 where the Diocese of Scranton sent some individuals to
 12 interview you concerning the Father Urrutigoity
 13 matter?
 14 A Yes. Well, when I went back to the
 15 seminary the second time in Winona. Is that what
 16 you're talking about?
 17 Q Right. Did the Diocese of Scranton send
 18 some individuals to talk to you?
 19 A Yeah. When I got back to the seminary,
 20 after I told Father Ensey and I told my dad and I went
 21 back to work, then I started thinking, after about a
 22 year. Okay.
 23 All that happened, but the question was:
 24 Do I have a vocation to be a priest? I don't know and
 25 I never -- that was the reason I went in the first

1 that. And we were going to go. And it was me and
 2 Bishop Williamson, and I think there was a lawyer
 3 there and I think there was a chancellor and another
 4 guy. There was a bishop there, a real old bishop.
 5 Q Is that Bishop Dougherty?
 6 A Yeah.
 7 Q He was the auxiliary bishop of Scranton?
 8 A Yeah.
 9 Q What took place at that meeting?
 10 A We sat down and pretty much what we're
 11 doing right now. The bishop asked me basically what
 12 happened. We pretty much went through everything that
 13 we're going through now. I told him everything that
 14 happened. And at the end of it was pretty much,
 15 "We're sorry."
 16 I think it was the -- I can't remember if
 17 it was the lawyer or the chancellor, because I said
 18 something like -- they said, "Well, what do you want
 19 to do?"
 20 I says, "Listen, I don't want anything.
 21 The only thing I want to do is tell the superior, put
 22 it in his hands, and now it's on Bishop Timlin's
 23 shoulders to do something. I'm done. Deal with it
 24 accordingly," and that's it.
 25 I said, "I don't care. I don't want

1 anything, I don't care if you believe me. I told my
2 story, I've done my duty. When I stand in front of
3 God, God's not going to turn around and say, 'Why
4 didn't you warn this person, because so and so had to
5 deal with it after you.' I wanted that off my
6 conscious. I got it off my conscious. I didn't want
7 to sit there and keep dealing with it."

8 And I told them, and then the one said -- I
9 can't remember who it was, it was the chancellor or
10 one of the three said, "We believe you."

11 And I said, "I don't want anything."

12 And the impression I got was, looked like
13 they were going to say -- now, this is a judgement, a
14 total judgment on my part, I could be completely
15 wrong -- but it looked like they were saying, "Do you
16 want money? And what are you going to do? Are you
17 going to sue?"

18 And as soon as said I don't want anything,
19 it was briefcase closed, and they were out. "He
20 doesn't want anything, now we know. Bye."

21 And as far as I know, they went back and
22 said, "Father U, did you do it?"

23 "No."

24 "Okay. Let's roll with it."

25 And, of course, I was upset because there

1 didn't -- really didn't know what to think. I should
2 have been watching, especially when you guys got to be
3 friends." He says, "I should have been watching." He
4 says it's his fault, because he was the superior at
5 the time and he should have seen it better.

6 But Father U -- superiors like Father U
7 because, and that's what Bishop Williamson told me.
8 Because the guy is smart, intellectually, and he knows
9 human nature, and when you talk to him, you know, he's
10 a little odd, a little weird, but he comes across as
11 someone who knows a little more than you, and
12 everybody wants to know that. And that's what the
13 bishop said, that they looked past the fact of what he
14 is and what he's been doing, because they're getting a
15 smart guy under their wing.

16 Q Let me ask you, going back to your
17 relationship with Father Urrutigoity, did he talk --
18 ever talk about Frodo and Saruman?

19 A Yes.

20 Q What was that about?

21 A Just Lord of the Rings, you know, a lot of
22 seminarians were reading it at the time because they
23 used things that were going on in the world today.
24 And Frodo and Saruman were the hobbits that were
25 friends and he, you know, made that analogy as that we

1 was another guy, he goes to Argentina, get's accused,
2 and he says, "I didn't do it," and everybody says,
3 "Okay."

4 Then he goes to the United States, and
5 I know of two people and then, you know, including
6 myself, in the seminary and he's accused, and he says,
7 "I didn't do it."

8 Then he goes to Scranton and he's touching
9 boys around when they're sleeping and everything else.
10 And they're saying, "He touched me," and he's saying
11 he didn't do it. And everybody is saying, "Okay."

12 So, yeah, I'm mad that he keeps doing it
13 and people keep getting it done to them and everybody
14 just says, "Okay." Nothing gets done.

15 Q Well, Bishop Fillay did something, didn't
16 he?

17 A Bishop Fillay, once he found out what was
18 going in, he was already gone, so he couldn't do
19 anything.

20 Q Right. Do you know if he informed
21 Bishop Timlin?

22 A Yes. He informed Bishop Timlin. And
23 Bishop Williamson, he was good, he told me, he says he
24 knew of his background, he blames himself, because
25 he -- "I knew Father U was accused of it. We

1 were Frodo and Saruman. But he would always say, "I'm
2 Saruman, because although Frodo had the bigger tasks,
3 Saruman was his helper." So I was Sam because I was
4 Father U's best buddy and I was helping him.

5 Q Did Father Urrutigoity ever tell you that
6 the Tolkien Trilogy has some spiritual significance
7 for him?

8 A Yeah. I mean everybody, you know, all
9 Catholics that read it, because of what
10 J.R. Tolkien -- there was a story where he was invited
11 somewhere, and they all were saying, "What's the
12 answer to the world's problems?" And he said, "Become
13 a Catholic," and they booted him off the stage and he
14 never showed up in public again.

15 There was correlations where Gandolf is the
16 priest, because he never really does any battling or
17 anything, he's always there for direction, you know,
18 things like that.

19 Q Now, when you went back to Winona, this is
20 the second time you were at Winona, did any other
21 seminarians tell you that Father Urrutigoity molested
22 them?

23 A Yeah.

24 Q And was this person still in the seminary
25 when he told you that or had he moved on beyond the

1 seminary?
 2 A The reason why I'm hesitating is because
 3 if -- basically, this man does not want to be known.
 4 If I give too much information, you might able to
 5 whittle it down and I have to make a judgement on
 6 whether --
 7 Q Let me ask you this: Was this person, at
 8 least at one time, a seminarian at Winona; right?
 9 A Yeah.
 10 Q What did he tell you that
 11 Father Urrutigoity did to him?
 12 A Pretty much the same thing that he did to
 13 me, but I think -- I think he tried it in different
 14 ways or something like that. It seemed to be that he
 15 might have got a little bit worse off than me.
 16 Q Let me just check my notes. I think I'm
 17 probably done, Matt. Hold on.
 18 MR. BENDER: Madam court reporter, this
 19 will end the deposition. I'd like to go off the
 20 record and just take a moment to chat with Matt.
 21 I just have a couple questions for you,
 22 Matt. Are we off the record now?
 23 MR. WIENER: Not yet, one moment.
 24 The time is 11:18. Being that there are no
 25 further questions, this deposition is now

1 CERTIFICATE
 2
 3 COMMONWEALTH OF PENNSYLVANIA,)
 4 COUNTY OF ALLEGHENY.) SS:
 5
 6 I, Jessica L. Tapia, do hereby certify that
 7 before me, a Notary Public in and for the Commonwealth
 8 aforesaid, personally appeared MATTHEW SELINGER, who
 9 then was by me first duly cautioned and sworn to
 10 testify the truth, the whole truth, and nothing but
 11 the truth in the taking of his oral deposition in the
 12 cause aforesaid; that the testimony then given by him
 13 as above set forth was by me reduced to stenotypy in
 14 the presence of said witness, and afterwards
 15 transcribed by means of computer-aided transcription.
 16
 17 I do further certify that this deposition was
 18 taken at the time and place in the foregoing caption
 19 specified, and was completed without adjournment.
 20
 21 I do further certify that I am not a relative,
 22 counsel, or attorney of either party, or otherwise
 23 interested in the event of this action.
 24
 25 IN WITNESS WHEREOF, I have hereunto set my hand
 and affixed my seal of office at Pittsburgh,
 Pennsylvania, on this ___ day of _____, 2003.

 Jessica L. Tapia
 Notary Public in and for the
 Commonwealth of Pennsylvania
 My commission expires August 19, 2006.

1 concluded.
 2 (Discussion off the record.)
 3 THE WITNESS: I will waive signature.
 4 ---
 5 (Thereupon, at 11:18 o'clock a.m., the
 6 deposition was concluded, and signature was
 7 waived.)
 8 ---
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