

## Diocese to fight class action filing

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### Bishop says church not taking issue with individual claims of abuse

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The Roman Catholic Diocese of San Diego will challenge an attempt by lawyers to gain class action status for a lawsuit filed last month alleging sexual abuse.

The suit was filed on behalf of three men who claim they were molested by a former priest at a church in El Centro in 1975 and 1976. The Roman Catholic Diocese of San Diego includes Imperial County.

In addition to those claims, the suit also aims to establish a *class action* on behalf of all victims of sexual abuse by clergy.

Last week, in a letter to priests in the 900,000-member diocese, Bishop Robert Brom said church lawyers would file a challenge to the class action effort.

Brom emphasized that the diocese is not challenging the claims of abuse by the three men, only the "legitimacy of a class action approach" in sexual abuse cases.

"We are convinced that a class action in sexual abuses cases is completely inappropriate because of the unique nature of the injuries alleged by each individual and the diversity in consequent harm suffered," Brom wrote. "The facts and damages in every case are different."

Irwin Zalkin, the lawyer who filed the class action, said such a move was expected. He said he would be filing papers to get the class action suit included in the hundreds of clergy abuse cases that are being coordinated under a single judge in Los Angeles.

A spokesman for the diocese said a meeting with the judge on the issue is set for tomorrow.

Zalkin said a case certified in a diocese in Kentucky is the only other class action dealing with clergy sexual abuse that he knows of.

If the class action were approved – or legally certified – it would allow people who did not file individual claims by a Dec. 31 deadline to still recover money.

Most of the hundreds of lawsuits filed against dioceses across the state last year were individual personal injury and negligence claims. A special state law gave plaintiffs until the end of the year to file civil suits under an expanded statute of limitations.

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