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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.

---

Videotaped Examination Before Trial of KEITH MCKAY, 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 10:05 a.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.

PRESENT:

Stephen J. Metschl, Videographer,  
Eric C. Hoyle and  
Frederick Dimond.

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1 THE REPORTER: Stipulations?

2 MS. ELLIOTT: Reserving all objections until  
3 the time of trial, except to --

4 MR. EATON: Form.

5 MS. ELLIOTT: -- form. Exactly.

6 MR. EATON: How about signing?

7 MS. ELLIOTT: I'll ask him that at the end.

8 MR. EATON: Okay.

9

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

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

18

19 THE VIDEOGRAPHER: For the best audio  
20 performance your microphone must be worn where I  
21 have placed it. Covering the mic with your hand or  
22 papers, resting your chin in your hands or holding  
23 your hands in front of your mouth will reduce the

1 mic's performance and ability to record your voice  
2 intelligibly. Active Blackberry devices will cause  
3 the microphone interference, speaking in turn will  
4 guarantee a clean edit at the time of trial, and any  
5 whispers or comments not intended for the record may  
6 be recorded on the videotape.

7 Today is Monday, November 30th, 2009.  
8 Time is ten o-six. The location is the Law Office  
9 of Rupp, Baase, Pfalzgraph, Cunningham & Coppola.  
10 The name of this action is Eric E. Hoyle, plaintiff,  
11 versus Frederick Dimond, Robert Dimond and Most Holy  
12 Family Monastery, defendants. Counsel present are  
13 K. Wade Eaton on behalf of the plaintiff and  
14 Stephanie Elliott on behalf of the defendants. Our  
15 court reporter will now swear the witness.

16  
17  
18 KEITH MCKAY, M-C-K-A-Y, 1485 West Rathbon Road,  
19 R-A-T-H-B-O-N, Road, Burt, B-U-R-T, Michigan 48417,  
20 after being duly called and sworn, testified as  
21 follows:  
22  
23

1 EXAMINATION BY MS. ELLIOTT:

2

3 Q. Good morning, Mr. McKay.

4 A. Good morning.

5 Q. My name is Stephanie Elliott, and as you know I am  
6 defending Frederick Dimond, Robert Dimond and Most  
7 Holy Family in this action that has been brought by  
8 a gentleman by the name of Eric Hoyle pertaining to  
9 a sum of money that was given to Most Holy Family  
10 Monastery some time ago. I'm going to be asking you  
11 some questions this morning, a little bit about your  
12 background and also about your interactions with  
13 both the plaintiff and the defendants in this case.  
14 If at any time you do not understand one of my  
15 questions will you please let me know?

16 A. Yes, I will.

17 Q. Okay. When you do answer a question I'll presume  
18 that you understood the question and you answered  
19 truthfully and to the best of your ability, fair?

20 A. Absolutely.

21 Q. Okay. As you can see, we have both a court reporter  
22 and a videographer here today videotaping and taking  
23 the testimony down by transcript, as well. Although

1 the videographer can pick up on head nods or  
2 shoulder shrugs, unfortunately, the court reporter  
3 cannot, so you need to make sure all of your answers  
4 are verbal and that you speak up just a little bit  
5 so that we can hear you, okay?

6 A. No problem.

7 Q. If you need me to rephrase a question at any time  
8 please let me know. Similarly, if you need to take  
9 a break at any time please let me know, as well.

10 A. Okay.

11 Q. I'll try not to speak over you if you try not to  
12 speak over me so that we can get an accurate  
13 recording --

14 A. Sure.

15 Q. -- okay? Have you ever given a deposition before?

16 A. No.

17 Q. Okay. Have you taken any substance or ingested any  
18 substance in the past twenty-four hours that you  
19 feel might impair your ability to understand my  
20 questions and answer them truthfully?

21 A. No.

22 Q. What's your date of birth, Mr. McKay?

23 A. February 1st, 1961.

1 Q. And the address you gave us a little earlier of 1485  
2 West Rathbon Road in Burt, Michigan, how long have  
3 you lived there for?

4 A. Just about ten years.

5 Q. And what was the last address that you lived at  
6 before 1485 West Rathbon Road?

7 A. I can't remember the address. It was in Waterford,  
8 Michigan. I forget the exact address. I don't  
9 remember. It's been too many years I haven't used  
10 it.

11 Q. Okay. Have you ever been known by any other name  
12 other than Keith McKay?

13 A. No.

14 Q. Are you married?

15 A. Yes.

16 Q. How long have you been married for?

17 A. Twenty-two years.

18 Q. Congratulations.

19 A. Thank you.

20 Q. And what's your wife's name?

21 A. Susan.

22 Q. Do you have any children?

23 A. Yes, three.

1 Q. Can you give me their names and ages, please?

2 A. Melissa, eighteen; Sarah, fifteen; and Julianna,  
3 thirteen.

4 Q. And do they all live with you and your wife?

5 A. Yes, they do.

6 Q. Okay. And are you presently employed?

7 A. Yes.

8 Q. And where do you work?

9 A. I have my own business in my house.

10 Q. Okay. And what's the name of that business?

11 A. Superior Machinery.

12 Q. And can you in a nutshell tell me what you do as  
13 Superior Machinery?

14 A. We broker used industrial machinery to customers.

15 Q. Are you the business owner?

16 A. Well, technically I'm the general manager.

17 Q. Okay. And is there anyone else that runs this  
18 operation with you?

19 A. My wife does.

20 Q. Okay. And how long have you been operating Superior  
21 Machinery?

22 A. Since 1997.

23 Q. Is it an incorporation, a corporation, is it a

1 d/b/a?

2 A. It's a business trust.

3 Q. And you said this operates out of your home?

4 A. Right.

5 Q. Okay. Were you born and raised in Michigan?

6 A. Most of my life, yes.

7 Q. Okay. Any other states that you resided in other  
8 than Michigan?

9 A. California, New York, Texas, New Mexico. My father  
10 was in the Air Force. We did some traveling when I  
11 was younger.

12 Q. Most of your adult life has been spent in Michigan?

13 A. Yes, since 1970.

14 Q. Okay. Did you attend high school?

15 A. Yes, I did.

16 Q. With your father being in the Air Force did you  
17 attend several different high schools?

18 A. Well, I did attend two, yeah. I finally graduated  
19 from Lake Orion High School in Lake Orion, Michigan.

20 Q. And what year did you graduate high school?

21 A. 1979.

22 Q. And did you go on to complete any college or  
23 vocational work after that?

1 A. I did complete an associate's degree at Oakland  
2 Community College and some courses beyond that, but  
3 I did not complete my bachelor's degree.

4 Q. Did you say Oakland Community College?

5 A. Oakland Community College, yes.

6 Q. What year did you complete the bachelor's -- I'm  
7 sorry -- the associate's degree?

8 A. That would have been in approximately 1982.

9 Q. Okay. Now, you're here this morning pursuant to a  
10 deposition -- I'm sorry -- pursuant to a subpoena  
11 that you received from my office, correct?

12 A. Yes, that's correct.

13 Q. Now, this next question I have to ask you is no  
14 implication on you or what I think of you, but we  
15 ask all witnesses. Have you ever been convicted of  
16 a crime?

17 A. No.

18 Q. Okay. Mr. McKay, have you ever heard of an  
19 organization called Most Holy Family Monastery?

20 A. Yes.

21 Q. When did you first learn about Most Holy Family  
22 Monastery?

23 A. I would say in about 19 -- 1995 or '96.

1 Q. And how did you learn about the organization?

2 A. I received an unsolicited publication from the  
3 organization in the form of a magazine, and that's  
4 how I first read about them.

5 Q. And after receiving that magazine did it spark some  
6 kind of an interest to learn more about the  
7 organization?

8 A. Yes, it did.

9 Q. Okay. And can you tell me what you did from that  
10 point?

11 A. Well, at that point I did nothing essential, other  
12 than to read and find it interesting and discuss it  
13 with several people that I knew. I then received a  
14 subsequent publication, I don't know, some period of  
15 time later, maybe a year later, and I read --  
16 actually, it was two of them, and I read those  
17 publications, and I found it very compelling, and,  
18 in fact, it was a result of those two publications  
19 that caused me to make some separations from the  
20 people I was going to church with at the time, so I  
21 found it very compelling. And then I eventually  
22 contacted the monastery and started talking to them  
23 and do what I could to assist and read more of the

1 material.

2 Q. Okay. So in 1995 and '96 when you received this  
3 first publication were you a practicing Catholic at  
4 that time?

5 A. Yes, I was.

6 Q. Okay. And do you remember the name -- were you  
7 attending a church at that time?

8 A. Yes, I was.

9 Q. And do you remember the name of that church?

10 A. It would have been -- well, they had a change in the  
11 name of the church shortly thereafter, but at one  
12 time it was Pope St. Pious X Church was the name at  
13 the time. It changed to Our Lady of Queen of  
14 Martyrs later, but I don't recall exactly the time.

15 Q. And do you remember where that church was located?

16 A. Warren, Michigan.

17 Q. Warren?

18 A. Warren, W-A-R-R-E-N.

19 Q. Now, you said about a year after receiving that  
20 initial publication from Most Holy Family Monastery  
21 you received some other publication materials --

22 A. Yes.

23 Q. -- and you said it was very compelling and that in

1 reading those materials caused you to kind of  
2 separate from some of the individuals you were  
3 attending church with?

4 A. Well, it wasn't immediate.

5 Q. Okay.

6 A. If I may explain.

7 Q. Sure.

8 A. I couldn't argue with the material, because when I  
9 -- I'm a convert to the Catholic Church, okay? I  
10 wasn't raised Catholic. I was essentially nothing.  
11 We didn't have any religion in our home. It was  
12 only later in life that I converted to it as a  
13 result of some people that I knew, but the people  
14 that I was going to church with all had ideas about  
15 Catholicism, what it believed, that were certainly a  
16 little different than was in the materials, one of  
17 them specifically regarding like no salvation  
18 outside of the Catholic Church, and I knew what the  
19 priest believed and the people who I was going to  
20 church with believed on the issue, and I found the  
21 information so compelling that I kind of kept it to  
22 myself for a while, because I knew that if I came  
23 out publicly with it it would cause me some no end

1 of trouble, and so I read through the material very  
2 thoroughly, and I even went to the priest and asked  
3 him for a book that he had that would substantiate  
4 the veracity and the truthfulness of the statements  
5 that were in the magazine. I wanted to make sure  
6 that what I was doing wasn't -- you know, I wasn't  
7 just going off on a limb, and, to my surprise, it  
8 was, they were all valid.

9 And once I figured, well, if the  
10 statements were true -- well, first of all, the  
11 logic was true. The logic was beautiful, but then  
12 the only question then was were the facts correct,  
13 and once I verified that the facts were correct  
14 there was nothing I could do, and so I approached  
15 one of the priests in confession and told him there  
16 was some problems dealing with heresies and so  
17 forth, and so he set up a meeting with me, and when  
18 I told him the heresies were coming from the head  
19 priest that was the end of the meeting, and very  
20 shortly thereafter I was denied the sacraments and  
21 basically kicked out, and so there I went to several  
22 other churches, but none of the priests I ever came  
23 across ever agreed with me. They had no answers to

1 the objections that were raised. They just said,  
2 well, that's what we've always believed. And so I  
3 said, well, you know, when you're following with the  
4 Magisterium of the church and the facts as they  
5 infallibly state them, if you cannot refute these  
6 statements then I -- you know, I can't support you  
7 in what I considered an error in heresy, so that's  
8 kind of how it led to my being separated.

9 And now I'm not going anywhere except  
10 once a month we have a priest that comes from  
11 Tennessee, and he brings us the sacraments. We have  
12 mass in Lansing, Michigan.

13 Q. Okay. And the church you were attending, Pope St.  
14 Pious X in Warren, Michigan, as far as you know was  
15 that church part of the Roman Catholic Diocese for  
16 that location?

17 A. No, not at all.

18 Q. Okay.

19 A. No. That -- I don't know how much background I  
20 should give, but basically ever since the end of the  
21 Second Vatican Council there have been numerous  
22 Catholics who have detected problems with the Post  
23 Vatican II religion and have separated themselves

1 from and have tried to maintain consistency with  
2 what the Catholic Church has always taught in  
3 practice before that point, and this church I was  
4 going to, Pope St. Pious X, was one of those groups,  
5 it was consistent with that, at least to that  
6 degree. But, unfortunately, the priest and the  
7 parishioners over there, most of them at least, had  
8 some problems with the issues that Most Holy Family  
9 Monastery was bringing out, and so when I finally  
10 concluded that, you know, as much benefit as I  
11 received from this priest in his sermons and the  
12 people that were there, I felt that the truth was  
13 more important than my maintaining there, so when he  
14 kicked me out it was kind of like a relief. I said  
15 fine, you know, I don't need it anymore.

16 Q. Okay. You told me a little earlier that after --  
17 about a year after receiving the initial publication  
18 from Most Holy Family Monastery you then received  
19 some additional publications, you read through them  
20 thoroughly, and that you eventually contacted the  
21 monastery. Since that time have you continued from  
22 time to time to contact Most Holy Family Monastery?

23 A. Oh, yes, quite extensively.

1 Q. Okay.

2 A. In fact, you know, I started calling them and found  
3 out, you know, what they were doing and what they  
4 would work on next, and we would talk and found we  
5 had some very similar ideas on things, similar  
6 thoughts, and I even got to the point where I would  
7 start giving them donations. I read the material.  
8 I even have done proofreading for them and things  
9 like that on materials for them, so I consider  
10 myself probably a little more than just your average  
11 supporter of Most Holy Family Monastery.

12 Q. Do you have an understanding kind of in a nutshell  
13 of what type of organization Most Holy Family  
14 Monastery is?

15 A. Yeah. They're a Benedictine monastery, but they're  
16 -- they're definitely not associated with what you  
17 would consider the mainstream Benedictines, because  
18 the mainstream Benedictines have -- in my opinion  
19 they have lost the faith. I mean, if you were to go  
20 to them they do not preach what the Catholic Church  
21 has always taught, whereas Most Holy Family  
22 Monastery has attempted to maintain that purity of  
23 faith, and so I recognize them as a true Benedictine

1           monastery. I do not recognize, you know, the other  
2           ones out there as a valid -- I just -- you have  
3           probably heard of all the priests' scandals and so  
4           forth and all the things going on. That's just the  
5           tip of the iceberg of why there's a problem there.

6       Q.     Okay. You just said a few moments ago that Most  
7           Holy Family Monastery is a Benedictine monastery,  
8           but not associated with the mainstream Benedictines.  
9           Can you explain to me what you mean by that?

10     A.     Well, I'll give an example. Let's say that we had a  
11           local -- let's say the government, for instance, of  
12           our country was one day taken over by a bunch of  
13           communists, okay? Here we have a republic, a bunch  
14           of communists come through, they overthrow the  
15           government, they take over and they institute a  
16           whole new system. Well, is that our government?  
17           They may have the same name, you know, you still  
18           have a president, you still have a congress, but is  
19           it the same thing? No, it's not. And those people,  
20           those soldiers and the members of the government who  
21           try to carry out the original intents and purposes,  
22           are they the true government? Yes, they are, the  
23           communist people overthrew it or not.

1 Q. Do you remember whether Most Holy Family Monastery  
2 is affiliated with the Vatican?

3 A. No, they're not.

4 Q. Okay. When you reference mainstream Benedictines do  
5 you mean those Benedictine monasteries that are  
6 affiliated with the Vatican?

7 A. Yes, I do.

8 Q. Okay. And so it's your understanding that Most Holy  
9 Family Monastery is independent of the Vatican?

10 A. Oh, absolutely.

11 Q. Okay. Why do you say, oh, absolutely?

12 A. Well, if you had read any of the materials you would  
13 know that they have -- well, let me put it this way.  
14 When I say they're independent of them what I mean  
15 is if we had a valid pope in Rome they would be  
16 under obedience to him clearly, but, as we have  
17 discovered, there are no valid popes in Rome, and  
18 the men who are there for the most part are  
19 apostates, they have lost the faith, so, therefore,  
20 since they are no longer Catholic how can you be --  
21 how can a Catholic be under obedience to a  
22 non-Catholic? It just doesn't fit. It's not  
23 logical. And they have clearly pointed the

1 material, and by what we know from reading the  
2 papers and so forth that was going on in Rome, those  
3 people aren't Catholic.

4 Q. You first learned about Most Holy Family Monastery  
5 in 1995-'96, so it's been some time that you've been  
6 affiliated with -- or you've known of the  
7 organization, rather. Has Most Holy Family  
8 Monastery ever held itself out to you to be  
9 affiliated with the Vatican?

10 A. No, ma'am. Never at any point.

11 Q. In fact, it's been quite the opposite, right?

12 A. Exactly.

13 Q. Do you have -- strike that. You told me a little  
14 bit earlier that over time as you began to contact  
15 the monastery more and read more of their materials  
16 that you eventually began to make some donations to  
17 the monastery; is that correct?

18 A. Yes, I did.

19 Q. Can you give me an idea of over time how much money  
20 you've donated to Most Holy Family Monastery?

21 A. I'd say probably something three thousand dollars.

22 Q. And do you mind if I ask you why it is that you felt  
23 it important to make that -- those kinds of

1           donations?

2       A.       Well, I think that the work is important, it deals  
3           with the salvation of souls, and somebody had to  
4           help them. I mean, you know, money doesn't grow on  
5           trees and they needed the help, so --

6       Q.       Okay. So do you -- that was my next question. Do  
7           you have an understanding of how Most Holy Family  
8           Monastery is able to conduct its work, how it runs?

9       A.       Well, yeah, I do. I mean, they take donations and  
10          with the donations -- and they practically give  
11          their material away, so it's not like they're making  
12          a profit on it. In fact, I've always recommend they  
13          raise their prices, because in order to get some  
14          more money, but they don't. Their intentions was to  
15          keep the prices low so as many people could have it  
16          as possible.

17      Q.       So would it be fair for me to say then that Most  
18          Holy Family Monastery is able to do what it does  
19          based on the good will of others, like yourself?

20      A.       Absolutely.

21      Q.       Have you ever purchased materials from Most Holy  
22          Family Monastery?

23      A.       Oh, yes.

1 Q. And about -- on average about how many times would  
2 you say you've done that?

3 A. Well, you have to understand that when they get  
4 something new out they usually ship it to me or  
5 they'll ask me sometimes to proofread it, so, I  
6 mean, usually I don't pay for it. I just deal with  
7 the donations and they just send it to me, you know.  
8 It's not like I'd go out and just actively purchase  
9 material from them. So when anything new comes out  
10 I usually get it.

11 Q. Okay. During the thirteen some odd years that  
12 you've been a -- well, let me ask you this. Would  
13 you qualify yourself as a supporter of Most Holy  
14 Family Monastery?

15 A. Oh, absolutely.

16 Q. Okay. During the thirteen some odd years that  
17 you've been a supporter of the monastery did you  
18 ever have occasion to purchase materials either over  
19 telephone or perhaps over the Internet from the  
20 organization?

21 A. Yeah, I think I did.

22 Q. Okay. And as part of that process did you have to  
23 give your personal contact information to the

1           monastery?

2       A.       Oh, yes.

3       Q.       Okay.  And what kinds of information did you give,  
4           if you recall?

5       A.       I think they requested name and address and maybe a  
6           telephone number.

7       Q.       And the telephone number that you would have given  
8           to Most Holy Family Monastery, do you know what  
9           telephone number that was?

10      A.       Probably my office number.  Do you want the number?

11      Q.       I will in just -- in just one moment.  When you say  
12           your office number do you mean for your Superior  
13           Machinery office?

14      A.       Yeah, exactly.

15      Q.       And what is that number?

16      A.       (989) 770-4827.

17      Q.       Is that a publicly-listed telephone number?

18      A.       Yes, it is, but it's listed under Superior  
19           Machinery.  It's not listed under my personal name.

20      Q.       So if I wanted to look up Keith McKay --

21      A.       If you look up Keith McKay you won't find a  
22           telephone number.

23      Q.       Okay.  The only way to know --

1 A. The only way you'd know is to look under Superior  
2 Machinery and then you'll find it. You have to know  
3 -- I tell people to call me at that number, but I  
4 don't -- you know, otherwise you won't find it.

5 Q. Okay. On those occasions that you did purchase  
6 materials either through the Internet or over  
7 telephone did you also have to give payment  
8 information, a credit card number?

9 A. Probably. I think they have a new thing on their  
10 website now that you can order stuff through their  
11 -- through the credit card, I believe so.

12 Q. Do you remember when that first -- you first noticed  
13 that on their website?

14 A. Oh, it's probably been a couple years, I'm sure,  
15 maybe more.

16 Q. And when you gave that personal contact information  
17 and your credit card number to Most Holy Family  
18 Monastery in purchasing those materials was it your  
19 understanding that that personal information would  
20 be used only for purchasing those materials?

21 A. Yeah. I didn't get the impression they were going  
22 to turn around and -- yeah, definitely. I did not  
23 expect that they were going to turn around and sell

1           the list to some mass marketing company and try to  
2           send me -- solicit me for some product. It was to  
3           be used exclusively for their use.

4       Q.     Exclusively for the use of the Most Holy Family  
5           Monastery?

6       A.     Exclusively for the use of the Most Holy Family  
7           Monastery, yes.

8       Q.     Now, at any time during the years that you either  
9           worked with the monastery or spoke with the  
10          monastery did you ever have occasion to speak with  
11          someone who told you their name was Brother Edmund?

12      A.     Oh, yes.

13      Q.     Okay. And do you recall when the first time was  
14          that you heard of this individual Brother Edmund at  
15          Most Holy Family Monastery?

16      A.     Well, it must have been about something over five  
17          years ago. It was around the same time he joined,  
18          because I would call there, and the only two people  
19          that ever answered the phone prior to that point was  
20          either Brother Michael or Brother Peter, and so when  
21          Brother Edmund, or Eric, answered the phone I was  
22          very grateful, because that means I could actually  
23          reach somebody.

1 Q. Okay. I just want to clarify something. You talk  
2 about Brother Michael and Brother Peter. Do you  
3 know what their legal names are?

4 A. Well, they've never told me specifically, but I  
5 think I know -- I think I know what they are.

6 Q. Okay. What do you think they are?

7 A. Frederick and Robert; is that correct?

8 Q. That is correct, but for ease of reference for this  
9 deposition I'll refer to them as Brother Michael and  
10 Brother Peter, as you know them.

11 A. That will be fine.

12 Q. Okay.

13 A. Thank you.

14 Q. Just a moment ago in discussing Brother Edmund you  
15 also referenced the name Eric.

16 A. Right.

17 Q. At some point along the line did you learn Brother  
18 Edmund's legal name?

19 A. Well, he started off as Eric, because when he first  
20 joined he was just -- just there to help and it was  
21 kind of a probationary period, so it was Eric to  
22 start with. It wasn't until, oh, he'd been there a  
23 couple of years or whatever that he took some type

1 of vow and he actually took a religious name of  
2 Brother Edmund. And he was the one that told me, in  
3 fact, when I called, I said, oh, Eric, it's you. He  
4 said, no, no, it's now Brother Edmund, and so he had  
5 changed his name.

6 Q. Do you remember approximately when that was?

7 A. I'm going to guess it was probably two years after  
8 he was there, I'm pretty sure, 'cause the last year  
9 was Brother Edmund.

10 Q. And do you have any idea of when Brother Edmund or  
11 Eric joined the monastery, do you remember what year  
12 it was?

13 A. Well, yeah. It was like he was there for a little  
14 over three years.

15 Q. Okay. And do you remember when he -- or when it was  
16 that you first learned he was affiliated with the  
17 monastery?

18 A. Well, he left in December of '07. Yeah, December of  
19 2007, so it would have been three years prior to  
20 that, so I guess it would be sometime either the end  
21 of 2004 or the beginning of 2005.

22 Q. And when you first began to speak with him he  
23 represented to you that his name was Eric?

1 A. Initially, yes.

2 Q. Okay. Did he tell you his last name, as well?

3 A. Never did.

4 Q. Okay. Did you at some point learn his last name?

5 A. Yes, I did learn his lame -- name later, yes.

6 Q. And you learned his last name was Hoyle?

7 A. Hoyle, yes.

8 Q. And when did you learn that?

9 A. I believe it was the day he called me on the phone  
10 to tell me that he left.

11 Q. Do you remember when that was?

12 A. Oh, yes. That was the middle of January of 2008.

13 Q. Okay. We'll get back to that in a little while.  
14 Now, when you would call Most Holy Family Monastery  
15 would you always use the same telephone number?

16 A. Yes.

17 Q. Dial the same tele --

18 A. Yes.

19 Q. And what number was that? You don't know?

20 A. I don't remember off the top of my head.

21 Q. That's okay. But during the time that you knew that  
22 Brother Edmund was affiliated with Most Holy Family  
23 Monastery when you did call the monastery did you

1           have a reasonable expectation that he would be the  
2           one that would answer the phone?

3       A.     Yes, because he had -- as I said before, initially  
4           it was just Brother Michael and Brother Peter  
5           answering the phone, and sometimes they wouldn't  
6           answer the call because, I mean, they're busy, and  
7           so when he started answering the phones I said, oh,  
8           good, because now there's somebody to answer the  
9           call, because I'm sure other people are calling  
10          besides myself, and so when he was there to answer  
11          the phone I was very grateful because there was  
12          somebody to answer the phone during the day, which  
13          is very helpful.

14       Q.     So over time you got to know Brother Michael's voice  
15           and Brother Peter's voice?

16       A.     Oh, absolutely.

17       Q.     Over time did you also get to know Brother Peter's  
18           voice?

19       A.     Oh, absolutely.

20       Q.     In January of 2008 when you received this telephone  
21           call from Eric Hoyle did you recognize his voice as  
22           Brother Edmund?

23       A.     Oh, absolutely. In fact, he told me who he was,

1 but, yes, I did recognize his voice, too, yes.

2 Q. Okay. Now, between 2004, early 2005 when you  
3 believed that Brother Edmund came to Most Holy  
4 Family Monastery and when he left in December of  
5 2007 did you have occasion to speak with him more  
6 than once?

7 A. Oh, many, many times.

8 Q. Okay.

9 A. I was a major promoter in helping -- you know, doing  
10 what I could to help what I consider the cause. I'm  
11 not just your average Joe. I felt I was trying to  
12 be in the forefront of it, so I would call  
13 frequently in order to be able to talk, you know,  
14 carry on business, whatever we needed to do, you  
15 know, if I was trying to help on a project or  
16 something, and so it got to the point where Eric and  
17 I were talking very frequently.

18 Q. Okay. And when you say very frequently can you give  
19 me an idea was it once a week, once a month, once  
20 every two weeks?

21 A. I'd say at least once a month, if not more.  
22 Sometimes more, if I had something going on, maybe  
23 more often than that.

1 Q. Did you also communicate via e-mail or just by  
2 telephone?

3 A. I remember on at least one occasion I had to send --  
4 I think I either received something or I had to send  
5 something, and so there was some e-mail  
6 communication going on, and Eric received my e-mail.  
7 That's how I -- that's how I got it.

8 Q. Okay. Do you recall what e-mail you used?

9 A. My personal e-mail address. Do you want that e-mail  
10 address?

11 Q. Yes, please.

12 A. keith.mckay@charter.net.

13 Q. And that e-mail address, is that something that's  
14 publicly available?

15 A. No.

16 Q. You have to give that to somebody in order for them  
17 to have it?

18 A. Right.

19 Q. And when you gave that e-mail address to Most Holy  
20 Family Monastery did you have an expectation that it  
21 would be used only for the monastery?

22 A. Certainly.

23 Q. Okay.

1 A. If I felt at any point that they were going to sell  
2 my address to someone, you know, commercial  
3 purposes, I certainly would have been upset, but I  
4 never -- it never crossed my mind that they would  
5 ever do that.

6 Q. Now, on these numerous telephone calls and  
7 conversations that you had with Brother Edmund what  
8 kinds of things would you talk about?

9 A. Oh, we would talk about current events, what was  
10 going on. We would talk about the work they were  
11 doing, what kind of projects they were working on  
12 currently. We'd talk about how grateful I was the  
13 fact that he was there, and the fact that what he  
14 was doing was such a benefit to souls because of the  
15 fact that he was helping to free up Brother Michael  
16 and Brother Peter from work they could do other  
17 places instead of answering phone calls and things  
18 like that.

19 Q. Did he agree with you on that point?

20 A. Oh, most certainly. I encouraged him. I said,  
21 please, I said you're doing wonderful work, and he  
22 was in perfect agreement with me. That's why I was  
23 so surprised when he left.

1 Q. Would you talk about the teachings and beliefs of  
2 Most Holy Family Monastery?

3 A. Oh, absolutely, because we would compare that to  
4 what is being -- I was obviously having some  
5 difficulty, I mentioned the priest, I had to  
6 eventually leave, and so I was explaining to him  
7 some of the difficulties I was having with this  
8 priest, you know, and eventually I had to leave  
9 over, and he was consoling me and encouraging me to  
10 do the right thing, and so, yeah, absolutely.

11 Q. And during those conversations that you had with  
12 Brother Edmund did he ever represent to you that  
13 Most Holy Family Monastery was affiliated with the  
14 Vatican?

15 A. No, ma'am, never.

16 Q. You chuckled when you said that. Why?

17 A. Well, because if you ever read the materials they  
18 have on their website and the materials they publish  
19 they make it quite clear they're not associated with  
20 the Vatican. I mean, they are Catholics, as I said,  
21 they make it quite clear they are Catholic, but  
22 they're Catholics standing up for to oppose an  
23 invader, in that sense, if you understand what I

1 mean.

2 Q. Okay. And during the conversations that you had  
3 with Brother Edmund over the years did he indicate  
4 agreement with the teachings and beliefs of Most  
5 Holy Family Monastery?

6 A. Absolutely.

7 Q. Were those things that the two of you talked about  
8 in your conversations?

9 A. All the time.

10 Q. Now, were these conversations, you know, just quick  
11 checking-in conversations, one or two minutes, or  
12 were they kind of lengthy at times?

13 A. They were lengthy sometimes. I mean, they might go  
14 for twenty minutes, twenty-five minutes sometimes.

15 Q. Okay. And -- strike that. Did you have an  
16 understanding or do you have an understanding of  
17 what Brother Edmund did for Most Holy Family  
18 Monastery while he was there?

19 A. Well, I know he answered the phone and he was taking  
20 care of taking calls from people who would call in  
21 with questions who wanted more materials, were  
22 seeking guidance, they'd want to know, you know,  
23 once they had read the material and had seen it they

1           wouldn't become convinced by it, they might need a  
2           little extra help, you know, say, well, I'm not sure  
3           I quite understand this point of your doctrine,  
4           could you explain it to me, and he would try and  
5           explain it to them, so he was trying to help people  
6           in that regard. That's partly the reason I  
7           encouraged him, because if I could do it I would,  
8           but I obviously didn't have the time because I  
9           always had a business to run, and so he was doing  
10          all that and I was very -- encouraged him and was  
11          supportive of him in that, and he seemed to  
12          appreciate my comments. I think he was also  
13          packaging product and things like that that had to  
14          be shipped, and what else he was doing I wasn't  
15          really sure, but it was basically just doing  
16          whatever he could to free up Brother Michael and  
17          Brother Peter so they could follow up, you know, do  
18          the research and do the writing and do the things --  
19          the really hard core of what they were trying to  
20          present.

21        Q.       And from your understanding then was it really a lot  
22                of supporter contact and communication?

23        A.       A lot of it. That's primarily what he was doing was

1           answering the phone, I think. I mean, you know, he  
2           was talking to people and he would refer them to --  
3           you know, if they had questions, refer them to  
4           different materials they could read, absolutely. He  
5           was -- I mean, he was for a period of time the  
6           primary person people would call into, they would  
7           call and talk to him, so if they were looking for  
8           guidance or some explanation of what they believe,  
9           then he would give it to them.

10        Q.     Okay. Knowing the monastery for these years and  
11        knowing Brothers Michael and Peter would you ever  
12        expect them to put somebody in that kind of a  
13        position who wasn't in full agreement with the  
14        teachings and beliefs of Most Holy Family Monastery?

15        A.     Not at all. I'd be very surprised if they ever did.  
16        They have many enemies, if I say. They have many  
17        enemies out there who do not -- who oppose what they  
18        believe, and they are -- they are part of it, but  
19        they have many enemies, and for them to put someone  
20        in that position who was not in full agreement with  
21        them, no, I can't even contemplate that.

22        Q.     During the conversations that you had with Brother  
23        Edmund while he was at Most Holy Family Monastery

1 did he seem happy and pleased with the work he was  
2 doing?

3 A. Absolutely.

4 Q. Did he ever indicate to you any dissatisfaction or  
5 discontent with his place at the monastery or the  
6 happenings at the monastery?

7 A. No, not at any time. Not until after he left.

8 Q. And at any time during your conversations with  
9 Brother Edmund did he ever indicate to you that he  
10 believed Most Holy Family Monastery was affiliated  
11 with the Vatican?

12 A. No, never at any time.

13 Q. At any time during your conversations with Brother  
14 Edmund did he ever indicate to you that it was his  
15 belief that Most Holy Family Monastery was part of  
16 the mainstream Catholic Church affiliated with the  
17 Vatican?

18 A. No, ma'am. It was quite the opposite. I mean,  
19 Brother Edmund was quite aware of the fact that Most  
20 Holy Family Monastery was there to oppose the  
21 mainstream, to oppose the Vatican, to oppose what  
22 the people who call themselves Catholics, yet are  
23 not, you know, what you might call the mainstream.

1           It was clearly to oppose them, and that's why he was  
2           there.

3       Q.     Now, you mentioned earlier that sometime in January  
4           of 2008 you received a telephone call from someone  
5           by the name of Eric Hoyle, who told you that he was  
6           Brother Edmund?

7       A.     Right.

8       Q.     Okay. Before that telephone call do you remember  
9           when the last time was that you spoke with Brother  
10          Edmund at Most Holy Family Monastery?

11      A.     It probably had been a couple of months at the most.  
12          It may have been less than that, but it wasn't a  
13          long time.

14      Q.     Do you have any recollection of the content or  
15          context of that last conversation?

16      A.     Which one?

17      Q.     The last conversation you had with Brother Edmund  
18          before learning that he left Most Holy Family  
19          Monastery.

20      A.     No, I don't.

21      Q.     At any time that you spoke with Brother Edmund while  
22          he was at Most Holy Family Monastery did he indicate  
23          to you that he was planning on leaving?

1 A. Never. In fact, he had taken his vows, and that was  
2 one step more closer towards a permanent position  
3 there. I mean, that's -- no. The very fact he took  
4 the vow indicated that, yes -- in fact, he was the  
5 one that told me that his name changed from Eric to  
6 Brother Edmund and I had to get used to calling him  
7 Brother Edmund, so he indicated to me that his  
8 intention was to stay and to continue the work, and  
9 so we were, I felt, friends.

10 Q. Okay. At some point you served as a reference for  
11 Eric Hoyle, correct?

12 A. Yeah. After he left he asked me to -- and this is  
13 before I knew the whole story of what was going on.  
14 I just had talked to him and I just still felt he  
15 was a friend, and he asked me if I would write a  
16 letter of reference, he was going to try to find a  
17 job and I knew it might be difficult for him and so  
18 I -- you know, I had not even contacted Brother  
19 Michael or Brother Peter about the situation yet.  
20 It was the initial phone call he asked me to -- if I  
21 would write a letter of reference for him, and my  
22 initial -- I said I would.

23 Q. Did you eventually do that?

1 A. Yes, I did.

2 Q. Do you remember when that was?

3 A. Shortly after he asked for it.

4 Q. And did he ask for that letter of reference during  
5 the January 2008 --

6 A. The January 2000 (sic) call, yeah.

7 Q. Okay. Now, this telephone call that you received  
8 from Eric Hoyle in 2008, do you remember what  
9 telephone number you were reached at?

10 A. Yes, I do. It was my office number, because I had  
11 gone on a -- I had to go out to run an errand at the  
12 time, and I typically forward my calls to my cell  
13 phone, and so the call had come through to my cell  
14 phone and then -- so I was on my cell phone at the  
15 time, and we hung up several times over the course  
16 of about two hours and he had to call back for  
17 various things, so, yes, he was calling my office  
18 number.

19 Q. Okay. And that's the number for Superior Machinery?

20 A. Yes, it is.

21 Q. Were you surprised to get this telephone call?

22 A. Oh, absolutely.

23 Q. Why were you surprised?

1 A. Well, I guess I was about as surprised as a wife  
2 would be to find her husband's left her and gone off  
3 with another woman. That's kind of the way I felt  
4 about it. I mean, I didn't know at the time that  
5 --what the situation was, but for him to have left  
6 so suddenly like that, considering how -- what I  
7 felt was his level of support and understanding,  
8 for him to leave, I thought, well, what could  
9 possibly have caused this.

10 Q. And you said that this phone call in January 2008  
11 lasted approximately two hours?

12 A. Yeah. The total conversation was about two hours,  
13 you know, total. I mean, it might have been a few  
14 breaks in there, you know, maybe a ten or  
15 fifteen-minute break, but were all about two hours,  
16 yes, a lengthy -- I wanted to know what was going  
17 on --

18 Q. Okay.

19 A. -- so we had a lengthy conversation.

20 Q. And when you -- when you picked up the phone and  
21 you heard this voice on the other end did you  
22 recognize the voice?

23 A. Absolutely.

1 Q. And you recognized it as Brother Edmund?

2 A. Yes.

3 Q. Okay. And then -- and then he told you that his  
4 legal name was Eric Hoyle?

5 A. Yes.

6 Q. Okay.

7 MR. EATON: Can we go off the record a  
8 minute?

9 MS. ELLIOTT: Sure.

10 THE VIDEOGRAPHER: Off the record at ten  
11 forty-six.

12 (Discussion off the record and video.)

13 THE VIDEOGRAPHER: Back on the record at ten  
14 fifty-six.

15 BY MS. ELLIOTT:

16 Q. Mr. McKay, you told me a little earlier that this  
17 conversation you had with Eric Hoyle in January of  
18 2008 lasted approximately two hours total?

19 A. Yes.

20 Q. Okay. So I imagine that there were a number of  
21 different things that you all talked about during  
22 the course of that conversation?

23 A. Well, in the sense that it was focused primarily on

1           why he left. It wasn't really anything -- I wasn't  
2           concerned about anything else. It was why he left.

3       Q.     Okay. At any time during the conversation did Mr.  
4           Hoyle tell you why he was calling you?

5       A.     Yeah. Yes, he did. He said he was calling me  
6           because he felt -- in fact, I asked him the very  
7           question why he was calling me. He said because he  
8           felt that -- he says I am my brother's keeper, and  
9           that he had an obligation to try to, you might say,  
10          correct some erroneous opinions that I had or, you  
11          know, basically set me straight on really what was  
12          going on at Most Holy Family Monastery.

13      Q.     You said your conversation focused primarily on why  
14          Mr. Hoyle left Most Holy Family Monastery?

15      A.     That's correct.

16      Q.     Okay. Can you tell me what he told you about why he  
17          left?

18      A.     Oh, yes. He told me that he had had a conversation  
19          with someone who had -- well, I back up. He had  
20          been referring people to various mass locations,  
21          because people would call him and ask him where  
22          should I go to mass, because they wanted to go, they  
23          wanted to receive the sacraments, and they didn't

1 know where to go. They knew they couldn't go to the  
2 mainline churches anymore, so they wanted know,  
3 well, where could they go, and so he must have had  
4 some kind of list of various you might call  
5 alternative -- possible alternatives, and he was  
6 referring people to those alternatives. Well, he  
7 was getting reports later on that these people had  
8 gone to these alternative locations, had begun to  
9 speak to people that were there, either the priest  
10 or other parishioners, who were not in full  
11 agreement with the Most Holy Family Monastery's  
12 position, and they would eventually drop the  
13 position under the influence of the priest and they  
14 would basically go back to, you know, something less  
15 than what we were -- you know, the ideal, so he felt  
16 some remorse about that, and that must have taken  
17 place over a period of a few weeks, I imagine, prior  
18 to his calling me -- or prior to his leaving. He  
19 didn't say exactly how long this period of time had  
20 been.

21 But what really prompted him to finally  
22 leave, he did mention something about a conversation  
23 that he had had with someone regarding something to

1 do with Brother Michael, but I forget exactly what  
2 it was, I don't recall. But, anyway, he received  
3 some article from a man by I believe the name of  
4 Richard Ibranyi. How he got the article I really  
5 don't know, he didn't say, that I recall, and the  
6 article essentially said that it was a sin for a  
7 Catholic to attend the mass of a priest who was a  
8 heretic, and he became convinced by the article and  
9 said he was up pretty much all that night, I think  
10 that was either the 30th, I guess that must have  
11 been the 30th of December or the 31st, and got up in  
12 the morning, and told the two other gentlemen that  
13 were there, as well, that he was going to leave, and  
14 if they wanted to go with him they could. And  
15 apparently I guess he also gave them copies of the  
16 article, as well, and I guess they read it, too, and  
17 they left.

18 We got another subject, as well.  
19 We got into things about -- things I felt were  
20 trivial, but essentially things like the cleanliness  
21 of the monastery, like how clean that the shower  
22 stall was, and I thought that was rather ludicrous.  
23 I mean, what difference does that make. I mean, I

1           can't imagine something that filthy, but, anyway, we  
2           talked about that. We talked about Brother  
3           Michael's driving habits, that he felt that Brother  
4           Michael was somewhat of a reckless driver.

5       Q.     Were any of those things that he had indicated to  
6           you or talked to you about while he was at Most Holy  
7           Family Monastery?

8       A.     No, never.

9       Q.     So is it -- I just want to make sure I understand  
10          what you're testifying to. Is it your understanding  
11          after this conversation with Eric Hoyle that he left  
12          Most Holy Family Monastery because he disagreed with  
13          the monastery's approval of certain churches where  
14          the sacraments could be received?

15      A.     Yes, that was the primary reason for leaving. It  
16          was because of his -- what he found now -- what he  
17          felt was then their error in regard to where a  
18          Catholic could go to mass.

19      Q.     Did he indicate to you that he now believed that a  
20          Catholic could not receive the sacraments at any --

21      A.     Essentially, yes.

22      Q.     -- church?

23      A.     Essentially, yes. In fact, he even went so far as

1 he wanted to confess to me, and I asked him why do  
2 you want to confess to me, I'm not a priest, and he  
3 said, well, I want to, and I said, well, if you feel  
4 it will make you feel better you can, but I haven't  
5 got any -- I have no power to absolve any of your  
6 sins and so he felt the need to do that, and I got  
7 the impression he had done the same thing with other  
8 people.

9 Q. Did he confess something to you?

10 A. Yeah, that, the fact that he had, you know, been  
11 giving people what he felt erroneous information  
12 that would lead to their damnation by telling people  
13 they could go to another alternative, okay, not a  
14 mainstream church, certainly, but another  
15 alternative to it, and he had felt the remorse for  
16 having done that and he thought it was a grievous  
17 sin, a grievous sin, something that would cause your  
18 damnation for doing so.

19 Q. Okay. During this conversation did he offer to send  
20 you a copy of this article that he had read?

21 A. No. He just told me on the Internet where I could  
22 find it.

23 Q. During this conversation did he talk to you about

1           whether or not he had spoken with other individuals  
2           that he had come to know through Most Holy Family  
3           Monastery?

4       A.     Yes.  He had made quite clear that he was contacting  
5           other people and that he had other people he  
6           intended to contact, because he felt that what Most  
7           Holy Family Monastery was doing was in that regard,  
8           as far as directing people to other -- to other  
9           churches, was improper and grievous -- a grievous  
10          sin, and that he was contacting them, as well, to  
11          warn them of the same problem.

12      Q.     Okay.  Contacting people that he previously had  
13           spoken to --

14      A.     Yeah.

15      Q.     -- while he was at Most Holy Family Monastery?

16      A.     Absolutely.

17      Q.     And did he tell you that he had already contacted  
18           these other people or that he planned to?

19      A.     He had already contacted some people, I didn't say  
20           how many, but he had contacted some, and he was in  
21           the process of contacting more.

22      Q.     At any point during this conversation in January of  
23           2008 did Mr. Hoyle tell you that Brothers Michael

1 and Peter kicked him out of the monastery?

2 A. No, not at any time.

3 Q. Did he ever tell you that at any point in time?

4 A. No. He left on his own.

5 Q. Now, you mentioned that Mr. Hoyle told you he took  
6 this article by Richard Ibranyi and took it to the  
7 two other gentlemen who were at Most Holy Family  
8 Monastery at that time. Do you recall their names?

9 A. I'm sorry. I don't recall them.

10 Q. Okay.

11 A. I never spoke with them.

12 Q. Okay. Do you have any knowledge as to whether or  
13 not they left the monastery with Mr. Hoyle?

14 A. Oh, yeah. He told me they did.

15 Q. Okay. He told you that all three of them left  
16 together?

17 A. Yes, they left together.

18 Q. Did he tell you about the circumstances of how he  
19 left, like when he left, things he took with him,  
20 those kinds of things?

21 A. Yes, he did, and my memory's a little vague as far  
22 as exactly what he said he took with him, but  
23 essentially he took most of his possessions. I

1 think he indicated he tried to -- or was going to  
2 come back to get more later or something to the  
3 effect, but essentially he took his possessions with  
4 him without -- with no intention of coming back.

5 Q. After this telephone call in January of 2008 did you  
6 ever speak with Eric Hoyle again?

7 A. Oh, yes. He and I had I think two -- I think maybe  
8 two conversations after that.

9 Q. Okay.

10 A. One or two, and some e-mail. He sent me some  
11 e-mails, too.

12 Q. During any of those conversations did he ever refer  
13 you to a Web site which he indicated was his own  
14 personal website?

15 A. Yes, he did.

16 Q. And when did he do this?

17 A. It was either during the initial conversation or a  
18 subsequent conversation. Either that or the  
19 following one after that.

20 Q. Do you recall the URL address for that website?

21 A. Not off -- no. I would have to check on it. I'm  
22 sure I could find it someplace, but I don't recall  
23 off the top of my head.

1 Q. Did you go to that website?

2 A. Oh, yes, I did.

3 Q. Okay. And once or more than once?

4 A. Once.

5 Q. And do you recall seeing or do you recall what you  
6 saw on that website, what you observed?

7 A. From what I recall of the website it was something  
8 to the effect -- it was more of an apology. He  
9 reintroduced himself as the former Brother Edmund  
10 having been at Most Holy Family Monastery and  
11 explained what he had done and why he had left and  
12 why he was opposing Most Holy Family Monastery, and,  
13 of course, I think he had -- he may have had links  
14 on there to other websites, too. I don't recall.  
15 It's been -- it's been two years since I've looked  
16 at it.

17 Q. Okay. At any time from January of 2008 until the  
18 present did Eric Hoyle ever indicate to you that he  
19 left Most Holy Family Monastery because he suddenly  
20 discovered that the monastery was not affiliated  
21 with the Vatican?

22 A. No. No. He knew they weren't.

23 Q. Do you recall when you went to this website that Mr.

1           Hoyle represented as his personal website whether  
2           there was a link to a Pay Pal account for monetary  
3           donations?

4           A.     I don't recall.

5           Q.     Now, during the January 2008 telephone conversation  
6           I know you said that most of the conversation  
7           centered around why Mr. Hoyle left Most Holy Family  
8           Monastery.  Were there any other things that you  
9           discussed during the course of that telephone  
10          conversation?

11          A.     Yes.  He discussed with me conversations that he had  
12          had with other people who were opposed to one way or  
13          another (sic) with Brother Michael and Brother  
14          Peter, and he had been talking to them, and that's  
15          when he told me what their real names, you know,  
16          their legal names were, which I had never known  
17          before that point.  He got into issues -- that's  
18          when he first addressed to me the idea that they  
19          were not a valid monastery, not because they weren't  
20          following the rule of St. Benedict, but because they  
21          were never validly constituted.  He didn't give me  
22          -- he did not go into detail.  In fact, I asked him  
23          for reasons why and he didn't know them.  He was

1 getting this information from a third-party and he  
2 basically said we'll just refer to -- and I forget  
3 who it was -- referred me to someone, and suggested  
4 I read their materials. It might have been Richard  
5 Ibranyi. I don't recall.

6 Q. And this was during the January 2008 telephone  
7 conversation?

8 A. Yes.

9 Q. Okay. During that conversation or in any subsequent  
10 conversations that you had with Mr. Hoyle did the  
11 subject of money ever come up in the sense of money  
12 that he gave to Most Holy Family Monastery upon  
13 entering?

14 A. No. He never mentioned it.

15 Q. Did he ever during any of these conversations  
16 indicate to you that Brothers Michael and Peter were  
17 withholding money of his?

18 A. No. In fact, I didn't know that he was the donor of  
19 this large sum of money until sometime later when I  
20 had a conversation with Brother Michael over the  
21 phone, and he was the one that told me Brother  
22 Edmund, Eric, had donated it. I didn't even know  
23 that.

1 Q. At any point during the conversations that you had  
2 with Eric Hoyle after he left the monastery did he  
3 ever tell you that he was going to destroy Most Holy  
4 Family Monastery?

5 A. To use the word destroy, I don't know if he said  
6 that, but it was quite clear that his intention was  
7 to contact people who had originally been contacted,  
8 you know, that he had contacted or had been  
9 influenced by them and tried to counter what they  
10 were doing, because they felt what they were doing  
11 was wrong. I guess I'm referring specifically to  
12 the where a person could go to mass, because we  
13 never -- he never mentioned any other reason why he  
14 had an opposition to them. Basically just, yeah, he  
15 felt it was his personal quest, you might say, to  
16 correct the situation, as he felt he had made an  
17 error.

18 Q. Do you recall when the last time was that you had  
19 any contact with Eric Hoyle?

20 A. He and I had I think two or three conversations, and  
21 I think the last one was probably sometime in the --  
22 probably in February, I imagine. I'm trying to  
23 recall, but sometime around February, maybe, of

1           2008. We didn't have many conversations. I found  
2           out what he was doing, I ceased my conversations  
3           with him. But it was probably within, like I said,  
4           at most, two months after the initial conversation.

5       Q.     During these conversations that you had with Eric  
6           Hoyle did you ever research what he was claiming his  
7           new position was on mass attendance?

8       A.     Oh, yes, I did. I went back and I read the article  
9           he referred me to, and it was very -- I mean, it was  
10          certainly convincing from the point of view of  
11          examining what the author said. In fact, it was so  
12          convincing that I stopped, I -- my children and I  
13          had been going to a mass center some distance away,  
14          and so I -- we stopped going, and I just stopped  
15          going. I felt the prudent thing to do under the  
16          circumstances, well, if somebody says you're doing  
17          the wrong thing then take the time to stop and  
18          examine it, and so I did, I stopped, and then  
19          subsequently shortly thereafter Brother Peter wrote  
20          an article refuting the position, and I just said,  
21          well, their position is wrong, and so I knew it was  
22          -- I knew it was okay to go back if I wanted to.

23       Q.     When you say the position was wrong do you mean Mr.

1 Hoyle's position?

2 A. Mr. Hoyle's position, or Richard Ibranyi. It  
3 actually was Richard Ibranyi's position about you  
4 could not go to mass and receive the sacraments from  
5 a heretic, and so, yes, I -- I saw both sides and I  
6 convinced them that Eric's position was wrong.

7 Q. Okay. You had knowledge of and were familiar with  
8 the monastery for quite some time before Mr. Hoyle  
9 came into the monastery, correct?

10 A. Oh, yes, yes.

11 Q. Okay. And at any time during Mr. Hoyle's  
12 affiliation with the monastery when you had  
13 conversations with him did he ever tell you or teach  
14 you anything about Most Holy Family Monastery's  
15 position or its standing that you didn't already  
16 know about?

17 A. No, other than the fact that maybe on one -- I  
18 believe it was one occasion I was having some  
19 personal difficulties and he admonished me to do the  
20 right thing. Other than that, no, I was very  
21 familiar with the materials and what their position  
22 was.

23 Q. And would it be fair to say that their position and

1           their beliefs and teachings remained consistent  
2           throughout the time that you have known the  
3           monastery and have known Brothers Michael and Peter?

4       A.     Absolutely.

5       Q.     And in your opinion, as far as you're concerned, has  
6           Most Holy Family Monastery always been clear about  
7           its position in relation to the Vatican?

8       A.     Absolutely.

9       Q.     Okay.  And have they always been clear that they are  
10          not affiliated with the Vatican?

11      A.     Yes.  Yes.

12      Q.     Has Most Holy Family Monastery or Brothers Michael  
13          or Peter ever represented to you that they are a  
14          Benedictine monastery affiliated with the Vatican?

15      A.     Never.

16                        MS. ELLIOTT:  I think that may be all I  
17          have.  Would you mind if we just take a few minutes  
18          to break and I'll go over my notes?

19                        MR. EATON:  No.

20                        MS. ELLIOTT:  Off the record.

21                        THE VIDEOGRAPHER:  Off the record at eleven  
22          fifteen.  We're off.

23                        (Discussion off the record and video.)

1 THE VIDEOGRAPHER: On the record eleven  
2 twenty-three.

3 BY MS. ELLIOTT:

4 Q. Okay. Mr. McKay, I just have a few more questions  
5 for you and then we'll turn the questioning over to  
6 Mr. Eaton, who I'm sure will have some questions for  
7 you, as well. I know we spoke earlier about whether  
8 Most Holy Family Monastery ever held itself out to  
9 be affiliated with the Vatican, and you told me on  
10 several occasions that it did not hold itself out to  
11 be affiliated with the Vatican. At any time during  
12 your familiarity with the monastery did it ever hold  
13 itself out to be affiliated with any other group,  
14 whether it's the Vatican or any other traditional  
15 Catholic group?

16 A. No.

17 Q. Okay. Has the monastery always to you held itself  
18 out to be totally independent?

19 A. Yes.

20 Q. Okay. One other thing I wanted to just clarify and  
21 make sure I kind of understand, the logic of this  
22 mass issue as you discussed with Mr. Hoyle. It's my  
23 understanding, and correct me if you believe I'm

1 wrong, that Most Holy Family Monastery believes that  
2 mass cannot be attended or the sacraments received  
3 at any church affiliated with the Vatican?

4 A. No, that's not true.

5 Q. Okay. Can you correct me then?

6 A. Well, what their position is is that as long as the  
7 priest is not notorious in his public heresy, in  
8 other words, he's not getting up from the pulpit and  
9 denouncing something which is clearly Catholic,  
10 clearly dogmatically true, that it's I guess you  
11 might say it's allowable under the circumstances for  
12 a Catholic to receive the sacraments from that  
13 priest as long as he's not supporting him --

14 Q. Okay.

15 A. -- if you know he's a heretic, that is.

16 Q. So then would it be fair to say then that Most Holy  
17 Family Monastery believes that there are certain  
18 churches where mass can be attended and the  
19 sacrament received?

20 A. Yes, certainly. If I understand, they go to one of  
21 them themselves as a byzantine chapel they go to.

22 Q. Okay. And is it your understanding that it was  
23 these alternative churches that Brother Edmund was

1           referring people to when you discussed that earlier?

2       A.     Yes.

3       Q.     Okay.  And is it your understanding that based on  
4           your conversations with Mr. Hoyle that he now  
5           believes, or at least when you last spoke with him,  
6           believed that the sacraments could not be received,  
7           nor mass could be attended at any church, that to do  
8           so at any church would be heresy?

9       A.     Well, to be very specific the prohibition was  
10          against receiving the sacraments from any priest  
11          that you knew to be a heretic, and the presumption  
12          was, of course, if they were affiliated with the  
13          Vatican that the priest was, therefore, in league  
14          with the devil, you might say, and, so, therefore,  
15          you could not go, so essentially left no one.

16      Q.     And is it your understanding then that the reason  
17          why Mr. Hoyle left Most Holy Family Monastery was  
18          because he disagreed with the monastery's position  
19          that mass could be attended and sacraments received  
20          at certain churches?

21      A.     Yes.

22      Q.     He felt, Mr. Hoyle felt, that you couldn't attend  
23          mass at any church?

1 A. You couldn't -- yes. His position was that you  
2 could not receive the sacraments from any church  
3 that was affiliated with the Vatican or where the  
4 priest was even known to be a heretic.

5 Q. And your understanding is that it was that  
6 disagreement that that was the cause for him leaving  
7 the monastery?

8 A. Yes. If there were other issues involved as far as  
9 specifically why he left he never mentioned them.

10 MS. ELLIOTT: Okay. Can we mark this as  
11 Exhibit A?

12 (Whereupon, Exhibit A, an affidavit, was then  
13 received and marked for identification.)

14 BY MS. ELLIOTT:

15 Q. Mr. McKay, I am going to pass to you a document  
16 that's been marked as Exhibit A with today's date on  
17 it, this document is four pages in length, and I'd  
18 ask that you take a few moments to review this  
19 document and let me know when you're finished, okay?

20 A. Okay.

21 Q. The document that's in front of you that's marked as  
22 Exhibit A, have you ever seen that document before?

23 A. Yes, I have.

1 Q. Okay. And is that your signature on the last page?

2 A. I believe so. Yes, it is.

3 Q. Do you recall reviewing and signing that affidavit?

4 A. Yes, some time ago.

5 Q. Okay. I believe the date is in -- can you tell me  
6 what the date is on the last page?

7 A. The 4th of June of 2008.

8 Q. Okay. Now, you just had an opportunity to review  
9 Exhibit A. Does reviewing that document refresh  
10 your recollection as to whether Mr. Hoyle ever  
11 discussed with you a sum of money that was given to  
12 Most Holy Family Monastery upon his entry?

13 A. Having reviewed this document, since at the time I  
14 signed the document my recollection, of course, was  
15 clearer, having been closer to the actual event,  
16 and, yes, I believe he did recall -- he did mention  
17 some money that they were refusing to give back to  
18 him.

19 Q. And do you as you sit here now, having reviewed  
20 Exhibit A, do you have a recollection of what Mr.  
21 Hoyle said in that regard?

22 A. I remember him saying that he had donated some money  
23 to the monastery, he never said how much, and that

1 he was asking for the money back, and they were  
2 refusing to give it to him.

3 MS. ELLIOTT: I have no further questions  
4 for you, but I'm sure Mr. Eaton does.

5

6 EXAMINATION BY MR. EATON:

7

8 Q. Mr. McKay, my name is Wade Eaton. I'm an attorney.  
9 I represent Mr. Hoyle in this lawsuit. I'm going to  
10 ask you some questions. I think the questions have  
11 already been asked by -- Ms. Elliott covered most of  
12 the ground, but I have a few things to follow up on,  
13 clarify, if you don't mind. As Ms. Elliott said, if  
14 my questions -- if you don't understand them, which  
15 is quite possible, because I tend to ramble on  
16 sometimes, let me know, I'll try to rephrase them.  
17 We're here just to find out facts that you're aware  
18 of, and you've been very cooperative and I  
19 appreciate that. Excuse me. Did you -- did you  
20 review any documents in preparation for your  
21 testimony today?

22 A. None.

23 Q. Did you have any conversations with Ms. Elliott

1           concerning your deposition testimony?

2       A.       No.

3       Q.       When was the first time you met Ms. Elliott?

4       A.       Today.

5       Q.       Did you have any conversations with Attorney  
6           Coppola, Lisa Coppola, concerning your testimony  
7           today?

8       A.       No.

9       Q.       Have you ever met Miss Coppola?

10      A.       No.

11      Q.       If I ask you a question which has a yes or no  
12           answer, but you'd like to explain your answer,  
13           please feel free to go ahead and do that. And I  
14           will assume unless you ask me to restate or rephrase  
15           the question that you understood my question; is  
16           that fair?

17      A.       Sure.

18      Q.       Okay. You said that you received an unsolicited  
19           publication back in 1995 or so from Most Holy Family  
20           Monastery. Do you still have that?

21      A.       I believe I do, yes.

22      Q.       Do you remember -- can you identify it in any way?

23           Do you remember the name of it?

1 A. It was what they call issue one of their most --  
2 their Crying From the Roof -- I forget the exact  
3 full title, but it was essentially issue one people  
4 refer to it as, the first issue of their mass --  
5 mass distribution.

6 Q. And do you have any idea how they came to send one  
7 to you?

8 A. Oh, yes, yes. Because at the time I was very active  
9 in some political things I was doing, and I had a --  
10 you might call it public -- we call it a suite box,  
11 a rented address, and that address was listed on  
12 something, I forget exactly what it was, and I'm  
13 sure that's where they got the information from,  
14 because I never had any contact with them before  
15 that.

16 Q. I misunderstood. You said a suite box?

17 A. Something similar to a post office box.

18 Q. Oh. And that was in connection with some, did you  
19 say, political activity?

20 A. Some political activity I was involved with at the  
21 time. That's how I imagine they got it from,  
22 because that's where it came to, is that address.

23 Q. I see. And what was the nature of the political

1 activity that you were involved in at the time?

2 A. I think it had something to do with a -- there were  
3 some politicians who were attempting under the  
4 influence of some special interest to call forth a  
5 constitutional convention for the purposes of  
6 amending the federal constitution, and we were  
7 opposed to it because we felt it couldn't be  
8 limited, and so we were contacting legislators to  
9 let them know how we felt about it.

10 Q. And what was the proposed amendment; do you recall?

11 A. Well, they were using the amendment to -- a balanced  
12 budget amendment. They were trying -- they were  
13 trying to pass a balanced budget amendment. They  
14 said congress wouldn't do it, so the only way to get  
15 it done was to have a constitutional convention  
16 where they could introduce it and get it passed,  
17 that congress simply wouldn't do it.

18 Q. You're talking about the United States Constitution?

19 A. United States Constitution, yes.

20 Q. Would you be willing to make a copy of this issue  
21 one and forward it to Ms. Elliott and myself?

22 (Document Request).

23 A. If I can find it. I'm pretty sure I know where it's

1 at, but -- yeah, if I can find it I certainly would.

2 Q. I'd appreciate that. Actually, you could probably  
3 just send it to Stephanie and you can forward me a  
4 copy.

5 A. So you definitely do want a copy?

6 Q. Yes, but you can forward it to Stephanie, Ms.  
7 Elliott, and she can send me a copy.

8 A. Certainly.

9 Q. Thank you. Now, you said about a year later --  
10 strike that. After receiving this magazine did you  
11 make any contact with Most Holy Family Monastery?

12 A. No, I did not. It was a year or so later that they  
13 issued what I'll call issues two and three, again,  
14 two separate magazines similar to the first, that  
15 where issue three went into more detail on the  
16 subjects that were discussed in issue one, and it  
17 was that publication that really began my interest  
18 in the subject, I mean, to the degree to really push  
19 it off the edge.

20 Q. Do you know whether you've retained those documents?

21 A. I'm pretty sure I have that, yes.

22 Q. And I'd make the same request, if you would --

23 A. Certainly.

1 Q. -- just make copies -- a copy of it and --

2 A. Certainly.

3 Q. -- send it to Stephanie. Thank you.

4 (Document Request).

5 You said you did not grow up in a  
6 church-going home. What precipitated your interest  
7 in pursuing religion life?

8 A. Well, I -- you mean as far as being religious at  
9 all?

10 Q. Yes.

11 A. I wasn't planning on becoming a monk, if that's what  
12 you're asking.

13 Q. No, no, no, but I mean just becoming involved with  
14 the religious community, how did you choose the  
15 Catholic community as opposed to the Presbyterian  
16 community?

17 A. Well, I was affiliated with a number of people who  
18 were in the political effort I was working in who  
19 were Catholics, you might call them traditional  
20 Catholics, those who were trying to adhere to the  
21 Catholic Church as it was prior to the changes  
22 of Vatican II. It was under their influence that I  
23 was introduced to much of this information, but not

1 specifically from what Brother Michael and Brother  
2 Peter had, it was just general information, and when  
3 I read the material they had I knew it was contrary  
4 to what I had been told by some of the people that I  
5 was going to church with, because I just knew by  
6 having gone there a number of years, I knew how they  
7 felt.

8 Q. Let me take you back a bit. You say you've been  
9 going to the church for a number of years.

10 A. Yes.

11 Q. What precipitated your decision to start going to  
12 church on a regular basis?

13 A. The grace of God.

14 Q. You felt the need to do that at some point?

15 A. Absolutely. I felt compelled to do it, yes.

16 Q. Was there anything in particular that led you to a  
17 Catholic church as opposed to a Protestant or  
18 another faith?

19 A. Well, primarily because I knew historically that the  
20 Catholic Church had been started by Christ, I knew  
21 the other ones were started by someone else, and so  
22 I conclude logically that, therefore, the true  
23 church must have been started by Christ, therefore,

1           it must be the Catholic Church. I had talked to --  
2           the people I was talking to were telling me about  
3           how, you know, what had happened and the changes --  
4           I didn't know -- I didn't know anything about  
5           Vatican II. I didn't even know about Vatican II.  
6           So it under their influence that when I did finally  
7           convert and become baptized it was directly into one  
8           of these what you might call traditional chapels  
9           that were not associated with the Vatican.

10        Q.     You said that at one point you went to the head  
11           priest of the church that you were attending and  
12           spoke to him of what you felt were heresies being  
13           engaged in by another priest in the church?

14        A.     Not exactly.

15        Q.     I'm sorry. Would you -- would you correct me?

16        A.     There was a newly-ordained priest who was there. I  
17           knew I couldn't go to the head priest, because of  
18           his personality. He would have just excommunicated  
19           me you might call or denied me the sacraments or  
20           kicked me out, whatever you want to call it, at that  
21           time because he wouldn't have accepted my position,  
22           so I went to him in the confessional where there was  
23           a seal of silence, they cannot reveal what they hear

1 in it, and that's when I told him in that there was  
2 a problem and he said, well, who is it. I said I'd  
3 rather not say at the time, but can we set up a  
4 meeting, and so we did, and the first question out  
5 of his mouth is who is it that's spreading the  
6 heresies, and I told him it was the head priest, and  
7 he wanted nothing more to do with the meeting. He  
8 couldn't get out of there fast enough and he went  
9 right to the head priest, told him. The head priest  
10 came to me and said I understand that you have some  
11 questions about some of these issues and so we need  
12 to have a meeting, and so we had a meeting within  
13 two months thereafter, and he asked me if I, in  
14 fact, believed these things, and I said, yes, I did,  
15 and I brought out the very book he had -- that I had  
16 gotten from him and I read to him what it said, and  
17 I says you're telling -- it says right here, are you  
18 telling me that this is not true, and he gave me  
19 what I considered an extremely lame excuse for why  
20 you didn't have to believe it. It's like if I said  
21 A equals B and you say, well, but on certain  
22 circumstances A doesn't necessarily have to equal B,  
23 okay, fine.

1 Q. Sounds like lawyer talk.

2 A. Yeah. Exactly. So that was it. He basically told  
3 me -- he denied me the sacraments, and I haven't  
4 been back since.

5 Q. Do you recall what specific heresies or conduct of  
6 the head priest offended you?

7 A. It was two, primarily. It was an issue of whether  
8 or not -- it is a dogma of the Catholic Church that  
9 non-Catholics cannot be saved. They must join the  
10 Catholic Church, they must be baptized in order to  
11 join the Catholic Church. That was one. His  
12 feeling was -- and, in fact, I even went so far  
13 within this meeting, I said, are you telling me then  
14 -- because he didn't -- he would say it was true, he  
15 would say it's true that you have to be Catholic to  
16 be saved, but then I wanted to test how far he would  
17 go, and I said are you telling me then that a Jew,  
18 if a Jew, a rabbi, who hates Christ, and I felt that  
19 was probably the most extreme example I could think  
20 of, if he hates Christ, if he died that way could he  
21 also be saved. His answer was yes. And I knew he  
22 was a nut at that point. I mean, I knew he was --  
23 he didn't have the faith. I mean, he didn't have

1           basic common sense and logic in him. And the other  
2           issue, too, that would primarily separate us, it was  
3           a secondary issue was the issue whether or not in  
4           order to be baptized whether you have to have water  
5           or not. Catholic baptisms are accompany -- are done  
6           with water. It's a common error amongst Catholics  
7           that you can simply have a desire for the sacraments  
8           without ever receiving water and that would be  
9           sufficient, so if you should die, for instance,  
10          without having actually received the sacrament, that  
11          your desire for the sacrament alone would save you,  
12          and that is contrary to Catholic dogma, and he  
13          didn't seem to care. He had excuses for that, and I  
14          couldn't stomach these excuses. I thought they  
15          constituted heresy.

16        Q.       So it was shortly after that that you left the  
17                Catholic Church, that Catholic church?

18        A.       I left him. I left him, yes.

19        Q.       When you first had contact with Most Holy Family  
20                Monastery through the magazines and so on do you  
21                recall whether there was a reference to the Order of  
22                St. Benedict or its suffix OSB was used in those  
23                materials?

1 A. Oh, Yes. I knew -- I had many conversations with  
2 Brother Michael and Brother Peter regarding, you  
3 know, the history -- the history of what they had  
4 done, who started it, you know, the history of why  
5 they ended up there versus someplace else. Oh, yes.  
6 I was very familiar with what they were doing and --  
7 absolutely. So I consider myself one of their  
8 number one fans.

9 Q. Do you recall the nature of those conversations?

10 A. Yes.

11 Q. Would you -- would you sort of go through them for  
12 me, the questions you asked about the origin and  
13 what they told you about how the monastery had been  
14 set up and the history and so on?

15 A. Well, if I recall correctly the gentleman who was --  
16 who had actually founded it, his name escapes me for  
17 the moment, I'm sorry, I don't recall. He was  
18 somewhat a crippled man. He had some impairments  
19 and he had been part of a Benedictine monastery back  
20 from a long time -- I guess back even in the '50s or  
21 something like that, and that he had asked  
22 permission from his superior if he could leave and  
23 set up another monastery, another Benedictine

1           monastery, whose purpose was to assist or I guess  
2           principally involved people who had physical  
3           impairments. I think it was something to that  
4           effect.

5       Q.     Was that Joseph Natale?

6       A.     Yeah, Brother Joseph.

7       Q.     Brother Joe?

8       A.     Brother Joseph, yes. Anyway, he founded it, and I  
9           believe he founded it in New Jersey someplace,  
10          Berlin, New Jersey, I guess, and they had been there  
11          some time, and after that Brother Michael joined  
12          along with some other men, I guess Richard Ibranyi  
13          and a few others were there at the same time, as  
14          well.

15      Q.     That was in New Jersey?

16      A.     In New Jersey, yes. And that after Brother Joseph  
17          Natale's death the issue came up of whether or not  
18          who was going to be the superior of the monastery,  
19          and I believe an election was held and Brother  
20          Michael was chosen to be the superior. Some men  
21          left thereafter, either left or were asked to leave  
22          because of difficulties with either beliefs or  
23          dealing with discipline, and I believe even at that

1 time, possibly at the time he was elected or  
2 possibly -- I don't recall the exact time period,  
3 Brother Michael was still in the belief that the men  
4 in the Vatican who claimed to be the popes were  
5 popes, but that they were just bad popes. We've had  
6 bad popes in the past, and this was just another one  
7 of the bad popes, an extremely bad pope, but it took  
8 some time, and eventually he also became convinced  
9 that the men in the Vatican -- they weren't  
10 Catholic, they had no authority to command any  
11 Catholic at all, because they were not Catholic.

12 And then, of course, they began to do  
13 further research into issues of these dogmas I  
14 mentioned earlier and other things, as well, and  
15 felt the need to further their cause. In fact, I  
16 think he told me that Brother Joseph had even told  
17 Brother Michael, because at the time they built the  
18 facility, I'm assuming it must have been in New  
19 York, I don't know which one, he said that you won't  
20 be doing this for long, in other words, you will not  
21 be acting like a traditional monk, okay? And he  
22 didn't know what he meant, because, you know, who  
23 can tell the future in these things.

1 Q. This is something that Joseph Natale had said to  
2 Brother Michael?

3 A. Yes. He had actually -- you might say he predicted  
4 that would happen. It's my understanding from my  
5 conversation with Brother Michael that Brother  
6 Joseph had a number of prophetic things that he said  
7 and did, things that he just knew that there was no  
8 other way for you to know other than some type of  
9 divine inspiration. He was quite an unusual man. I  
10 would have liked to have met him.

11 Q. And his prophecies came true?

12 A. Well, certainly in regard to this, as far as in  
13 regard that they wouldn't be doing things in the way  
14 you normally do them. He also told me, too, my  
15 conversation with Mr. Michael, said that the way St.  
16 Benedict set up the order each monastery has some  
17 leeway as far as what they do as far as their local  
18 functions, kind of like, you know, you go into an  
19 area, you see the need and you fill it, and in this  
20 case they saw a need and they were filling it. It  
21 was not your standard -- I mean, certainly you --  
22 you know, doing all the hours and the singing and  
23 that type of thing, they were certainly not

1           traditional in that sense, but they were filling the  
2           need that they felt they had to do.

3       Q.     When you -- strike that.  When you had that  
4           conversation which you've just recounted with  
5           Brother Michael was Brother Michael at the Fillmore,  
6           New York site --

7       A.     Yes.

8       Q.     -- or back in New Jersey?

9       A.     I never knew Brother Michael when he was back in New  
10          Jersey.

11      Q.     And do you recall what the need was that Brother  
12          Michael indicated they were there to meet?

13      A.     Yes.  The need was to expose and to lead people to  
14          the truth who were seeking it.  That was the reason  
15          they were publishing the magazine, because they  
16          started out with issue one, as I said, and issue two  
17          and issue three, and part of the reason we clicked  
18          so well is because not only did we agree  
19          theologically, but also I knew the only way to get  
20          this message out was to broadcast it as widely as  
21          possible and as large as a volume as possible,  
22          and so they were publishing hundreds of thousands of  
23          copies of these things, which I was very impressed

1 by, so, yes, they were very active in that sense. I  
2 had been going to, you know, this priest that I had  
3 gone to since about 19 -- I was baptized in 1987.  
4 He had very few converts, very few. I mean, he gave  
5 sermons, but very few converts, whereas they were --  
6 the publisher of the material they gave, they were  
7 reaching hundreds of thousands of people and getting  
8 converts all the time, so --

9 Q. I'm sorry. Did you have any conversations with  
10 Brother Michael or anyone else at the time at the  
11 Most Holy Family Monastery as to how they were  
12 paying for the publication and distribution of these  
13 materials?

14 A. Yes. They said they had a few donors who were  
15 giving money. There was one lady who I think was  
16 giving four or five thousand dollars a month, I  
17 think. She got like a Social Security check or  
18 something she had and she was -- obviously it wasn't  
19 Social Security, but she was giving something, just  
20 donations, and that's why they were -- once or twice  
21 I had to give a larger donation, like one time I  
22 gave a thousand dollars because they just -- they  
23 had bills to pay and didn't have the money to pay

1           it, so they were strictly donations and, as I said,  
2           I encouraged them to actually maybe charge a little  
3           more for the materials, but they just wouldn't do it  
4           because they wanted to do them cheap so that people  
5           receive the information, and I admired them for  
6           that.

7       Q.     You used the word at some point apostates. I'm not  
8           familiar with that word. Can you explain to me,  
9           what that means?

10     A.     A person who claims to be a Christian is a Christian  
11           primarily because they believe in Christ and believe  
12           that you must have -- to accept Christ you must be  
13           baptized, in other words, you must advocate  
14           Christianity, okay? An apostate is someone who  
15           denies that, who denies that Christ is the savior  
16           and denies his teachings and, by the way, who also  
17           was formerly. In other words, you had to have been  
18           -- you had to have advocated it and then left it. A  
19           person who was never -- a person who was never  
20           Catholic would not be considered apostate. They may  
21           be considered a Pagan, but they wouldn't  
22           specifically be an apostate.

23     Q.     So an apostate would be someone who was in the faith

1 and then left the faith?

2 A. And then left, right, exactly.

3 Q. Do you recall what you were told with regard to when  
4 the Most Holy Family Monastery was formed, when  
5 Brother Natale formed the organization?

6 A. I don't recall. I don't recall exactly when they  
7 told me he -- he set up the organization. I don't  
8 know. It was -- it would be a guess if I told you.

9 Q. Okay. And you said that Brother Michael was -- was  
10 elected to be the loader of the organization?

11 A. Yes.

12 Q. And was the, quote, superior, closed quote?

13 A. Yes.

14 Q. Do you recall the details of that election, when it  
15 took place, what was involved?

16 A. It was after the death of Brother Joseph Natale.

17 Q. You said something earlier about that at first  
18 people just thought John Paul II was just a bad  
19 Pope. And what -- in what ways did they consider  
20 him to be a bad Pope as opposed to the later  
21 description of him as a non-Catholic?

22 MS. ELLIOTT: Form.

23 THE WITNESS: Well, such as going to pagan

1           rituals and participating in them, throwing orange  
2           peels out to the Snake God, participating with every  
3           false religion under the sun, that's something that  
4           certainly no Catholic Pope would have ever done ever  
5           and --

6 BY MR. EATON:

7 Q.       And --

8 A.       -- it was those types of things.

9 Q.       I'm sorry?

10 A.       It was those types of things that made people and  
11         myself -- you know, of course, I came into it later  
12         on, but that's the type of thing that people began  
13         to question and look into to find out exactly who  
14         could be a pope and who could not be a pope, and  
15         they found subsequent information by searching  
16         through the teachings of the popes regarding what  
17         would constitute -- what would constitute the loss  
18         of an office of a pope, I forget the exact document,  
19         but essentially if a man was ever a heretic at any  
20         time prior to his election, even if he was elected  
21         by all the cardinals unanimously he is ineligible to  
22         be the pope, and that would fit -- that fits  
23         precisely with John Paul II. I mean, John Paul II

1           was a -- he wrote -- he was involved in many of the  
2           documents in Vatican II, which are heretical.

3       Q.     Do you know whether the Dimond brothers claimed to  
4           be associated with the Vatican during that period  
5           when they just thought John Paul II was a bad pope  
6           as opposed to not a pope?

7       A.     I don't know, because I wasn't there at the time. I  
8           had no communication with them. All I know is that  
9           to what degree they had -- I doubt very seriously  
10          they had any communications say, for instance, with  
11          the local bishop, but I don't know. I know they had  
12          visiting priests who came in and so forth like that,  
13          but to say that they were -- to say seeking approval  
14          from or in any way looking for guidance or  
15          permission from say the local bishop, no, I don't  
16          think they ever did that, but then, of course, I  
17          wasn't there either, but my conversation with them I  
18          never got that impression.

19      Q.     When you first received printed materials from Most  
20          Holy Family Monastery and found that the authors  
21          were using the suffix OSB what did this mean to you?

22      A.     Order of St. Benedict.

23      Q.     And can you expand on that? Were you familiar with

1 the Order of St. Benedict at that time?

2 A. Oh, yes.

3 Q. And describe to me what your understanding was at  
4 the time of the nature of the Order of St. Benedict.

5 A. Well, the Order of St. Benedict was started by St.  
6 Benedict himself back in the fifth century or  
7 something like that and it existed since that time,  
8 and they were a monastery that was affiliated with  
9 St. Benedict. See, part of the problem is you have,  
10 along with the changes of Vatican II the changes  
11 have effected the monasteries, as well, and so many  
12 monasteries, they were housed by Catholics. When  
13 the Second Vatican Council came on and had started  
14 spouting -- advocating heresy, instead of the  
15 Catholic's monks who were in those monasteries  
16 opposing those changes, they, because they lacked  
17 any true spirit of the faith, they simply caved in  
18 and said, okay. When they saw things going on in  
19 the Vatican, they saw John Paul II throwing orange  
20 peels to the snake God, and instead of saying that's  
21 not Catholic, I'm out of here, they went along with  
22 it, and so the Order of St. Benedict in this case,  
23 what they were involved is -- was another monastery,

1 another St. Benedictine monastery, but had never  
2 defected from the faith.

3 Q. Do you know whether the monastery -- Most Holy  
4 Family Monastery was established before Vatican II?

5 A. I don't know.

6 Q. What was the date of Vatican II, do you remember?

7 A. Well, it went from 1962 I believe until 1965.

8 Q. I believe you testified that when you first started  
9 speaking with Eric while he was at HFM, the  
10 monastery, you knew him as Eric Hoyle; is that  
11 correct?

12 A. The first couple of years, yes.

13 Q. And how much conversation over that two-year period,  
14 what was the level of your involvement with him and  
15 the conversations with him?

16 A. Well, as I said, for the, you know, prior to that  
17 point I would call there and I would talk to either  
18 Brother Michael or Brother Peter, but many times I  
19 couldn't get a hold of them because they were not  
20 available, they were packing materials or whatever,  
21 and so when Eric came along to answer the phone call  
22 when I needed to talk to somebody he typically would  
23 answer the phone call, and so we did have quite a

1           few conversations, and sometimes last sometimes just  
2           for a few minutes, sometimes going into twenty  
3           minutes, maybe thirty minutes. We would talk about  
4           things that are going on, talk about current events,  
5           talk about something they had just published. He  
6           was doing some -- they were having debates with  
7           various people, and Eric was handling the computer  
8           technology to facilitate the debate, because it was  
9           an audio debate, it was two people over the phone,  
10          and he was making it possible to do that. In fact,  
11          he'd even act as a moderator in one of the debates.  
12          They were debating whether or not John -- this time  
13          I guess it was -- I believe it was John Paul II was  
14          still alive at the time, and they were having the  
15          debate with some man, I think Mr. Ghali (sic) or  
16          something, I forget exactly who he was, and they  
17          were debating whether or not he was the Pope, and  
18          Eric acted as the moderator in the debate.

19        Q.       And was this on the Internet?

20        A.       Well, it was published on the Internet, but  
21                originally done as a recording. They recorded the  
22                conversation onto a computer -- you know, onto a  
23                computer disk, and then take that audio file and put

1           it on the Internet for people -- on their website  
2           for people to listen to.

3       Q.     Did you ever have any conversation with Eric about  
4           why he was there, what he hoped the future would  
5           bring for him in terms of being associated with the  
6           monetary?

7       A.     Well, I think he, like all of us, was wanting to  
8           save his soul. I mean, when you're in a storm  
9           situation you're seeking out shelter, and I think he  
10          felt the Most Holy Family Monastery was a port in  
11          the storm. Certainly, it was a good port to be in.  
12          It was a place you could go to get away from the  
13          craziness that's out there in the world, and that's  
14          why he was there, and he was doing something that if  
15          I could do I would, but I have a wife and three  
16          children. I can't just pack up and leave and go  
17          join the monastery, whereas he was single, he could,  
18          and so he was doing something that, you know, many  
19          of us wish we could do.

20      Q.     Did he ever mention to you about wanting to become a  
21          monk, go through a process of becoming more --

22      A.     Oh, yes. In fact, when he -- when I -- the first  
23          two years it was just Eric, and then I called one

1 day, oh, hi, Eric. Oh, no, it's Brother Edmund now.  
2 It's Brother Edmund. He had taken some type of vow  
3 and he had taken a religious name Brother Edmund,  
4 and so I then began calling him Brother Edmund.

5 Q. And did he talk to you about whether or not he had  
6 plans to pursue any more formal association with the  
7 Order of St. Benedict?

8 A. Yeah. I mean, it was let's say implied I mean,  
9 because we didn't talk specifically about -- I think  
10 I did mention -- asked him one time about what the  
11 next vow would be, and he did describe that it would  
12 be -- that the process would be, but he never got  
13 that far.

14 Q. Do you remember what he said the process would be?

15 A. Some type of -- which is probably -- the same  
16 process that would be common to most monasteries in  
17 that there's a probationary period, and you then  
18 take some type of a temporary vow, and after you  
19 take that vow then there's some type of vow beyond  
20 that, and I don't recall exactly what that process  
21 -- whether there was a permanent vow thereafter or  
22 what it was. I think it was probably a permanent  
23 vow, but I don't recall, but, yeah, he definitely

1 described what -- because I was encouraging him, you  
2 know, and he -- you're doing a good job, Eric.

3 Q. You mentioned that in this January '08 conversation  
4 Eric asked you to write a letter of reference for  
5 him and I believe you said you did that?

6 A. Yes, I did.

7 Q. Did you provide it to Eric?

8 A. Yes, I did.

9 Q. Did you -- did he ask you to send it to anyone else?

10 A. No.

11 Q. No? I believe you testified earlier that in this  
12 January 2008 conversation with Eric he mentioned  
13 that he felt that the Most Holy Family Monastery was  
14 not -- I want to say they weren't a valid monastery.  
15 Could you recount that conversation for me again?

16 A. We discussed in detail why he left. The initial  
17 reason why was his disagreement was this issue of  
18 whether or not a Catholic could go to the mass of a  
19 non -- of a heretic. We then got into the -- I'm  
20 sorry. Would you repeat the question?

21 Q. You said you made -- strike that. I believe you  
22 testified earlier that he, Eric, in his  
23 conversation, said something to the effect that they

1 are not a valid monastery?

2 A. Oh, yes, yes, yes. Yes, he did mention that. He  
3 said he got that information from someone he had  
4 spoken to, and that might have been Richard Ibranyi,  
5 I don't frankly recall who it was, but it clearly  
6 wasn't his own information, he had gotten it from  
7 someone else that he had begun to communicate with  
8 other people outside of the monastery and that they  
9 had begun to tell him information, give him  
10 information, he was reading their information, and  
11 he was coming up with all the stuff that he was now  
12 learning, and I guess he felt it necessary to share  
13 it with me, and, so, yes, that's where -- that's  
14 where he began to discuss that.

15 Q. In that conversation did he tell you how recently he  
16 had come to this conclusion?

17 A. Well, he didn't say precisely when it was, but it  
18 certainly must have been since he left, because he  
19 wasn't feeling that way when he was there, so I  
20 assumed it was within that two-week period of time  
21 between the time he left and then, because at the  
22 time he told me that night, he said it bothered him  
23 so bad, that one article by Richard Ibranyi about

1           whether you could go to mass or not, he said that's  
2           what bothered him. There was nothing else. I mean,  
3           these other issues of how clean the bathroom was or,  
4           you know, those were not -- I didn't consider those  
5           valid issues. The only one that really was of  
6           concern was the issue of whether or not a person  
7           could receive the sacraments. These other issues  
8           are things he got a hold of after he left, that was  
9           my impression.

10        Q.     You mentioned earlier that you thought the monastery  
11           had many enemies. Can you expand on that for me?  
12           What did you mean by that and who are they?

13        A.     Specifically? Oh, people like Richard Ibranyi for  
14           one, and many others. The Most Holy Family  
15           Monastery has been very active. They haven't been  
16           just sitting on their laurels all these years.  
17           They've been very active publishing the material,  
18           quite clearly publishing the fact there are no --  
19           there is no valid Pope in Rome, that the new mass is  
20           not valid, on and on and on, and there are many  
21           people out there today who do not appreciate that,  
22           and so they have enemies you might say directly and  
23           indirectly, people who at one time were associated

1 with the monastery when they were in New Jersey, I  
2 believe, and who left, or Brother Michael asked to  
3 leave, and so, even though they advocate similar  
4 positions there are some differences, and they would  
5 wouldn't hesitate to attack them personally if  
6 necessary in order to keep people from listening to  
7 them and reading their material.

8 Q. And are you aware of any activities undertaken by  
9 any of those enemies of the sort that you described?

10 A. Oh, yes. I mean, they all publish articles on  
11 various websites, which is typically where you see  
12 it, and in the article they will condemn them by  
13 name as far as what they believe. Oh, yeah. They  
14 very specifically condemn Brother Peter and Brother  
15 Michael and Most Holy Family Monastery. They're  
16 very specific about it.

17 Q. You described earlier your understanding of the  
18 history of the monastery and its creation by Brother  
19 Joseph Natale. What's the nature of the sources of  
20 your information on those issues?

21 A. Brother Michael.

22 Q. Anything independent of information that you've  
23 received from Brother Michael?

1 A. There was some information I received from another  
2 source, I think I went on the Internet to find it, a  
3 friend of mine sent it to me and it was a videotape  
4 that Brother Joseph Natale had done I think when he  
5 was still in New Jersey talking about the problems  
6 of the day and that type of thing. Very old  
7 videotape.

8 Q. Do you still have that videotape?

9 A. It's on the Internet. I don't have it personally.  
10 I'd have to find it.

11 Q. Were you able to view it? Was it a streaming file?

12 A. No. It was a recorded -- it wasn't a streaming.  
13 He's dead. He's been dead for quite a few years.

14 Q. Yes. I'm sorry. I'm a little confused. What was  
15 the nature of the videotape?

16 A. Someone had recorded Brother Joseph doing some kind  
17 of talk, and they had gotten a hold of that  
18 recording, put it in a digital format, and put it on  
19 a website so that people who wanted to see it could  
20 view it.

21 Q. And this is an audio recording?

22 A. No, video.

23 Q. A video.

1 A. Both visual and audio.

2 Q. And did you access it from the Internet?

3 A. Yes, I did.

4 Q. And were you able to view it?

5 A. Yes, I was.

6 Q. And how was that done?

7 A. Through the Internet, through web browser.

8 Q. You just -- you go to that and click on the file and  
9 it plays? I'm just -- I'm not very computer savvy.

10 I'm sorry.

11 A. Oh, I'm -- yes, you just -- you go to the Internet,  
12 you go to your program, your web browser, and you go  
13 to their website if they give you the specific  
14 website, and once you're there there's usually a  
15 button or something that tells you what it is, and  
16 you use your mouse and you click on it and it opens  
17 up and there's the video right before you.

18 Q. And it plays?

19 A. And it plays, yes.

20 Q. Do you remember what the website is --

21 A. No, I don't.

22 Q. -- that leads you there?

23 A. I could find it, possibly, but I don't recall

1 exactly what it off the top of my head, no.

2 Q. Would you be kind enough to find that and give that  
3 information to --

4 A. Early.

5 Q. -- Ms. Elliott and share that with me, please?

6 (Document Request).

7 THE VIDEOGRAPHER: Counselor, there's a  
8 little more than five minutes remaining on this  
9 tape, okay?

10 BY MR. EATON:

11 Q. You said earlier you had a conversation with Eric in  
12 which he told you that he was now Brother Edmund?

13 A. While he was still there, yes.

14 Q. While he was still there, right?

15 A. Yes.

16 Q. And do you recall how long -- approximately when  
17 that was?

18 A. Well, precisely, no, but it would have been  
19 approximately two years. It would have been two  
20 years he was there, and he was there about a year  
21 after that.

22 Q. I see. You have Exhibit A in front of you. Would  
23 you turn to the page two of that, paragraph four?

1           Would you read the first three sentences, please?

2           A.       In January of 2008 I received a telephone call from  
3           Eric Hoyle.  At that time Mr. Hoyle informed me that  
4           he was formally associated with Most Holy Family  
5           Monastery, and while there was known as Brother  
6           Edmund.  Prior to receiving this telephone call I  
7           did not know Mr. Hoyle personally, nor was aware  
8           that he was Brother Edmund at Most Holy Family  
9           Monastery.  During my dealings with MHFM I never  
10          gave my personal contact information to Mr. Hoyle  
11          for his personal use.

12          Q.       Your testimony today has been that you had several  
13          conversations over a two-year period with Mr.  
14          Hoyle --

15          A.       Oh, yes, that's correct.

16          Q.       -- prior to the time that he became Brother Edmund.  
17          Doesn't -- this statement in your affidavit in  
18          Exhibit A doesn't seem to square with that.

19          A.       What I meant by that was that I did not know him on  
20          a personal basis.  It wasn't like we were friends  
21          and then he went to the monastery after that, just  
22          like I'd never met Brother Michael or anyone else or  
23          you here before this point, either.  I only know

1 Brother Michael as a religious, and I knew him in  
2 the capacity as his assistant or whatever he was  
3 there is what I meant by that statement.

4 Q. And what did you mean by the statement that nor was  
5 I aware that he was Brother Edmund at MHFM? You  
6 knew that Eric was Brother Edmund because he told  
7 you that on the telephone, didn't he?

8 A. Well, the statement I put in this affidavit  
9 obviously has to have been modified, okay, as far as  
10 precisely the meaning, or at least an explanation  
11 for it, okay? As far as did I recognize who he was,  
12 yes, I did.

13 Q. But when he said he was Brother Edmund you knew it  
14 was Eric Hoyle?

15 A. I knew it was Eric Hoyle, yes. I knew it as Eric  
16 Hoyle was Brother Edmund. I knew who he was.

17 Q. And you'd had many conversations over a two-year  
18 period with him?

19 A. Oh, yes. Yes.

20 Q. I think you testified earlier that you felt that you  
21 and Eric were friends?

22 A. In the -- friends in the sense that we had gone to  
23 know each other through the relationship we

1 developed as a result of his being at the monastery,  
2 my calling there, yes. We did not know each other  
3 prior to him being there, if that's what you mean.

4 Q. No. I'm looking back at your statement saying I did  
5 not know Mr. Hoyle personally in an affidavit sworn  
6 by you, and now your testimony is that you were  
7 friends. How does that square?

8 MS. ELLIOTT: Form.

9 THE WITNESS: I did not -- I did not know  
10 him personally in the sense that, as I said earlier,  
11 I did not know him as someone who had had -- outside  
12 the monastery and then had gone to the monastery,  
13 okay? I knew him only as a result of his  
14 association with the monastery. I did not know him  
15 outside of that.

16 BY MR. EATON:

17 Q. Do you still consider Mr. Hoyle your friend?

18 A. I would say not.

19 Q. Why not?

20 A. Because when you have someone who you have grown to  
21 have shared similar ideals with, to share something  
22 which is so personal to me in terms of the types of  
23 things that the monastery's doing, the type of

1 information, how important it is to me, to have  
2 someone who would then leave and advocate a position  
3 which I feel is clearly wrong, it is basically a  
4 Catholic teaching that Catholics do not associate  
5 with non-Catholics. In this case I felt that Eric  
6 had made some grievous mistakes, I prayed for him,  
7 but -- and I continue to pray for him, but I feel  
8 his positions are wrong, and so to say that I'm  
9 friends with him, that I would -- if he was living  
10 near me that I would go and associate with him and  
11 we would go out to dinner together, no, we would not  
12 do that.

13 Q. Do you know how much -- do you know the value of his  
14 contributions to MHFM, the monetary value?

15 A. No one ever told me.

16 Q. Would it surprise you to know that it was over one  
17 point six million dollars?

18 A. Yes, it would surprise me. I had no ideas it was  
19 that large.

20 MR. EATON: I don't have any more questions.

21  
22 RE-EXAMINATION BY MS. ELLIOTT:  
23

1 Q. Just a couple other questions. When did you first  
2 learn -- when did you first learn that Mr. Hoyle's  
3 full name was Eric Hoyle?

4 A. I don't know. I don't know if it was a conversation  
5 in 2008 or if I knew that before that. I just knew  
6 him as Eric is how I knew him as.

7 Q. Okay. So during the conversations that you had with  
8 him while he was at Most Holy Family Monastery you  
9 knew him only as Eric, not Eric Hoyle?

10 A. At this time I'm going to say yes, but I just don't  
11 remember. I'm not that good with names.

12 MS. ELLIOTT: Fair enough. That's all I  
13 have.

14 THE VIDEOGRAPHER: Okay. This concludes the  
15 examination at twelve twenty. We are off the  
16 record.

17 \* \* \* 12:20 p.m. \* \* \*

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I \_\_\_\_\_ hereby certify that I did review and if necessary correct this deposition and that the foregoing pages \_\_\_\_ through \_\_\_\_ are a true and accurate recording of said proceedings.

\_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

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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