

# Exhibit 6

**PALM BEACH COUNTY**  
**SHERIFF'S OFFICE**

CHIEF DEPUTY MICHAEL E. GAUGER



July 20, 2015

His Eminence Cardinal Sean O'Malley  
Holy Cross Cathedral  
1400 Washington Street  
Boston, Massachusetts 02118

Dear Your Eminence Cardinal O'Malley,

I feel compelled to write this letter on behalf of Father John Gallagher, a priest who cooperated with the Palm Beach County Sheriff's Office when it was discovered another staff priest had committed a crime (sexual in nature) against a child. Father Gallagher, immediately, took the steps to hold the individual responsible and deter any further crime that might have been perpetrated against other children in the congregation.

Over the last 44 years of law enforcement experience, I have witnessed other events where church staff was not forthright in providing information to our investigators and actually impeded our investigation by their lack of cooperation.

Due to Father Gallagher's cooperation, the case was swiftly resolved and the opportunity for additional crimes was diminished. Educated in the pattern of behavior by those engaged in this inappropriate behavior, the crime could have escalated to something physical which would have been devastating to the victim, as well to the Catholic Church.

My detective, Debi Phillips, felt so compelled that she wrote a memorandum to me concerning Father Gallagher's cooperation. She has experienced in prior investigations, the same lack of cooperation and dismissive attitude while investigating similar offenses.

I read an article from the **New York Times**, recently, in which Pope Francis has approved the creation of a Vatican tribunal for judging bishops accused of complicating criminal allegations into inappropriate sexual behavior by staff. I would expect that Father Gallagher's immediate cooperation should be recognized by the Catholic Church and he receive accolades for his compliance with criminal investigators.

In the event you would like to discuss this issue further, please do not hesitate to contact me.

Respectfully submitted,

Michael E. Gauger, MSW  
Chief Deputy  
Palm Beach County Sheriff's Office

# Exhibit 7

**PALM BEACH COUNTY**  
**SHERIFF'S OFFICE**

RIC L. BRADSHAW, SHERIFF



May 5<sup>th</sup>, 2015

Chief Deputy Michael Gauger,

On January 15, 2015, I was assigned to further investigate a case in which Jose Palimattom, a priest with the Holy Name of Jesus Catholic Church exposed a 14 year old male church-member to pornography after a church service.

In having just dealt with the Catholic Church in another criminal investigation I fully expected that church administrators would be uncooperative and dismissive of the allegations. Much to my surprise I was wrong. While meeting with Reverend John Gallagher and his staff I was provided with timely evidence that was needed to arrest and ultimately convict Jose Palimattom for the felony charge of Showing Obscene Material to a Minor. I truly believe that if it wasn't for the cooperation I received from Reverend Gallagher and staff, other children would have also been victimized.

Respectfully,

*Det. Debi Phillips*

Detective Debi Phillips #5373  
Palm Beach Sheriff's Office  
Special Investigations Division  
Computer Crimes Unit  
3228 Gun Club Road  
West Palm Beach, FL 33406  
561.601.2576 Cell  
561.688.4083 Work

# Exhibit 8



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May 6, 2015

Most Reverend Gerald M. Barbarito, D.D., J.C.L.  
Bishop of Palm Beach  
Diocese of Palm Beach  
9995 N. Military Trail  
PO Box 109650  
Palm Beach Gardens, Florida 33410-9650

Dear Bishop Barbarito,

Glory to Jesus Christ!

I hope this letter finds Your Excellency well. Recently, **Reverend John A. Gallagher**, an incardinated presbyter of the Diocese of Palm Beach retained me to assist him in representing his interests in relation to his current ministerial status with the Diocese. Enclosed along with this letter is a copy of the mandate Father Gallagher has generated nominating me to speak on his behalf.

I write to Your Excellency today seeking clarity as to Father Gallagher's status with the Diocese of Palm Beach. In reviewing the matters leading to this point in time, it appears that Father is moving from Parish Administrator to Parochial Vicar on June 30, 2015.

It is also important to note that Father has been fully cooperative in promoting the highest values regarding protection of youth in support of the Dallas Charter and Essential Norms generated by the United States Conference of Catholic Bishops. We are concerned that Father's public and comprehensive support for the protection of youth may somehow be affecting his ministerial status with the Diocese moving forward as reflected in his undertaking a lesser parochial leadership role

beginning June 30, 2015. If our concerns over this reduction in Father's ministerial opportunities are not related to Father's promotion of the protection of youth, we would sincerely appreciate clarity on that point to understand how and why Father is being removed from his position as parochial administrator come June 30, 2015. In furtherance of this inquiry, we respectfully request clarity as to Father's reduction in pastoral responsibility consistent with Father's right to know and if necessary right to respond (cf. canons 50, 51, 221).

In order to respect and protect Father Gallagher's natural law right of defense, Father Gallagher (and by extension his canonical counsel) request to know what constitutes all of the evidence/information marshaled thus far regarding his situation (cf. canon 1620, 7<sup>o</sup>)<sup>1</sup> so that we may properly understand and address any and all concerns raised by the Palm Beach Diocese. We remain concerned with Father's being reduced in status and ecclesiastical reputation (cf. canon 220) through his removal as Administrator and resumption of ministry as parochial vicar in the Diocese come June 30, 2015. I say this not to be contentious, but to acknowledge the changed status Father is undergoing currently in hopes of understanding and then appropriately responding on Father's behalf.

Consistent with the aforementioned concerns, I write to Your Excellency today regarding Father Gallagher's current canonical situation and status with the Diocese. Please understand the spirit and tone with which I address and compose this letter to Your Excellency. I write in the spirit of protecting and vindicating the canonical rights possessed by Father Gallagher and with respect for Your Excellency's perspective and position.

Furthermore, please also allow me to express that I write today in the spirit of canons 1446<sup>2</sup> and 1733, §1<sup>3</sup> out of a sincere desire to respect canon law while

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<sup>1</sup> "Can. 1620 A sentence suffers from the defect of irremediable nullity if: ... 7/ the right of defense was denied to one or the other party..."  
[http://www.vatican.va/archive/ENG1104/\\_P6C.HTM](http://www.vatican.va/archive/ENG1104/_P6C.HTM)

<sup>2</sup> "Can. 1446 §1. All the Christian faithful, and especially bishops, are to strive diligently to avoid litigation among the people of God as much as possible, without prejudice to justice, and to resolve litigation peacefully as soon as possible.

simultaneously respecting the natural law and ecclesiastical rights possessed by Father Gallagher.

As a result, we would like to address any and all specific concerns Your Excellency may have leading to this changed ministerial status in the Diocese. As it currently stands, it is not entirely clear to me as Father's counsel as to what facts give rise to the *praise* factual reasons motivating the current diminution in pastoral responsibilities come June 30, 2015 arising from Father's removal from the office of Parochial Administrator and resumption of ministry as parochial vicar.

With greater understanding on my part in conjunction with Father Gallagher, I seek to address and work with Father to resolve concerns satisfactorily to the Diocese as a means of resolving any and all outstanding matters at this time (if such exist).

In addition, I wish to also make the following requests moving forward. May I ask that henceforth, the Diocese of Palm Beach send all communications with Father Gallagher also to my attention so that I may be fully apprised of any and all correspondence sent from the Diocese to Father? Also, if necessary, I would request the possibility to discuss this matter further in person (or with Your Excellency's delegate) to address and understand the reason for Father's changed status with the Diocese in hopes of providing a path forward to resolve this matter which would affirmatively restore Father's reputation among both clergy and the faithful through finding a commensurate pastoral assignment.

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§2. Whenever the judge perceives some hope of a favorable outcome at the start of litigation or even at any other time, the judge is not to neglect to encourage and assist the parties to collaborate in seeking an equitable solution to the controversy and to indicate to them suitable means to this end, even by using reputable persons for mediation.

§3. If the litigation concerns the private good of the parties, the judge is to discern whether the controversy can be concluded advantageously by an agreement or the judgment of arbitrators according to the norm of  $\Rightarrow$  cann. 1713-1716." [http://www.vatican.va/archive/ENG1104/\\_P5H.HTM](http://www.vatican.va/archive/ENG1104/_P5H.HTM)

<sup>3</sup> "Can. 1733 §1. Whenever a person considers himself or herself aggrieved by a decree, it is particularly desirable that the person and the author of the decree avoid any contention and take care to seek an equitable solution by common counsel, possibly using the mediation and effort of wise persons to avoid or settle the controversy in a suitable way." [http://www.vatican.va/archive/ENG1104/\\_P6Y.HTM](http://www.vatican.va/archive/ENG1104/_P6Y.HTM)



I make this request in the spirit of ensuring that Your Excellency make a determination on this matter regarding Father Gallagher only after first hearing all of the relevant evidence while also hearing from the party whose rights may be injured, who in this instance is Father Gallagher. <sup>1</sup>

I sincerely appreciate Your Excellency's time and consideration in this matter and look forward to working in collaboration to address Father Gallagher's concerns. If Your Excellency has any questions or concerns, please do not hesitate to contact me.

Respectfully yours,



Robert J. B. Plummerfelt

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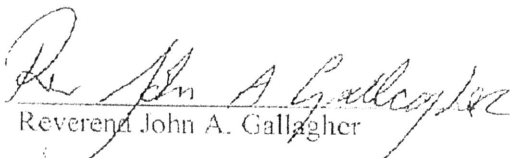
<sup>1</sup> "Can. 50 Before issuing a singular decree, an authority is to seek out the necessary information and proofs and, insofar as possible, to hear those whose rights can be injured."  
[http://www.vatican.va/archive/ENG1104/\\_P7.HTM](http://www.vatican.va/archive/ENG1104/_P7.HTM)

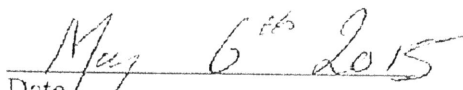
Canonical Mandate and Appointment of Robert Flummerfelt as Father John A. Gallagher's Canonical Advocate, Consultant and Procurator

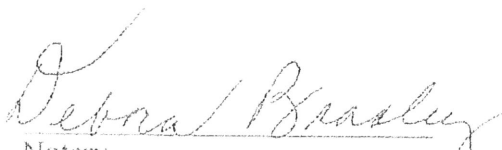
I, Reverend John A. Gallagher, a validly ordained Latin Catholic Presbyter, hereby appoint, designate, nominate and select Mr. Robert J.B. Flummerfelt, J.C.L., J.D., (Esq.), a Ukrainian Catholic and licensed canon lawyer and attorney currently residing in Las Vegas, Nevada, as my canonical advocate and procurator in accord with the Code of Canon Law (CIC).

Mr. Flummerfelt's canonical representation of me and my interests includes any and all aspects of my rights as a member in full communion with the Catholic Church as understood or designated by Church law.

Mr. Flummerfelt is also fully authorized to speak, negotiate and correspond on my behalf in all canonical and legal matters as permitted under Church law.

  
Reverend John A. Gallagher

  
Date

  
Notary

