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The Honorable Michael Scott  
Noted for Hearing: May 22, 2024  
Oral Argument Requested

**STATE OF WASHINGTON  
KING COUNTY SUPERIOR COURT**

In re the Petition to Enforce the Investigative  
Subpoena of:

The Washington State Office of the  
Attorney General,

Petitioner.

NO.

DECLARATION OF NATHAN BAYS  
IN SUPPORT OF STATE OF  
WASHINGTON'S PETITION TO  
ENFORCE INVESTIGATIVE  
SUBPOENA

I, Nathan Bays, hereby declare:

1. I am an Assistant Attorney General in the Complex Litigation Division of the Washington State Attorney General's Office. I am counsel of record for the State of Washington in the above-captioned investigation. Unless otherwise noted, the information set out in this declaration is based on my personal knowledge and the files and records herein.

2. Attached hereto as Exhibit A is a true and correct copy of the Secretary of State's Corporations and Charities Filing System entry for the Corporation of the Catholic Archbishop of Seattle.

3. Attached hereto as Exhibit B is a true and correct copy of the 2019 Amendment to the Corporation of the Catholic Archbishop of Seattle's Certificate of Appointment.

4. Attached hereto as Exhibit C is a true and correct copy of the 1861 Articles of Incorporation of the Corporation of the Catholica Bishop of Nisqually, in the Territory of Washington.

1           5.       Attached hereto as Exhibit D is a true and correct copy of the 1925 Amended  
2 Articles of Incorporation of the Corporation of the Catholic Bishop of Nisqually, in the Territory  
3 of Washington.

4           6.       Attached hereto as Exhibit E is a true and correct copy of the 1951 Amended  
5 Articles of Incorporation of the Corporation of the Catholic Bishop of Seattle.

6           7.       On July 26, 2023, the Attorney General’s Office issued a subpoena to the  
7 Corporation of the Catholic Archbishop of Seattle (the Seattle Archdiocese) requesting the  
8 production of records. A true and correct copy of the subpoena is attached hereto as Exhibit F.

9           8.       On August 25, 2023, the Seattle Archdiocese responded by serving objections to  
10 the subpoena. A true and correct copy of those objections is attached hereto as Exhibit G.

11          9.       Over the course of the parties’ negotiations, the Seattle Archdiocese produced a  
12 small number of documents that were already publicly available, but it refused to produce the  
13 documents requested by the subpoena.

14          10.      On April 10, 2024, the Attorney General’s Office issued a revised subpoena to  
15 the Seattle Archdiocese requesting production of additional records. A true and correct copy of  
16 the revised subpoena is attached hereto as Exhibit H.

17          11.      On April 24, 2024, the Seattle Archdiocese responded with objections to the  
18 revised subpoena. A true and correct copy of those objections is attached hereto as Exhibit I.

19          12.      On May 6, 2024, the parties met and conferred to discuss the  
20 Seattle Archdioceses’ objections to the subpoena. The Seattle Archdiocese offered to produce  
21 limited additional documents—primarily documents that are already publicly available, as well  
22 as some unspecified documents from prior litigation—but was unwilling to produce the  
23 documents requested by the subpoena. Despite that both parties negotiated in good faith, the  
24 parties were unable to reach agreement, including on several fundamental legal issues.

25          13.      I certify that the parties have complied with the requirements of CR 26(i).  
26

1 I declare under penalty of perjury under the laws of the State of Washington that the  
2 foregoing is true and correct.

3 DATED this 9th day of May 2024 in Seattle, Washington.

4  
5 /s/ Nathan Bays  
6 NATHAN BAYS, WSBA No. 43025  
7 Assistant Attorney General  
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# Exhibit A

## BUSINESS INFORMATION

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Business Name:  
**CORPORATION OF THE CATHOLIC ARCHBISHOP OF SEATTLE**

UBI Number:  
**178 005 076**

Business Type:  
**WA CORP SOLE**

Business Status:  
**ACTIVE**

Principal Office Street Address:  
**710 9TH AVE, SEATTLE, WA, 98104-2017, UNITED STATES**

Principal Office Mailing Address:  
**710 9TH AVE, SEATTLE, WA, 98104-2017, UNITED STATES**

Expiration Date:  
**01/31/2025**

Jurisdiction:  
**UNITED STATES, WASHINGTON**

Formation/ Registration Date:  
**01/30/1861**

Period of Duration:  
**PERPETUAL**

Inactive Date:

Nature of Business:  
**CHURCH**

## REGISTERED AGENT INFORMATION

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Registered Agent Name:  
**PAUL ETIENNE**

Street Address:  
**710 9TH AVE, SEATTLE, WA, 98104-2017, UNITED STATES**

Mailing Address:  
**710 9TH AVE, SEATTLE, WA, 98104-2017, UNITED STATES**

## GOVERNORS

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Title	Governors Type	Entity Name	First Name	Last Name
GOVERNOR	INDIVIDUAL		PAUL	ETIENNE

# Exhibit B





Therefore, upon consultation with the Congregation for Bishops, by virtue of Our Apostolic authority, We release you from the bond and office of the aforementioned Local Church, and We appoint you Coadjutor Archbishop of Seattle, granting to you the due rights and imposing the relative obligations, which are connected with this mandate.

It is Our wish that you inform the clergy and the faithful of this ecclesial community about this Our decree, and We exhort them to welcome you as their father, guardian and teacher to be greatly supported.

Finally, Venerable Brother, may God the Father accompany you, so that your Flock, confirmed by your example of charity, may, in the contemplation of the mystery of Christ and in the upright service of His Church, radiate with mercy.

Given at Rome, at St. Peter's, on the twenty-ninth day of the month of April, in the year of the Lord two thousand nineteen, the seventh of Our Pontificate.

**Pope Francis**

On September 3, 2019, Pope Francis accepted the resignation of James Peter Sartain as The Archbishop of Seattle and on that same day Paul Dennis Etienne became The Archbishop of Seattle by right of succession. By virtue of canonical rules, regulations, and discipline of the Roman Catholic Church the aforesaid Paul Dennis Etienne does therefore cause this Certificate to be filed with the Secretary of State of the State of Washington and in the office of the County Auditor of King County, Washington, that being the county in which he resides, as proof of his appointment and of his incumbency in the office of the Archbishop of the Corporation of the Catholic Archbishop of Seattle, a Washington Corporation sole.

SUBSCRIBED AND SWORN to this 18<sup>th</sup> day of September, 2019.

  
Paul Dennis Etienne

I, the undersigned, a Notary Public in and for the State of Washington, do hereby certify that on this 18<sup>th</sup> day of September 2019, personally appeared before me Paul Dennis Etienne, personally known to be to the individual described in and who executed the forgoing instrument under oath, and acknowledged to me that he signed and executed the same as and for his free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the date in this certificate first above written.



Margaret Parros

Print Name: Margaret Parros  
Notary Public in and for  
The State of Washington, residing at  
Seattle, WA

My commission expires 11-07-2022

# Exhibit C



APP

LOCAL LAWS.

129

county treasury, as an annual tax, a sum not to exceed twenty-five dollars per annum, for the use and benefit of the county in which the same may be situated.

Passed January 30th, 1861.

*Application*

LYMAN SHAFFER,  
*Speaker House of Representatives.*  
PAUL K. HUBBS,  
*President of the Council.*

*1/30/1861*

AN ACT

TO INCORPORATE THE BISHOP OF NISQUALLY.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That A. M. A. Blanchet, Bishop of Nisqually, and his successors in office, and all persons whom he or they may think expedient to associate with him or with them, be and he is, and they are hereby declared a body politic and corporate under the name and style of "The Corporation of the Catholic Bishop of Nisqually, in the Territory of Washington."

SEC. 2. *And be it further enacted,* That the ends of said corporation shall be for the benefit of religion, for works of charity, and for public worship.

SEC. 3. *And be it further enacted,* That said corporation shall have continual perpetual succession, and shall have power to acquire, receive, and possess by donation, gift, or purchase, and to retain and enjoy property, real, personal and mixed, and the same to sell, grant, convey, rent or otherwise dispose of at pleasure: *Provided however,* That no part of the resources thereof shall ever be used for any other than the purposes above specified: *And provided further,* That the yearly income accruing from said property to said corporation shall not exceed seventy-five thousand dollars.

SEC. 4. Such corporation shall have power to contract and be contracted with, sue and be sued, plead and be impleaded in all courts of justice both of law and in equity; they shall cause to be made for their use a common seal, impressed with such devices and inscriptions as they shall deem proper, by which said seal all deeds and acts of said corporation shall pass, and be authenticated, and they shall have power to alter or amend said seal at their pleasure; they shall have power to form and adopt a constitution and by-laws for their government, to make and carry into effect all necessary regulations for the management of their fiscal con-

cerns, to appoint subordinate officers and agents, to make, ordain and establish such ordinances rules and regulations as they may deem necessary or expedient for the good government of said corporation, their officers and agents: *Provided however*, That said ordinances, rules and regulations shall, in no manner, conflict with the constitution of the United States, or the laws of this Territory.

SEC. 5. That all deeds or other instruments of conveyance shall be signed by the Bishop, and by him acknowledged in his official capacity, and sealed with the seal of the corporation.

Passed January 30th, 1861.

LYMAN SHAFFER,  
*Speaker House of Representatives.*  
PAUL K. HUBBS,  
*President of the Council.*

AN ACT

TO AUTHORIZE JOHN C. SMITH TO KEEP A FERRY ON THE NORTH FORK OF CLEARWATER RIVER.?

SECTION 1. *Be it enacted by the Legislative Assembly of the Territory of Washington*, That John C. Smith, his heirs and assigns, be, and they are hereby authorized to establish and keep a ferry across the North Fork of Clearwater river, up and down one mile each way from the point selected for said ferry, for the term of six years from the passage of this act: *Provided*, That said ferry, when so established, shall be subject to the same regulations as other ferries are, or may hereafter be, by the laws of this Territory prescribing the manner in which licensed ferries shall be kept and regulated.

SEC. 2. It shall be lawful for the said John C. Smith, his heirs and assigns, to receive and collect the following rates of toll for ferrriage on said ferry :

For crossing a footman, .....	25
For crossing a man and horse, .....	\$1 00
For horse and carriage, .....	2 00
For each animal packed, .....	1 00
For each wagon, with two oxen, horses or mules, .....	2 50
For each additional animal, .....	25

# Exhibit D



AMENDED ARTICLES OF INCORPORATION

OF

THE CORPORATION OF THE CATHOLIC BISHOP OF NISQUALLY,  
IN THE TERRITORY OF WASHINGTON,

Electing to continue its existence under Chapter 79 of  
the Session Laws of the State of Washington of 1915.

ALSO CHANGING THE NAME of said corporation to

"CORPORATION OF THE CATHOLIC BISHOP OF SEATTLE",

and otherwise amending its corporate articles to comply with said  
Chapter 79.

\*\*\*\*\*

KNOW ALL MEN BY THESE PRESENTS, that The Corporation of  
the Catholic Bishop of Nisqually in the Territory of Washington,  
a corporation sole duly organized and existing under the laws of  
the State of Washington (formerly under the laws of the Territory  
of Washington), incorporated by an act passed by the Legislative  
Assembly of the Territory of Washington entitled "An Act To In-  
corporate The Bishop of Nisqually, Washington Territory", does  
hereby elect to continue its existence under the provisions of  
Chapter 79 of the Session Laws of the State of Washington of the  
year 1915, being an act entitled, "An Act Providing For The Or-  
ganization Of Corporations Sole, defining their powers, authorizing  
them to transact business and hold property in trust for religious  
denominations, societies, or churches", approved March 15, 1915,  
and for that purpose said corporation does hereby file these Amended  
Articles of Incorporation to the end that said corporation shall be  
entitled to the privileges and subject to the duties, liabilities  
and provisions expressed in said last named Act. That is to say

AMENDED ARTICLE I.

The name of this corporation is hereby changed to, and shall  
hereafter be, ~~---~~ "CORPORATION OF THE CATHOLIC BISHOP OF SEATTLE".

AMENDED ARTICLE II.

The principal place of business of said corporation shall

be at Seattle in King County, Washington.

AMENDED ARTICLE III.

This corporation, as heretofore incorporated, shall continue its corporate existence under said Chapter 79 of the Session Laws of the State of Washington of 1915, hereinbefore mentioned, for the purpose and for the benefit of religion, for works of charity, and for public worship.

Said corporation shall continue to have power to transact business and to hold property, real and personal, in trust for that certain religious denomination or society known as The Roman Catholic Church; to do business and contract in the same manner and to the same extent as a natural person; to sue and to be sued and to defend in all courts and places in all matters and proceedings whatever; to borrow money and give promissory notes therefor, and to secure the payment of the same by mortgage or other lien upon property, real and personal; to buy, sell, lease, mortgage and in every way deal in real and personal property in the same manner as a natural person may, and without the order of any court; to receive bequests and devises for its own use or upon trusts, to the same extent as natural persons may; and to appoint attorneys in fact.

AMENDED ARTICLE IV.

This corporation shall continue to be the same corporation as heretofore established by said original act, and shall have continual perpetual succession, but its corporate existence shall hereafter be continued under said Chapter 79 of the Session Laws of the State of Washington of 1915, and this corporation shall be entitled to the privileges and subject to the duties, liabilities and provisions in said Chapter expressed. Said corporation shall have for its use a common seal, impressed with such devices and inscriptions as said corporation shall deem proper, by which said seal all deeds and acts of said corporation shall pass and be authenticated; and said corporation shall have power to alter



or amend said seal at its pleasure; said corporation shall have power, in its discretion, to form and adopt ordinances, rules and regulations for its government, to make and carry to effect all necessary and proper regulations for the management of its fiscal concerns and to appoint subordinate officers and agents; PROVIDED, HOWEVER, that such ordinances, rules and regulations shall in no manner conflict with the constitution or laws of the United States or of the State of Washington. All deeds or other instruments of conveyance, mortgages and other instruments affecting real property shall be signed by the Bishop and by him acknowledged in his official capacity and sealed with the seal of said corporation; provided that all such deeds and other instruments shall also be valid when duly signed and sealed and acknowledged in behalf of said corporation by any attorney in fact appointed by instrument in writing signed by the Bishop, acknowledged by him as aforesaid, and sealed with the seal of said corporation.

AMENDED ARTICLE V.

These amended articles of incorporation are made and filed in conformity with the constitution, canons, rules, regulations and discipline of the Roman Catholic Church and these amended articles are made and subscribed in behalf of said corporation by Edward J. O'Dea, the present Roman Catholic Bishop of Seattle, and the successor in said office of A.M.A. Blanchet, formerly Bishop of Nisqually in the Territory of Washington, to whose office and title as Catholic Bishop of the Diocese of Nisqually (the name of which diocese was later changed to "Diocese of Seattle"), said Edward J. O'Dea has duly succeeded, said Edward J. O'Dea, as such Bishop, being now the only incumbent or member of said corporation, and it is the purpose of these amended articles that said Edward J. O'Dea, the Roman Catholic Bishop of Seattle, together with his successors in said office and position, by his official designation of Catholic Bishop of Seattle, shall be and be held and deemed to be a body

corporate and Corporation Sole in accordance with the provisions of said Chapter 79 of the Session Laws of the State of Washington for 1915, and with all the rights and powers prescribed in the case of corporations aggregate; and with all the privileges provided by law for religious corporations.

AMENDED ARTICLE VI.

This corporation is and shall continue to be a religious corporation, not organized for profit or gain, and is and shall be without capital stock, all property held by it being in trust for the use, purpose, benefit and behoof of the Roman Catholic Church of the Diocese of Seattle (formerly called "Diocese of Nisqually") in the State of Washington.

AMENDED ARTICLE VII.

The manner in which any vacancy occurring in the incumbency of such Bishop is required by the constitution, canons, rules, regulations and discipline of said Roman Catholic Church to be filled is by written appointment of the supreme authority of the Roman Catholic Church evidenced by official letter of such appointment.

IN WITNESS WHEREOF said Corporation of the Catholic Bishop of Nisqually in the Territory of Washington, by its said Bishop and under its said corporate seal and the said Edward J. O'Dea, as such Bishop, have caused these amended articles of incorporation to be made, certified and verified, in triplicate, in the manner provided by said Chapter 79 of the Session Laws of 1915.

Dated at Seattle, Washington, this 22<sup>nd</sup> day of August, in the year of our Lord, 1925.

THE CORPORATION OF THE CATHOLIC BISHOP OF NISQUALLY IN THE TERRITORY OF WASHINGTON.

BY

Edward J. O'Dea  
Bishop.

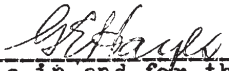
Edward J. O'Dea (SEAL)  
As the Catholic Bishop of Seattle (formerly entitled "Bishop of Nisqually") for the purpose of continuing the existence of said corporation under the name of ~~the~~ Corporation of the Catholic Bishop of Seattle, as hereinbefore set forth.



STATE OF WASHINGTON }  
COUNTY OF KING } SS.

I, the undersigned, a Notary Public in and for the State of Washington, do hereby certify that on this 22<sup>nd</sup> day of August, 1925, personally appeared before me, Edward J. O'Dea, in his capacity as Bishop incumbent and sole member of the corporation known as "The Corporation of the Catholic Bishop of Nisqually in the Territory of Washington", for and on behalf of said corporation, and also personally appeared before me the said Edward J. O'Dea, in his capacity as the Catholic Bishop of Seattle, said Edward J. O'Dea being to me known to be the individual who, in said several capacities, is described in and who executed the within and foregoing amended articles of incorporation, and acknowledged the said foregoing amended articles of incorporation to be the free and voluntary act and deed of said The Corporation of the Catholic Bishop of Nisqually in the Territory of Washington, and the free and voluntary act and deed of said Edward J. O'Dea, as the Bishop incumbent and sole member of said corporation, and the free and voluntary act and deed of said Edward J. O'Dea, as the Catholic Bishop of Seattle, formerly entitled "Bishop of Nisqually", all for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year first above written.

  
\_\_\_\_\_  
Notary Public in and for the State  
of Washington, residing at Seattle.

No. 59103

**AMENDED**

**Articles of Incorporation**

OF THE

The corporation of the Catholic Bishop of Washington in the Territory of Washington (changing name to Corporation of the Catholic Bishop of Seattle)

Place of business.....

Time of existence.....years.

Capital Stock, \$.....

State of Washington, ss.

Filed for record in the office of the Secretary of State.....**AUG 27 1925**

at 9:07 o'clock A. M.

Recorded in Book 44 Page 550-551

DOMESTIC CORPORATIONS

*Franklin*  
Secretary of State.

Filed at request of.....

Donworth, Todd & Higgins

Hoge Bldg.

Seattle, Wash.

Filing and recording fee, \$ 10.00

License to June 30, 1925

Certificate mailed.....

INDEXED. 1925 to above address.

Compared.

24142. S. F. No. 1108-921. Aprvd. by Dept. of Efficiency.

UBU to EA

# Exhibit E





CORPORATION OF THE CATHOLIC BISHOP OF SEATTLE

Articles of Amendment  
of  
Articles of Incorporation

**APPROVED  
AND FILED**

DEC 7 - 1951

EARL COE  
SECRETARY OF STATE

BY *Raymond*  
Assistant Secretary of State

STATE OF WASHINGTON }  
COUNTY OF KING } SS.

KNOW ALL MEN BY THESE PRESENTS that Thomas Arthur Connolly, formerly Coadjutor Bishop of the Diocese of Seattle, with the right of succession and in succession Bishop of the Diocese of Seattle, is the duly appointed, qualified and acting Roman Catholic Archbishop of Seattle, having canonically succeeded to and taken possession of such office on June 23, 1951, in accordance with the canons, rules, regulations and discipline of the Roman Catholic Church; and

WHEREAS, the Corporation of the Catholic Bishop of Seattle is a corporation sole incorporated under the name and style of "The Corporation of the Catholic Bishop of Nisqually, in the Territory of Washington" by an act of the legislative assembly of the territory of Washington passed January 30, 1861, page 129 of the session laws of the Eighth Regular Session of the Legislative Assembly held at Olympia, convening in December, 1860, and continuing its existence under the provisions of chapter 79 of the Laws of the State of Washington of the year 1915 by virtue of the filing of amended articles of incorporation dated August 22, 1925, electing to continue its existence under said chapter 79 and changing the name of the corporation to "Corporation of the Catholic Bishop of Seattle", which amended articles of incorporation were

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filed in the office of the secretary of state of Washington on August 27, 1925, under file No. 59103 and recorded in book 140, pages 550 and 551 of Domestic Corporations, records of said office and filed in the office of the county auditor of King county, Washington, on August 29, 1925, under auditor's file No. 30692 and recorded in volume 8 of Articles of Incorporation, page 452, records of said auditor's office, and a further amendment to which articles of incorporation was filed in the office of the secretary of state aforesaid on April 28, 1930, under file No. 71243 and recorded in book 163, pages 64 to 66 of Domestic Corporations, records of said office, and filed in the office of the county auditor of King county, Washington, on April 22, 1930, under auditor's file No. 37959; and

WHEREAS, the certificate of appointment of said Thomas Arthur Connolly as Coadjutor Bishop of the Diocese of Seattle with the right of succession was filed in the office of the secretary of state of Washington on July 30, 1948, under file No. 110472 and recorded in book 427, pages 111 to 113 of Domestic Corporations, records of said office and filed in the office of the county auditor of King county, Washington, on July 30, 1948, under auditor's file No. 75687, and the certificate of appointment of said Thomas Arthur Connolly as Archbishop of the Archdiocese of Seattle is filed herewith,

NOW THEREFORE, the Corporation of the Catholic Bishop of Seattle, a corporation sole, does hereby amend its articles of incorporation, as amended, to wit: Articles I, IV, V, VI and VII, respectively, to read as follows:

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AMENDED ARTICLE I.

The name of this corporation is hereby changed to, and shall hereafter be, "CORPORATION OF THE CATHOLIC ARCHBISHOP OF SEATTLE."

AMENDED ARTICLE IV.

This corporation shall continue to be the same corporation as heretofore established by said original act, and shall have continual perpetual succession, but its corporate existence shall hereafter be continued under said Chapter 79 of the Session Laws of the State of Washington of 1915, and this corporation shall be entitled to the privileges and subject to the duties, liabilities and provisions in said Chapter expressed. Said corporation shall have for its use a common seal, impressed with such devices and inscriptions as said corporation shall deem proper, by which said seal all deeds and acts of said corporation shall pass and be authenticated; and said corporation shall have power to alter or amend said seal at its pleasure; said corporation shall have power, in its discretion, to form and adopt ordinances, rules and regulations for its government, to make and carry into effect all necessary and proper regulations for the management of its fiscal concerns and to appoint subordinate officers and agents; provided, however, that such ordinances, rules and regulations shall in no manner conflict with the Constitution or laws of the United States or of the State of Washington.

All deeds or other instruments of conveyance, mortgages and other instruments affecting real property shall be signed in any one of the manners following, and shall be, in all respects, valid and binding on said corporation when executed in any one of the manners following, namely:

A. Signed by the Archbishop and by him acknowledged in his official capacity and sealed with the seal of said corporation.

B. Signed by the Chancellor of the Catholic Archdiocese of Seattle and the Pastor of Saint James Cathedral Parish (the persons holding said positions, from time to time, being hereby made officers of said corporation with the powers herein designated), sealed with the seal of said corporation, and acknowledged by them for said corporation substantially in the form prescribed by the Statutes of the State of Washington for acknowledgments of instruments by a corporation aggregate.

C. Whenever, either by reason of the absence of the Archbishop from said Archdiocese or by reason of a vacancy in the office of Archbishop, there shall be a priest, bishop or archbishop acting in the capacity of Administrator of said Archdiocese, then during the term of the acting of such Administrator, such Administrator shall have all the powers with respect to said corporation that are possessed by the duly appointed and acting Archbishop of said Archdiocese, and all such deeds or other instruments of conveyance, mortgages and other instruments affecting real property signed by such Administrator and by him acknowledged in his official capacity and sealed with the seal of said corporation shall be, in all respects, valid and binding on said corporation.

D. The fact that there may, or may not, be in office a duly appointed and acting Archbishop or a duly appointed and acting Administrator of said Archdiocese shall not impair or affect any of the powers exercisable by the Chancellor of said Archdiocese and the Pastor of Saint James Cathedral Parish, as set forth in the foregoing Paragraph B, it being the intention hereof that all deeds or other instruments of conveyance, mortgages and other instruments affecting real property shall be in all respects valid and binding on said corporation, at any time and under any circumstances, when executed and acknowledged in accordance with the provisions of the foregoing Paragraph B.

E. All deeds or other instruments of conveyance, mortgages and other instruments affecting real property shall also be valid and binding on said corporation when duly signed and sealed and acknowledged in behalf of said corporation by any attorney-in-fact appointed by instrument in writing executed in behalf of said corporation and under its corporate seal in any one of the manners set forth in the foregoing Paragraphs A, B., C., and D.

All written contracts (including promissory notes and bonds whether negotiable or otherwise) made in connection with the business affairs of said corporation shall be valid and binding on said corporation when signed in behalf of said corporation either by the Archbishop of said Archdiocese or by a priest, bishop or archbishop appointed and acting as Administrator of said Archdiocese or when signed jointly in behalf of said corporation by the Chancellor of the Catholic Archdiocese of Seattle and the Pastor of Saint James Cathedral Parish. No acknowledgment or affixing of the corporate seal shall be necessary for the validity of any such written contract.

#### AMENDED ARTICLE V.

These amended articles of incorporation are made and filed in conformity with the constitution, canons, rules,

REC'D NO.

EC

CE. 10

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regulations and discipline of the Roman Catholic Church and these amended articles are made and subscribed in behalf of said corporation by Thomas Arthur Connolly, the present Roman Catholic Archbishop of Seattle, formerly Roman Catholic Bishop of Seattle, successor in said office of Gerald Shaughnessy, successor in said office of Edward J. O'Dea, successor in said office of A. M. A. Blanchet, formerly Bishop of Nisqually, in the Territory of Washington, to whose office and title as Catholic Bishop of the Diocese of Nisqually. (the name of which diocese was later changed to "Diocese of Seattle"), said Edward J. O'Dea duly succeeded, followed in succession by Gerald Shaughnessy and Thomas Arthur Connolly, respectively, as Roman Catholic Bishop of Seattle and in succession by said Thomas Arthur Connolly as Roman Catholic Archbishop of the Archdiocese of Seattle, said Thomas Arthur Connolly, as such Archbishop, being now the sole and succeeding incumbent of said corporation, and it is the purpose of these amended articles that said Thomas Arthur Connolly, the Roman Catholic Archbishop of Seattle, together with his successors in office or position, by his official designation of Catholic Archbishop of Seattle, shall be and be held and deemed to be a body corporate and corporation sole in accordance with the provisions of said Chapter 79 of the Session Laws of the State of Washington for 1915, and with all the rights and powers prescribed in the case of corporations aggregate; and with all the privileges provided by law for religious corporations.

AMENDED ARTICLE VI.

This corporation is and shall continue to be a religious corporation, not organized for profit or gain, and is and shall be without capital stock, all property held by it being in trust for the use, purpose, benefit and behoof of the Roman Catholic Church of the Archdiocese of Seattle (formerly called "Diocese of Seattle" and originally called "Diocese of Nisqually") in the State of Washington.

AMENDED ARTICLE VII.

The manner in which any vacancy occurring in the incumbency of such Archbishop is required by the constitution, canons, rules, regulations and discipline of said Roman Catholic Church to be filled is by written appointment issuing from the Supreme Authority of the Roman Catholic Church, evidenced by official letter of such appointment, which letter is signed either by said Supreme Authority or by an official of said Supreme Authority charged at the time with the duty of signing such letter of appointment.

IN WITNESS WHEREOF, said corporation by its Archbishop incumbent and sole member, and under its corporate seal, and Thomas Arthur Connolly, the present incumbent of said office of Catholic Archbishop of Seattle, as such Archbishop, have caused these articles of amendment of articles of incorporation to be

ROLL No.

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prepared and executed in triplicate in the manner provided by law  
this 6th day of December, in the year of  
Our Lord nineteen hundred and fifty-one (1951).

CORPORATION OF THE CATHOLIC BISHOP OF SEATTLE  
(Formerly The Corporation of the Catholic Bishop  
of Misqually, in the Territory of Washington)

By + *James Arthur Connolly*  
Archbishop (Formerly Bishop)

+ *James Arthur Connolly* (SEAL)  
As Catholic Archbishop of the  
Archdiocese of Seattle  
(Formerly Catholic Bishop of  
the Diocese of Seattle)

Subscribed and sworn to before me this 6th day  
of December, 1951.

*James P. Egan*  
Notary public in and for the state  
of Washington, residing at Seattle

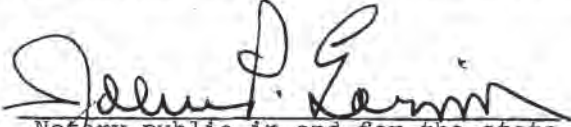
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STATE OF WASHINGTON }  
COUNTY OF KING } SS.

I, the undersigned, a notary public in and for the state of Washington, do hereby certify that on this 6th day of December, 1951, personally appeared before me THOMAS ARTHUR CONNOLLY in his capacity as Archbishop incumbent and sole member of the Corporation of the Catholic Bishop of Seattle (being the same corporation formerly named "The Corporation of the Catholic Bishop of Nisqually, in the Territory of Washington"), said Thomas Arthur Connolly being to me known to be the said Archbishop and the Archbishop of said corporation that executed the within and foregoing instrument, and also personally appeared before me the said Thomas Arthur Connolly in his capacity as the Catholic Archbishop of Seattle, said Thomas Arthur Connolly being to me known to be the individual who, in said several capacities, is described in and who executed the within and foregoing articles of amendment of articles of incorporation, and acknowledged the said instrument, the foregoing articles of amendment of articles of incorporation, to be the free and voluntary act and deed of said Corporation of the Catholic Bishop of Seattle, and the free and voluntary act and deed of said Thomas Arthur Connolly, as the Archbishop incumbent and sole member of said corporation, and the free and voluntary act and deed of said Thomas Arthur Connolly as the Catholic Archbishop of Seattle, formerly entitled "Catholic Bishop of Seattle", all for the uses and purposes therein mentioned, and said Thomas Arthur Connolly on oath stated that he was authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
Notary public in and for the state  
of Washington, residing at Seattle

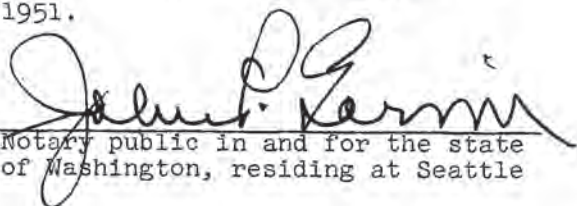
ROLL No.  
30  
PAGE No.  
107

STATE OF WASHINGTON }  
COUNTY OF KING } SS.

THOMAS ARTHUR CONNOLLY, being first duly sworn, on oath deposes and says: that he is the duly appointed, qualified and acting Roman Catholic Archbishop of Seattle, formerly called "Roman Catholic Bishop of Seattle", and as such Archbishop he is the sole and succeeding incumbent of the Corporation of the Catholic Bishop of Seattle; that the manner in which any vacancy occurring in the incumbency of such Archbishop is required by the constitution, canons, rules, regulations and discipline of the Roman Catholic Church to be filled is as set forth in amended Article VII of the attached articles of amendment of articles of incorporation of the Corporation of the Catholic Bishop of Seattle, a corporation sole, which articles of amendment of articles of incorporation are hereby referred to and by this reference made a part hereof.

  
\_\_\_\_\_

Subscribed and sworn to before me this 6th day  
of December, 1951.

  
\_\_\_\_\_  
Notary public in and for the state  
of Washington, residing at Seattle

ROLE  
20  
PAGE  
1000

No 119350

AMENDED

Articles of Incorporation

OF THE

Corporation of the Catholic Bishop of Seattle (Amending Articles IV, V, VI, VII and changing name to "Corporation of the Catholic Archbishop of Seattle")

Place of business Seattle
Time of existence Perpetual years
Capital stock, \$ None

STATE OF WASHINGTON, ss.

Filed for record in the office of the Secretary of State December 7, 1951 at 4:50 o'clock P. M.

Recorded in Book 30 Page 1091-1099

Domestic Corporations

[Signature] Secretary of State

Filed at request of Tanner, Garvin and Ashley 1725 Exchange Building Seattle, Washington

Filing and recording fee, \$5.00
License to June 30, 19, \$
Certificate mailed JAN - 3 1952 to above address.

Indexed Photographed

S. F. No. 1108-8-49-10M. 22657.

ROLL No. 30 PAGE No. 1039





Certificate of Appointment

STATE OF WASHINGTON }  
COUNTY OF KING } ss.

TOMAS ARTHUR CONNOLLY, being first duly sworn, on oath deposes and says:

That he is the duly appointed, qualified and acting Roman Catholic Archbishop of the Archdiocese of Seattle by virtue of appointment issuing from the Supreme Authority of the Roman Catholic Church, evidenced by official letter of such appointment signed by Joseph Cardinal Pizzardo, Chancellor of the Holy Roman Church, Alfred Liberati, Assistant Apostolic Chancellor, and Alphonsus Carinci, Archbishop of Seleucia, Dean, Protonotary Apostolic, respectively, they being the officials of said Supreme Authority charged at the time with the duty of signing such letter of appointment, the following being hereby attested to be a true and correct copy of the appointment therein contained, to wit:

"To our beloved brother, Thomas Arthur Connolly, until now Bishop of the Church of Seattle, on the occasion of his promotion to Archbishop of the same Church, which has been raised to the status of a Metropolitan See, health and apostolic benediction.

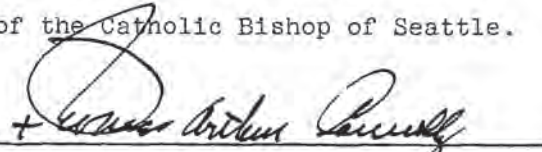
"Since, by the authentic and official apostolic letter, 'Dominici Gregis,' issued by us on this very day, the Cathedral Church of Seattle has been raised to the level and dignity of a Metropolitan Church, and therefore to it and to its prelates, each in turn, are given all the rights and privileges which, by virtue of the general law of the Church, other Metropolitan Churches and their Archbishops enjoy, we, from the fullness of our apostolic power, promote and establish you, heretofore Bishop of the Church of Seattle, as Archbishop of the same Church, together with all the rights and privileges, responsibilities and obligations given by law to Archbishops of the same rank."

ROLL No.  
80  
PAGE No.  
1030

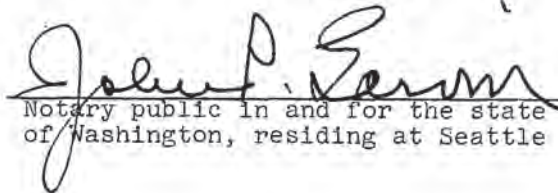


By virtue of the canonical rules, regulations and discipline of the Roman Catholic Church, the aforesaid, Thomas Arthur Connolly, as such Archbishop, is the sole and succeeding incumbent of the Corporation of the Catholic Bishop of Seattle.

And the said Thomas Arthur Connolly does therefore cause these presents to be filed with the secretary of state of the state of Washington and in the office of the county auditor of King county, Washington, that being the county in which he resides, as proof of his appointment and of his incumbency in the office of Archbishop of the Corporation of the Catholic Bishop of Seattle.

  
+ Thomas Arthur Connolly

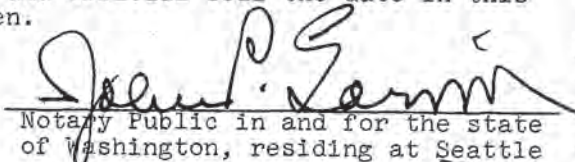
Subscribed and sworn to before me this 6th day of December, 1951.

  
Joseph P. Gamm  
Notary public in and for the state of Washington, residing at Seattle

STATE OF WASHINGTON }  
COUNTY OF KING } SS.

I, the undersigned, a Notary Public in and for the state of Washington, do hereby certify that on this 6th day of December, 1951, personally appeared before me Thomas Arthur Connolly, personally known to me to be the individual described in and who executed the foregoing instrument, and acknowledged to me that he signed and executed the same as and for his free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal the date in this certificate first above written.

  
Joseph P. Gamm  
Notary Public in and for the state of Washington, residing at Seattle

ROLL No.  
30  
PAGE No.  
130

No 119349

AMENDED

Articles of Incorporation

OF THE

Corporation of the Catholic Bishop of Seattle (Certificate of appointment of Thomas Arthur Connolly, Roman Catholic Archbishop of Seattle.)

Place of business Seattle
Time of existence Perpetual years
Capital stock, \$ None

STATE OF WASHINGTON, SS.

Filed for record in the office of the Secretary of State December 7, 1951 at 4:45 o'clock P.M. Recorded in Book 30 Page 1088-1090

Domestic Corporations

[Signature] Secretary of State

Filed at request of Tanner, Garvin and Ashley 1725 Exchange Building Seattle, Washington

Filing and recording fee, \$ 5.00 License to June 30, 19, \$ Certificate mailed JAN - 3 1952 to above address.

Indexed Photographed

S. F. No. 1108-8-49-10M. 22657.

ROLL NO. 30 PAGE NO. 1030

# Exhibit F



**Bob Ferguson**  
**ATTORNEY GENERAL OF WASHINGTON**

July 26, 2023

Archbishop Paul Etienne  
Archdiocese of Seattle  
710 9th Avenue  
Seattle, WA 98104

**RE: Subpoena for Deposition and Production of Records**

Dear Archbishop Paul Etienne:

Enclosed please find a subpoena to the Archdiocese of Seattle. My office is issuing this subpoena under RCW 11.110.100, which supplies statutory authority for the Attorney General to conduct investigations under the Charitable Trust Act (CTA). The CTA allows the Attorney General to “investigate transactions and relationships of trustees and other persons” to determine “whether the trust or other relationship is administered according to law and the terms and purposes of the trust[.]” *Id.* To that end, the Attorney General may issue what amounts to a pre-enforcement subpoena by ordering individuals affiliated with a trust to produce records. *Id.* While the definition of “Trustee” in the CTA excludes tax-exempt religious corporations and affiliated entities, the exclusion does not apply in the context of child sexual abuse, a heinous violation with no connection to religion or an entity’s religious status.

We are initiating this investigation to determine how the Catholic Church in Washington has handled allegations of child sexual abuse, and whether recent reforms publicized by the Church are being implemented and whether they are effective. As you know, similar investigations around the country have revealed that the Church has repeatedly failed to protect children and has misled the public by hiding the truth about the extent of sexual abuse within its ranks. The high number of lawsuits filed in Washington show that the Church in Washington is not exempt from these failures. My office is concerned with protecting vulnerable Washingtonians from current abuse and aiding and empowering survivors in their ongoing recovery from past abuse.

Our aim in this investigation is to share a full accounting of sexual abuse committed by Catholic clergy and other agents; ensure that appropriate reforms have been made and are effective in preventing abuse; and honor survivors by giving voice to their experiences and dignifying their journey towards recovery.

The enclosed subpoena requires you to appear for a deposition and to produce copies of the required documents listed in Exhibit A. In lieu of making a personal appearance at a deposition, you may produce the required documents by mailing the documents to the following address before the date of the deposition: Martha Rodríguez López, Office of the Attorney General, 800 Fifth Avenue, Suite 2000, Seattle, WA 98104 or arranging with our office to produce these documents electronically. If you wish to discuss this subpoena, please contact Ms. Rodríguez López at (206) 287-4170 or [Martha.RodriguezLopez@atg.wa.gov](mailto:Martha.RodriguezLopez@atg.wa.gov).

Sincerely,

BOB FERGUSON  
Attorney General

**STATE OF WASHINGTON  
KING COUNTY SUPERIOR COURT**

CORPORATION OF THE CATHOLIC  
ARCHBISHOP OF SEATTLE, a sole  
corporation d/b/a ARCHDIOCESE OF  
SEATTLE or SEATTLE ARCHDIOCESE

ORDER TO APPEAR AND PRODUCE  
RECORDS

TO: Archbishop Paul Etienne  
Archdiocese of Seattle  
710 9th Avenue  
Seattle, WA 98104

**YOU ARE COMMANDED** to produce and permit inspection and copying of the following documents or tangible things at the place, date, and time specified below:

Documents listed in Exhibit A.

Please see Exhibit B for definitions, Exhibit C for general instructions, and Exhibit D for instructions on producing electronically stored information.

PLACE: OFFICE OF THE ATTORNEY GENERAL COMPLEX LITIGATION DIVISION 800 5TH AVE, STE. 2000 SEATTLE, WA 98104-3188	DATE AND TIME: FRIDAY, AUGUST 25, 2023
ISSUING OFFICER SIGNATURE AND TITLE:  <i>/s/ Martha Rodriguez-Lopez</i> Martha Rodríguez López, WSBA #35466 Assistant Attorney General Attorney for Washington State	DATE:  WEDNESDAY, JULY 26, 2023

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER:

Martha Rodríguez López  
Washington State Office of the Attorney General  
800 5th Ave., Ste. 2000  
Seattle, WA 98104-3188  
Telephone: (206) 464-7744  
Attorney for State of Washington

PROOF OF SERVICE DATE 7/26/2023

SERVED ON (PRINT NAME) ARCHBISHOP PAUL ETIENNE VIA CERTIFIED MAIL

SERVED BY VICTORIA JOHNSON, PARALEGAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the State of Washington that the foregoing information contained in the Proof of Service is true and correct.

Executed on July 26, 2023 at:

Office of the Attorney General  
Complex Litigation Division  
800 FIFTH AVE, SUITE 2000  
SEATTLE, WA 98104

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**(c) Protection of Persons Subject to Subpoenas.**

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to subsection (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce and all other parties, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it:

- (i) fails to allow reasonable time for compliance;
  - (ii) fails to comply with RCW 5.56.010 or subsection (e)(2) of this rule;
  - (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or
  - (iv) subjects a person to undue burden,
- provided that the court may condition denial of the motion upon a requirement that the subpoenaing party advance the reasonable cost of producing the books, papers, documents, or tangible things.

**(B) If a subpoena**

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

**(d) Duties in Responding to Subpoena.**

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2)(A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information in camera to the court for a determination of the claim. The person responding to the subpoena must preserve the information until the claim is resolved.

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## **EXHIBIT A**

1. All records regarding all individuals listed on the List of Clergy and Religious Brothers and Sisters for whom Allegations of Sexual Abuse of a Minor have been Admitted, Established or Determined to be Credible.<sup>1</sup>

2. All records regarding other clerics (including those from religious orders and other dioceses); women religious; deacons; seminarians; volunteers; or lay employees of the Archdiocese who have been accused or suspected of sexual abuse or sexual misconduct occurring on or after January 1, 1940.

3. All documents and files the Archdiocese has provided at any time to Dr. Kathleen McChesney and Kinsale Management Consulting, including any files to which Dr. McChesney and her firm was given temporary access, and all files Dr. McChesney and/or her firm provided to the Archdiocese.

4. All documents and files the Archdiocese provided to law enforcement in the 1980s for review, as referenced in the document “Archdiocese of Seattle Sexual Abuse Prevention Background Information,” as well as all documents generated by that review or reflecting findings of that review.<sup>2</sup>

5. All documents and files the Archdiocese provided to the 1986 Blue Ribbon committee, as well as all documents generated by that committee or reflecting findings of that committee.

6. All documents reviewed, received, or generated by the Archdiocesan Review Board or reflecting meetings, deliberations, recommendations, findings, or advice of the Archdiocesan Review Board and prior Archdiocesan Review Boards since the Board’s creation, including correspondence with or reports to the Archbishop and meeting minutes and attendance lists.

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<sup>1</sup> Available at <https://protect-seattlearchdiocese.org/wp-content/uploads/2021/03/Clergy-List-March-2021.pdf> (last visited July 26, 2023).

<sup>2</sup> Available at <https://protect-seattlearchdiocese.org/wp-content/uploads/2021/01/Archdiocese-of-Seattle-Background-Information.pdf> (last visited July 26, 2023).



7. All documents relating to or generated pursuant to the Archdiocese of Seattle’s Safe Environment Program and its implementation.

8. All documents relating to or generated pursuant to the Archdiocese of Seattle’s Policy for the Prevention of and Response to Sexual Abuse, Sexual Misconduct, and Sexual Harassment, including all prior versions.

9. All policies—other than the Safe Environment Program and the Policy for the Prevention of and Response to Sexual Abuse, Sexual Misconduct, and Sexual Harassment—relating to the care, safety, and supervision of minors or vulnerable adults in relation to sexual abuse or sexual misconduct, including past policies that are no longer in effect, and all documents relating to or generated pursuant to such policies. This includes all such policies governing Catholic schools.

10. All documents relating to or generated pursuant to the Charter for the Protection of Children and Young People.<sup>3</sup>

11. All documents relating to or generated pursuant to the Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons.<sup>4</sup>

12. All documents relating to or generated pursuant to A Statement of Episcopal Commitment.<sup>5</sup>

13. All documents reflecting reports, complaints or allegations of sexual abuse or sexual misconduct committed by individuals identified in Request 1 or 2, regardless of the setting in which the report, allegation, or complaint was made or the means by which it was communicated.

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<sup>3</sup> Available at <https://www.usccb.org/resources/Charter-for-the-Protection-of-Children-and-Young-People-2018-final%281%29.pdf> (pp. 3-18) (last visited July 26, 2023).

<sup>4</sup> Available at <https://www.usccb.org/resources/Charter-for-the-Protection-of-Children-and-Young-People-2018-final%281%29.pdf> (pp. 19-28) (last visited July 26, 2023).

<sup>5</sup> Available at <https://www.usccb.org/resources/Charter-for-the-Protection-of-Children-and-Young-People-2018-final%281%29.pdf> (pp. 29-30) (last visited July 26, 2023).

14. All documents relating to investigations into sexual abuse or sexual misconduct claims, including both formal and informal investigations, and internal and external investigations.

15. All documents relating to the restriction of duties, reassignment, removal from the ministry, discipline, laicization, placement on permanent prayer and penance, placement on leave of any kind, supervision, or monitoring of any individuals identified in Request 1 or 2.

16. All documents relating to counseling, treatment, or other therapeutic programming or services for any individuals identified in Request 1 or 2, including all records provided to or received from, and correspondence with, the Servants of the Paraclete, Southdown, the Saint John Vianney Center, and other counseling, treatment, or therapeutic programs or facilities for clergy.

17. All documents sent to the Vatican that relate to clergy members (including those from religious orders and other dioceses) or women religious and involve allegations of sexual abuse or sexual misconduct, including referrals to the Dicastery for the Doctrine of the Faith (formerly known as the Congregation for the Doctrine of the Faith and the Sacred Congregation for the Doctrine of the Faith).

18. All documents relating to or reflecting reports of sexual abuse to law enforcement on or after January 1, 1940.

19. All documents relating to or reflecting reports of sexual abuse to the Department of Children, Youth and Families (Child Protective Services), the Department of Social and Health Services, or their predecessors on or after January 1, 1940.

20. All training materials on preventing, investigating, or reporting sexual abuse and sexual misconduct generated on or after January 1, 1940.

21. All documents reflecting training provided to clergy members (including those from religious orders and other dioceses); women religious; volunteers; or lay employees on or after January 1, 1940, on preventing, investigating, or reporting sexual abuse and sexual misconduct.

22. All documents and policies relating to compensation to, or monetary or non-monetary, formal or informal settlements with private individuals arising from allegations of

sexual abuse or sexual misconduct by clergy members (including those from religious orders and other dioceses); women religious; volunteers; or lay employees, regardless of whether a lawsuit was filed. Please include all documents and policies relating to the confidential, or non-confidential, nature of any such settlements or other forms of compensation.

23. All documents referencing or reflecting communications with the public about allegations of sexual abuse or sexual misconduct, including but not limited to any and all policies, memoranda, communications, or other documents reflecting deliberations and decision-making regarding what information is and is not communicated to the public.

**EXHIBIT B**  
**DEFINITIONS**

1. “Relating to” means constituting, containing, concerning, discussing, describing, analyzing, identifying, referring to, or stating.
2. “Archdiocese” means the Corporation of the Catholic Archbishop of Seattle, the Seattle Archdiocese, or the Archdiocese of Seattle, including the directors, control group, employees, agents, independent contractors, predecessors, successors and assigns of each.
3. “Clergy” means all bishops, priests, and deacons assigned to or visiting the Archdiocese, including members of religious orders including but not limited to the Society of Jesus, Congregation of Christian Brothers, Missionary Oblates of Mary Immaculate, Order of St. Benedict, Claretians, Order of Friars Minor, and Redemptorists.
4. “Document” means any written, recorded, or other graphic matter, electronic or not, however produced or reproduced. If a document has been prepared in several copies, or if additional copies have been made, and the copies are not identical, or have undergone alteration, each non-identical copy is a separate “document.” This definition includes, but is not limited to, the following: any paper, writing, chart, memo, note, letter, inter-office memo, intra-office memo, email, report, study, statement, map, log entry, drawing, photograph, sketch, picture, tape recording, any other verbal or pictorial representation of any event or idea that has transpired, whether meant for communication to others or for personal need.
5. “Records” include any and all documents, including but not limited to, those located in the files of the Archbishop, Bishop, Chancellor, Vice Chancellor, Apostolic Delegate, Vicar General, Priest Personnel Board (including its members and its Director), or Archdiocesan Review Board (including its members); “secret files” and documents contained in the “secret archives”; priest files; personnel files; seminary records; parish files; Catholic school files; documents provided to or received from other dioceses or Archdioceses; documents provided to or received from religious orders; documents provided to and received from the Servants of the Paraclete; documents provided to and received from the Dicastery for the Doctrine of the Faith

(formerly known as Congregation of the Doctrine of the Faith); investigation records, including draft and final investigative reports; and documents provided to and received from the Holy See or the Roman Curia.

6. Sexual abuse is any form of sexual contact or conduct involving minors, vulnerable adults or non-consenting adults. Sexual abuse may include direct sexual contact as well as other exploitive behaviors including but not limited to:

- a. Grooming behaviors, *i.e.*, manipulative tactics used to gain access to a potential victim, coerce a potential victim to acquiesce in the abuse, and lessen the risk of being apprehended;
- b. Inappropriate verbal stimulation;
- c. Taking or showing sexually explicit photographs of or to a minor or vulnerable adult; or
- d. Exposing a minor or vulnerable adult to pornography or other sexual activity.<sup>1</sup>

7. Sexual misconduct is sexual contact or conduct with an adult who may otherwise be consenting, however the following conditions are in place:

- a. The perpetrator is acting on behalf of or representing a parish, school, institution or agency of the Archdiocese; and
- b. There is a ministerial relationship of trust.<sup>2</sup>

8. The terms “and” and “or” are used interchangeably and should be construed to elicit the greatest amount of information or largest number of potentially responsive documents.

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<sup>1</sup> This definition was adapted from the Seattle Archdiocese’s Policy for the Prevention of and Response to Sexual Abuse, Sexual Misconduct and Sexual Harassment, available at <https://archseattle.org/wp-content/uploads/2021/08/Safe-Environment-Program-Policy-Prevention-Response-Eng-8.31.2021.pdf> (last visited July 26, 2023).

<sup>2</sup> This definition was adapted from the Seattle Archdiocese’s Policy for the Prevention of and Response to Sexual Abuse, Sexual Misconduct and Sexual Harassment, available at <https://archseattle.org/wp-content/uploads/2021/08/Safe-Environment-Program-Policy-Prevention-Response-Eng-8.31.2021.pdf> (last visited July 26, 2023).

**EXHIBIT C**  
**INSTRUCTIONS**

1. Unless otherwise noted, the relevant time period for which documents and information are requested is January 1, 1940 to the present. Please produce all documents that were generated or that came into the Archdiocese's possession or after that date for each document request.

2. This subpoena requests production of all described documents in your possession, custody, or control without regard to the person or persons by whom or for whom the documents were prepared (e.g., your employees, distributors, representatives, competitors, or others).

3. This Request includes documents in possession of your employees, agents, representatives, and attorneys, unless privileged. If any document or information is withheld under claim of privilege, identify the document and state the basis for the privilege, and provide a detailed privilege log that contains at least the following information for each document or information that you have withheld:

- a. The name of each author, writer, sender, creator, or initiator of such document;
- b. The name of each recipient, addressee, or party for whom such document was intended or to whom the document was sent;
- c. The date of such document or an estimate thereof if no date appears on the document;
- d. The general subject matter of the document; and
- e. The claimed grounds for withholding the document; including, but not limited to, the nature of any claimed privilege and grounds in support thereof.

4. These Requests impose a continuing duty to produce promptly any responsive information or item that is not objected to, which comes into your knowledge, possession, custody, or control after your initial production of responses to these Requests.

5. In each instance in which a document is produced in response to a request, produce the current edition, along with all earlier editions or predecessor documents serving the same function, even though the title of earlier documents may differ from current versions.



6. The following procedures shall apply to the production of documents and information in response to this subpoena:

- a. The recipient of this subpoena shall label each responsive document (i.e., Response to Request No. 1, Response to Request No. 2, and so forth), group all documents responsive to a particular request together, and place a label on each group of documents which identifies the corresponding request;
- b. All attachments to responsive documents or information shall be produced with, and attached to, the responsive documents (or digitally in corresponding order);
- c. Each responsive document or information shall be produced in its entirety and no portion of any document or information shall be edited, cut, masked, redacted or otherwise altered, unless for applicable privilege which shall be logged according to the procedures set forth above;
- d. The recipient of this subpoena shall provide a key to all abbreviations used in the documents or information and shall attach the key to the corresponding documents or information.

7. Documents or information that may be responsive to more than one (1) numbered request in these Requests need not be submitted more than once. However, for each such document or information, the recipient of this subpoena shall identify all of the numbered requests to which the document or information is responsive. If any responsive document or information has been previously supplied to the Washington Attorney General's Office, you shall identify the document(s) or information previously provided and the date(s) of submission.

8. You shall consecutively number each page of all documents or information produced with your response, and indicate the total number of pages produced with your response. This page numbering must be separate from and must not alter any original page numbering on the responsive documents or information.

9. Your responses should include all relevant electronically stored information in your possession, custody, or control. Washington considers electronically stored information to be an irreplaceable source of evidence in this matter. Accordingly, Washington insists that you implement appropriate safeguards against the destruction of evidence until the final resolution of this issue.

10. Production of electronically stored information and other documents in electronic format shall conform to the standards set forth in **Exhibit D** (attached).

11. If you are unable to fully respond to any particular request for documents, supply all of whatever information is actually available. Designate such incomplete information as incomplete, and accompany the information with an explanation that includes the reasons for the incomplete answer; a description of any and all of your efforts to obtain the information; and the source from which the Office of the Attorney General may obtain information to complete your response. If books, records, or other sources that provide accurate answers are not available, provide your best estimates and describe how you derived the estimates; including the sources or bases of such estimates. Designate estimated data as such by marking it with the “est.” notation. If there is no reasonable way for you to make an estimate, provide an explanation.

12. If particular documents responsive to this subpoena no longer exist for reasons other than the ordinary course of business but you have reason to believe they have been in existence; describe the documents, state the circumstances under which such documents were lost or destroyed, and identify persons having knowledge of the content of the documents.

13. If you contend that the information requested by any document request is privileged in whole or in part or if you otherwise object to any part of any document request, or contend that any identified document would be excluded from production to the Attorney General in discovery regardless of its relevance, state the reasons for such objection or ground for exclusion, and identify each person having knowledge or the factual basis, if any, on which the objection, privilege, or other ground is asserted.

14. If you contend that the information requested in any interrogatory or document request should have been directed to a different entity and intend to object on that basis, state which entity the request should have been directed to.

15. Do not destroy any documents relating to this subpoena.

16. The use of a singular form of any word includes the plural and vice versa.

17. Any reference to a title or office refer to the individual currently holding the title or office and all individuals who have held the title or office from January 1, 1940 to the present.

## EXHIBIT D

### INSTRUCTIONS

This document describes the technical requirements for electronic document productions to the State of Washington Attorney General's Office (AGO), Complex Litigation.

It is highly recommended that parties confer in advance of any large-scale document production.

**Any proposed file formats other than those described below must be discussed with the legal and technical staff of the AGO Complex Litigation prior to submission.**

#### General Production Requirements

- Reference the specific portion of the request to which you are responding.
- All submissions must be organized **by custodian**, unless otherwise instructed.
- Electronic files must be produced in their native format, i.e., the format in which they are ordinarily used and maintained during the normal course of business. For example, an MS Excel file must be produced as an MS Excel file rather than an image of a spreadsheet
- Emails and attachments produced natively. If an email requires redactions or an attachment to an email requires either withholding or redaction, that file can be produced as an image file as long as the parent-child relationship is maintained.

(Note: An Adobe PDF file is **not** considered a native file unless the document was initially created as a PDF.)

- Productions must be submitted on encrypted media such as a CD, DVD, thumb drive or hard drive. The media must be clearly marked with the **matter name, producing party, and production date** at a minimum.
- Only alphanumeric characters and the underscore character are permitted in file names. Special characters are not permitted.
- Documents designated as confidential pursuant to a protective order should be clearly labeled as such to avoid inadvertent disclosure of confidential information. Provide the confidentiality designations in a field provided with the load file and emblazon the confidentiality designation in the footer of the document with the Bates stamp. The image files and text files need to be named for the Begin Bates number with no additional text in the file name.

#### Productions of Imaged Collections

While the AGO accepts imaged productions **in addition to** native formats, imaged productions without native formats are not permitted unless the original document only exists in hard copy form or as noted above in bullet three. When images are produced, they must comply with the following requirements:

Adobe PDF files are preferred. If PDF files are impractical, TIFF/JPEG files are sufficient with the following requirements:

- Black and white images must be 300 DPI Group IV single-page TIFF files (1 bit).
- Color images must be produced in JPEG format.
- File names cannot contain embedded spaces or special characters.
- Images must be endorsed with sequential Bates numbers in the lower right corner of each image.

### **Load Ready Productions**

Whenever possible, the AGO strongly encourages the production of documents in an industry standard load-ready format (most ESI and legal copy vendors are familiar with this format):

- A. Data Load file: DAT
- B. Image Load file: OPT (this file is not required in PDF productions)
- C. Images: PDFs
- D. Natives
- E. Document Level Extracted/OCR Text files

When data is produced in an industry standard format load-ready format, the following requirements apply:

- If the production includes imaged emails and attachments, the attachment fields must be included in the delimited text file to preserve the parent/child relationship between an email and its attachments.
- All multimedia, database, spreadsheet files, and other document types that do not convert well to PDF format should be provided as natives along with their original file extension and renamed to match the Bates number assigned to the document.
- If a document is produced in native format, a corresponding PDF image placeholder must be included for the file to represent the document in the production set.
- For production with native files, a NATIVELINK field must be included in the Data Load file to provide the file path and name of the native file on the produced storage media. Extracted text must be included in a separate folder, one text file per document.
- The Image Load file must contain the production bates number on a page level with each line representing one image. The production bates number must be unique, fixed length and contain the same value as the Bates number endorsed on each document image. Each image in a production must be referenced in the corresponding image load file.
- The Data Load file must include a header record identifying each data field name (i.e., header row). Each document within the Data Load file must contain the same number of fields as defined in the header row.
- The delimiters for the Data Load file must be Concordance default delimiters as follows:
  - Column delimiter – ASCII character 020
  - Quote delimiter – ASCII character 254
  - Newline indicator – ASCII character 174.
  - Multi-Value – ASCII 059
  - Nested Values – ASCII 092
- Extracted and/or OCR text produced to the AGO must be delivered as multi-page text (.txt) files (i.e., on the document level), and named according to their unique bates number, followed by the extension “.TXT”. Extracted and/or OCR text files should reside in their own directory separate from the image and native files. The extracted and or OCR text should not be provided within the Data Load file.

- If the production is in PDF format, please disregard the following instructions. Include a comma delimited image load file that contains a line for every image in the production and it needs to consist of six fields per line. The format for the file is as follows:

*ImageKey, VolumeLabel, ImageFilePath, DocumentBreak, FolderBreak, BoxBreak,*

- **ImageKey:** This is the page level Production Bates number used to identify the image.
  - **VolumeLabel:** Leave this field empty.
  - **ImageFilePath:** This is the path to the image file on the produced storage media.
  - **DocumentBreak:** This field is used delineate the beginning of a new document. If this field contains the letter “Y,” then this is the first page of a document. If this field is blank, then this page is not the first page of a document.
  - **FolderBreak:** This field is used to delineate the beginning of a new folder in the same manner as the *DocumentBreak* field. If this information is not available, then it may be left empty.
  - **BoxBreak:** This field is used to delineate the beginning of a new box in the same manner as the *DocumentBreak* and *FolderBreak* fields. If this information is not available, then it may be left empty.
- The following fielded data must be included in all productions:

Field	Description	Required
Begno	Displays the document identifier of the first page in a document or the entire document of an E-Doc.	Yes
Endno	Page ID of the last page in a document (for image collections only).	If this field is not produced, page count is required
BegAttach	Displays the document identifier of a parent record.	If it exists
EndAttach	Displays the document identifier of the last attached document in a family	If it exists
PgCount	Number of pages in a document (for image collections only).	Yes, if Endno is required
Filename	Original filename of a native file or the subject of an e-mail message for e-mail records.	Yes
NATIVELINK	Path to the native files on the deliverable	Yes
ParentID	Displays the document identifier of the attachment record's immediate parent (only for attachments).	If it exists
NumAttach	Total number of records attached to the document. The value will always be 0 (zero) for the actual attachment records.	If it exists

Attachmnt	Populates parent records with document identifier of each	If it exists
From	Author of the e-mail message.	If it exists
To	Main recipient(s) of the e-mail message	If it exists
CC	Recipient(s) of "Carbon Copies of the e-mail message.	If it exists
BCC	Recipient(s) of "Blind Carbon Copies" of the e-mail message.	If it exists
Email_Subject	Subject of the e-mail message	If it exists
DateSent	Sent date of an e-mail message.	If it exists
TimeSent	Time the e-mail message was sent.	If it exists
Message-ID	The content of the "Message-ID" header of an email	If it exists
In-reply-to	E-mail thread identification lists the content of the email	If it exists
EntryID	Unique identifier of e-mails in mail stores.	If it exists
Author	Author value pulled from metadata of the native file.	If it exists
Organization	Company extracted from metadata of the native file.	If it exists
Subject	Subject value extracted from metadata of the native file.	If it exists
DateCreated	Creation date of the native file.	If it exists
DateLastMod	Date the native file was last modified	If it exists
DateLastPrnt	Date the native file was last printed .	If it exists
MD5Hash	MD5 hash value.	Yes
NativeFile	Hyperlink to the native file.	Yes
TextPath	Path to the Extracted/OCR Text file	Yes
ConfDesig	Confidentiality designation	If it exists
PrivilegeDesig	Privilege designation	If it exists
ResponseID	Identification of request to which document is responsive If your document is responsive to more than one request list each item separated by semi-colons	Yes
*Any other fields considered relevant by the producing party		



# Exhibit G

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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

CORPORATION OF THE CATHOLIC  
ARCHBISHOP OF SEATTLE, a sole  
corporation d/b/a ARCHDIOCESE OF  
SEATTLE or SEATTLE ARCHDIOCESE

CORPORATION OF THE CATHOLIC  
ARCHBISHOP OF SEATTLE'S CR 45  
OBJECTIONS TO THE STATE OF  
WASHINGTON'S ORDER TO APPEAR  
AND PRODUCE RECORDS

Pursuant to CR 45, the Corporation of the Catholic Archbishop ("CCAS") states its objections to the State of Washington's Order to Appear and Produce Records ("Order") as follows:

**GENERAL OBJECTIONS**

1. CCAS objects to the Order as overly broad, unduly burdensome and fails to allow reasonable time for compliance. The State is seeking 83 years of documents on 30 days' notice relating to all documents and policies relating to all clergy, clerics, women religious, deacons, seminarians, volunteers and lay employees of CCAS accused or suspected of sexual abuse or sexual misconduct. Gathering all documents containing any reference or relationship to these topics will be costly, requiring extensive work and take more than 30 days.

2. CCAS objects to the State's authority to issue this Order under RCW 11.110.100 which excludes tax-exempt religious corporations and affiliated entities from the definition of

1 “Trustee”.

2 3. CCAS objects to the Order because it generally violates the First Amendment of  
3 the U.S. Constitution and the Washington State Constitution Art. 1§11; in particular, the  
4 inquiry fosters excessive government entanglement with religion.

5 4. CCAS objects to the production requirements set forth in Exhibits C and D to  
6 the Order as unduly burdensome. The Order requires production of documents in numerous  
7 different forms and platforms spanning 83 years. The Instructions in Exhibit C require detailed  
8 information along with attachments, produced “in its entirety and no portion” which may be  
9 unavailable due to the passage of time. The instructions for electronically stored/formatted  
10 documents in Exhibit D and the General Production Requirements, Productions of Imaged  
11 Collections requirements and Load Ready Productions requirements add additional layers of  
12 submission and identification requirements which may be impossible to meet.

13 5. CCAS objects to the Order because it requires disclosure of privileged or other  
14 protected information to which no exception or waiver applies.

### 16 **SPECIFIC OBJECTIONS**

17 1. All records regarding all individuals listed on the List of Clergy and Religious Brothers  
18 and Sisters for whom Allegations of Sexual Abuse of a Minor have been Admitted, Established  
19 or Determined to be Credible.

20 RESPONSE: See General Objections.

21  
22 2. All records regarding other clerics (including those from religious orders and other  
23 dioceses); women religious; deacons; seminarians; volunteers; or lay employees of the  
24 Archdiocese who have been accused or suspected of sexual abuse or sexual misconduct  
25 occurring on or after January 1, 1940.

OBJECTIONS - 2

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600 University Street Suite 1708 • Seattle, WA 98101  
(206) 224-7069 • Facsimile (206) 624-8785  
www.crowleylawoffices.com

1           RESPONSE: See General Objections. CCAS further objects because it seeks  
2 information from third parties and information not within its possession, custody, control, or  
3 personal knowledge.

4           3. All documents and files the Archdiocese has provided at any time to Dr. Kathleen  
5 McChesney and Kinsale Management Consulting, including any files to which Dr. McChesney  
6 and her firm was given temporary access, and all files Dr. McChesney and/or her firm provided  
7 to the Archdiocese.

8           RESPONSE: See General Objections. CCAS further objects because it calls for  
9 disclosure of privileged information within the attorney-client privilege and for disclosure of  
10 attorney work product.

11           4. All documents and files the Archdiocese provided to law enforcement in the 1980s for  
12 review, as referenced in the document “Archdiocese of Seattle Sexual Abuse Prevention  
13 Background Information,” as well as all documents generated by that review or reflecting  
14 findings of that review.

15           RESPONSE: See General Objections. CCAS further objects because it seeks  
16 information in the possession of, known to, or otherwise equally available to the State.

17           5. All documents and files the Archdiocese provided to the 1986 Blue Ribbon committee,  
18 as well as all documents generated by that committee or reflecting findings of that committee.

19           RESPONSE: See General Objections. CCAS further objects because it calls for  
20 disclosure of privileged information within the attorney-client privilege and for disclosure of  
21 attorney work product.

22           6. All documents reviewed, received, or generated by the Archdiocesan Review Board or  
23 reflecting meetings, deliberations, recommendations, findings, or advice of the Archdiocesan  
24 Review Board and prior Archdiocesan Review Boards since the Board’s creation, including  
25 correspondence with or reports to the Archbishop and meeting minutes and attendance lists.

OBJECTIONS - 3

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1            RESPONSE: See General Objections. CCAS further objects because it calls for  
2 disclosure of privileged information within the attorney-client privilege and for disclosure of  
3 attorney work product.

4 7.        All documents relating to or generated pursuant to the Archdiocese of Seattle’s Safe  
5 Environment Program and its implementation.

6            RESPONSE: See General Objections.

7 8.        All documents relating to or generated pursuant to the Archdiocese of Seattle’s Policy  
8 for the Prevention of and Response to Sexual Abuse, Sexual Misconduct, and Sexual  
9 Harassment, including all prior versions.

10          RESPONSE: See General Objections.

11 9.        All policies—other than the Safe Environment Program and the Policy for the  
12 Prevention of and Response to Sexual Abuse, Sexual Misconduct, and Sexual Harassment—  
13 relating to the care, safety, and supervision of minors or vulnerable adults in relation to sexual  
14 abuse or sexual misconduct, including past policies that are no longer in effect, and all  
15 documents relating to or generated pursuant to such policies. This includes all such policies  
16 governing Catholic schools.

17          RESPONSE: See General Objections.

18 10.      All documents relating to or generated pursuant to the Charter for the Protection of  
19 Children and Young People.

20          RESPONSE: See General Objections. CCAS further objects because it seeks  
21 information from third parties and information not within its possession, custody, control, or  
22 personal knowledge.

23 11.      All documents relating to or generated pursuant to the Essential Norms for  
24 Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or  
25 Deacons.

OBJECTIONS - 4

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1            RESPONSE: See General Objections. CCAS further objects because it seeks  
2 information from third parties and information not within its possession, custody, control, or  
3 personal knowledge.

4 12. All documents relating to or generated pursuant to A Statement of Episcopal  
5 Commitment.

6            RESPONSE: See General Objections. CCAS further objects because it seeks  
7 information from third parties and information not within its possession, custody, control, or  
8 personal knowledge.

9 13. All documents reflecting reports, complaints or allegations of sexual abuse or sexual  
10 misconduct committed by individuals identified in Request 1 or 2, regardless of the setting in  
11 which the report, allegation, or complaint was made or the means by which it was  
12 communicated.

13            RESPONSE: See General Objections. CCAS further objects because it seeks  
14 information from third parties and information not within its possession, custody, control, or  
15 personal knowledge. CCAS further objects because it calls for disclosure of privileged  
16 information within the attorney-client privilege and for disclosure of attorney work product.

17 14. All documents relating to investigations into sexual abuse or sexual misconduct claims,  
18 including both formal and informal investigations, and internal and external investigations.

19            RESPONSE: See General Objections. CCAS further objects because it seeks  
20 information from third parties and information not within its possession, custody, control, or  
21 personal knowledge. CCAS further objects because it calls for disclosure of privileged  
22 information within the attorney-client privilege and for disclosure of attorney work product.

23 15. All documents relating to the restriction of duties, reassignment, removal from the  
24 ministry, discipline, laicization, placement on permanent prayer and penance, placement on  
25 leave of any kind, supervision, or monitoring of any individuals identified in Request 1 or 2.

OBJECTIONS - 5

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1            RESPONSE: See General Objections. CCAS further objects because it seeks  
2 information from third parties and information not within its possession, custody, control, or  
3 personal knowledge. CCAS further objects because it calls for disclosure of privileged  
4 information within the attorney-client privilege and for disclosure of attorney work product.

5 16. All documents relating to counseling, treatment, or other therapeutic programming or  
6 services for any individuals identified in Request 1 or 2, including all records provided to or  
7 received from, and correspondence with, the Servants of the Paraclete, Southdown, the Saint  
8 John Vianney Center, and other counseling, treatment, or therapeutic programs or facilities for  
9 clergy.

10            RESPONSE: See General Objections. CCAS further objects because it seeks  
11 information from third parties and information not within its possession, custody, control, or  
12 personal knowledge. CCAS further objects because it calls for disclosure of privileged  
13 information within the attorney-client privilege and for disclosure of attorney work product.

14 17. All documents sent to the Vatican that relate to clergy members (including those from  
15 religious orders and other dioceses) or women religious and involve allegations of sexual abuse  
16 or sexual misconduct, including referrals to the Dicastery for the Doctrine of the Faith  
17 (formerly known as the Congregation for the Doctrine of the Faith and the Sacred Congregation  
18 for the Doctrine of the Faith).

19            RESPONSE: See General Objections. CCAS further objects because it seeks  
20 information from third parties and information not within its possession, custody, control, or  
21 personal knowledge.

22 18. All documents relating to or reflecting reports of sexual abuse to law enforcement on or  
23 after January 1, 1940.

24            RESPONSE: See General Objections. CCAS further objects because it seeks  
25 information from third parties and information not within its possession, custody, control, or

OBJECTIONS - 6

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1 personal knowledge. CCAS further objects because it calls for disclosure of privileged  
2 information within the attorney-client privilege and for disclosure of attorney work product.

3 19. All documents relating to or reflecting reports of sexual abuse to the Department of  
4 Children, Youth and Families (Child Protective Services), the Department of Social and Health  
5 Services, or their predecessors on or after January 1, 1940.

6 RESPONSE: See General Objections. CCAS further objects because it seeks  
7 information from third parties and information not within its possession, custody, control, or  
8 personal knowledge. CCAS further objects because it calls for disclosure of privileged  
9 information within the attorney-client privilege and for disclosure of attorney work product.

10 20. All training materials on preventing, investigating, or reporting sexual abuse and sexual  
11 misconduct generated on or after January 1, 1940.

12 RESPONSE: See General Objections.

13 21. All documents reflecting training provided to clergy members (including those from  
14 religious orders and other dioceses); women religious; volunteers; or lay employees on or after  
15 January 1, 1940, on preventing, investigating, or reporting sexual abuse and sexual misconduct.

16 RESPONSE: See General Objections. CCAS further objects because it seeks  
17 information from third parties and information not within its possession, custody, control, or  
18 personal knowledge.

19 22. All documents and policies relating to compensation to, or monetary or nonmonetary,  
20 formal or informal settlements with private individuals arising from allegations of sexual abuse  
21 or sexual misconduct by clergy members (including those from religious orders and other  
22 dioceses); women religious; volunteers; or lay employees, regardless of whether a lawsuit was  
23 filed. Please include all documents and policies relating to the confidential, or nonconfidential,  
24 nature of any such settlements or other forms of compensation.  
25

OBJECTIONS - 7

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# Exhibit H

**STATE OF WASHINGTON  
KING COUNTY SUPERIOR COURT**

CORPORATION OF THE CATHOLIC  
ARCHBISHOP OF SEATTLE, a sole  
corporation d/b/a ARCHDIOCESE OF  
SEATTLE or SEATTLE ARCHDIOCESE

ORDER TO APPEAR AND PRODUCE  
RECORDS

TO: Archbishop Paul Etienne  
Archdiocese of Seattle  
710 9th Avenue  
Seattle, WA 98104

**YOU ARE COMMANDED** to produce and permit inspection and copying of the following documents or tangible things at the place, date, and time specified below:

Documents listed in Exhibit A.

Please see Exhibit B for definitions, Exhibit C for general instructions, and Exhibit D for instructions on producing electronically stored information.

PLACE: OFFICE OF THE ATTORNEY GENERAL COMPLEX LITIGATION DIVISION 800 5TH AVE, STE. 2000 SEATTLE, WA 98104-3188	DATE AND TIME: <u>FRIDAY, MAY 10, 2024</u>
ISSUING OFFICER SIGNATURE AND TITLE:  <u>/s/ Martha Rodriguez-Lopez</u> Martha Rodríguez López, WSBA #35466 Assistant Attorney General Attorney for Washington State	DATE: <u>WEDNESDAY, APRIL 10, 2024</u>

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER:

Martha Rodríguez López  
Washington State Office of the Attorney General  
800 5th Ave., Ste. 2000  
Seattle, WA 98104-3188  
Telephone: (206) 464-7744  
Attorney for State of Washington

PROOF OF SERVICE DATE 4/10/2024

SERVED ON (PRINT NAME) WILLIAM CROWLEY VIA EMAIL

SERVED BY VICTORIA JOHNSON, PARALEGAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the State of Washington that the foregoing information contained in the Proof of Service is true and correct.

Executed on April 10, 2024 at:

Office of the Attorney General  
Complex Litigation Division  
800 FIFTH AVE, SUITE 2000  
SEATTLE, WA 98104



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**(c) Protection of Persons Subject to Subpoenas.**

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to subsection (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce and all other parties, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it:

- (i) fails to allow reasonable time for compliance;
  - (ii) fails to comply with RCW 5.56.010 or subsection (e)(2) of this rule;
  - (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or
  - (iv) subjects a person to undue burden,
- provided that the court may condition denial of the motion upon a requirement that the subpoenaing party advance the reasonable cost of producing the books, papers, documents, or tangible things.

**(B) If a subpoena**

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

**(d) Duties in Responding to Subpoena.**

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2)(A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information in camera to the court for a determination of the claim. The person responding to the subpoena must preserve the information until the claim is resolved.

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## **EXHIBIT A**

1. All records regarding all individuals listed on the List of Clergy and Religious Brothers and Sisters for whom Allegations of Sexual Abuse of a Minor have been Admitted, Established or Determined to be Credible.<sup>1</sup>

2. All records regarding other clerics (including those from religious orders and other dioceses); women religious; deacons; seminarians; volunteers; or lay employees of the Archdiocese who have been accused or suspected of sexual abuse or sexual misconduct occurring on or after January 1, 1940.

3. All documents and files the Archdiocese has provided at any time to Dr. Kathleen McChesney and Kinsale Management Consulting, including any files to which Dr. McChesney and her firm was given temporary access, and all files Dr. McChesney and/or her firm provided to the Archdiocese.

4. All documents and files the Archdiocese provided to law enforcement in the 1980s for review, as referenced in the document “Archdiocese of Seattle Sexual Abuse Prevention Background Information,” as well as all documents generated by that review or reflecting findings of that review.<sup>2</sup>

5. All documents and files the Archdiocese provided to the 1986 Blue Ribbon committee, as well as all documents generated by that committee or reflecting findings of that committee.

6. All documents reviewed, received, or generated by the Archdiocesan Review Board or reflecting meetings, deliberations, recommendations, findings, or advice of the Archdiocesan Review Board and prior Archdiocesan Review Boards since the Board’s creation, including correspondence with or reports to the Archbishop and meeting minutes and attendance lists.

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<sup>1</sup> Available at <https://protect-seattlearchdiocese.org/wp-content/uploads/2021/03/Clergy-List-March-2021.pdf> (last visited April 10, 2024).

<sup>2</sup> Available at <https://protect-seattlearchdiocese.org/wp-content/uploads/2021/01/Archdiocese-of-Seattle-Background-Information.pdf> (last visited April 10, 2024).

7. All documents relating to or generated pursuant to the Archdiocese of Seattle's Safe Environment Program and its implementation.

8. All documents relating to or generated pursuant to the Archdiocese of Seattle's Policy for the Prevention of and Response to Sexual Abuse, Sexual Misconduct, and Sexual Harassment, including all prior versions.

9. All policies—other than the Safe Environment Program and the Policy for the Prevention of and Response to Sexual Abuse, Sexual Misconduct, and Sexual Harassment—relating to the care, safety, and supervision of minors or vulnerable adults in relation to sexual abuse or sexual misconduct, including past policies that are no longer in effect, and all documents relating to or generated pursuant to such policies. This includes all such policies governing Catholic schools.

10. All documents relating to or generated pursuant to the Charter for the Protection of Children and Young People.<sup>3</sup>

11. All documents relating to or generated pursuant to the Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons.<sup>4</sup>

12. All documents relating to or generated pursuant to A Statement of Episcopal Commitment.<sup>5</sup>

13. All documents reflecting reports, complaints or allegations of sexual abuse or sexual misconduct committed by individuals identified in Request 1 or 2, regardless of the setting in which the report, allegation, or complaint was made or the means by which it was communicated.

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<sup>3</sup> Available at <https://www.usccb.org/resources/Charter-for-the-Protection-of-Children-and-Young-People-2018-final%281%29.pdf> (pp. 3-18) (last visited April 10, 2024).

<sup>4</sup> Available at <https://www.usccb.org/resources/Charter-for-the-Protection-of-Children-and-Young-People-2018-final%281%29.pdf> (pp. 19-28) (last visited April 10, 2024).

<sup>5</sup> Available at <https://www.usccb.org/resources/Charter-for-the-Protection-of-Children-and-Young-People-2018-final%281%29.pdf> (pp. 29-30) (last visited April 10, 2024).

14. All documents relating to investigations into sexual abuse or sexual misconduct claims, including both formal and informal investigations, and internal and external investigations.

15. All documents relating to the restriction of duties, reassignment, removal from the ministry, discipline, laicization, placement on permanent prayer and penance, placement on leave of any kind, supervision, or monitoring of any individuals identified in Request 1 or 2.

16. All documents relating to counseling, treatment, or other therapeutic programming or services for any individuals identified in Request 1 or 2, including all records provided to or received from, and correspondence with, the Servants of the Paraclete, Southdown, the Saint John Vianney Center, and other counseling, treatment, or therapeutic programs or facilities for clergy.

17. All documents sent to the Vatican that relate to clergy members (including those from religious orders and other dioceses) or women religious and involve allegations of sexual abuse or sexual misconduct, including referrals to the Dicastery for the Doctrine of the Faith (formerly known as the Congregation for the Doctrine of the Faith and the Sacred Congregation for the Doctrine of the Faith).

18. All documents relating to or reflecting reports of sexual abuse to law enforcement on or after January 1, 1940.

19. All documents relating to or reflecting reports of sexual abuse to the Department of Children, Youth and Families (Child Protective Services), the Department of Social and Health Services, or their predecessors on or after January 1, 1940.

20. All training materials on preventing, investigating, or reporting sexual abuse and sexual misconduct generated on or after January 1, 1940.

21. All documents reflecting training provided to clergy members (including those from religious orders and other dioceses); women religious; volunteers; or lay employees on or after January 1, 1940, on preventing, investigating, or reporting sexual abuse and sexual misconduct.

22. All documents and policies relating to compensation to, or monetary or non-monetary, formal or informal settlements with private individuals arising from allegations of

sexual abuse or sexual misconduct by clergy members (including those from religious orders and other dioceses); women religious; volunteers; or lay employees, regardless of whether a lawsuit was filed. Please include all documents and policies relating to the confidential, or non-confidential, nature of any such settlements or other forms of compensation.

23. All documents referencing or reflecting communications with the public about allegations of sexual abuse or sexual misconduct, including but not limited to any and all policies, memoranda, communications, or other documents reflecting deliberations and decision-making regarding what information is and is not communicated to the public.

24. All documents reflecting, stating, identifying, and/or describing liabilities of the Archdiocese, either directly or through other persons, entities, or nominees that are related to alleged sexual abuse or sexual misconduct, whether proven or unproven. This request includes, but is not limited by, other categories of documents requested herein.

25. All documents reflecting, stating, identifying, and/or describing disbursements by the Archdiocese, either directly or through other persons, entities, or nominees that are related to alleged sexual abuse or sexual misconduct, whether proven or unproven. This request includes, but is not limited by, other categories of documents requested herein.

26. Provide copies of your governing documents including, without limitation, your current articles of incorporation, any restated articles, bylaws, and operational/internal policies (e.g., conflict of interest policy, non-fraternization policies, etc.) *and* any and all past iterations thereof. If the date of adoption is not included on the document, please indicate when it was adopted.

27. Provide copies of all of your accounting records including, without limitation, any general ledgers, adjusting journal entries, notes, receipts, records of reimbursements. If you or the person providing bookkeeping services for you uses an electronic accounting method (e.g. QuickBooks, Excel, etc.), provide a digital copy of the record in its original format.

28. All documents establishing, modifying, amending or pertaining to any trust in which the Archdiocese is a settlor, trustee, trust protector, or beneficiary.

## **EXHIBIT B**

### **DEFINITIONS**

1. “Relate” or "relating to" means describing, evidencing, constituting, reflecting, showing, comprising, considering, discussing, regarding, setting forth, studying, analyzing, commenting upon, recommending, alluding to, or mentioning in whole or in part, directly or indirectly.

2. “Archdiocese” means the Corporation of the Catholic Archbishop of Seattle, the Seattle Archdiocese, or the Archdiocese of Seattle, including the directors, control group, employees, agents, independent contractors, predecessors, successors and assigns of each.

3. “Clergy” means all bishops, priests, and deacons assigned to or visiting the Archdiocese, including members of religious orders including but not limited to the Society of Jesus, Congregation of Christian Brothers, Missionary Oblates of Mary Immaculate, Order of St. Benedict, Claretians, Order of Friars Minor, and Redemptorists.

4. “Document” means any written, recorded, or other graphic matter, electronic or not, however produced or reproduced. If a document has been prepared in several copies, or if additional copies have been made, and the copies are not identical, or have undergone alteration, each non-identical copy is a separate “document.” This definition includes, but is not limited to, the following: any paper, writing, chart, memo, note, letter, inter-office memo, intra-office memo, email, report, study, statement, map, log entry, drawing, photograph, sketch, picture, tape recording, any other verbal or pictorial representation of any event or idea that has transpired, whether meant for communication to others or for personal need.

5. “Records” include any and all documents, including but not limited to, those located in the files of the Archbishop, Bishop, Chancellor, Vice Chancellor, Apostolic Delegate, Vicar General, Priest Personnel Board (including its members and its Director), or Archdiocesan Review Board (including its members); “secret files” and documents contained in the “secret archives”; priest files; personnel files; seminary records; parish files; Catholic school files; documents provided to or received from other dioceses or Archdioceses; documents provided to



or received from religious orders; documents provided to and received from the Servants of the Paraclete; documents provided to and received from the Dicastery for the Doctrine of the Faith (formerly known as Congregation of the Doctrine of the Faith); investigation records, including draft and final investigative reports; and documents provided to and received from the Holy See or the Roman Curia.

6. Sexual abuse is any form of sexual contact or conduct involving minors, vulnerable adults or non-consenting adults. Sexual abuse may include direct sexual contact as well as other exploitive behaviors including but not limited to:

- a. Grooming behaviors, *i.e.*, manipulative tactics used to gain access to a potential victim, coerce a potential victim to acquiesce in the abuse, and lessen the risk of being apprehended;
- b. Inappropriate verbal stimulation;
- c. Taking or showing sexually explicit photographs of or to a minor or vulnerable adult; or
- d. Exposing a minor or vulnerable adult to pornography or other sexual activity.<sup>1</sup>

7. Sexual misconduct is sexual contact or conduct with an adult who may otherwise be consenting, however the following conditions are in place:

- a. The perpetrator is acting on behalf of or representing a parish, school, institution or agency of the Archdiocese; and
- b. There is a ministerial relationship of trust.<sup>2</sup>

8. The terms “and” and “or” are used interchangeably and should be construed to elicit the greatest amount of information or largest number of potentially responsive documents.

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<sup>1</sup> This definition was adapted from the Seattle Archdiocese’s Policy for the Prevention of and Response to Sexual Abuse, Sexual Misconduct and Sexual Harassment, available at <https://archseattle.org/wp-content/uploads/2021/08/Safe-Environment-Program-Policy-Prevention-Response-Eng-8.31.2021.pdf> (last visited April 10, 2024).

<sup>2</sup> This definition was adapted from the Seattle Archdiocese’s Policy for the Prevention of and Response to Sexual Abuse, Sexual Misconduct and Sexual Harassment, available at <https://archseattle.org/wp-content/uploads/2021/08/Safe-Environment-Program-Policy-Prevention-Response-Eng-8.31.2021.pdf> (last visited April 10, 2024).

## **EXHIBIT C**

### **INSTRUCTIONS**

1. Unless otherwise noted, the relevant time period for which documents and information are requested is January 1, 1940 to the present. Please produce all documents that were generated or that came into the Archdiocese's possession or after that date for each document request.

2. This subpoena requests production of all described documents in your possession, custody, or control without regard to the person or persons by whom or for whom the documents were prepared (e.g., your employees, distributors, representatives, competitors, or others).

3. This Request includes documents in possession of your employees, agents, representatives, and attorneys, unless privileged. If any document or information is withheld under claim of privilege, identify the document and state the basis for the privilege, and provide a detailed privilege log that contains at least the following information for each document or information that you have withheld:

- a. The name of each author, writer, sender, creator, or initiator of such document;
- b. The name of each recipient, addressee, or party for whom such document was intended or to whom the document was sent;
- c. The date of such document or an estimate thereof if no date appears on the document;
- d. The general subject matter of the document; and
- e. The claimed grounds for withholding the document; including, but not limited to, the nature of any claimed privilege and grounds in support thereof.

4. These Requests impose a continuing duty to produce promptly any responsive information or item that is not objected to, which comes into your knowledge, possession, custody, or control after your initial production of responses to these Requests.

5. In each instance in which a document is produced in response to a request, produce the current edition, along with all earlier editions or predecessor documents serving the same function, even though the title of earlier documents may differ from current versions.

6. The following procedures shall apply to the production of documents and information in response to this subpoena:

- a. The recipient of this subpoena shall label each responsive document (i.e., Response to Request No. 1, Response to Request No. 2, and so forth), group all documents responsive to a particular request together, and place a label on each group of documents which identifies the corresponding request;
- b. All attachments to responsive documents or information shall be produced with, and attached to, the responsive documents (or digitally in corresponding order);
- c. Each responsive document or information shall be produced in its entirety and no portion of any document or information shall be edited, cut, masked, redacted or otherwise altered, unless for applicable privilege which shall be logged according to the procedures set forth above;
- d. The recipient of this subpoena shall provide a key to all abbreviations used in the documents or information and shall attach the key to the corresponding documents or information.

7. Documents or information that may be responsive to more than one (1) numbered request in these Requests need not be submitted more than once. However, for each such document or information, the recipient of this subpoena shall identify all of the numbered requests to which the document or information is responsive. If any responsive document or information has been previously supplied to the Washington Attorney General's Office, you shall identify the document(s) or information previously provided and the date(s) of submission.

8. You shall consecutively number each page of all documents or information produced with your response, and indicate the total number of pages produced with your response. This page numbering must be separate from and must not alter any original page numbering on the responsive documents or information.

9. Your responses should include all relevant electronically stored information in your possession, custody, or control. Washington considers electronically stored information to be an irreplaceable source of evidence in this matter. Accordingly, Washington insists that you implement appropriate safeguards against the destruction of evidence until the final resolution of this issue.

10. Production of electronically stored information and other documents in electronic format shall conform to the standards set forth in **Exhibit D** (attached).

11. If you are unable to fully respond to any particular request for documents, supply all of whatever information is actually available. Designate such incomplete information as incomplete, and accompany the information with an explanation that includes the reasons for the incomplete answer; a description of any and all of your efforts to obtain the information; and the source from which the Office of the Attorney General may obtain information to complete your response. If books, records, or other sources that provide accurate answers are not available, provide your best estimates and describe how you derived the estimates; including the sources or bases of such estimates. Designate estimated data as such by marking it with the “est.” notation. If there is no reasonable way for you to make an estimate, provide an explanation.

12. If particular documents responsive to this subpoena no longer exist for reasons other than the ordinary course of business but you have reason to believe they have been in existence; describe the documents, state the circumstances under which such documents were lost or destroyed, and identify persons having knowledge of the content of the documents.

13. If you contend that the information requested by any document request is privileged in whole or in part or if you otherwise object to any part of any document request, or contend that any identified document would be excluded from production to the Attorney General in discovery regardless of its relevance, state the reasons for such objection or ground for exclusion, and identify each person having knowledge or the factual basis, if any, on which the objection, privilege, or other ground is asserted.

14. If you contend that the information requested in any interrogatory or document request should have been directed to a different entity and intend to object on that basis, state which entity the request should have been directed to.

15. Do not destroy any documents relating to this subpoena.

16. The use of a singular form of any word includes the plural and vice versa.

17. Any reference to a title or office refer to the individual currently holding the title or office and all individuals who have held the title or office from January 1, 1940 to the present.

## **EXHIBIT D**

### **INSTRUCTIONS**

This document describes the technical requirements for electronic document productions to the State of Washington Attorney General's Office (AGO), Complex Litigation.

It is highly recommended that parties confer in advance of any large-scale document production.

**Any proposed file formats other than those described below must be discussed with the legal and technical staff of the AGO Complex Litigation prior to submission.**

### **General Production Requirements**

- Reference the specific portion of the request to which you are responding.
- All submissions must be organized **by custodian**, unless otherwise instructed.
- Electronic files must be produced in their native format, i.e., the format in which they are ordinarily used and maintained during the normal course of business. For example, an MS Excel file must be produced as an MS Excel file rather than an image of a spreadsheet
- Emails and attachments produced natively. If an email requires redactions or an attachment to an email requires either withholding or redaction, that file can be produced as an image file as long as the parent-child relationship is maintained.

(Note: An Adobe PDF file is **not** considered a native file unless the document was initially created as a PDF.)

- Productions must be submitted on encrypted media such as a CD, DVD, thumb drive or hard drive. The media must be clearly marked with the **matter name, producing party, and production date** at a minimum.
- Only alphanumeric characters and the underscore character are permitted in file names. Special characters are not permitted.
- Documents designated as confidential pursuant to a protective order should be clearly labeled as such to avoid inadvertent disclosure of confidential information. Provide the confidentiality designations in a field provided with the load file and emblazon the confidentiality designation in the footer of the document with the Bates stamp. The image files and text files need to be named for the Begin Bates number with no additional text in the file name.

### **Productions of Imaged Collections**

While the AGO accepts imaged productions **in addition to** native formats, imaged productions without native formats are not permitted unless the original document only exists in hard copy form or as noted above in bullet three. When images are produced, they must comply with the following requirements:

Adobe PDF files are preferred. If PDF files are impractical, TIFF/JPEG files are sufficient with the following requirements:

- Black and white images must be 300 DPI Group IV single-page TIFF files (1 bit).
- Color images must be produced in JPEG format.
- File names cannot contain embedded spaces or special characters.
- Images must be endorsed with sequential Bates numbers in the lower right corner of each image.

### **Load Ready Productions**

Whenever possible, the AGO strongly encourages the production of documents in an industry standard load-ready format (most ESI and legal copy vendors are familiar with this format):

- A. Data Load file: DAT
- B. Image Load file: OPT (this file is not required in PDF productions)
- C. Images: PDFs
- D. Natives
- E. Document Level Extracted/OCR Text files

When data is produced in an industry standard format load-ready format, the following requirements apply:

- If the production includes imaged emails and attachments, the attachment fields must be included in the delimited text file to preserve the parent/child relationship between an email and its attachments.
- All multimedia, database, spreadsheet files, and other document types that do not convert well to PDF format should be provided as natives along with their original file extension and renamed to match the Bates number assigned to the document.
- If a document is produced in native format, a corresponding PDF image placeholder must be included for the file to represent the document in the production set.
- For production with native files, a NATIVELINK field must be included in the Data Load file to provide the file path and name of the native file on the produced storage media. Extracted text must be included in a separate folder, one text file per document.
- The Image Load file must contain the production bates number on a page level with each line representing one image. The production bates number must be unique, fixed length and contain the same value as the Bates number endorsed on each document image. Each image in a production must be referenced in the corresponding image load file.
- The Data Load file must include a header record identifying each data field name (i.e., header row). Each document within the Data Load file must contain the same number of fields as defined in the header row.
- The delimiters for the Data Load file must be Concordance default delimiters as follows:
  - Column delimiter – ASCII character 020
  - Quote delimiter – ASCII character 254
  - Newline indicator – ASCII character 174.
  - Multi-Value – ASCII 059
  - Nested Values – ASCII 092
- Extracted and/or OCR text produced to the AGO must be delivered as multi-page text (.txt) files (i.e., on the document level), and named according to their unique bates number, followed by the extension “.TXT”. Extracted and/or OCR text files should reside in their own directory separate from the image and native files. The extracted and or OCR text should not be provided within the Data Load file.



- If the production is in PDF format, please disregard the following instructions. Include a comma delimited image load file that contains a line for every image in the production and it needs to consist of six fields per line. The format for the file is as follows:

*ImageKey, VolumeLabel, ImageFilePath, DocumentBreak, FolderBreak, BoxBreak,*

- **ImageKey:** This is the page level Production Bates number used to identify the image.
- **VolumeLabel:** Leave this field empty.
- **ImageFilePath:** This is the path to the image file on the produced storage media.
- **DocumentBreak:** This field is used delineate the beginning of a new document. If this field contains the letter “Y,” then this is the first page of a document. If this field is blank, then this page is not the first page of a document.
- **FolderBreak:** This field is used to delineate the beginning of a new folder in the same manner as the *DocumentBreak* field. If this information is not available, then it may be left empty.
- **BoxBreak:** This field is used to delineate the beginning of a new box in the same manner as the *DocumentBreak* and *FolderBreak* fields. If this information is not available, then it may be left empty.

- The following fielded data must be included in all productions:

Field	Description	Required
Begno	Displays the document identifier of the first page in a document or the entire document of an E-Doc.	Yes
Endno	Page ID of the last page in a document (for image collections only).	If this field is not produced, page count is required
BegAttach	Displays the document identifier of a parent record.	If it exists
EndAttach	Displays the document identifier of the last attached document in a family	If it exists
PgCount	Number of pages in a document (for image collections only).	Yes, if Endno is required
Filename	Original filename of a native file or the subject of an e-mail message for e-mail records.	Yes
NATIVELINK	Path to the native files on the deliverable	Yes
ParentID	Displays the document identifier of the attachment record's immediate parent (only for attachments).	If it exists
NumAttach	Total number of records attached to the document. The value will always be 0 (zero) for the actual attachment records.	If it exists

Attachmnt	Populates parent records with document identifier of each	If it exists
From	Author of the e-mail message.	If it exists
To	Main recipient(s) of the e-mail message	If it exists
CC	Recipient(s) of "Carbon Copies of the e-mail message.	If it exists
BCC	Recipient(s) of "Blind Carbon Copies" of the e-mail message.	If it exists
Email_Subject	Subject of the e-mail message	If it exists
DateSent	Sent date of an e-mail message.	If it exists
TimeSent	Time the e-mail message was sent.	If it exists
Message-ID	The content of the "Message-ID" header of an email	If it exists
In-reply-to	E-mail thread identification lists the content of the email	If it exists
EntryID	Unique identifier of e-mails in mail stores.	If it exists
Author	Author value pulled from metadata of the native file.	If it exists
Organization	Company extracted from metadata of the native file.	If it exists
Subject	Subject value extracted from metadata of the native file.	If it exists
DateCreated	Creation date of the native file.	If it exists
DateLastMod	Date the native file was last modified	If it exists
DateLastPrnt	Date the native file was last printed .	If it exists
MD5Hash	MD5 hash value.	Yes
NativeFile	Hyperlink to the native file.	Yes
TextPath	Path to the Extracted/OCR Text file	Yes
ConfDesig	Confidentiality designation	If it exists
PrivilegeDesig	Privilege designation	If it exists
ResponseID	Identification of request to which document is responsive If your document is responsive to more than one request list each item separated by semi-colons	Yes
*Any other fields considered relevant by the producing party		

# Exhibit I

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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

CORPORATION OF THE CATHOLIC  
ARCHBISHOP OF SEATTLE, a sole  
corporation d/b/a ARCHDIOCESE OF  
SEATTLE or SEATTLE ARCHDIOCESE

CORPORATION OF THE CATHOLIC  
ARCHBISHOP OF SEATTLE’S CR 45  
OBJECTIONS TO THE STATE OF  
WASHINGTON’S ORDER TO APPEAR  
AND PRODUCE RECORDS

Pursuant to CR 45, the Corporation of the Catholic Archbishop (“CCAS”) states its objections to the State of Washington’s second Order to Appear and Produce Records dated April 10, 2024 (“Order”) as follows:

**GENERAL OBJECTIONS**

1. CCAS objects to the Order as overly broad, unduly burdensome and fails to allow reasonable time for compliance. The State is seeking 83 years of documents on 30 days’ notice relating to all documents and policies relating to all clergy, clerics, women religious, deacons, seminarians, volunteers and lay employees of CCAS accused or suspected of sexual abuse or sexual misconduct. Gathering all documents containing any reference or relationship to these topics will be costly, requiring extensive work and take more than 30 days.

2. CCAS objects to the State’s authority to issue this Order under RCW 11.110.100 which excludes tax-exempt religious corporations and affiliated entities from the definition of

1 “Trustee”.

2 3. CCAS objects to the Order because it generally violates the First Amendment of  
3 the U.S. Constitution and the Washington State Constitution Art. 1§11; in particular, the  
4 inquiry fosters excessive government entanglement with religion.

5 4. CCAS objects to the production requirements set forth in Exhibits C and D to  
6 the Order as unduly burdensome. The Order requires production of documents in numerous  
7 different forms and platforms spanning 83 years. The Instructions in Exhibit C require detailed  
8 information along with attachments, produced “in its entirety and no portion” which may be  
9 unavailable due to the passage of time. The instructions for electronically stored/formatted  
10 documents in Exhibit D and the General Production Requirements, Productions of Imaged  
11 Collections requirements and Load Ready Productions requirements add additional layers of  
12 submission and identification requirements which may be impossible to meet.

13 5. CCAS objects to the Order because it requires disclosure of privileged or other  
14 protected information to which no exception or waiver applies.

15  
16 **SPECIFIC OBJECTIONS**

17 1. All records regarding all individuals listed on the List of Clergy and Religious Brothers  
18 and Sisters for whom Allegations of Sexual Abuse of a Minor have been Admitted, Established  
19 or Determined to be Credible.

20 RESPONSE: See General Objections.

21  
22 2. All records regarding other clerics (including those from religious orders and other  
23 dioceses); women religious; deacons; seminarians; volunteers; or lay employees of the  
24 Archdiocese who have been accused or suspected of sexual abuse or sexual misconduct  
25 occurring on or after January 1, 1940.

OBJECTIONS - 2

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1            RESPONSE: See General Objections. CCAS further objects because it seeks  
2 information from third parties and information not within its possession, custody, control, or  
3 personal knowledge.

4            3. All documents and files the Archdiocese has provided at any time to Dr. Kathleen  
5 McChesney and Kinsale Management Consulting, including any files to which Dr. McChesney  
6 and her firm was given temporary access, and all files Dr. McChesney and/or her firm provided  
7 to the Archdiocese.

8            RESPONSE: See General Objections. CCAS further objects because it calls for  
9 disclosure of privileged information within the attorney-client privilege and for disclosure of  
10 attorney work product.

11           4. All documents and files the Archdiocese provided to law enforcement in the 1980s for  
12 review, as referenced in the document “Archdiocese of Seattle Sexual Abuse Prevention  
13 Background Information,” as well as all documents generated by that review or reflecting  
14 findings of that review.

15           RESPONSE: See General Objections. CCAS further objects because it seeks  
16 information in the possession of, known to, or otherwise equally available to the State.

17           5. All documents and files the Archdiocese provided to the 1986 Blue Ribbon committee,  
18 as well as all documents generated by that committee or reflecting findings of that committee.

19           RESPONSE: See General Objections. CCAS further objects because it calls for  
20 disclosure of privileged information within the attorney-client privilege and for disclosure of  
21 attorney work product.

22           6. All documents reviewed, received, or generated by the Archdiocesan Review Board or  
23 reflecting meetings, deliberations, recommendations, findings, or advice of the Archdiocesan  
24 Review Board and prior Archdiocesan Review Boards since the Board’s creation, including  
25 correspondence with or reports to the Archbishop and meeting minutes and attendance lists.

OBJECTIONS - 3

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1            RESPONSE: See General Objections. CCAS further objects because it calls for  
2 disclosure of privileged information within the attorney-client privilege and for disclosure of  
3 attorney work product.

4 7.        All documents relating to or generated pursuant to the Archdiocese of Seattle’s Safe  
5 Environment Program and its implementation.

6            RESPONSE: See General Objections.

7 8.        All documents relating to or generated pursuant to the Archdiocese of Seattle’s Policy  
8 for the Prevention of and Response to Sexual Abuse, Sexual Misconduct, and Sexual  
9 Harassment, including all prior versions.

10          RESPONSE: See General Objections.

11 9.        All policies—other than the Safe Environment Program and the Policy for the  
12 Prevention of and Response to Sexual Abuse, Sexual Misconduct, and Sexual Harassment—  
13 relating to the care, safety, and supervision of minors or vulnerable adults in relation to sexual  
14 abuse or sexual misconduct, including past policies that are no longer in effect, and all  
15 documents relating to or generated pursuant to such policies. This includes all such policies  
16 governing Catholic schools.

17          RESPONSE: See General Objections.

18 10.      All documents relating to or generated pursuant to the Charter for the Protection of  
19 Children and Young People.

20          RESPONSE: See General Objections. CCAS further objects because it seeks  
21 information from third parties and information not within its possession, custody, control, or  
22 personal knowledge.

23 11.      All documents relating to or generated pursuant to the Essential Norms for  
24 Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or  
25 Deacons.

OBJECTIONS - 4

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1            RESPONSE: See General Objections. CCAS further objects because it seeks  
2 information from third parties and information not within its possession, custody, control, or  
3 personal knowledge.

4 12. All documents relating to or generated pursuant to A Statement of Episcopal  
5 Commitment.

6            RESPONSE: See General Objections. CCAS further objects because it seeks  
7 information from third parties and information not within its possession, custody, control, or  
8 personal knowledge.

9 13. All documents reflecting reports, complaints or allegations of sexual abuse or sexual  
10 misconduct committed by individuals identified in Request 1 or 2, regardless of the setting in  
11 which the report, allegation, or complaint was made or the means by which it was  
12 communicated.

13            RESPONSE: See General Objections. CCAS further objects because it seeks  
14 information from third parties and information not within its possession, custody, control, or  
15 personal knowledge. CCAS further objects because it calls for disclosure of privileged  
16 information within the attorney-client privilege and for disclosure of attorney work product.

17 14. All documents relating to investigations into sexual abuse or sexual misconduct claims,  
18 including both formal and informal investigations, and internal and external investigations.

19            RESPONSE: See General Objections. CCAS further objects because it seeks  
20 information from third parties and information not within its possession, custody, control, or  
21 personal knowledge. CCAS further objects because it calls for disclosure of privileged  
22 information within the attorney-client privilege and for disclosure of attorney work product.

23 15. All documents relating to the restriction of duties, reassignment, removal from the  
24 ministry, discipline, laicization, placement on permanent prayer and penance, placement on  
25 leave of any kind, supervision, or monitoring of any individuals identified in Request 1 or 2.

OBJECTIONS - 5

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1            RESPONSE: See General Objections. CCAS further objects because it seeks  
2 information from third parties and information not within its possession, custody, control, or  
3 personal knowledge. CCAS further objects because it calls for disclosure of privileged  
4 information within the attorney-client privilege and for disclosure of attorney work product.

5 16. All documents relating to counseling, treatment, or other therapeutic programming or  
6 services for any individuals identified in Request 1 or 2, including all records provided to or  
7 received from, and correspondence with, the Servants of the Paraclete, Southdown, the Saint  
8 John Vianney Center, and other counseling, treatment, or therapeutic programs or facilities for  
9 clergy.

10            RESPONSE: See General Objections. CCAS further objects because it seeks  
11 information from third parties and information not within its possession, custody, control, or  
12 personal knowledge. CCAS further objects because it calls for disclosure of privileged  
13 information within the attorney-client privilege and for disclosure of attorney work product.

14 17. All documents sent to the Vatican that relate to clergy members (including those from  
15 religious orders and other dioceses) or women religious and involve allegations of sexual abuse  
16 or sexual misconduct, including referrals to the Dicastery for the Doctrine of the Faith  
17 (formerly known as the Congregation for the Doctrine of the Faith and the Sacred Congregation  
18 for the Doctrine of the Faith).

19            RESPONSE: See General Objections. CCAS further objects because it seeks  
20 information from third parties and information not within its possession, custody, control, or  
21 personal knowledge.

22 18. All documents relating to or reflecting reports of sexual abuse to law enforcement on or  
23 after January 1, 1940.

24            RESPONSE: See General Objections. CCAS further objects because it seeks  
25 information from third parties and information not within its possession, custody, control, or

1 personal knowledge. CCAS further objects because it calls for disclosure of privileged  
2 information within the attorney-client privilege and for disclosure of attorney work product.

3 19. All documents relating to or reflecting reports of sexual abuse to the Department of  
4 Children, Youth and Families (Child Protective Services), the Department of Social and Health  
5 Services, or their predecessors on or after January 1, 1940.

6 RESPONSE: See General Objections. CCAS further objects because it seeks  
7 information from third parties and information not within its possession, custody, control, or  
8 personal knowledge. CCAS further objects because it calls for disclosure of privileged  
9 information within the attorney-client privilege and for disclosure of attorney work product.

10 20. All training materials on preventing, investigating, or reporting sexual abuse and sexual  
11 misconduct generated on or after January 1, 1940.

12 RESPONSE: See General Objections.

13 21. All documents reflecting training provided to clergy members (including those from  
14 religious orders and other dioceses); women religious; volunteers; or lay employees on or after  
15 January 1, 1940, on preventing, investigating, or reporting sexual abuse and sexual misconduct.

16 RESPONSE: See General Objections. CCAS further objects because it seeks  
17 information from third parties and information not within its possession, custody, control, or  
18 personal knowledge.

19 22. All documents and policies relating to compensation to, or monetary or nonmonetary,  
20 formal or informal settlements with private individuals arising from allegations of sexual abuse  
21 or sexual misconduct by clergy members (including those from religious orders and other  
22 dioceses); women religious; volunteers; or lay employees, regardless of whether a lawsuit was  
23 filed. Please include all documents and policies relating to the confidential, or nonconfidential,  
24 nature of any such settlements or other forms of compensation.

25  
OBJECTIONS - 7

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1            RESPONSE: See General Objections. CCAS further objects because it seeks  
2 information from third parties and information not within its possession, custody, control, or  
3 personal knowledge. CCAS further objects because it calls for disclosure of privileged  
4 information within the attorney-client privilege and for disclosure of attorney work product.

5 23. All documents referencing or reflecting communications with the public about  
6 allegations of sexual abuse or sexual misconduct, including but not limited to any and all  
7 policies, memoranda, communications, or other documents reflecting deliberations and  
8 decision-making regarding what information is and is not communicated to the public.

9            RESPONSE: See General Objections. CCAS further objects because it seeks  
10 information in the possession of, known to, or otherwise equally available to the State.

11 24. All documents reflecting, stating, identifying, and/or describing liabilities of the  
12 Archdiocese, either directly or through other persons, entities, or nominees that are related to  
13 alleged sexual abuse or sexual misconduct, whether proven or unproven. This request includes,  
14 but is not limited by, other categories of documents requested herein.

15            RESPONSE: See General Objections. Overly broad and unduly burdensome. CCAS  
16 further objects because it calls for disclosure of privileged information within the attorney-  
17 client privilege and for disclosure of attorney work product. CCAS further objects that this  
18 request is duplicative of No. Requests 1-6, 13-19, 22, and 23, 25.

19 25. All documents reflecting, stating, identifying, and/or describing disbursements by the  
20 Archdiocese, either directly or through other persons, entities, or nominees that are related to  
21 alleged sexual abuse or sexual misconduct, whether proven or unproven. This request includes,  
22 but is not limited by, other categories of documents requested herein.

23            RESPONSE: See General Objections. Overly broad and unduly burdensome. CCAS  
24 further objects because it seeks information from third parties and information not within its  
25 possession, custody, control, or personal knowledge. CCAS further objects because it calls for

1 disclosure of privileged information within the attorney-client privilege and for disclosure of  
2 attorney work product. CCAS further objects that this request is duplicative of Requests 1-6,  
3 13-19, 22, and 23-25 and is unduly burdensome.

4 26. Provide copies of your governing documents including, without limitation, your current  
5 articles of incorporation, any restated articles, bylaws, and operational/internal policies (e.g.,  
6 conflict of interest policy, non-fraternization policies, etc.) and any and all past iterations  
7 thereof. If the date of adoption is not included on the document, please indicate when it was  
8 adopted.

9 RESPONSE: See General Objections. Subject to and without waiving General  
10 Objections, CCAS will use appropriate efforts to ensure articles of incorporation and restated  
11 articles will be produced.

12 27. Provide copies of all of your accounting records including, without limitation, any  
13 general ledgers, adjusting journal entries, notes, receipts, records of reimbursements. If you or  
14 the person providing bookkeeping services for you uses an electronic accounting method (e.g.  
15 QuickBooks, Excel, etc.), provide a digital copy of the record in its original format.

16 RESPONSE: See General Objections. Overly broad and unduly burdensome.

17 28. All documents establishing, modifying, amending or pertaining to any trust in which the  
18 Archdiocese is a settlor, trustee, trust protector, or beneficiary.

19 RESPONSE: See General Objections. Overly broad and unduly burdensome. CCAS  
20 further objects because it seeks information from third parties and information not within its  
21 possession, custody, control, or personal knowledge with respect to being a trust beneficiary.  
22 Subject to and without waiving any objections, CCAS is not aware of any documents relating  
23 in any way to powers and duties granted to it as a “trust protector” as defined in RCW  
24 11.98A.030.  
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DATED this 24th day of April, 2024.

CROWLEY LAW OFFICES, P.S.

By: /s/ William J. Crowley  
William J. Crowley, WSBA No. 18499  
Attorney for CCAS.