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FILE: GRACE BEAHM/STAFF

Warren, Shawn, John and Shannon McDonald, victims of past sexual abuse by clergy, had hoped to be part of recent settlements.

Diocese, victims settle

11 opting out of class settlement are to receive nearly \$4 million to divide

BY ADAM PARKER
The Post and Courier

The Catholic Diocese of Charleston and a local attorney representing 11 clients involved in sexual abuse cases reached a settlement late last month worth nearly \$1.4 million.

The arrangement comes on the heels

of another settlement, approved by a Dorchester County circuit judge July 30, which obligates the diocese to pay up to \$12 million to individuals who are eligible to join a defined class of victims.

Attorney Gregg Meyers didn't like aspects of the first settlement agreement, so he filed a motion to amend it. He did so with the intention of getting his clients

included in the class, he said. But it wasn't until late July — days before Judge Diane Goodstein issued her order approving the settlement — that the diocese agreed to a meeting, only to pressure for a quick resolution, Meyers said.

The parties agreed that Meyers' 11 clients could opt out of the class settlement and receive a guaranteed \$1.375 million,

to be divided among the victims — five former students who were directly abused and six parents — once the class payments are made.

"It percolated for a bit," Meyers said of the proposed solution. But eventually the diocese decided it was likely the extra

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payment would come from already allocated settlement funds and not pose an additional financial burden, he said.

Diocese spokesman Steve Gajdosik confirmed this reasoning, saying Meyers' clients would have probably received this amount of money as members of the class anyway.

"This (separate arrangement) allows everything to move forward without derailing the process," Gajdosik said.

Meyers, too, said he was glad the original settlement process could move forward unimpeded.

"I didn't want to hold up the whole thing," he said.

Meyers credits Larry Richter and David Haller, lawyers for the class victims, for bringing Catholic officials to the negotiating table and getting them to accept responsibility for past sexual assaults; and he credits the diocese for "being willing to do something."

Seven individuals who formed the basis for the victim class received their own distinct settlement awards as a condition of the arrangement. Although they are not eligible to receive additional settlement funds, Meyers noted that, technically, they are like other victims who settled with the diocese prior to the class-action suit. It might be splitting hairs, he said, but why are some people who previously settled ineligible to join the class while this group of seven has been accepted?

The McDonald brothers, four men molested in Charleston by

iting old cases "would violate the whole idea of resolution," he said.

"If every settlement was open to hindsight, they wouldn't happen. The intention of a settlement is to bring closure to both parties."

The recent settlement that requires the diocese to pay up to \$12 million is the smallest of all such arrangements reached in the U.S. between Catholic officials and victims of sex abuse, Meyers said. It was capped at that amount to avoid bankruptcy, officials have said. The money will come from interest and investment income and insurance coverage. The diocese has said it will sell church property as a last resort to pay claims.

To notify potential participants, the class-action suit was advertised in South Carolina publications, as required by law, but not outside the state. Meyers noted that people victimized in the Diocese of Charleston but who have since moved away might not be aware of the opportunity to seek remedy.