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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN DIEGO

THE ROMAN CATHOLIC BISHOP OF SAN DIEGO, a corporation sole, Plaintiff, ROBERT KUMPEL, Defendant.	Case No. GIC 783810 **DECLARATION OF MARK BROOKS IN OPPOSITION TO PLAINTIFF MARYANN FALLON'S APPLICATION FOR INJUNCTION** **DATE: March 13, 2002** **TIME: 9:00 a.m.** **DEPT.: 25** **JUDGE: Hon. John S. Einhorn**

I, Mark Brooks, declare as follows:

1. I am a member of the public in San Diego, and a regular reader of San Diego News Notes, San Diego's Lay Catholic Newspaper ("News Notes"). I have also had personal contact with the Bishop of San Diego, the Plaintiff in this action.

2. My contact with the Bishop of San Diego, Robert Brom, of the Catholic Diocese of San Diego, began in 1991, after I was sexually harassed and assaulted by homosexual priests and lay people while I was attending the Saint Francis Seminary, in San Diego, to receive training for the priesthood.

3. In October 1984, I filed a lawsuit against the Diocese of San Diego for injuries sustained when I was sexually

harassed and assaulted at the Catholic Seminary. Members of the Diocese falsely attempted to label me delusional and/or a liar. The Diocese' charges eventually ceased, however, and my charges against the Diocese were eventually substantiated. In April 1985, the Diocese paid me a confidential settlement for my lawsuit.

4. For at least the five years preceding June 1999 or so, I had personal contact with the Bishop of San Diego, Robert Brom, and his staff, regarding further restoration and recovery relating to my injuries sustained at the seminary, which contact was at the direction of Cardinal Roger Mahoney.

5. During the time of my personal contact, Bishop Brom and his staff made many negative statements regarding News Notes. In my many meetings with Bishop Brom, I recall hearing him state that he had read several News Notes' articles critical of him and the Diocese which angered him very much, including articles regarding homosexuality in the priesthood and possible pedophilia. Bishop Brom confirmed that he had issued an order to all of his staff that they were not to speak with News Notes' reporters. The Bishop had also bragged that he had forced News Notes to drop the word "Catholic" from its title. The Bishop stated that he hoped this would drive News Notes out of existence.

6. In my conversations with Bishop Brom, he seemed to be obsessed with News Notes and finding some way to retaliate against News Notes for exposing the Bishop's wrongdoing and acquiescence in wrongdoing. For example, in a personal meeting in or about January 1999, Bishop Brom stated to me that he was

very upset with News Notes for printing articles about homosexual priests in the Diocese and wrongdoing by local priests, including the Bishop. During that conversation, the Bishop stated that "we have ways to deal with papers." The Bishop was referring to the Diocese' success at having Publisher Helen Copley removed as a trustee of the Catholic University of San Diego, in retaliation for the San Diego Union-Tribune printing stories showing the Diocese and priests in a bad light. The Bishop also notified me that he was aware of my confidential conversations with Sandee Dolbee, religion editor at the Union-Tribune. The Bishop suggested that he or his staff would find some similarly retaliatory way to get back at News Notes. Based on the Bishop's comments and his demeanor, I got the strong impression that the Bishop and/or his staff would find some way to retaliate against News Notes or its reporters, or me, if I cooperated or worked with News Notes on a story.

7. Bishop Brom also made implied threats that he would destroy me if I exposed his wrongdoing, although I had never threatened to do so. Bishop Brom made similar threats to a priest who dared to tangle with Bishop Brom. Attached hereto as Exhibit "A" is a true and correct copy of a letter dated April 22, 1999, from the Office of the Bishop to me, signed by the Assistant to the Bishop. Attached to the letter was an enclosure letter from a Priest named Michael Higgins to the Pope. On page of "4." of Rev. Higgins' letter is a statement regarding Bishop Brom's threat to destroy Rev. Higgins in retaliation for charges made by Higgins. Page "3." of Rev.

Higgins' letter refers to other wrongdoing or acquiescence in wrongdoing by Bishop Brom, some of which was reported in News Notes. When I discussed the allegations made by Rev. Higgins with Bishop Brom, the Bishop did not offer a convincing denial.

8. I also spoke with an individual named Jeffrey [redacted] who confirmed that Bishop Brom, while the Bishop of Duluth, Minnesota, had sexually abused young seminarians at Immaculate Heart Seminary in Winona, Minnesota, in addition to [redacted]. According to [redacted], Bishop Brom is a homosexual "rapist." [redacted] stated that he can identify Brom's private "body markings." [redacted] entered into a confidential financial settlement with Bishop Brom. As part of the financial settlement, Brom demanded a "retraction" letter, which [redacted] states is false, and was executed only so he could receive the money.

9. In or about February 1999, I asked Bishop Brom about [redacted]' allegations. The Bishop did not offer a credible denial. Among other things, the Bishop stated that [redacted] was mentally ill and/or a liar. The Bishop confirmed that [redacted] had passed two polygraph examinations, but he stated that polygraphs are "unreliable."

10. Bishop Brom's modus operandi, as in the present action, and as in his dealings with me and other victims of abuse, is to threaten those who might expose him, and retaliate against those who do. I am familiar with the Bishop's instant lawsuit against Robert Kumpel. The Bishop's lawsuit herein appears to be consistent with the Bishop's modus operandi of blame and retaliation by any means.

I declare under penalty of perjury under the laws of the

State of California that the foregoing is true and correct and that this declaration was executed in San Diego, California.

DATED: March 12, 2002

Mark Brooks

EXHIBIT "A"

DIOCESE OF SAN DIEGO

Office of the Bishop

April 22, 1999

Dear Mark:

Bishop Brom has asked me to send you these enclosures.

Sincerely in our Lord,

Rev. Edward P. McNulty

Rev. Edward P. McNulty
Assistant to the Bishop

Mr. Mark Brooks
3849 8th Avenue
San Diego, CA 92103

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