

In re: Magaldi, Philip
Date: April 29, 1999

CONFIDENTIAL MEMORANDUM

To: Files
From: Bishop Delaney
Date: April 29, 1999
In re: Father Philip Magaldi - Call from

I had a call today from _____, who is doing graduate work at _____. He had heard about the difficulties PM was having and also heard rumors that the retirement was only temporary and was going to be rescinded. I assured him that it was a done deal and would not be retracted. I also explained that his coming forth two years ago was extremely helpful in at the present time, that although we did not have enough cause to remove PM from ministry then, the allegations together with his _____ testimony, led us to take the step of removing PM from ministry permanently.

He was glad to talk to me and offered to go public with his story if it were needed to bolster the case for keeping PM out of ministry. I told him I didn't think that would be necessary.

He was having difficulty studying because of all he was hearing, and was pleased to hear that the matter was being settled. I invited him to call me any time.

CONFIDENTIAL
DOCUMENT IS NOT TO BE REPRODUCED.

10-04-04 Order
0650

PER COURT ORDER - DOCUMENT NOT TO BE DISCLOSED TO ANYONE NOT IDENTIFIED IN SUCH ORDER AND INFORMATION IN DOCUMENT ONLY TO BE USED IN CAUSE NO. 14T-198356-03, TARRANT COUNTY, TEXAS. THIS DOCUMENT IS NOT TO BE REPRODUCED. DOCUMENT TO BE RETURNED TO COUNSEL FOR FORT WORTH DIOCESE AT CONCLUSION OF SUCH CAUSE. ANY VIOLATION WILL BE TREATED AS CONTEMPT OF COURT.

From the Boston Globe

MAGALDI, P.
4-29-99

Former priest denies abuse claim

By Associated Press, 04/28/99 09:30

NORTH RICHLAND HILLS, Texas (AP) - A retired Catholic priest claims a sexual misconduct allegation made against him is "false and frivolous" and an attempt to extort money from the Diocese of Fort Worth.

"I view this as an attempt to blackmail the Diocese of Fort Worth and to embarrass the church I have served for 38 years and four months," said the Rev. Philip Magaldi, who announced his retirement Sunday as associate pastor at St. John the Apostle Catholic Church in North Richland Hills.

According to a statement released Sunday by diocese officials, Magaldi has been accused of sexual misconduct by a 35-year-old Massachusetts man who claims the former priest abused him for several years in the 1970s.

Magaldi, 62, vehemently denies the claims.

"I have loved children all my life and am repelled by the thought that anyone would think I would perpetrate the horrible things I am accused of," he said.

The Fort Worth Star-Telegram reported in Wednesday's editions that no lawsuits have been filed against the diocese or Magaldi.

The allegations of abuse surfaced in December. Diocese officials were officially notified earlier this month by a lawyer in Randolph, Mass.

Magaldi said he never worked in Massachusetts. The newspaper reported, however, that the retired priest did work at a Rhode Island parish about 50 miles from where the man making the allegations grew up.

From the time Magaldi was ordained in 1960 until 1988, he worked in the Diocese of Providence, R.I., said William Halpin, a spokesman for that diocese.

In 1988, Magaldi resigned from there because of financial mismanagement. A few years later, he pleaded guilty to embezzlement and served a prison sentence for stealing money from the Rhode Island parish.

A judge had said Magaldi used some of the embezzled money for tropical vacations with adolescent boys and once gave a teen-ager he met in a park enough money to get a car.

[[Send this story to a friend](#) | [Easy-print version](#)]

Advertising information


© Copyright 1999 Boston Globe Electronic Publishing, Inc.

[Click here for assistance.](#)

Please read our user [agreement](#) and user information [privacy policy](#).

10-04-04 order
0651

Page 2
PER COURT ORDER - DOCUMENT NOT TO BE DISCLOSED TO ANYONE NOT IDENTIFIED IN SUCH ORDER AND INFORMATION IN DOCUMENT ONLY TO BE USED IN CAUSE NO. 14T-198356-03, TARRANT COUNTY, TEXAS. THIS DOCUMENT IS NOT TO BE REPRODUCED. DOCUMENT TO BE RETURNED TO COUNSEL FOR FORT WORTH DIOCESE AT CONCLUSION OF SUCH CAUSE. ANY VIOLATION WILL BE TREATED AS CONTEMPT OF COURT.

 **Diocese of Fort Worth**
Bishop's Office

MAGALDI P.
5-21-99

May 21, 1999

Reverend Philip Magaldi

Dear Father Magaldi:

Your retirement from active ministry began on April 25, but because of our busy schedules it has not been possible for us to make final the details of your future status. I am pleased to do this now.

I want in this letter to set out the understandings we have reached about your new status as a retired priest. You will not be performing public ministry in the Church, either in our Diocese or elsewhere, unless another bishop gives you that right.


You may celebrate Mass privately with those who live with you. While you will not be celebrating the other sacraments, you will be mindful of the provisions of Canon 976 which not only grants you the faculties to minister to those in danger of death by celebrating the sacrament of Penance, but also requires that you do so. This ministry would include the sacraments of the Anointing of the Sick and Viaticum.

Since you will not be in active ministry, you will not have occasion to make contact with children or youth in the context of Church life. You must also be particularly careful not to use your former relationship with St. John the Apostle Parish or any other parish to make contact with young people.

Since you will no longer have an assignment in the Diocese, we will no longer have the relationship of the past. Nevertheless, as a member of the Church living in the Diocese, I will continue to have a solicitous regard for your spiritual well-being and will be always available for spiritual support.

Be sure that I will keep you in my prayers, asking the Lord to fill your life with peace.

Sincerely in Christ,


Joseph P. Delaney
Bishop of Fort Worth

10-04-04 Order
0652

Confidential

W-
S-

April 29, 1999

John W. Crumley, P.C.
Attorney At Law
316 University Central
1300 South University Drive
Fort Worth, TX 76107-5735

Re: - Father Philip A. Magaldi

Dear Mr. Crumley:

Your letter of April 21, 1999 in response to my letter of April 9, 1999 is hereby acknowledged.

I am astounded that you would write the following on behalf of the Diocese of Fort Worth wherein you state:

"Even if the claims by _____ were not barred by the statute of limitations, prior to, at the time and for several years after the alleged incident Rev. Magaldi was not a priest employed by or associated with the Diocese of Fort Worth"

For your edification I enclose a copy of an article from The Dallas Morning News, which appeared in the Providence Journal on _____ 27, 1999 written by Brooks Egerton and Aline McKenzie which states:

"Bishop Delaney hired Father Magaldi about a decade ago after he had been suspended by the Diocese of Providence in connection with the theft allegation, but before the criminal case unfolded."

Are you suggesting this written statement supports your position that Father Magaldi's relationship with Bishop Delaney is not associated with the Fort Worth Diocese? Respectfully, I believe that is a stretch beyond anybody's imagination.

10-04-04 Order
0654

John W. Crumley, P.C.
April 29, 1999
Page 2

I have further learned that the source of the newspaper article in the Dallas Fort Worth Morning News was none other than Father Magaldi who addressed a group of his parishioners sometime after April 9, 1999.

~~As the bard once wrote "He doth protest too much"~~

We have discovered that it was the Bishop of the Fort Worth Diocese that referred Rev. Magaldi to [redacted] in [redacted], after the Bishop discovered that a similar incident concerning the use of an enema upon a male victim in Texas.

Concerning your statement that the statute of limitations has expired on any claim that [redacted] feels he has against Rev. Magaldi, I suggest you review Massachusetts General Laws c. 260 s. 4A and cited cases.

DOCUMENT IS NOT TO BE REPRODUCED.

Your veiled threat that we may expose ourselves to sanctions under Federal Rule 11(c) will not deter us from seeking justice in this matter.

Further comment from your would be appreciated.

Very truly yours

enclosure

10-04-04 Order
0655

Former R.I. priest accused of sex abuse

A 35-year-old Massachusetts man accuses the Rev. Philip Magaldi, who served prison time for stealing from a North Providence parish, of sexual abuse dating to the 1970s.

By BROOKS EGERTON
and ALINE MCKENZIE
The Dallas Morning News

FORT WORTH, Texas — A former Rhode Island priest, who had pleaded guilty in 1972 to stealing money from his parish, has been accused of sexual abuse and has retired from active ministry in Texas, according to Rev. Philip Magaldi, a priest formerly assigned to St. Anthony Church, North Providence, was accused by a 35-year-old Massachusetts man of years of abuse dating to the 1970s. Father Magaldi had most recently been an associate pastor of St. John the Apostle Catholic Church in North Richland Hills, Texas, and chaplain of the diocesan Scout program.

Father Magaldi vehemently denies the charges and insists that he never met or had any contact with the man, according to a Fort Worth diocesan spokesman. "However, until this matter is resolved, Father Magaldi is retiring from active ministry."

The priest could not be reached for comment Sunday. Diocesan spokesman Jeff Haggard, who issued the news release, would not say whether the man's name would be disclosed.

Magaldi was sentenced to 18 months in prison in 1972 for stealing \$120,000 from his former parish in North Providence, Rhode Island. He used some of the money for tropical vacations with teenage boys and once gave a boy he had met in a park enough money to buy a car.

Last August, Father Magaldi told parishioners that news reports about his conviction and spending on boys wouldn't drive him from the North Richland Hills church. He supervised altar boys at St. John.

"Father Magaldi isn't going anywhere. He is staying right here," he said to a standing ovation.

Bishop Delaney hired Father Magaldi about a decade ago, after he had been suspended by the Diocese of Providence in connection with the theft allegations but before

whether the retirement was forced, and he declined to comment further on his pastor, the Rev. Charles King, saying that he had punished a priest for molesting a child during his retirement during Sunday services and that the reaction was "shocking and stupor."

"He was an excellent associate pastor, working with children, hospital visitations, young people, and couples preparing for marriage."

Father Magaldi, a friend of Fort Worth Bishop Joseph P. Delaney for more than 20 years, pleaded guilty in 1992 to stealing more than \$120,000 from his former parish in North Providence, Rhode Island. He used some of the money for tropical vacations with teenage boys and once gave a boy he had met in a park enough money to buy a car.

Last August, Father Magaldi told parishioners that news reports about his conviction and spending on boys wouldn't drive him from the North Richland Hills church. He supervised altar boys at St. John.

"Father Magaldi isn't going anywhere. He is staying right here," he said to a standing ovation.

Bishop Delaney hired Father Magaldi about a decade ago, after he had been suspended by the Diocese of Providence in connection with the theft allegations but before

the criminal case unfolded. Father Magaldi then went to work primarily in rural parishes north of Fort Worth.

When Father Magaldi subsequently pleaded guilty, the bishop wrote parishioners that he "probably unknowingly violated the law."

At the time, Father Magaldi said he had mingled parish funds and personal money to pay for church renovations and to help needy parishioners. There were no records because he was a poor bookkeeper, he said.

The Rhode Island judge who sentenced the priest said in court that Texas parishioners had written to him complaining that a priest had continued to spend recklessly. He was sentenced to two years in a work-release program and served eight months before returning to Texas. Bishop Delaney said he was not allowed to handle church money after returning.

A Boston-based advocate for clergy sex abuse victims said Father Magaldi never would have been allowed to work in the Fort Worth diocese.

If the allegations are true, then Father Magaldi is a growing number of priests who have been transferred in rural communities in Texas after having molested youths in Massachusetts, said Philip Saviano, leader of the New England chapter of the national Survivors Network of those Abused by Priests.

CL

Continue

lice Joseph R. Weir outside the court Street; the Cardinal's station on Friday 2 p.m. Conale

call from the rail. Carlis waited to chairs. But he had radio station that the offer, he had to appropriate with

The Cards are court, Superior C. Joseph F. Rodgers said he needed to to see if the court to Rowlers later to said that Weisberger "if they are any help, you would be most a ful for the generous dis," he said. "Any welcome and appreciate the state who use I speak for the thousands served over the years."

Currently, there is General Assembly to new jurors' chairs, courtrooms, and 99th aion rooms. With only 86 are now need

10-04-04 Order
0656

WE HAVE DOCTORS. THEY HAVE DOCTORS.

WE HAVE HOSPITALS. THEY HAVE HOSPITALS.
WE HAVE DENTAL. THEY HAVE SOME EXPLAINING TO DO.

May 29, 1999

2-3 54
J. kept message on
his cell phone
Phil

Dear Bishop Delaney,

I write to request a special "dispensation" from the ban you have placed on me regarding the celebration of the Sacrament of Matrimony. My cousin of whom we spoke has postponed the marriage for six months due to some family illness on the bride's side and also in hope that my situation will be resolved by then.

I do have a very special request concerning a former altar server and lector who served under me in Henrietta back in 1990. His fiancee entered full communion with the Church this past Easter. Because her non-Catholic family lives in Arlington and she was received into the Church at College Station, she and her husband to be decided that St. John's would be a central location for the marriage. Naturally, it was their choice for celebrant and they began preparations last year with me.

The marriage is scheduled for _____ at St. John's with the reception to follow in the parish center. As mentioned, she is from _____ non-Catholic family and he is from _____. No St. John's parishioners are involved in the wedding. Can you kindly make an exception for me in this situation?

Thanking you for your consideration of this special request, I am

Fraternally yours in Christ,

Phil

Rev. Philip A. Magaldi

10-04-04 Order
0657

DIOCESE OF PROVIDENCE
Robert N. McCarthy, Director
Office of Education & Compliance
433 Elmwood Avenue
Providence, R. I. 02907

April 1999

Re:

RECEIVED

JUN 1 1999

DOCUMENT IS NOT TO BE REPRODUCED.

Polygraph Services - \$250.00

Senior Examiner

10-04-04 Order
0659

PER COURT ORDER - DOCUMENT NOT TO BE DISCLOSED TO ANYONE NOT IDENTIFIED IN SUCH ORDER AND INFORMATION IN DOCUMENT ONLY TO BE USED IN CAUSE NO. 14T-198356-03, TARRANT COUNTY, TEXAS. THIS DOCUMENT IS NOT TO BE REPRODUCED. DOCUMENT TO BE RETURNED TO COUNSEL FOR FORT WORTH DIOCESE AT CONCLUSION OF SUCH CAUSE. ANY VIOLATION WILL BE TREATED AS CONTEMPT OF

DIOCESE OF PROVIDENCE
Robert N. McCarthy, Director
Office of Education & Compliance
433 Elmwood Avenue
Providence, R.I. 02907

April 7, 1999

Re:

Dear Mr. McCarthy,

On Monday, April 5, 1999, I received the polygraph questions and charts of polygraph tests were given on April 3, 1999 and the examiner of record was

The polygraph tests utilized the Positive Control Technique and the Backster Format. A two chart series was conducted in each procedure.

The following relevant questions were asked during the tests administered to the referenced individual. His answer follow each question.

1. Did Father Magaldi ever give you an enema? Answer: YES
2. Did you ever engage in oral sex while in the city of Worchester with Father Magaldi? Answer: YES
3. Did you ever have anal sex with Father Magaldi? Answer: YES

A careful review of the polygraph charts and applying a three point scale, leads this examiner to the following conclusions:

NO REACTIONS INDICATIVE OF DECEPTION WERE RECORDED DURING THE TESTS TO QUESTIONS:

1
2
3

The polygraph technique is supportive of the testee. If you have any further questions regarding this matter, please contact me at my office.

Sincerely yours,

10-04-04 Order
0660

April 6, 1999

TO:	ROBERTEN MCCARTHY	DIRECTOR	OFFICE OF EDUCATION &
		COMPLIANCE	
FROM:		SENIOR POLYGRAPH EXAMINER	
SUBJECT:	SERVICES RENDERED		

The fee for the polygraph examination concerning dollars (\$500).

given on April 3, 1999 is five hundred

Please make check payable to

DOCUMENT IS NOT TO BE REPRODUCED.

RECEIVED

JUN 7 5 1999

Respectfully Submitted

[Signature]

CONFIDENTIAL

10-04-04 Order
0661

PER COURT ORDER - DOCUMENT NOT TO BE DISCLOSED TO ANYONE NOT IDENTIFIED IN SUCH ORDER AND INFORMATION IN DOCUMENT ONLY TO BE USED IN CAUSE NO. 14T-198356-03, TARRANT COUNTY, TEXAS. THIS DOCUMENT IS NOT TO BE REPRODUCED. DOCUMENT TO BE RETURNED TO COUNSEL FOR FORT WORTH DIOCESE AT CONCLUSION OF SUCH CAUSE. ANY VIOLATION WILL BE TREATED AS CONTEMPT OF

June 25, 1999

Robert McCarthy
Office of Education and Compliance
433 Elmwood Avenue
Providence, RI 02907

RECEIVED

JUN 29 1999

CONFIDENTIAL
DOCUMENT IS NOT TO BE REPRODUCED.

Re: Father Philip Magaldi
Our File

Dear Mr. McCarthy:

I have been retained by Father Philip Magaldi relative to certain allegations made by

Father Magaldi informs me that you have extensively interviewed _____ and conducted a preliminary investigation into his allegations.

Would you kindly call me upon receipt of this correspondence to discuss the future of this matter?

Thank you for you anticipated cooperation.

Very truly yours,

10-04-04 Order
0663

JOHN W. CRUMLEY, P.C.

ATTORNEY AT LAW
316 UNIVERSITY CENTRE II
1300 SOUTH UNIVERSITY DRIVE
FORT WORTH, TEXAS 76107-5735

JOHN W. CRUMLEY

TELEPHONE (817) 334-0291
FACSIMILE (817) 334-0775
E-MAIL crumley1@airmail.net

July 12, 1999

Re: Polygraph Services for
DOCUMENT IS NOT TO BE REPRODUCED.

Dear Mr.

Enclosed is a check in the amount of \$250.00 for the polygraph examination of

Yours very truly,

ORIGINAL SIGNED BY
JOHN W. CRUMLEY
John W. Crumley

JWC:irw

Enclosure

cc: ✓ Most Rev. Joseph P. Delaney
Lt. Robert N. McCarthy

10-04-04 Order
0665

JOHN W. CRUMLEY, P.C.

ATTORNEY AT LAW
316 UNIVERSITY CENTRE I
1300 SOUTH UNIVERSITY DRIVE
FORT WORTH, TEXAS 76107-5735

JOHN W. CRUMLEY

TELEPHONE (817) 334-0291
FACSIMILE (817) 334-0775
E-MAIL crumleyj@airmail.net

July 12, 1999

Re: Polygraph Examination for

Dear Mr.

Enclosed as a check in the amount of \$500.00 for the polygraph examination of

Yours very truly,

ORIGINAL SIGNED BY
JOHN W. CRUMLEY
John W. Crumley

JWC:irw

Enclosure

cc: Most Rev. Joseph P. Delaney
Lt. Robert N. McCarthy

10-04-04 Order
0666

belief he is presently a citizen of the State of Texas and residing in the Fort Worth Diocese.

II. JURISDICTION

III. INTRODUCTION

5. The plaintiff, _____ is suing the defendants for intentional and negligent infliction of emotional harm and related tort actions based upon the acts which occurred when the plaintiff was a minor, performed upon him by the defendant, Father Philip A. Magaldi, who at the time of these acts was a Roman Catholic Priest of the Diocese of Providence, Rhode Island. The plaintiff alleges herein that the statute of limitations applicable to sex abuse has been tolled and extended pursuant to _____

6. The plaintiff in or about the spring of 1997 through a discussion with his step sponsor at Alcoholics Anonymous discovered suppressed memories

10-04-04 Order
0668

Holiday Inn. Upon arriving at the defendant's room, Magaldi locked the door. Magaldi again gave the plaintiff an enema and performed oral and anal sex upon the plaintiff.

c. From 1970 through 1976, at various times, the defendant, Magaldi, sexually abused the plaintiff in the same manner as prior times set forth above.

d. The plaintiff avers that it was not until about the spring of 1997 that he was able to recall and discover the existence of a cause of action by recognizing the psychological and traumatic significance of the memories and the awareness of the impact of the sexual abuse.

**FIRST COUNT - INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AGAINST THE DEFENDANT, FATHER PHILIP A. MAGALDI**

10. The actions of Magaldi as set forth above inflicted severe emotional distress, pain, suffering and humiliation upon the plaintiff of a permanent and lasting nature.

11. The acts complained of are outrageous, beyond all standards of human decency, and were intentional, malicious and in reckless disregard for the plaintiff's rights.

WHEREFORE, the plaintiff demands damages, punitive damages and compensatory damages for pain and suffering, emotional distress, damage to reputation and such other and further relief as the Court may deem just and proper.

**SECOND COUNT - ASSAULT AND BATTERY
AGAINST THE DEFENDANT, FATHER PHILIP P. MAGALDI**

10-04-04 Order
0670

12. Magaldi improperly and through deceit and misrepresentation obtained consent from a young boy to touch him in an improper and offensive manner more specifically as set forth above.

WHEREFORE, the plaintiff demands damages, punitive damages and compensatory damages for pain and suffering, emotional distress, damage to reputation, and such other and further relief as the Court may deem just and proper.

THIRD COUNT - CONSPIRACY TO PROTECT THE ACTIVITIES
OF THE DEFENDANT, FATHER PHILIP P. MAGALDI

DOCUMENT IS NOT TO BE REPRODUCED.

13. Upon information and belief the plaintiff avers that in the year 1997 the Bishop of Fort Worth, Texas became aware of the pedophilic propensity of the defendant, Magaldi, and suspended Magaldi from his priestly duties and referred Magaldi to a sexual abuse clinic in New Jersey, thereby protecting Magaldi's transgressions as a secret.

WHEREFORE, the plaintiff demands damages, punitive damages and compensatory damages for pain and suffering, emotional distress, damage to reputation and such others and further relief as the Court may deem just and proper.

FOURTH COUNT - CONSPIRACY BETWEEN THE DIOCESE OF
PROVIDENCE AND THE DIOCESE OF FORT WORTH

14. Upon information and belief the plaintiff avers that the Diocese of Providence, Rhode Island, having become aware of the pedophilic propensity of Magaldi, conspired with the Diocese of Fort Worth to transfer Magaldi to the

10-04-04 Order
0671

Fort Worth Diocese. Thereby, both Diocese attempted to protect the transgressions of Magaldi against the plaintiff.

WHEREFORE, the plaintiff demands damages, punitive damages and compensatory damages for pain and suffering, emotional distress, damage to reputation and such others and further relief as the Court may deem just and proper.

FIFTH COUNT— NEGLIGENT INFLECTION OF EMOTIONAL DISTRESS
AGAINST EACH DEFENDANT

The plaintiff repeats and parajges each and every allegation 1-14 above as though set forth fully at length herein.

15. The defendants negligently and recklessly inflicted emotional distress on the plaintiff and exacerbated his injuries by hiding, concealing and fraudulently withholding the facts of the sexual abuse of the plaintiff from the plaintiff and his family.

WHEREFORE, the plaintiff demands damages, punitive damages and compensatory damages for pain and suffering, emotional distress, damage to reputation and such others and further relief as the Court may deem just and proper.

SIXTH COUNT— NEGLIGENT RETENTION OF FATHER PHILIP P. MAGALDI
AGAINST THE DIOCESE OF PROVIDENCE
AND THE DIOCESE OF FORT WORTH

10-04-04 Order
0672

The plaintiff repeats and realleges each and every allegation 1-15 above as though set forth fully at length herein.

16. The defendants, Diocese of Providence and Fort Worth retained and conspired between themselves and with others of the Roman Catholic Church to retain Magaldi as a Roman Catholic priest and to prevent the discovery of his sexual misconduct against the plaintiff and law enforcement authorities.

17. Said negligent retention was the proximate cause of the plaintiff's injuries and compounded the plaintiff's injuries by non-discovery.

18. The defendants knew or should have known that Magaldi was and is unfit for his duties as a priest, but retained and transferred him in a fraudulent attempt to prevent their own embarrassment and legal exposure.

DOCUMENT IS NOT TO BE REPRODUCED.
SEVENTH COUNTY - RESPONDENT SUPERIOR AGAINST
THE DEFENDANT, DIOCESE OF PROVIDENCE

The plaintiff repeats and realleges each and every allegation 1-18 above as though set forth fully at length herein and :

19. The defendant, Diocese of Providence, chose and retained Magaldi as an employee whose job duties included counseling and spiritual development of children.

20. Magaldi, as a priest and employee of the defendant, Diocese of Providence, while in its employ performed wrongful sexual assaults upon the plaintiff, who was a member of the Jewish faith.

21. The defendant, Diocese of Providence, is responsible for the wrongful acts of Magaldi while he was in the employ of the defendant, Diocese of Providence.

10-04-04 Order
0673

WHEREFORE, the plaintiff demands damages, punitive damages and compensatory damages for pain and suffering, emotional distress, damage to reputation and such others and further relief as the Court may deem just and proper.

EIGHTH COUNT - NEGLIGENT TRAINING AND SUPERVISING
AGAINST THE DIOCESE OF PROVIDENCE

The plaintiff repeats and realleges each and every allegation 1-21 as though set forth fully herein and:

22. The defendant, as part of its religious doctrine, requires that priests be celibate.
23. Said requirement imposes upon the defendant Diocese an obligation of heightened training and supervision of persons committed to said lifestyle in order to take responsible measures to deal with psychological problems, recognize warning signals and provide appropriate training to prevent problems of sexual dysfunction and pedophilia.

24. Upon information and belief, the plaintiff avers that the defendant Diocese negligently trained and supervised Magaldi.

25. As a proximate result, the plaintiff was injured as set forth above.

WHEREFORE, the plaintiff demands damages, punitive damages and compensatory damages for pain and suffering, emotional distress, damage to reputation and such others and further relief as the Court may deem just and proper.

PLAINTIFF CLAIMS TRIAL BY JURY.

10-04-04 Order
0674

Respectfully Submitted,

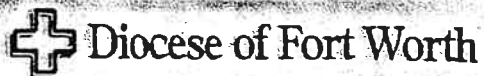
By His Attorneys.

CONFIDENTIAL

DOCUMENT IS NOT TO BE REPRODUCED.

10-04-04 Order
0675

PER COURT ORDER - DOCUMENT NOT TO BE DISCLOSED TO ANYONE NOT IDENTIFIED IN SUCH ORDER AND INFORMATION IN DOCUMENT ONLY TO BE USED IN CAUSE NO. 14T-198356-03, TARRANT COUNTY, TEXAS. THIS DOCUMENT IS NOT TO BE REPRODUCED. DOCUMENT TO BE RETURNED TO COUNSEL FOR FORT WORTH DIOCESE AT CONCLUSION OF SUCH CAUSE. ANY VIOLATION WILL BE TREATED AS CONTEMPT OF



For Immediate Release
July 22, 1999
Contact: Jeff Hensley
(817) 560-3300

Father Philip Magaldi's Retirement

In April, the Diocese of Fort Worth issued a news release announcing the resignation of Father Philip Magaldi, a priest of the Diocese of Fort Worth, because of accusations of sexual misconduct being made by a 35-year-old man who was a resident of [redacted]. The individual, [redacted], whose name we did not reveal at the time, had accused Fr. Magaldi of abuse over a period of years in Massachusetts, in the 1970s.

DOCUMENT IS NOT TO BE REPRODUCED.

In the press release, Fr. Magaldi was described as vehemently denying the truth of the accusations and insisting he had never met or had contact with the person.

In response to these accusations, the diocese had requested and obtained Fr. Magaldi's retirement from active priestly ministry. If Fr. Magaldi is exonerated, his status will be re-evaluated.

The behavior that Fr. Magaldi has been accused of in the lawsuit [redacted] is all described as having taken place in that state in the 1970s. At that time, Fr. Magaldi, who was ordained for the Diocese of Providence, Rhode Island, was serving as a priest in that diocese.

— # —

10-04-04 Order
0676



HAVE ONE OF THESE ?

Sh
• T
Ad
G
To

- SECTIONS
- HOME PAGE
- TODAY'S PAPER
- LOCAL NEWS
- NAT./INTL. NEWS
- BUSINESS TODAY
- TECHNOLOGY TODAY
- SPORTS
- COLUMNISTS
- OPINION
- ENTERTAINMENT
- MOVIE REVIEWS
- LIFESTYLE/ TRENDS
- FOOD/ DINING
- HEALTH/ FITNESS
- TRAVEL
- PERS. FINANCE
- OBITUARIES
- SPECIAL REPORTS

Local/Regional News

Priest who vouched for von Bulow sued for rape
by Andrea Estes

Friday, July 23, 1999

A Roman Catholic priest once accused of lying in the trial of socialite Claus von Bulow repeatedly raped a young boy two decades ago and then ordered him to keep quiet or "burn in hell," the alleged victim is now charging.

Magaldi filed suit last week against the Rev. Philip A. Magaldi, who retired in April after the charges were aired.

Magaldi, 62, had been transferred to a church in North Richland Hills, Texas, outside of Fort Worth, after he was found guilty of embezzling money from the Diocese of Providence, where he worked when the alleged sexual assaults took place.

Magaldi couldn't be reached for comment. But he has insisted he is innocent. He told the Fort Worth Star-Telegram in April: "I view this as an attempt to blackmail the Diocese of Fort Worth and to embarrass the church I have served for 38 years and four months.

10-04-04 Order 0679

CLASSIFIEDS

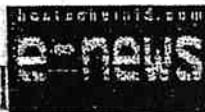
jobfind.com
carfind.com
homefind.com
other

HELP

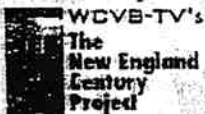
HOME DELIVERY
CONTACT US
NEWS TIPS



CAMPAIGN
2000



E-NEWS



THE NEW
ENGLAND
CENTURY
PROJECT



EBAY.COM



AP WIRE



"I have loved children all my life and am repelled by the thought that anyone would think I would perpetrate the horrible things I am accused of."

... who represents Marks, says his client's life was ruined by the six-year abusive relationship with the priest, whom he met while pushing his bike on a Worcester street in 1970.

According to the suit, ... then a young teenager, was walking beside his broken bike when Magaldi pulled up beside him in his car.

He asked ... if he needed help and Magaldi put the bike in his trunk. Wearing street clothes, Magaldi told ... he was a priest and invited him to a Holiday Inn, where he ordered Marks to remove his clothes, the suit says.

The priest attempted to perform oral sex, then gave him an enema telling him he was "cleansing (him) with holy water," alleges.

Magaldi handed him \$300 and ordered him to keep quiet or "he would never see his father and mother again and he . . . would burn in hell for eternity," the suit states.

10-04-04 Order
0680

Over the next six years, Magaldi "sexually abused" ... several times, the complaint says. It wasn't until 1997, while attending an Alcoholics Anonymous meeting that ... remembered what had happened, the complaint states.

Officials of the Diocese of Providence declined comment, saying they hadn't yet seen the suit.

In a written statement Fort Worth diocese

AP ARCHIVE

spokesman Jeff Hensley said because of the charges, officials had requested and obtained Father Magaldi's retirement from active priestly ministry" even though Magaldi had "vehemently" denied the allegations or even knowing " If Father Magaldi is exonerated, his status will be re-evaluated."

Magaldi, who resigned from St. Anthony's Church in May 1988, was indicted in 1985 on perjury and obstruction charges for allegedly lying in a 1983 statement he gave in support of von Bulow, who was acquitted in a second trial in 1985 of twice trying to murder his heiress wife with insulin injections. The charges against Magaldi were dropped in June 1987.

DOCUMENT IS NOT TO BE REPRODUCED. More Local/Regional News

HAVE ONE OF THESE ?

- [[Home Page](#) | [Today's Paper](#) | [Local/Regional News](#) | [National/Intl. News](#) | [Business Today](#) | [Technology Today](#) | [Sports](#) | [Columnists](#) | [Opinion](#) | [Arts & Entertainment](#) | [Movie Reviews](#) | [Lifestyle/Trends](#) | [Food/Dining](#) | [Health/Fitness](#) | [Travel](#) | [Personal Finance](#) | [Obituaries](#) | [Special Reports](#) | [Inside Track](#) | [Cartoons](#) | [Crossword](#) | [Horoscope](#) | [Personals](#) | [TVGuide](#) | [Traffic](#) | [Weather](#) | [jobfind.com](#) | [carfind.com](#) | [homefind.com](#) | [other](#) | [Contact Us](#) | [News Tips](#)]

10-04-04 Order 0681

March 21, 2000

Dear Bishop Delaney,

Happy Feast Day! It is with great joy that I send you the official notice of the dismissal of lawsuit against the Dioceses of Providence, Fort Worth and myself. I received it Saturday.

I would like to meet with you at your convenience to discuss my returning to active ministry. Even though I have been able to celebrate Mass at home, I want to get an assignment.

The people of St. John the Apostle Church have been very supportive since the beginning of my case. I have several hundred letters of support and encouragement from them and constant questions when I meet them, "when are you coming back?" Because of this and my sincere happiness at St. John's since 1993, I hope you will find it in your heart to let me return to St. John's.

During this time of Lent with penance services and extra Masses, help is sorely needed. I am anxious and ready to return to active ministry, to be of service to the People of God and my brother priests.

Awaiting your reply and assuring you of my continued prayers for you, I am

Fraternally yours in Christ,

Phil

10-04-04 Order
0682

V.

CIVIL ACTION NO.

THE DIOCESE OF PROVIDENCE, ET AL

ORDER OF DISMISSAL

DOCUMENT IS NOT TO BE REPRODUCED. JANUARY 7, 2000

FOR FAILURE OF THE PLAINTIFF TO FILE A RETURN OF SERVICE OF SUMMONS, OR SHOW CAUSE WHY SERVICE HAS NOT BEEN MADE, PURSUANT TO THE PROVISIONS OF RULE 4(m) OF THE FEDERAL RULES OF CIVIL PROCEDURE AND LOCAL RULE 4.1(b):

IT IS HEREBY ORDERED: THE ABOVE-CAPTIONED ACTION IS HEREBY DISMISSED WITHOUT PREJUDICE.

SO ORDERED.

UNITED STATES DISTRICT JUDGE

BY:

10-04-04 Order
0683

*3:00
J. Kennedy
called to Longhouse
etc. without papers.*

April 10, 2000

Dear Bishop Delaney,

When you were away after Easter, I asked Mr. Crumley to put before you a special request for an increase in my monthly financial assistance.

D

D

Thanking you for your consideration of my request, I am

10-04-04 Order
0684

Respectfully yours,

Philip Magaldi

CONFIDENTIAL

DOCUMENT IS NOT TO BE REPRODUCED.

10-04-04 Order
0685

PER COURT ORDER - DOCUMENT NOT TO BE DISCLOSED TO ANYONE NOT IDENTIFIED IN SUCH ORDER AND INFORMATION IN DOCUMENT ONLY TO BE USED IN CAUSE NO. 14T-198356-03, TARRANT COUNTY, TEXAS. THIS DOCUMENT IS NOT TO BE REPRODUCED. DOCUMENT TO BE RETURNED TO COUNSEL FOR FORT WORTH DIOCESE AT CONCLUSION OF SUCH CAUSE. ANY VIOLATION WILL BE TREATED AS CONTEMPT OF COURT

MAGALDI, P
4-18-2000

Bishop Delaney

From: Joe Schumacher
Sent: Tuesday, April 18, 2000 2:41 PM
To: Bishop Delaney
Cc: Robert Wilson

A telephone call this afternoon from Msgr. Paul Theroux, moderator of the Curia for Providence, RI. They had received a letter from Phil Magaldi indicating he had his faculties restored in Fort Worth Diocese and asking for them to be restored in Providence so he could do some work there.

Bishop Mulvee asked Paul to call and see what was up.

I told him that Phil's faculties had been taken away for the second time, just within the past week here in Ft. Worth, that he was retired from public ministry.

Paul said that he would tell Bishop Mulvee, since "they were not wanting to renew his faculties in Providence and now would not, telling Fr. Migaldi this, based on his not having them in Fort Worth."

The letter from Phil was received in Providence April 6th, so Paul said.

DOCUMENT IS NOT TO BE REPRODUCED.

CONFIDENTIAL

10-04-04 Order
0686

In re: Magaldi, Philip

Date: May 17, 2000

CONFIDENTIAL MEMORANDUM

To: Files
From: Bishop Delaney
Date: May 17, 2000
Subject: Father Philip Magaldi

On this date I sent to Robert McCarthy of the Diocese of Providence an audio tape with its typewritten transcript. These were generated at an interview that RM had with on November 29, 1998 in which alleged sexual misconduct on the part of Philip Magaldi.

RM had sent me these items in early December, 1998, at the request of Bishop Robert Mulvee of Providence since PM was a priest in this diocese--although the alleged events took place many years earlier in Massachusetts.

I have returned these items to the Diocese of Providence because PM is asking me to release them to him. I have refused since I accepted them under an agreement of confidentiality. PM did listen to the tape and read the transcript in December of 1998, but has never had possession of them. They were generated under the aegis of the Diocese of Providence and any disposition of them will be up to that bishop.

10-04-04 Order
0687

November 28, 2000

P. Magaldi

11-28-00

The Catholic Diocese of Ft. Worth
800 W. Loop 820 S.
Ft. Worth, TX 76108-2919

Most Reverend Bishop Delaney,

I hope this letter finds you enjoying God's blessings as we enter this Advent season. My name is _____; I am a parishioner of St. John the Apostle parish in North Richland Hills, where I have attended all of my twenty-three years. It has been my privilege to serve my God and my parish in many facets over the years: in music, in volunteer work, and in serving our youth. Through these activities, I have seen many priests come and go from our parish family, all of them leaving an indelible mark with us that will never be erased. In God's goodness and with your guidance, though, we have always been blessed with wise and gentle shepherds.

I come before you now to ask after one of those shepherds, Rev. Phillip Magaldi. In his years with our parish, I must tell you I learned more about the traditions and beliefs of the Catholic faith and the mass than I did in 9 years in Catholic education and 2 spent in CCD classes preparing for the sacrament of Confirmation. His wisdom, compassion, and wit were gifts greatly treasured by myself and others.

As I am sure you recognize, the youth of our world is not just the Church of tomorrow; they are the Church of today as well. Rev. Magaldi possesses a true and loving spirit that beckons to those young ones who might otherwise remain indifferent to the call of faith and the needs of their parish. For example, in my observation, there is not the enthusiasm among the altar server program that had previously been enjoyed when Rev. Magaldi oversaw these young men and women.

At every celebration I have had the opportunity to see Rev. Magaldi, be it a funeral, a wedding, or mass, he has always blessed those in attendance with his compassion, his sincerity, and his love. I remember my own hour of

10-04-04 Order
0688

need three years ago; I was undergoing many bouts of medical tests for a heart problem remaining difficult to diagnose. In my fear and uncertainty, I turned to Rev. Magaldi, expecting only his promise of prayer. However, he gave me all those promises and more; he saw fit to bless me with the sacrament of Anointing of the Sick, a gift that calmed my fears and buoyed my spirit more than prayers could.

A priest, to my humble definition, is more than just a leader; he is an inspiration, a teacher, a healer, and a minister. Rev. Magaldi is all of these, and I ask you to please reconsider his value to St. John's.

It must be said that these opinions are not meant to reflect negatively on our current brothers serving us. On the contrary, I think the three new priests are full of enthusiasm and knowledge, and I have enjoyed listening to them.

Please know that my prayers are with you, sir, and with all those who are called to the Lord's service. Thank you for taking the time to share these thoughts, and I hope God continues to guide you in His wisdom as He opens our hearts to His will. I remain,

Respectfully yours,

10-04-04 Order
0689

MAGALDI, P
12-12-00

W
S

December 12, 2000

Bishop Delaney
800 West Loop 820 South
Fort Worth, Texas 76108

Re: Philip Magaldi

Bishop Delaney:

I send you this letter with deep reservation. Over the years, I have refused to send such a letter hoping that this matter would go away. However, recent events have triggered my need to submit this letter for the good of

DOCUMENT IS NOT TO BE REPRODUCED.

The Fort Worth Star Telegram on Friday, December 8, 2000, published a front page article regarding Philip Magaldi and the sexual lawsuit being dismissed. What we are concerned is his desire to return to active ministry, especially in our Diocese. I know that you mostly hear of his positive involvement at [redacted]. However, there is a significant number of silent parishiners and parents whose children attend our school, who pray that he leaves our Diocese. Bishop Delaney, Philip Magaldi is not, and has not been, a role model to our children or the Church. As a convicted felon, he has brought negative publicity to you, our Diocese, and [redacted]. As active members in the community, we are asked what Church or School we attend. When we mention [redacted] its still referred to the place with the convicted feion. The sexual lawsuit, if we believe what was written, was dismissed on a technicality. With Philip Magaldi as a convicted felon, will another problem resurface in the near future. How much longer must we suffer humiliation because of his actions and his periodic involvement in the newspaper? What we need is positive role models and information regarding our Diocese.

As a parent of two boys attending [redacted] my wife and I teach our children to be strong Catholics and hopefully make the right decisions in life. Most importantly, they have learned that all actions bring consequences and you must live with those consequences. Why has Philip Magaldi not learned that? As a coach, I would never allow Mr. Magaldi near my players. You will be surprised how many parishiners would never allow their children near Mr. Magaldi.

10-04-04 Order
0690

December 12, 2000
Page 2

I pray that you make the right decision regarding Philip Magaldi and his return to our Diocese.

Sincerely,

Cc: Father Wilson

DOCUMENT IS NOT TO BE REPRODUCED.

CONFIDENTIAL

10-04-04 Order
0691