

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

CF 8 DOE,

Plaintiff,

AFFIDAVIT OF PLAINTIFF

v.

Index No.:

THE DIOCESE OF BUFFALO, N.Y.,
HOLY CROSS ROMAN CATHOLIC CHURCH
SOCIETY OF BUFFALO, NEW YORK,
HOLY CROSS SCHOOL,

Defendants.

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

, being duly sworn, deposes and states:

1. I am the Plaintiff herein and, am fully familiar with the facts and circumstances as well as the pleadings and proceedings in this matter.

2. I submit this Affidavit in further support of my application for an Order directing Plaintiff to proceed under and be referred to in all papers by the pseudonym "CF 8 DOE".

3. I was sexually abused as a student at Holy Cross School when I was 12 years old by Robert Weber ("WEBER"), now deceased, and seek damages for physical and emotional injuries.

6. I do not desire to publicly disclose my identity as a victim of child sexual abuse because this matter is highly sensitive, and I have already experienced significant pain, shock, shame, and embarrassment due to the mental impact of the abuse, and I fear retaliation by others for my disclosure.

7. The abuse I endured included WEBER showing me inappropriate pictures of naked women that lead to him fondling my genitals, rubbing his genitals on my back side, and

performing oral sex on me. The abuse occurred in WEBER's office and in the gymnasium office at the school.

8. The abuse ended when I left the school after 8th grade.

9. I never told anyone about the abuse. My trust in adults was ruined and I felt embarrassed, bitter and betrayed.

10. The first time I ever spoke to anyone about this since it occurred is when I told my attorney Dan Chiacchia. It was very difficult for me to come forward, but it has been affecting me for years. I have been on anxiety and depression medications for at least 10 years and am fearful that a public disclosure would cause me further emotional trauma.

11. I attended Bishop Fallon High School. I was a fire fighter for thirty years. I volunteer at a local elementary school.

12. My family does not know about the abuse I endured as a child. I have a wife and two grown daughters. I do not want them having to hear our family name associated with child sex abuse, and I don't want my wife to question my past. This is a private and sensitive matter that I wish to keep that way. To this day my attorney is the only person that knows of the abuse.

13. I have thoroughly reviewed my attorney's affirmation in support of the relief requested and find same to be true and accurate. I hereby join on my attorney's requests for relief.

14. No previous application has been made for the relief requested herein.

WHEREFORE, for the foregoing reasons, it is respectfully requested that Plaintiff's Order to Show Case be granted in its entirety, together with such other and further relief as the Court deems just and proper.

[Redacted signature]

Sworn before me this
31st day of February, 2020
January

Kelley M. Wilder
Notary Public

KELLY M. WILDER
Notary Public, State of New York
Qualified in Erie County
My Commission Expires September 7, 2022