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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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ERIC E. HOYLE,

Plaintiff,

vs Civil Action No. 08-CV-347C

FREDERICK DIMOND, ROBERT DIMOND,  
and MOST HOLY FAMILY MONASTERY,

Defendants.

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Examination Before Trial of NANCY BATTLE, held pursuant to the Federal Rules of Civil Procedure, in the law offices of Rupp, Baase, Pfalzgraf & Cunningham Coppola, LLC, 1600 Liberty Building, Buffalo, New York, on Monday, November 30, 2009, at 2:51 p.m., before Coleen Wright, Notary Public.

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APPEARANCES:

CHAMBERLAIN D'AMANDA  
By: K. WADE EATON, ESQ.,  
1600 Crossroads Building,  
Two State Street,  
Rochester, New York 14614,  
Appearing for the Plaintiff.

RUPP, BAASE, PFALZGRAF, CUNNINGHAM COPPOLA, LLC,  
By: STEPHANIE G. ELLIOTT, ESQ., and  
KIMBERLY GEORGER, ESQ.,  
1600 Liberty Building,  
Buffalo, New York 14202,  
Appearing for the Defendants Frederick and Robert Dimond  
and Most Holy Family Monastery.

PRESENT:

Eric C. Hoyle and  
Frederick Dimond.

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I N D E X

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E X H I B I T S

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1 THE REPORTER: Stipulations?

2 MS. ELLIOTT: Miss Battle, my name is  
3 Stephanie Elliott and I represent Most Holy Family  
4 Monastery, Frederick Dimond and Robert Dimond in a  
5 lawsuit that's been brought by Eric Hoyle relative  
6 to a sum of money that was given to Most Holy Family  
7 Monastery some time ago. Under the Federal Rules of  
8 Civil Procedure as a witness you have the right to  
9 review the transcript of the testimony that you give  
10 here today after we're finished --

11 NANCY BATTLE: Yes.

12 MS. ELLIOTT: -- and to make any corrections  
13 or changes as you see necessary. Generally how it  
14 works is after the testimony is transcribed by the  
15 court reporter you would receive a copy of the  
16 transcript in the mail and then you would review it  
17 and on a separate page make any correction as you  
18 see fit, as that is your right. You have the  
19 opportunity to exercise that right and read and sign  
20 the transcript or to waive it and just proceed with  
21 the transcript as it is. Would you like to exercise  
22 that right?

23 NANCY BATTLE: I guess it's most common to

1 do that or to make --

2 MS. ELLIOTT: Everyone's different. It's up  
3 to you whether you'd like to review and sign the  
4 transcript or not. You don't have to.

5 NANCY BATTLE: I don't see why I would have  
6 to, but, you know, maybe I will review it in case I  
7 goof up or something. If I say something -- no. I  
8 don't want to review it. Never mind. Okay. That's  
9 fair.

10

11 (Whereupon, the following stipulations were  
12 entered into by the respective parties:

13 It is hereby stipulated by and between  
14 counsel for the respective parties that the oath of  
15 the referee is waived, filing and certification of  
16 the transcript are waived, and all objections,  
17 except as to the form of the question, are reserved  
18 until the time of trial.)

19

20 NANCY BATTLE ,B-A-T-T-L-E, 3500 Willow Avenue,  
21 Number 104, Pittsburgh, Pennsylvania 15234, after  
22 being duly called and sworn, testified as follows:

23

1 EXAMINATION BY MS. ELLIOTT:

2

3 Q. Good afternoon, Ms. Battle. As I said, my name is  
4 Stephanie Elliott and I represent the defendants in  
5 this case. You are here today pursuant to a  
6 subpoena that you received from my office, correct?

7 A. Yes.

8 Q. I'm going to be asking you a series of questions  
9 this afternoon about your background and also about  
10 your interactions with both parties in this case,  
11 both the plaintiff and the defendants.

12 A. Yes.

13 Q. If at any time you do not understand one of my  
14 questions will you please let me know?

15 A. Yes.

16 Q. If you do -- if you do answer a question I will  
17 presume that you understood the question and you're  
18 answering truthfully and to the best of your  
19 ability, okay?

20 A. Yes.

21 Q. If at any time you need to take a break please let  
22 me know and we can accommodate you.

23 A. Okay.

1 Q. Have you taken any substance in the past twenty-four  
2 hours that you feel might impair your ability to  
3 listen to my questions and answer them truthfully?

4 A. No, I have not.

5 Q. Have you and I ever met before today?

6 A. Not to my knowledge.

7 Q. Okay. Have you ever been known by any name other  
8 than Nancy Battle?

9 A. Nancy Schweitzer.

10 Q. Was that your maiden name?

11 A. That was my married name.

12 Q. And what's your date of birth?

13 A. November 10th, 1953.

14 Q. Happy belated birthday.

15 A. Thank you.

16 Q. And the address that you gave us of 3500 Willow  
17 Avenue, Number 104 in Pittsburgh, Pennsylvania, how  
18 long have you resided there?

19 A. It was eight years 2001, June -- no. Officially  
20 April 2001, so that's almost nine years.

21 Q. And are you born and raised in Pennsylvania?

22 A. Pittsburgh, yes.

23 Q. Where did you live prior to 3500 Willow Avenue?

1 A. 2457 Driftwood Drive, that's Bethel Park,  
2 Pennsylvania.

3 Q. And you said Schweizer was your married name?

4 A. Yes.

5 Q. How long were you married for?

6 A. Two and a half years, approximately.

7 Q. Do you have any children?

8 A. No.

9 Q. And did you attend high school?

10 A. Yes.

11 Q. Did you graduate from high school?

12 A. Yes.

13 Q. What high school was that?

14 A. Bethel Park High School.

15 Q. In Pittsburgh?

16 A. Bethel Park, Pennsylvania. It's a suburb of  
17 Pittsburgh.

18 Q. And what year did you graduate?

19 A. 1972.

20 Q. And after graduating high school did you go on to  
21 complete any college work or vocational work?

22 A. Yes. Robert Morris College. It's downtown  
23 Pittsburgh.



1 Q. And did you graduate from Robert Morris?

2 A. I didn't -- I don't have a degree. I took some  
3 courses there for a couple years.

4 Q. Okay. And in what field?

5 A. Accounting. First liberal arts, then accounting,  
6 and I also went to CCAC.

7 Q. What's that?

8 A. Community College of Allegany County.

9 Q. How long did you go there?

10 A. Within a couple years, some courses I took.

11 Q. Did you obtain an associate's degree?

12 A. No.

13 Q. And what kinds of courses did you take at CCAC?

14 A. Account -- first liberal arts and then accounting.

15 Q. Are you employed?

16 A. Yes.

17 Q. Where do you work?

18 A. I'm a partner with my sister in an accounting  
19 business, Battle & Onofrey, O-N-O-F-R-E-Y.

20 Q. And how long have you and your sister operated --

21 A. Approximately --

22 Q. -- this business?

23 A. -- ten years.

1 Q. One thing I forgot to mention earlier. As you can  
2 see, we have a court reporter here that's taking  
3 down all the questions --

4 A. Yes.

5 Q. -- and answers.

6 A. Right.

7 Q. It's very important that we take it a little easy on  
8 the court reporter --

9 A. Oh.

10 Q. -- and try not to speak over one another.

11 A. Okay.

12 Q. It may be painfully obvious where my question is  
13 going and you may know in advance of that, but I'd  
14 ask that you wait until I get the question out --

15 A. Okay.

16 Q. -- until you answer, and I'll try not to talk over  
17 you, either.

18 A. Okay.

19 Q. And where is your -- do you have a main office for  
20 Battle & Onofrey?

21 A. Yes. The address is -- should I give you the whole  
22 address?

23 Q. Sure.

1 A. 5301 Drove Road, Suite Number M-119, Pittsburgh,  
2 Pennsylvania 15236.

3 Q. And this next question I am going to ask you has no  
4 reflection on you or what I think of you. It's a  
5 question we ask all witnesses. Have you ever been  
6 convicted of a crime, whether by plea or trial?

7 A. I've gotten a traffic ticket, probably -- okay.

8 Q. It doesn't count.

9 A. A couple traffic -- no, that's all I can remember.

10 Q. Okay. If traffic tickets counted we'd all be in  
11 trouble, I think. Have you ever heard of Most Holy  
12 Family Monastery?

13 A. Yes.

14 Q. And when did you first learn about the organization?

15 A. Approximately July of 1999.

16 Q. And how did you learn about it?

17 A. From a friend at my church.

18 Q. And who was that?

19 A. Terry Nasoni.

20 Q. Can you spell that, please?

21 A. N-A-S-O-N-I.

22 Q. And what church were you attending when you learned  
23 about MHFM from Miss Nasoni?

1 A. Our Lady of Fatima.

2 Q. And where was that church located?

3 A. Carnegie, Pennsylvania.

4 Q. And can you explain for me what kind of a church  
5 that was?

6 A. Yes. It's a traditional Roman Catholic Church, has  
7 a traditional mass.

8 Q. And when you say traditional Roman Catholic Church  
9 was it your understanding that Our Lady of Fatima  
10 was affiliated with the Vatican in Rome?

11 A. I'm sorry. Would you repeat that?

12 Q. Sure. What do you mean by traditional Roman  
13 Catholic Church?

14 A. Well, it's a Catholic church that has the  
15 Tridentine, if I'm pronouncing that right,  
16 Tridentine mass, they go by many traditional things  
17 of the church, you know, rules of the church that  
18 the Vatican II does not go along with, like they  
19 will not have the new mass, certain things they do  
20 go along with, but certain things they don't, so  
21 it's what you call now a traditional chapel, even  
22 though it's not fully Catholic, but you can attend  
23 -- it's permissible to attend mass there.

1 Q. So it's -- the Our Lady of Fatima Church is not  
2 affiliated with the current Vatican in Rome?

3 A. No, I don't believe, if I'm current with everything.  
4 They're trying to be, but they are not, correct.

5 Q. And when you learned about Most Holy Family  
6 Monastery from Terry Nasoni what were you told, or  
7 were you given something?

8 A. He gave me a magazine.

9 Q. Do you remember the name of that magazine?

10 A. I think it was issue one, A Voice Crying in the  
11 Wilderness. I believe it was issue one.

12 Q. Did Terry tell you where he got the magazine?

13 A. Well, he -- I talked to him I think the next time  
14 and he told me where he got it from, because he  
15 knows -- he had met Brother Michael Dimond and spoke  
16 very highly of the monastery, and I called -- you  
17 know, the next time I talked to him I assumed where  
18 he bought it, you know, because it was a magazine  
19 from there, and we talked about it.

20 Q. Okay. When Terry gave you issue one did he say  
21 anything to you about it or did he say anything to  
22 you about the monastery?

23 A. No. He just -- he handed it to me, and the next

1 time we talked we talked about it, he said, here,  
2 this might be something you're interested in, and he  
3 handed it to me, and I went home and read it and I  
4 told him I was -- it was fascinating and I liked it.

5 Q. And when you talked the next time what did you talk  
6 about with Terry?

7 A. That's about all we talked about --

8 Q. Okay.

9 A. -- yeah.

10 Q. At some point in time did you obtain any other  
11 publications from Most Holy Family Monastery?

12 A. Well, then I started to call the monastery and ask  
13 them questions, and then I would order things on my  
14 own. Terry -- I don't think he gave me anything  
15 else, because from then on I was calling the  
16 monastery.

17 Q. When did you start calling the monastery?

18 A. Right when -- around July of 1999, when I got the  
19 magazine from Terry.

20 Q. And at some point through your communications with  
21 the monastery did you become a follower, a supporter  
22 of their beliefs?

23 A. Right away, actually.

1 Q. And why is that? What was so interesting to you?

2 A. They were truth, it was truth, the answers to my  
3 prayers.

4 Q. Now, do you have an understanding of what kind of an  
5 organization Most Holy Family Monastery is?

6 A. Yes.

7 Q. And can you explain that to me, what is your  
8 understanding?

9 A. That they were Catholic.

10 Q. Okay. What do you mean by that?

11 A. True Catholics. They do not compromise with the  
12 truth, they don't go against anything. They are in  
13 line with the truth.

14 Q. Do you know whether Most Holy Family Monastery is  
15 affiliated with the Vatican?

16 A. No, they are not at this time, because the Vatican  
17 is empty of the true Pope and true Catholicism.

18 Q. And is it your understanding that Most Holy Family  
19 Monastery is independent of the Vatican --

20 A. Oh, yes.

21 Q. -- separate and apart?

22 A. Yes.

23 Q. And over the time that you've become familiar with

1 Most Holy Family Monastery has either the monastery  
2 or anyone from the monastery ever represented to you  
3 that they are in any way affiliated with the  
4 Vatican?

5 A. No. Anybody I have talked to from the monastery was  
6 never, to my knowledge, affiliated with the Vatican,  
7 right.

8 Q. Is that something you learned through written  
9 publications by the monastery, as well, or just in  
10 speaking?

11 A. First in written publications and then, you know, to  
12 back up my understanding a little better and  
13 everything when I would talk to them, also, plus the  
14 written articles and plus their DVDs.

15 Q. Okay. You mentioned earlier that over time you've  
16 purchased materials from the monastery, yes?

17 A. Yes.

18 Q. And what kinds of things have you purchased from  
19 Most Holy Family Monastery?

20 A. Books, magazines, DVDs, cassettes, many.

21 Q. Okay. Have you ever donated money to the monastery?

22 A. Yes.

23 Q. Okay. And why have you sought out to purchase those



1 materials and to even donate money to the monastery?

2 A. Well, for my own benefit and also to prosthelytize,  
3 to convince other people.

4 Q. Do you have an understanding of what the monastery  
5 does, what is its goal?

6 A. Yes.

7 Q. And what is it?

8 A. To convert people to the true faith of Catholicism  
9 and to let -- and also to let them see what is going  
10 on so they can be aware of it to save their soul.

11 Q. About how many times have you purchased materials  
12 from Most Holy Family Monastery?

13 A. Many times, and that was ten years ago this past  
14 July, so there would be times when I wouldn't  
15 because I wouldn't have enough, and then -- or if I  
16 was in lack of funds right there, but then I would  
17 continue to when I needed them or something new  
18 would come out or if I wanted repeated material  
19 which I thought was good to pass along to others.

20 Q. And about how many times have you donated money to  
21 the monastery over the years?

22 A. I don't know. Not too much. Not as much as I would  
23 have liked to.

1 Q. Sure.

2 A. I try to do it regularly, like once a month. I've  
3 been doing that lately, not much, but I've been  
4 doing that. And how often or how much did you say?

5 Q. That's okay.

6 A. Okay.

7 Q. As you sit here today can you give me an estimate of  
8 how much you think you've donated over the years? I  
9 don't want you to guess. If you have a rough  
10 estimate, that's fine.

11 A. Yeah. Well, right now it's been about only twenty a  
12 month, approximately, sometimes a little higher.  
13 Before it has been more when I had the funds to do  
14 it, maybe for Christmas, a hundred dollars here, and  
15 I don't have that in front of me. I couldn't tell  
16 you, you know.

17 Q. That's fine. When you would purchase materials from  
18 the monastery were those purchases made over the  
19 Internet or by telephone or perhaps mail?

20 A. Never by Internet, to my knowledge, because I'm  
21 slightly illiterate in the computer still. It was  
22 mostly by phone or by mail. Mostly by mail, I'd  
23 say, most recent, past year.

1 Q. And as part of making those purchases did you have  
2 to provide the monastery with information, contact  
3 information, credit card information?

4 A. Well, yes. Either that or I would send a check. A  
5 lot of times I used my credit card, yes.

6 Q. What kinds of contact information did you have to  
7 provide the monastery as part of those purchasing  
8 transactions?

9 A. I'm sorry?

10 Q. What kind of personal contact information did you  
11 give the monastery when purchasing materials?

12 A. You mean like a credit card or --

13 Q. Correct. Your address, telephone number?

14 A. Yeah. Well, naturally my address if I wanted to get  
15 the -- yeah, they do have my address, though,  
16 because I'm on a mailing list when they send out  
17 flyers.

18 Q. Did you also give your telephone number?

19 A. Yes.

20 Q. How about an e-mail address?

21 A. I think, yes, I did give my e-mail address.

22 Q. And also you said your credit card number?

23 A. Yes.

1 Q. And when you gave that information to the monastery  
2 was it your understanding that it would be used only  
3 by the monastery?

4 A. Yes.

5 Q. Okay. And in giving that information to the  
6 monastery did you in any way authorize it to be used  
7 by anyone not affiliated with the monastery?

8 A. No.

9 Q. Okay. Throughout the phone calls that you placed to  
10 the monastery over the years would you always use  
11 the same telephone number?

12 A. No, because I moved in between 1999 and 2001, so I  
13 had a different phone number before. It was at my  
14 parents' house.

15 Q. But the number you would call to reach the  
16 monastery, was that always the same number?

17 A. Yes. I'm sorry. Yes. I think the area code  
18 changed, though, from 716 to 585.

19 Q. And during the years you have communicated with Most  
20 Holy Family Monastery did you ever have an occasion  
21 to speak to an individual who represented himself to  
22 be Brother Edmund?

23 A. Yes, I did.

1 Q. When did you first speak with Brother Edmund?

2 A. It was -- well, I remember the summer of 2007, just  
3 thinking, because -- I forgot some of my notes, but  
4 I have them here. Most of it was the fall of 2006,  
5 also, because of the questions I remember asking  
6 him, but I know definitely a lot in the summer of  
7 2007.

8 Q. Okay. But you think the first time you ever spoke  
9 with Brother Edmund was in the fall of 2006?

10 A. It was for about a two-year period.

11 Q. Okay. And in that two-year period about how many  
12 times did you have conversations with Brother  
13 Edmund?

14 A. At least twenty times.

15 Q. And when you -- during that time frame when you  
16 called the phone number for Most Holy Family  
17 Monastery did you have a reasonable expectation that  
18 Brother Edmund would be the one who answered the  
19 phone?

20 A. Yes, when he started to be there. He was new there,  
21 and then he was regularly answering the phone.

22 Q. And what were the -- that's a lot of conversations,  
23 twenty conversations. Can you give me an idea of

1           what the context or content of those conversations  
2           were that you had with Brother Edmund?

3       A.     Yes, the summer of 2007 it was in regards to my  
4           mother. She was seriously ill in the hospital and I  
5           was even asking him to talk to her. That never  
6           transpired, though, for whatever reason, the  
7           opportunity wasn't there, but he was giving me  
8           advice on what to say to her because she was -- you  
9           know, she was serious. Miraculously she's okay now.  
10          She's not yet fully Catholic, but that's what I was  
11          attempting to do, and I would call him for help and  
12          advice and he would tell me what to do.

13       Q.     Would you also call to ask questions about Most Holy  
14          Family Monastery's teachings and beliefs?

15       A.     Well, if I had a question. I assumed he was either  
16          aligned with them and in their conviction, so I  
17          would call, and many times he would refer to them if  
18          he wasn't sure of a, you know, a rule or dogma or  
19          certain Cannon law or for a judgment call, you know.

20       Q.     And during the times that you spoke with Brother  
21          Edmund did he demonstrate to you that he understood  
22          and was familiar with the teachings and beliefs of  
23          Most Holy Family Monastery?

1 A. Yes. Yes.

2 Q. And during those times did he demonstrated to you  
3 that he was in full agreement with those teaching  
4 and beliefs?

5 A. Yes.

6 Q. During the time that you've become familiar with  
7 Most Holy Family Monastery have you also had  
8 occasion to speak with and get to know Brothers  
9 Michael and Peter?

10 A. Yes.

11 Q. And have you spoken with them, as well, about the  
12 teachings and beliefs of Most Holy Family Monastery?

13 A. Yes.

14 Q. Would you ever expect Most Holy Family Monastery to  
15 allow an individual into the monastery who was not  
16 in complete agreement with its teaching and  
17 believes?

18 A. Would you repeat that question? I'm sorry.

19 Q. Sure. Knowing what you know about Most Holy Family  
20 Monastery would you ever expect the monastery to  
21 allow someone to become part of the monastery who  
22 was not in full agreement with --

23 A. No.

1 Q. -- the teachings and beliefs?

2 A. I'm sorry. No, I wouldn't expect them to bring  
3 anyone in that was not in, you know, agreement with  
4 them.

5 Q. Okay. At any time during the conversations that you  
6 had with Brother Edmund did he ever tell you he  
7 believed Most Holy Family Monastery was affiliated  
8 with the Vatican?

9 A. No, he never said that.

10 Q. Okay. Did he ever indicate the opposite to you,  
11 that it was -- that it stood independent of the  
12 Vatican?

13 A. No. No, he -- would you repeat the question?

14 Q. Sure.

15 MS. ELLIOTT: Can you read back the  
16 question?

17 (Whereupon, the above-requested question  
18 was then read by the reporter.)

19 THE WITNESS: No. He never indicated to me  
20 that. They were in opposition of, you know, the  
21 current Vatican, and he never indicated that he was  
22 -- no, he was in alignment with them. He was in  
23 their conviction. He never said anything different.



1 BY MS. ELLIOTT:

2 Q. And by being aligned in their conviction do you mean  
3 aligned in Most Holy Family Monastery's conviction  
4 that it's not affiliated with the Vatican?

5 A. Right, yeah.

6 Q. Okay. During the times that you spoke with Brother  
7 Edmund did he seem enthusiastic about the work he  
8 was doing at Most Holy Family Monastery?

9 A. Yes, he did.

10 Q. Do you have an understanding of what kind of work  
11 Brother Edmund did while he was at Most Holy Family  
12 Monastery?

13 A. Yes.

14 Q. And what was that, what's your understanding?

15 A. Well, he was a brother and he was new there, a  
16 rookie. I mean, you know, I figured he was in  
17 training from the brothers with experience, Brothers  
18 Peter and Michael. He was the new brother there. I  
19 knew he would be new to some things, but I didn't  
20 suspect in any way he was any different than them,  
21 simply because if he was he wouldn't be there, or I  
22 never suspected of him at all, I never saw it in any  
23 way.

1 Q. And you told me a little earlier in your  
2 conversations with Brother Edmund he -- you got the  
3 impression that he was enthusiastic about the work  
4 he was doing at Most Holy Family Monastery. Why do  
5 you think that? What did he say, what did he do?

6 A. Well, he was just there, he was there for me,  
7 answering the questions and, you know, representing  
8 them. He seemed to take patience in answering my  
9 questions. I didn't see where he was unhappy or  
10 unenthusiastic in any way. You know, I didn't see  
11 any contradiction there.

12 Q. At any time that you spoke with Brother Edmund over  
13 those years did he ever indicate any unhappiness or  
14 dissatisfaction with the monastery or its teachings  
15 or beliefs?

16 A. No.

17 Q. Did he ever indicate to you that he was leaving or  
18 thinking of leaving?

19 A. No, he did not.

20 Q. At some point did you learn Brother Edmund's legal  
21 name?

22 A. I knew it when he was there before he became a  
23 brother.

1 Q. Okay. So you knew him as Eric before?

2 A. Eric, yes. I did not know his last name then, but I  
3 knew he was Eric.

4 Q. At some point did you learn Eric's last name?

5 A. I believe when I was talking to Brother Peter when  
6 he -- I was talking to him and he said that Brother  
7 Edmund had left and he mentioned his name very fast,  
8 Eric, and I thought he said Coyle, until I got your  
9 letter and it said Hoyle, so that's the only  
10 indication that I got that he left.

11 Q. Do you have any knowledge of the circumstances  
12 surrounding Eric Hoyle's departure from Most Holy  
13 Family Monastery?

14 A. Just per se from brother Michael and Brother Peter  
15 that -- I'm trying to recall what it was. He left  
16 because he wasn't in agreement with them. He was --  
17 they were describing him as schismatic in the fact  
18 that he was saying that people cannot go to any of  
19 the churches no matter what, even tolerable --  
20 tolerably, and it's according to the Brothers and  
21 the true position of the church you can go in  
22 certain questions -- in certain circumstances you  
23 can, but he was saying he was adamant that you can't

1 at all, that's what I heard, and he was saying this  
2 to Holy Family and wasn't in agreement with them.  
3 That's all I heard, per se.

4 Q. Do you recall -- I know it's been several years, but  
5 do you recall the last time you spoke with Brother  
6 Edmund while he was at Most Holy Family?

7 A. I remember the summer of 2007 specifically, may have  
8 been after that. The fall of that year I knew -- I  
9 believe that's when he was gone. It has to be two  
10 years now, I think, because -- and I was in shock  
11 when I heard he was gone. I had no idea. I  
12 wondered why, because -- yeah.

13 Q. Why were you in shock when you learned that he had  
14 left?

15 A. Well, because it's such a sublime vocation and such  
16 a beautiful one that I couldn't possibly -- I  
17 couldn't possibly realize someone leaving, and he  
18 seemed -- he seemed like a good person, like the  
19 brothers, Brother Peter and Michael, and I was in  
20 shock, and I just -- I had asked Brother Michael at  
21 one point two questions, was he an infiltrator  
22 pretending, and Brother Michael disagreed and said  
23 something else, that, no, he didn't think that he

1           was originally, he thought his intention was pure,  
2           you know, just honest at first.

3       Q.       During the conversations that you had with Brother  
4           Edmund did he ever talk with you about how he came  
5           to be at Most Holy Family Monastery?

6       A.       No.  If he did I forget.

7       Q.       Did he talk with you about his process of coming  
8           into the monastery and what that involved?

9       A.       No, he did not.

10      Q.       Did he ever talk with you about his reasons for  
11           being at the monastery and whether he had an  
12           ultimate goal for being there?

13      A.       No, he did not.

14      Q.       Did Brother Edmund ever talk with you about a sum of  
15           money that he gave to the monastery upon entering?

16      A.       I don't think he did.

17      Q.       Have you spoken with Eric Hoyle since he left Most  
18           Holy Family Monastery?

19      A.       No, I have not.

20      Q.       Okay.  Through all of the dealings that you've had  
21           with the monastery has the monastery or anyone from  
22           the monastery ever represented to you that it is  
23           affiliated with the Vatican?

1 A. No. No one from the monastery has ever said that to  
2 me or gave me any idea that they were affiliated  
3 with the Vatican.

4 Q. And is it your understanding that Most Holy Family  
5 Monastery stands independent and separate from the  
6 Vatican?

7 A. Yes.

8 Q. And that's something that you've learned in speaking  
9 with Brothers Michael and Peter and through their  
10 publications?

11 A. Yes.

12 Q. Has Most Holy Family Monastery or anyone from the  
13 monastery ever represented to you that the monastery  
14 was part of the Order of St. Benedictine Monasteries  
15 approved of the Vatican?

16 A. They are members of, you know, the Order of St.  
17 Benedict, but I'm sure the current Vatican is -- as  
18 it stands right now the fake Vatican -- does not  
19 recognize them. From even some other groups I had  
20 spoken to, you know, I mean, even though they are,  
21 they -- and -- yeah.

22 Q. And no one from the monastery ever represented to  
23 you that they were recognized by the Vatican?

1 A. No, no one ever -- yeah. I know anyone that I ever  
2 spoke to from the monastery never indicated that  
3 they were under the Vatican.

4 MS. ELLIOTT: Okay. Can we just take a  
5 quick minute?

6 (Whereupon, a recess was then taken.)

7 BY MS. ELLIOTT:

8 Q. Miss Battle, over the years did you call Most Holy  
9 Family Monastery with questions about different  
10 things?

11 A. Yes.

12 Q. Okay. Was one of the topics that you called with  
13 questions about looking for information on which  
14 independent churches were permissible to attend?

15 A. Yes.

16 Q. Okay. And why -- what was your understanding of  
17 that information and why did you call with those  
18 questions?

19 A. Because there's certain chapels you can attend in  
20 good conscious and certain you cannot, because  
21 they're -- at this point there's hardly any to go to  
22 that are tolerable, but you can tolerate some, and I  
23 wanted -- I drove them crazy. I wanted to know

1           specifics and wasn't using good judgment. You know,  
2           I could have answered some of the questions myself  
3           from some of the information that they gave me, but  
4           I didn't, and that's what I would call about many  
5           times. And, also, then Brother Edmund, yeah, I'm  
6           sure I called him about that. I have some questions  
7           written down that I asked him, you know, and that  
8           was the reason, because I wanted to know if it was  
9           permissible to go, and they would answer to the best  
10          of their knowledge when I would give the information  
11          about the chapel or the priest, but it was something  
12          that I did have enough information from them that I  
13          could figure it out, you know.

14        Q.     And the recommendations that you received on chapels  
15            or churches that were permissible to attend, was it  
16            your understanding that those chapels or churches  
17            were independent of the Vatican, they were not  
18            affiliated with the Vatican?

19        A.     Yes, I believe most of them are, that -- oh, well,  
20            except for Eastern Rite masses, they're affiliated  
21            with the Vatican, but in certain cases you can go.

22        Q.     Did you review -- did you review any documents in  
23            preparation for your testimony today?



1 A. I went over notes the best I could to try to  
2 remember and I forgot them, so I was writing them  
3 down in the waiting room there.

4 Q. What notes are these that you reviewed? They were  
5 notes that you had taken over the years?

6 A. No, no, just from the past few weeks when I received  
7 your letter, conversations I had with Brother  
8 Edmund, that's what I was thought I was to recollect  
9 the best I could.

10 Q. Okay. And you said that you don't have those notes  
11 with you now, but when you were waiting out in the  
12 waiting room you were jotting some things down?

13 A. I have them where I'm staying at right now, but,  
14 yeah, I started to write things down.

15 MS. ELLIOTT: Do you mind if I take that and  
16 we'll have that marked?

17 THE WITNESS: Yeah. It's sort of chicken  
18 scratch, but I can sort of understand it. Well,  
19 it's not too bad.

20 MS. ELLIOTT: Let's have this marked.

21 (Whereupon, Exhibit B, handwritten notes,  
22 were then received and marked for identification.)

23 BY MS. ELLIOTT:

1 Q. Miss Battle, I'm going to hand you a document that  
2 we have now marked as Exhibit B with today's date.

3 Can you explain for us what that document is?

4 A. Okay. These are calls with Brother Edmund, about  
5 twenty calls the summer of 2007, as I was saying,  
6 was mostly about my mother, and I even wanted him to  
7 talk to her. A girl -- it was in -- I'm pretty sure  
8 that was the fall of 2006 a girl was pretending to  
9 be interested in the faith, her name was Lisa, and  
10 he told me how to handle her, because she was  
11 borrowing money from me, which I was stupid enough  
12 not to, and I inquired to Brother Edmund about who  
13 may attend mass with me, depending on their  
14 conviction, in case they would receive holy  
15 communion without being in full conviction, in other  
16 words, in the state of grace. I asked him if it was  
17 permissible to stay for Benediction. I believe he  
18 referred to one of the Brothers about that, I'm not  
19 sure, to stay to Benediction after mass. Okay.  
20 That's just a note about him.

21 Okay. Another note about, okay, he was  
22 advising me on the advice a friend was giving me,  
23 telling me, where he thought he was off a little bit

1 or maybe coming off from a wrong point of view, too  
2 materialistic or whatever. He -- I asked him about  
3 a career choice once I leave my current position,  
4 just little things. It got -- I was just a pest.  
5 It was even -- I would call for any question, even  
6 if it wasn't directly involved with the faith.  
7 Okay. Asked his advice on whether I was it okay for  
8 me to receive the sacraments until I cleared up a  
9 legal matter with my family, and he gave me advice  
10 on that.

11 Q. So --

12 A. On many times where to go to mass, too. I don't  
13 know if I wrote that down.

14 Q. So is it fair to say the notes we've marked on this  
15 paper, Exhibit B, are your recollections of  
16 different conversations you had with Brother Edmund  
17 over the years?

18 A. Yes, and a couple things in the middle are what I  
19 thought, you know, like he was always in full  
20 agreement with the brothers. They were just notes.  
21 You know, the rest are conversations with.

22 MS. ELLIOTT: Let's just go off the record  
23 for a minute.

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(Discussion off the record.)

BY MS. ELLIOTT:

Q. Back on. Miss Battle, you referenced earlier that you reviewed some notes in preparation for your testimony today, and that what we've marked as Exhibit B is not the notes that you reviewed before today, but what you jotted down?

A. It's pretty similar.

Q. Okay. The notes that you reviewed for today, is there anything in those notes that is not what you have written down here that's been marked as Exhibit B?

A. I believe that's all I had.

Q. Okay. Other than those notes did you review anything else in preparation for your testimony today?

A. No, I did not.

MS. ELLIOTT: Okay. Those are all the questions that I have for you.

THE WITNESS: Oh, okay.

MS. ELLIOTT: But Mr. Eaton, I will turn it over to him, and I'm sure he will have some questions.

1 THE WITNESS: Okay.

2

3 EXAMINATION BY MR. EATON:

4

5 Q. As you know, I represent Mr. Hoyle.

6 A. Yes.

7 Q. Just a couple questions, and if my questions are  
8 confusing ask me to restate them.

9 A. Okay.

10 Q. If you answer I'll assume that you understood the  
11 question --

12 A. Okay.

13 Q. -- and answered it. Okay. You said -- you  
14 testified at one point that you understood that Eric  
15 had become a brother and was then using the name  
16 Edmund?

17 A. Yes.

18 Q. I think you said something with regard to the fact  
19 that he was in training.

20 A. Well --

21 Q. What did you mean by that?

22 A. I called -- that's in my own mind, I said he's a  
23 rookie, he's not a veteran, the team, you know, that

1 I -- when he would first -- when he first answered  
2 the phone he was Eric, and then I told a friend who  
3 was calling up there, I said, do you know that Eric  
4 is now Brother Edmund, and that's how I -- I think I  
5 heard it on one of their programs, and I thought  
6 that's Eric's voice, but it's now Brother Edmund, so  
7 I knew, and when I called, I said, oh, are you  
8 Brother Edmund now, and he said yes. That's how I  
9 knew.

10 Q. Did you have any other conversation about him being  
11 in training to become a monk or further --

12 A. No.

13 Q. -- his status in the monastery?

14 A. No, I did not.

15 Q. In reviewing the materials that you received from  
16 the monastery and the discussions you had with folks  
17 there how important was it to you that this was a  
18 Benedictine monastery?

19 A. How important was it to me? I didn't really focus  
20 on what they were at first. In fact, even though  
21 I'm not young, ten years ago, when I first  
22 discovered them, it was -- to me I was first  
23 enlightened of Catholicism, then from then on I was

1 very interested in the Benedictine Order, because I  
2 was -- because they were -- because of the good  
3 monastery they were. They were such truth, and so I  
4 started to learn more about the Benedictine Order.

5 Q. Did you ever have a conversation with anyone at the  
6 monastery or learn through any of their publications  
7 how they had become a Benedictine Order, what the  
8 history had been there?

9 A. No. I think maybe just a little bit Brother Michael  
10 had told me there was a Brother Joseph. I'm not  
11 sure of his last name.

12 Q. Natale?

13 A. Yes. Yes, that sounds familiar. And he told me  
14 little things about him, you know, certain things,  
15 and then I read about his name in one of their  
16 magazines, I believe.

17 Q. Uh-huh. Do you recall reading -- strike that. Did  
18 you read any of their publications on the Internet?

19 A. Yes. I read their -- well, I read their website,  
20 and I prefer to read articles more than the website,  
21 but I like their website, and I have magazines and  
22 books from the monastery and DVDs and cassettes.

23 Q. And it was your understanding -- well, strike that.

1           What was your understanding with regard to the  
2           connection between Most Holy Family Monastery and  
3           Joseph Natale?

4       A.     What was my connection?

5       Q.     What was your understanding of the connection  
6           between the present monastery, Brother Michael, and  
7           Joseph Natale?

8       A.     Well, I think Brother Michael, when I first met him  
9           by phone ten years ago, he had told me that they  
10          were originally in New Jersey and he told me how the  
11          Brother and the generation before him, I suppose was  
12          Brother Joseph, and they were in New Jersey, but  
13          then they moved to Fillmore.

14      Q.     Did he tell you anything about the status of Brother  
15          Joseph?

16      A.     No. Just a few comments about him, just, you know,  
17          different things about him.

18      Q.     Did he indicate that Brother Joseph was a member of  
19          the Order of St. Benedict?

20      A.     Yeah, I think so, because I assumed that, yeah.  
21          Yeah.

22      Q.     Miss Battle, do you -- are you familiar at all with  
23          an activity, I think maybe a radio show called Coast



1 to Coast AM?

2 A. Yes.

3 Q. Can you tell me about that?

4 A. Well, I've listened to it a few times. It would be  
5 on in the middle of the night on the eastern -- east  
6 coast, around here one in the morning, and I'd have  
7 it on the radio, I listened to it before I knew that  
8 Brother Michael was on it, and he was on it -- I'm  
9 bad on dates. It was a couple summers ago, I  
10 believe, and so I knew he was going to be on it from  
11 the website, and I listened and it was pretty neat,  
12 and I think I -- he's been on more than once, and I  
13 only -- unfortunately, I only knew that once, and  
14 they got many calls from people as a result of that  
15 show.

16 Q. It was a call-in program?

17 A. Yeah, it was a call-in, yeah. There was calls in.

18 Q. And what about The Frank Whalen Show, do you have  
19 any recollection of that?

20 A. No.

21 Q. How about The Mark Dankof Show?

22 A. No. I think that's the only show I listened to  
23 other than TV, the History Channel recently. I

1 don't recall listening to other ones, but I saw it  
2 on the website that he was on different ones. I  
3 don't know if they were local in Pittsburgh,  
4 Pennsylvania.

5 MR. EATON: I don't have any further  
6 questions. Thank you for coming.

7 THE WITNESS: Thank you.

8 MS. ELLIOTT: What I'm going to do is I'll  
9 make a copy of this for you and we'll keep the  
10 original, if that's okay.

11 THE WITNESS: Oh, yeah. Sure.

12 \* \* \* 3:41 p.m. \* \* \*

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1 STATE OF NEW YORK

2 COUNTY OF ERIE

3 I, Coleen Wright, a Notary Public in and for the  
4 State of New York, do hereby certify:

5 That the witness whose testimony appears herein  
6 before was, before the commencement of his testimony, duly  
7 sworn to testify the truth, the whole truth and nothing but  
8 the truth; that such testimony was taken pursuant to notice  
9 at the time and place herein set forth; that said testimony  
10 was taken down in shorthand by me and thereafter under my  
11 supervision transcribed into the English language, and I  
12 hereby certify the foregoing testimony is a full, true and  
13 correct transcription of the shorthand notes so taken.

14 I further certify that I am neither counsel for nor  
15 related to any parties to said action, nor in anywise  
16 interested in the outcome thereof.

17 IN WITNESS WHEREOF, I have hereunto subscribed my  
18 name this 22nd day of December, 2009.

19  
20  
21  
22 \_\_\_\_\_  
23 Coleen Wright, Notary Public,  
State of New York

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