

May 10, 2007 - Former Bishop [Dupre] Springfield, MA, to be deposed
By Michael McAuliffe, The Republican, Greenfield, MA

GREENFIELD - After an agreement that Bishop Thomas L. Dupre would sit for a deposition, a judge today said he was prepared to set a trial date in a lawsuit involving the Roman Catholic Diocese of Springfield, which is seeking insurance coverage for dozens of claims of clergy sexual abuse.

Associate Justice John A. Agostini made the announcement in Superior Court near the conclusion of a hearing that lasted about 45 minutes and involved more than a dozen lawyers. The second anniversary of the filing of the lawsuit is June 14.

Agostini said if the two sides did not agree on a trial date he would set one for Hampden Superior Court in Springfield.

"I do want to get this moving," Agostini said.

Springfield lawyer John J. Egan, representing the diocese, had told Agostini that he was hoping for a January trial date, but would welcome an even earlier trial.

"The sooner the better," Egan said. "We would be happy to try it in the fall."

In a statement, the diocese said about their insurers, "For too long these companies have dragged their feet in resolving these claims, and in the process they have denied other victims the opportunity for a fair resolution to their claims. Once again today, their lawyers have raised the possibility of deposing victims; which the diocese asserts is unnecessary and potentially traumatic for some who have suffered enough.

"We again extend to these insurance companies the opportunity to sit down and negotiate a settlement in a far timelier manner."

The diocese filed suit to obtain coverage for dozens of abuse claims and to recoup \$7.7 million paid in 2004 in the settlement of a lawsuit involving 46 claimants represented by Greenfield lawyer John J. Stobierski.

Among the defendants in the lawsuit are Travelers Property Casualty Co., North Star Reinsurance Corp., Lloyd's of London, Interstate Fire & Casualty Co., and Centennial Insurance Co.

Springfield lawyer Charles K. Bergin Jr., who represents Dupre, agreed to have the bishop sit through a deposition, which will take place in Maryland. Dupre left his position as bishop of the Springfield diocese and checked into St. Luke Institute in Silver Spring, Md., in February 2004 after being confronted by The Republican about accusations that he had sexually abused two minors years earlier when he was a parish priest.

The deposition is to take place somewhere in Maryland, though Bergin said he did not know if Dupre is still at St. Luke's. Bergin also said the deposition would be confined to Dupre's administrative functions in handling of sexual abuse cases when he was bishop and whether his actions could have affected insurance coverage.

Bergin said the deposition would not include questions about Dupre's alleged sexual misconduct. A grand jury in 2004 indicted Dupre on two counts of child rape, but the expired statute of limitations prevented prosecution, according to the district attorney.

After the hearing, Springfield lawyer Edward J. McDonough Jr., one of the lawyers for the diocese, explained why Bergin was representing Dupre.

"The diocese has never represented any clergy accused of abuse," he said. "They have to have their own counsel."

Stobierski, who represents more than 20 people with pending claims of being victims of clergy abuse, wants to see the lawsuit concluded so he can move forward in his dealings with the diocese.

"Our dog in this fight is getting this (lawsuit) done," Stobierski said after today's hearing.