

CAUSE NO.07-03807D

**JOHN DOE I, JOHN DOE II,
THROUGH HIS MOTHER AS
NEXT FRIEND OF JOHN DOE II,
A VULNERABLE (NON COMPOS
MENTIS) ADULT, JOHN DOE III,
JOHN DOE IV AND JOHN DOE V,**

Plaintiffs,

vs.

**REVEREND NICHOLAS E. KATINAS,
PASTOR (FORMERLY) OF HOLY
TRINITY GREEK ORTHODOX CHURCH
HOLY TRINITY GREEK ORTHODOX
CHURCH; THE GREEK ORTHODOX
METROPOLIS OF DENVER BY AND
THROUGH BISHOP ISAIAH OF DENVER
IN HIS OFFICIAL CAPACITY, AND THE
GREEK ORTHODOX ARCHDIOCESE
OF AMERICA BY AND THROUGH
ARCHBISHOP DEMETRIOS IN HIS
OFFICIAL CAPACITY,**

Defendants.

IN THE DISTRICT COURT

95th JUDICIAL DISTRICT

DALLAS COUNTY TEXAS

**APPENDIX OF EVIDENCE
IN SUPPORT OF PLAINTIFFS' RESPONSES TO
DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT**

EXHIBIT 10

1 CAUSE NO. 0703807D

2 JOHN DOE I, JOHN DOE II,)
3 THROUGH HIS MOTHER AS NEXT) IN THE DISTRICT
4 FRIEND OF JOHN DOE II, A) COURT
5 VULNERABLE (NON COMPOS)
6 MENTIS) ADULT, JOHN DOE III,)
7 and JOHN DOE IV,)

8 Plaintiffs,)

9 vs.) DALLAS COUNTY,
10) TEXAS

11 REVEREND NICHOLAS E. KATINAS)
12 PASTOR (FORMERLY) OF HOLY)
13 TRINITY GREEK ORTHODOX)
14 CHURCH; HOLY TRINITY GREEK)
15 ORTHODOX CHURCH; THE GREEK)
16 ORTHODOX METROPOLIS OF DENVER)
17 BY AND THROUGH BISHOP ISAIAH)
18 OF DENVER IN HIS OFFICIAL)
19 CAPACITY, AND THE GREEK)
20 ORTHODOX ARCHDIOCESE OF)
21 AMERICA BY AND THROUGH)
22 ARCHBISHOP DEMETRIOS IN HIS)
23 OFFICIAL CAPACITY,) 95TH JUDICIAL
24) DISTRICT

Defendants.)

16 The videotaped discovery
17 deposition of LEO J. MANTA taken in the
18 above-entitled cause before Maria E. Shockey, CSR, a
19 notary public within and for the County of Kane and
20 State of Illinois, at 330 North Wabash Avenue,
21 Chicago, Illinois One IBM Plaza, Chicago, Illinois,
22 on March 28, 2008, commencing at 10:10 o'clock a.m.
23
24

1 A P P E A R A N C E S:

2
3 TAHIRA KAHN MERRITT, P.L.L.C.
4 8499 Greenville Avenue, Suite 206
5 Dallas, Texas 75231
6 (214) 503-7300
7 (214) 503-7301 (Fax)
8 BY: MS. TAHIRA KAHN MERRITT
9 Appeared on behalf of the Plaintiffs;

10 GRAU KOEN, P.C.
11 2711 North Haskell Avenue, Suite 2000
12 Dallas, Texas 75204
13 (214) 521-4145
14 (214) 521-4320 (Fax)
15 BY: MR. JAMES W. GRAU
16 Appeared on behalf of the Defendants, The
17 Greek Orthodox Metropolis of Denver and
18 the Greek Orthodox Archdiocese of America;

19 FLETCHER & SPRINGER, L.L.P.
20 8750 North Central Expressway, 16th Floor
21 Dallas, Texas 75231
22 (214) 987-9600
23 (214) 987-9866 (Fax)
24 BY: MR. RICHARD G. MILLER
 Appeared on behalf of the Defendant, Holy
 Trinity Greek Orthodox Church;

 JENNER & BLOCK
 - 330 North Wabash Avenue
 Chicago, Illinois 60611
 (312) 222-9350
 (312) 840-7785 (Fax)
 BY: MR. ROBERT L. GRAHAM
 Appeared on behalf of Mr. Leo Manta.

 A L S O P R E S E N T:

 Mr. Monte Fite
 Mr. Marc Buhmann, Videographer

1 the record?

2 MS. MERRITT: Tahira Merritt representing
3 John Doe I, John Doe II, John Doe III, John Doe
4 IV, and John Doe V.

5 MR. GRAU: Jim Grau representing the Greek
6 Orthodox Metropolis of Denver and the
7 Archdiocese of America.

8 MR. MILLER: Richard Miller representing
9 the Holy Trinity Greek Orthodox Church.

10 MR. GRAHAM: Robert Graham representing
11 Mr. Manta.

12 THE VIDEOGRAPHER: Will the court reporter
13 please swear in the witness?

14 (Witness sworn.)

15 LEO J. MANTA
16 called as a witness herein, having been first duly
17 sworn, deposeth and saith as follows:

18 EXAMINATION

19 BY MS. MERRITT:

20 Q. Would you state your full name for the
21 record, please?

22 A. Leo J. Manta, M-A-N-T-A.

23 Q. Mr. Manta, we met briefly this morning.
24 I'm Tahira Merritt, and I represent five young men

1 Katinas already the pastor there or was there
2 another pastor?

3 A. I don't remember.

4 Q. I believe our records reflect that Father
5 Katinas was pastor of the Olympia Fields church from
6 approximately January of 1969 to September of 1978.
7 Does that sound about right to you?

8 A. Yes.

9 Q. And during that time frame, Mr. Manta, were
10 you a member of the parish council for the Olympia
11 Fields Church?

12 A. I don't know when I became a member of the
13 parish council.

14 Q. Were you a member of the parish council
15 during the -- at any time during the time Father
16 Katinas was the pastor of the Olympia Fields Church?

17 A. Yes.

18 Q. Were you president at any time during the
19 tenure of Father Katinas at the Olympia Fields
20 Church?

21 A. I believe I was president for two years.

22 Q. We have another witness that's testified,
23 and I believe we have some documents that reflect,
24 that you were president of the parish council from

1 1972 to 1974. Does that sound about right?

2 MR. MILLER: Objection, form.

3 BY MS. MERRITT:

4 Q. You can answer my question.

5 MR. GRAHAM: Go ahead and answer.

6 THE WITNESS: Yes.

7 BY MS. MERRITT:

8 Q. Okay. And after -- do you know whether
9 Mr. Kachavos succeeded you as president after you
10 were no longer president?

11 A. I don't know. I don't remember.

12 Q. Okay. As far as a position on the parish
13 board, how many different positions did you hold on
14 the board from the period of time 1969 to 1978?

15 A. I don't remember.

16 Q. Have you been -- you've been president, is
17 that right, president of the board?

18 A. Yes.

19 Q. Have you ever been vice-president of the
20 board?

21 A. I don't remember.

22 Q. Okay. But you know you were president?

23 A. For those two, yeah.

24 Q. Okay. What are the general duties of the

1 in Chicago Heights.

2 Q. Did you get to know him when the new church
3 at Olympia Fields, when that was built?

4 A. Yes.

5 Q. And did you get to know him as part of the
6 parish council there at the Olympia Fields Church?

7 Did you serve together on the parish council?

8 A. Oh, I don't know if we started together.

9 Q. Okay. When was the last time that you
10 talked to Mr. Kachavos?

11 A. To George Kachavos?

12 Q. Yes.

13 A. I talked to him at his son's wake.

14 Q. And would that have been last year?

15 A. I don't -- I don't --

16 Q. Recently?

17 A. Recently, yeah.

18 Q. Okay. Mr. Manta, did Father Katinas ever
19 ask you for a recommendation to a psychiatrist?

20 A. Yes, he did.

21 Q. And was that -- would he ask for that
22 recommendation prior to him moving to Dallas?

23 A. Yes.

24 Q. Was he the pastor of the church at Olympia

1 Fields when he asked for that recommendation?

2 A. I believe so.

3 Q. And did you give him a recommendation?

4 A. Yes.

5 Q. And who did you recommend that he see?

6 A. A Dr. Forrest Schufflebarger.

7 Q. Can you spell that for us, please?

8 A. S-C-H-U-F-F-L-E-B-A-R-G-E-R, I think.

9 Q. And where is or was Dr. Schufflebarger
10 located?

11 A. Schufflebarger.

12 Q. Schufflebarger?

13 A. Yes.

14 Q. Okay.

15 A. He was located in the city.

16 Q. In Chicago?

17 A. Yeah.

18 Q. And do you know whether he's still in
19 practice here?

20 A. He's dead.

21 Q. Do you know whether or not Father Katinas
22 went to see Dr. Schufflebarger? And when I mean
23 see, I mean as a patient.

24 A. I think he did.

1 question.

2 MR. GRAU: Join.

3 MR. GRAHAM: You may answer to the extent
4 of your recollection.

5 THE WITNESS: You first said New York.

6 BY MS. MERRITT:

7 Q. All right. Let me make it a more broad
8 question then.

9 Did you ever tell anyone that you went to
10 the Orthodox hierarchy complaining about
11 Father Katinas and that their response was, quote,
12 we are having problems with our priests keeping
13 their peckers in their pants?

14 MR. MILLER: Objection to the form of the
15 question.

16 MR. GRAU: Join.

17 MR. GRAHAM: Again, you may answer to the
18 extent you can.

19 THE WITNESS: There was one time that I
20 went to a meeting. I don't remember whether --
21 I believe it was after Katinas -- I don't
22 remember, but it was after Katinas left and I
23 said to -- I believe I said to Andy Athens that
24 I think we may have had a problem with a priest

1 at our church. And he said to me: I wish more
2 of our Greek Orthodox priests would keep their
3 pecker in their pants.

4 BY MS. MERRITT:

5 Q. And who is Andy Athens?

6 A. He is a member of the Archdiocese Council.

7 Q. Of Chicago or New York?

8 A. I don't know.

9 Q. Where did you speak to him, where did this
10 meeting occur?

11 A. I don't remember where it was.

12 Q. Okay. And do you remember what kind of
13 meeting, was it a general assembly meeting or
14 something like that?

15 A. No. I don't remember.

16 Q. Is he a priest?

17 A. No.

18 Q. Is he some type of official with the
19 Archdiocese or with the Chicago Diocese?

20 A. I don't know.

21 Q. And where did the -- Mr. Manta, where did
22 the information come to you about -- that you had a
23 problem with your priest, where did that come from?

24 MR. GRAHAM: Well --

1 MR. GRAU: Objection, form.

2 MR. GRAHAM: -- let's go off the record for
3 a minute.

4 MS. MERRITT: Okay.

5 THE VIDEOGRAPHER: We are going off the
6 video record at 10:32 a.m.

7 (Whereupon, a discussion
8 was had off the record.)

9 THE VIDEOGRAPHER: We are going back on the
10 video record at 10:32 a.m.

11 MR. GRAHAM: Go ahead. Ask your question.
12 I'll object, but I'll let him answer the
13 question if framed properly.

14 BY MS. MERRITT:

15 Q. Who was the source of your information
16 concerning a problem with Father Katinas?

17 MR. GRAHAM: I will object to the extent
18 that that question may call for Mr. Manta to
19 discuss conversations that he had with his
20 psychiatrist.

21 And, therefore, Mr. Manta, I would instruct
22 you not to answer that question if the answer
23 to that question would involve communications
24 with your psychiatrist. If you had any sources

1 other than the psychiatrist, you may state who
2 they are.

3 BY MS. MERRITT:

4 Q. Do you want me to start over?

5 A. I'm mixed up pretty well.

6 Q. Okay. Let's put the psychiatrist aside.

7 Other than Dr. Schufflebarger, did you have
8 any other source of information from anyone about
9 Father Katinas acting out with boys?

10 MR. GRAHAM: You may answer that question
11 to the best of your recollection.

12 THE WITNESS: To the best of my
13 recollection, no.

14 BY MS. MERRITT:

15 Q. Did you have -- hear about an incident
16 involving TS in approximately 1974?

17 A. No.

18 Q. You never heard about the incident
19 involving TS, and Father Katinas?

20 MR. MILLER: Objection to the form of the
21 question.

22 MR. GRAU: Join.

23 MR. GRAHAM: You may answer.

24 THE WITNESS: I heard about TS

1 after the lawsuits.

2 BY MS. MERRITT:

3 Q. Okay. And who did you hear it from?

4 MR. MILLER: Excuse me. I'm sorry. I
5 didn't hear the last part of the witness's
6 answer. Could you read that back, please?

7 (Whereupon, the record was read
8 as requested.)

9 MR. MILLER: Thank you.

10 BY MS. MERRITT:

11 Q. And who did you hear about -- who did you
12 hear about TS ; from, what was your source
13 of the information about TS after the
14 lawsuit was filed?

15 A. I told you that I never heard from anybody
16 in the community -- during the time that Katinas was
17 in the community, I never heard from anybody in the
18 community that he had, you know, anything to do with
19 anything.

20 Q. Okay. My question was, Mr. Manta, that you
21 said that you had heard about TS incident
22 after the lawsuits were filed.

23 A. Well -- oh, after all of this came out?

24 Q. Correct. And I'm asking who did you hear

1 conversation with him with Father Katinas?

2 MR. MILLER: Excuse me. I couldn't hear
3 the question. Could you read it back,
4 Court Reporter?

5 MS. MERRITT: I could repeat it.

6 MR. MILLER: Please read it back.

7 (Whereupon, the record was read
8 as requested.)

9 MR. MILLER: Objection to the form.

10 MR. GRAU: We'll join.

11 MR. GRAHAM: You may answer.

12 THE WITNESS: Not that I recall. You know,
13 it's 30-something years ago, not that I recall.

14 BY MS. MERRITT:

15 Q. Following your -- a conversation with
16 Dr. Schufflebarger, did you allow your sons to be
17 alone with Father Katinas?

18 A. I don't know whether I did or didn't.

19 Q. Mr. Manta, are you an archon on the church?

20 A. Yes, I am.

21 Q. Can you tell the ladies and gentlemen of
22 the jury what an archon is?

23 A. It's basically a person who has, I guess,
24 done a lot of work and spent a lot of money and a

1 lot of time trying to help the church.

2 Q. And when did you first become -- or how do
3 you become an archon of the church, are you asked to
4 join or do you just join?

5 A. No. You have to be asked to join.

6 Q. Okay. And when were you asked to be an
7 archon?

8 A. I don't remember.

9 Q. Was it during the time Father Katinas was
10 at the church at Olympia Fields or after he left?

11 A. I believe it's after he left.

12 Q. And tell us, were there other members of
13 the the Olympia Fields parish who were also archons
14 of the church other than yourself?

15 A. Not -- to the best of my recollection, I
16 don't know.

17 Q. All right. Do they have meetings that they
18 have to attend every year or every few months as
19 part of your duties as an archon?

20 A. They're supposed to, I guess. I don't
21 know.

22 Q. When was the last time that you went to a
23 meeting of the archons at the church?

24 A. I cannot recall. I don't know if I ever

1 STATE OF ILLINOIS)
) SS.
2 COUNTY OF K A N E)

3
4 I, MARIA E. SHOCKEY, a Certified Shorthand
5 Reporter and Notary Public in and for the County of
6 Kane and State of Illinois, do hereby certify that
7 on the 28th day of March, 2008, personally appeared
8 before me at 330 North Wabash Avenue, in the City of
9 Chicago, County of Cook and State of Illinois,
10 LEO J. MANTA, in a cause now pending and
11 undetermined in the District Court of the 95th
12 Judicial Circuit, Dallas County, Texas.

13 I further certify that the said
14 LEO J. MANTA was first duly sworn to testify the
15 truth, the whole truth and nothing but the truth in
16 the cause aforesaid; that the testimony then given
17 by said witness was reported stenographically by me
18 in the presence of said witness, and the foregoing
19 is a true and correct transcript of the testimony so
20 given by said witness as aforesaid.

21 I further certify that the signature to the
22 foregoing deposition was not waived by counsel for
23 the respective party.

24 I further certify that my certificate

1 annexed hereto applies only to the transcript signed
2 and notarized by me and produced by me personally or
3 under my direction and control. The undersigned
4 assumes no responsibility for the accuracy of any
5 reproduced copies not made under my control or
6 direction.

7 I further certify that I am not
8 counsel for nor in any way related to the parties to
9 this suit, nor am I in any way interested in the
10 outcome thereof.

11 IN TESTIMONY WHEREOF: I have hereunto
12 set my hand and affixed my notarial seal this
13 4th day of March, A.D., 2008.

14
15
16 MARIA E. SHOCKEY, CSR
Notary Public, Kane County, Illinois
License No. 084-004411
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