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No. 0703807D

JOHN DOE I, JOHN DOE II, X IN THE DISTRICT COURT
through his mother as next X
friend of JOHN DOE II, a X
vulnerable (non compos mentis) X
adult, JOHN DOE III, and X
JOHN DOE IV, X
Plaintiffs X

vs. X DALLAS COUNTY, TEXAS

REVEREND NICHOLAS E. KATINAS, X
pastor (formerly) of HOLY X
TRINITY GREEK ORTHODOX CHURCH; X
HOLY TRINITY GREEK ORTHODOX X
CHURCH, THE GREEK ORTHODOX X
METROPOLIS OF DENVER by and X
through BISHOP ISAIAH of DENVER X
in his official capacity, and X
the GREEK ORTHODOX ARCHDIOCESE X
OF AMERICA by and through X
ARCHBISHOP DEMETRIOS in his X
official capacity, X
Defendants X 95th JUDICIAL DISTRICT

ORAL AND VIDEOTAPED DEPOSITION OF
GEORGE CHRIS MICHAEL
August 4, 2008

ORAL AND VIDEOTAPED DEPOSITION OF GEORGE CHRIS MICHAEL,
produced as a witness at the instance of the Plaintiffs,
and duly sworn, was taken in the above styled and
numbered cause on August 4, 2008, from 1:31 p.m. to 5:19
p.m., before JUDY K. HOBART, CSR in and for the State of
Texas, reported by machine shorthand at the offices of
Fletcher, Farley, Krueger, Shipman & Salinas, 8750 North
Central Expressway, Suite, 1600 Dallas, Texas, pursuant
to the Texas Rules of Civil Procedure and the provisions
attached herein.

**Duplicate
Original**

1 APPEARANCES

2 FOR THE PLAINTIFF

3 Ms. Tahira Khan Merritt and
4 Ms. Elizabeth Power
5 TAHIRA KHAN MERRITT, PLLC
6 8499 Greenville Avenue, Suite 206
7 Dallas, Texas 75231
8 (214) 503-7300

9 FOR THE DEFENDANT HOLY TRINITY GREEK ORTHODOX CHURCH

10 Mr. Richard Miller
11 FLETCHER, FARLEY, KRUEGER, SHIPMAN & SALINAS, L.L.P.
12 8750 North Central Expressway, Suite 1600
13 Dallas, Texas 75231
14 (214) 987-9600

15 FOR THE DEFENDANT THE GREEK ORTHODOX METROPOLIS OF
16 DENVER BY AND THROUGH HIS BISHOP ISAIAH OF DENVER IN HIS
17 OFFICIAL CAPACITY and THE GREEK ORTHODOX ARCHDIOCESE OF
18 AMERICA BY AND THROUGH ARCHBISHOP DEMETRIOS IN HIS
19 OFFICIAL CAPACITY

20 Mr. James W. Grau
21 GRAU KOEN, P.C.
22 2711 N. Haskell, Suite 2000
23 Dallas, Texas 75204
24 (214) 521-4145

25 ALSO PRESENT:
Becky Gleaves, Videographer

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GEORGE CHRIS MICHAEL,

having been first duly sworn to testify the truth, the whole truth, and nothing but the truth, testified as follows:

EXAMINATION

BY MS. KHAN MERRITT:

Q. Would you tell us your name, please.

A. George Michael.

Q. Mr. Michael, we met a few minutes earlier. My name is Tahira Merritt. I represent along with Ms. Power the five young men that are the plaintiffs in this case. Do you understand who I am and who I represent?

A. Yes.

Q. Okay. Have you ever given a deposition before?

A. Yes.

Q. Okay. And how many times have you given a deposition?

A. I believe once.

Q. And so you understand generally that I'll ask the questions and then you give a response, and because we have a court reporter here it's important that we don't talk over each other. Rather if you'll allow me to finish my question before you begin your response, it will help to make the record clear.

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15:59:39 1 stated that we may never know the reason of the
15:59:41 2 suspension and the Parish Council should make their
15:59:44 3 decision with love for Father Nick and his many
15:59:47 4 dedicated years of service to Holy Trinity."

15:59:49 5 My question to you, Mr. Michael, is that
15:59:51 6 you certainly knew it was for inappropriate conduct,
15:59:54 7 inappropriate behavior, the reason for his suspension?

15:59:57 8 A. Yes, and that was related to the Parish
15:59:57 9 Council.

16:00:00 10 Q. So is it your testimony that the first time
16:00:06 11 that the information that you'd received from Father
16:00:11 12 Michael Kontogiorgis concerning inappropriate conduct
16:00:14 13 with Father Nick was July 30th of 2006?

16:00:18 14 A. That I related to the Parish Council, yes.

16:00:21 15 Q. Yes.

16:00:22 16 A. Yes. Now.....

16:00:31 17 Q. Exhibit 12 to Father Chris's deposition is a
16:00:41 18 Parish Council meeting minutes from September 18th,
16:00:57 19 2006; correct?

16:00:58 20 - A. I suppose so.

16:00:59 21 Q. Okay. And does it discuss in that exhibit that
16:01:03 22 you're looking at that the -- that Metropolitan Isaiah
16:01:09 23 is telling the Parish Council "Hold off on the gift."
16:01:13 24 Is that the information that's imparted to the Parish
16:01:16 25 Council?

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16:01:16 1 A. Well, Father Chris was relaying information
16:01:21 2 from the Metropolitan that we should hold off on the
16:01:25 3 gift. I think that was -- yes.

16:01:28 4 Q. Did you ask Father Chris why Metropolitan
16:01:34 5 Isaiah wanted you -- the parish to hold off on a gift to
16:01:38 6 Father Nick?

16:01:38 7 A. No.

16:01:38 8 Q. Did you speak directly to Metropolitan Isaiah
16:01:42 9 concerning his reasoning why the retirement gifts should
16:01:47 10 be held up?

16:01:47 11 A. No.

16:01:48 12 Q. Could you have done that? Could you have
16:01:51 13 talked to Metropolitan Isaiah about why?

16:01:53 14 A. I could have. I could have called him, but at
16:01:56 15 the same time as I said our church is a hierarchal
16:02:00 16 church. The hierarchy makes certain decisions regarding
16:02:04 17 religious matters and the priesthood, and it's their
16:02:16 18 responsibility.

16:02:16 19 Q. All right.

16:02:16 20 A. Now, any parishioner can call the Metropolitan.
16:02:20 21 I'm sure he would take their call.

16:02:23 22 Q. Now, at the end of Exhibit 12 to Father Chris's
16:02:28 23 deposition, September 18th, 2006, when he says "Father
16:02:29 24 Chris also stated that no statement will be sent to the
16:02:33 25 parish regarding Father Nick's suspension, and calls

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16:02:36 1 coming into the office are being directed to the
16:02:39 2 priests."

16:02:39 3 At this point in September of 2006 had the
16:02:43 4 parish community in general, anyone outside of the
16:02:47 5 Parish Council, been told that Father Nick had been
16:02:50 6 suspended by the Archdiocese?

16:02:55 7 MR. GRAU: Object to the form.

16:03:02 8 A. (By the Witness) I would guess by then it was
16:03:05 9 public knowledge since the Parish Council had been told.

16:03:09 10 Q. (By Ms. Khan-Merritt) Well, it says here on
16:03:12 11 Exhibit 12 to Father Kontogiorgis's deposition -- I mean
16:03:15 12 Exhibit 12 to Father Chris's deposition that "no
16:03:18 13 statement will be sent to the parishioners regarding
16:03:21 14 Father Nick's suspension and then calls are to be
16:03:24 15 directed to the priests."

16:03:25 16 A. I would think that that was -- I'm just
16:03:27 17 assuming that was at the request of the Archdiocese.
16:03:32 18 That would be consistent with everything else that was
16:03:35 19 going on.

16:03:35 20 Q. The matter involving the \$30,000 that was
16:03:40 21 allocated toward Father Nick for his retirement, that's
16:03:46 22 certainly a matter within the purview of the Parish
16:03:50 23 Council, a fiscal matter; right?

16:03:51 24 A. Yes.

16:03:51 25 Q. And so is it your testimony that Metropolitan

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in his official capacity, and X
the GREEK ORTHODOX ARCHDIOCESE X
OF AMERICA by and through X
ARCHBISHOP DEMETRIOS in his X
official capacity, X
Defendants X 95th JUDICIAL DISTRICT

REPORTER'S CERTIFICATION
DEPOSITION OF GEORGE CHRIS MICHAEL
August 4, 2008

I, JUDY K. HOBART, Certified Shorthand
Reporter in and for the State of Texas, hereby certify
to the following:

That the witness, GEORGE CHRIS MICHAEL,
was duly sworn by the officer and that the transcript of
the oral deposition is a true record of the testimony
given by the witness;

That the deposition transcript was
submitted on August 12, 2008, to Richard Miller for

1 examination, signature, and return to Judy K. Hobart by
2 September 1, 2008;

3 That the amount of time used by each party
4 at the deposition is as follows:

5 Ms. Tahira Khan Merritt 3:19

6 That pursuant to information given to the
7 deposition officer at the time said testimony was taken,
8 the following includes counsel for all parties of
9 record:

10 FOR THE PLAINTIFF

11 Ms. Tahira Khan Merritt and
12 Ms. Elizabeth Power
13 TAHIRA KHAN MERRITT, PLLC
14 8499 Greenville Avenue, Suite 206
15 Dallas, Texas 75231
16 (214) 503-7300

17 FOR THE DEFENDANT HOLY TRINITY GREEK ORTHODOX CHURCH

18 Mr. Richard Miller
19 FLETCHER, FARLEY, KRUEGER, SHIPMAN & SALINAS, L.L.P.
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AMERICA BY AND THROUGH ARCHBISHOP DEMETRIOS IN HIS
OFFICIAL CAPACITY

26 Mr. James W. Grau
27 GRAU KOEN, P.C.
28 2711 N. Haskell, Suite 2000
29 Dallas, Texas 75204
30 (214) 521-4145

31 I further certify that I am neither
32 counsel for, related to, nor employed by any of the
33 parties or attorneys in the action in which this

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DALLAS, TEXAS 214-363-7471

1 proceeding was taken, and further that I am not
2 financially or otherwise interested in the outcome of
the action.

3 Further certification requirements
pursuant to Rule 203 of TRCP will be certified to after
4 they have occurred.

Certified to by me on August 11, 2008

5 Judy K. Hobart
6 JUDY K. HOBART, RPR, CSR No. 2439
Expiration Date: December 31, 2008
7 Firm Registration No. 126
6440 N. Central Expressway, Ste. 318
8 Dallas, Texas 75206

9 FURTHER CERTIFICATION UNDER RULE 203 TRCP

10 The original deposition was/was not
returned to the deposition officer on _____;

11 If returned, the attached Changes and
Signature page contains any changes and the reasons
therefor;

12 If returned, the original deposition was
delivered to Tahira Khan-Merritt, Custodial Attorney;

13 That \$ _____ is the deposition officer's
charges to the Plaintiffs/Tahira Khan-Merritt for
14 preparing the original deposition transcript and any
copies of exhibits;

15 That the deposition was delivered in
accordance with Rule 203.3, and that a copy of this
16 certificate was served on all parties shown herein and
filed with the Clerk.

17 Certified to by me this ____ day of
_____, 2008.

18
19 Judy K. Hobart
20 JUDY K. HOBART, RPR, CSR No. 2439
Expiration Date: December 31, 2008
21 Firm Registration No. 126
6440 N. Central Expressway, Ste. 318
22 Dallas, Texas 75206
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