

**J O S E P H F . M U L V E Y**  
ATTORNEY AT LAW

September 23, 2022

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Re: CNA Articles and Treatment of Anthony J, Gorgia II

Via Email: [jmanos@ewtn.com](mailto:jmanos@ewtn.com)

Dear Mr. Manos:

I have received your letter of September 6, 2022.

In your first paragraph, you assert that CNA should be absolved from repeatedly publishing provably false enrollment figures because these erroneous statistics allegedly derive from an outdated iteration on the North American College (NAC) website (“The Pontifical North American College is home to roughly 250 Roman Catholic seminarians, as well as numerous faculty members and graduate students, from across the United States, Canada, and Australia”).

Your statement is an admission that CNA devotedly relies on information most favorable to the NAC without exercising journalistic due diligence.

It is revealing that you leave out any explanation as to why CNA embraced these outdated and unverified figures but disregarded updated evidence which the NAC published on November 8, 2021 debunking the statistics CNA published.

CNA published incorrect enrollment figures not once, not twice, but three times, even after CNA received evidence on multiple occasions regarding the discrepancy. Since your letter curiously omits any response to the chronology as to when CNA learned that it published false information, the following facts are noteworthy:

- a. November 8, 2021:** The NAC’s “2021-22 ‘House Photo’ of our Seminarian and Faculty Community” publicly reveals the true enrollment figures (approximately 110 seminarians and graduate priests) and blatantly contradicts the figures published in

CNA correspondent Hannah Brockhaus' article some two weeks prior on October 20, 2021 without any attribution.

- b. November 29, 2021:** CNA receives evidence in writing contradicting Ms. Brockhaus' NAC attendance figures and is offered a chance to comment/correct the dubious statistics.
- c. January 12, 2022:** CNA staff article prints identically and verbatim the same false and disproven figure found in Ms. Brockhaus' October 20, 2021 article, again without attribution, by writing, "*More than 200 seminarians and graduate priests from the United States and Australia are currently studying at the college.*" No correction is made, even after CNA learned of the discrepancy between the evidence and CNA's October 20 article.
- d. July 20, 2022:** Despite the evidence CNA personally received and the information made publicly available by reputable journalists, CNA resurrects false attendance figures for a third time by misreporting that incoming NAC seminarians should expect to encounter "the names and faces of around 200 seminarians." Once more, the false figures are suspiciously not attributed to any source. In fact, there were only some 100 seminarians at the time Father Peter Harman stepped down amid scandalous sexual misconduct and cover-up accusations which were found credible by a former Special Agent in Charge of the Federal Bureau of Investigation.
- e. July 26, 2022:** A publicly released article, "A Slap in the Face," exposes this third CNA publication for printing false enrollment numbers by stating:

Harman's tenure as NAC rector is marked not only by scandal and vindictive cover-up, but also by an astonishing drop in enrollment. When Harman became rector in 2016, the outgoing rector reported in the NAC's newsletter, Roman Echoes, that there were 252 students in residence at the NAC on Janiculum Hill. When Church leaders and their media minions attempted to cover up the NAC's retaliatory homosexual scandal, they also tried to hide the resulting drastic decline in enrollment by approximately 56% under Harman's leadership. Although Catholic News Agency's Hannah Brockhaus incorrectly reported that incoming NAC seminarians can expect to get to know 'the names and faces of around 200 seminarians' in the fall of 2022, the truth is that enrollment fell to some 100 seminarians at the time Harman stepped down in disgrace, a fact proven by a 2021–2022-academic year photo posted on the NAC's Facebook page.

- f. August 8, 2022:** My letter addresses CNA's inflated, erroneous attendance figures and encloses the November 8, 2021 NAC Facebook photo which you avoided addressing in your August 23 response.

- g. September 5, 2022:** My response to your August 23 letter references in greater detail CNA's publishing of inflated figures which mislead Catholic readers and incoming NAC seminarians about the less-than-stellar legacy of Father Harman.

Your August 23 letter unconvincingly claimed that CNA correspondent Ms. Brockhaus should be excused for improper attempted *ex-parte* contact with the presiding Judge in my client's lawsuit because she allegedly wanted to "verify" details which could have been ascertained from any of the parties without such unwelcomed intrusion. If one were to believe the specious excuse you provided, then how can you explain why CNA did not choose to "verify" the NAC's purported enrollment figures after receiving evidence proving that the figures CNA published were in error? Likewise, why did CNA choose not to "verify" that my client's litigation actually remains ongoing before repeatedly printing a misleading narrative purporting that it ended? Repeating an inaccuracy may make it more believable, but it does not make it true. As the infamous Joseph Goebbels stated: "*If you repeat a lie often enough, people will believe it, and you will even come to believe it yourself.*"

The uncritical repetition of inaccurate figures leads to the conclusion that it was done with purpose. It is also of note that you claim I must argue with the NAC, therein, yet another admission that CNA takes the word of the NAC as truthful to the abandonment of evidence or investigation. Thus, it appears that CNA just submissively relies on whatever the NAC wishes to have published. CNA then is the propaganda vehicle for the NAC. It appears that no inquiry was made. How is this any indication that CNA is interested in reporting factual truths? Your organization appears to willfully issue press releases for the establishment of the Church that has the power, money and connections. While perhaps CNA's choice to publish falsehoods and conceal facts was a cold business decision, it does nothing to support your assertion that your organization is an actual reporter of full truthful facts.

There is no bona fide reason that your reporter sought an *ex-parte* communication with a sitting Judge on this case. Suspiciously, CNA did nothing to address Ms. Brockhaus' behavior. The principle applies, *qui tacet consentire videtur*. Such actions by CNA are highly improper, and any reporter devoted to ethics ought to have known that such a communication was inappropriate and could be highly prejudicial to either party.

Your assertion in paragraph 4 of your letter that CNA actually helped Mr. Gorgia obtain donations is derisory. Noteworthy, but omitted in your letter, is that out of nine (9) articles CNA published about the NAC since my client began his legal action, not one ever provided a link where any reasonable reader could have clicked to access the Save Our Seminarians Fund page. Five of these articles completely hid the existence of sexual predation litigation against the NAC. Only one single article made a cursory reference to the existence of this fundraiser, without any link.

Furthermore, CNA's reporting, which you baselessly claimed in your August 23 letter "netted many donations," to the contrary cherry-picked the most sanitized accusations so as to shield the defendants from exposure of their involvement in or cover-up of grave misconduct;

failed to interview any corroborating witnesses who would be damaging to the defendants; concealed statements from Attorney Raymond Belair; or published false claims about alleged attempts to contact my client. What reasonable person would be inspired to donate to Mr. Gorgia's legal fundraiser after reading articles which CNA so sympathetically slanted toward the defendants? Interestingly, this point is supported by the fact that the NAC found your February 6, 2021 article so pleasing— the same one you falsely claimed “caused a large increase in donations” – that the NAC posted the article as a press release on its social media page.

The two graphs and table you crafted in your letter do nothing more than obfuscate the facts. What you avoid addressing in your letter is a pattern that would be obvious in any discovery process. Not one single donation can be traced directly to any of CNA's biased articles. On the other hand, donations increased and even surged when reputable journalists published accounts which presented readers with the whole truth. Consider, for example, how your own table admits that the Save Our Seminarians Fund received \$12,967 in February of 2021. If one were to take seriously your line of reasoning, you would have to credit the surge in contributions to outraged readers learning of how CNA covered up my client's case when reading an article published that month entitled “Bishop Endorsed Media Outlets Suppress Victim's Voice.” Furthermore, you would have to give credit to the entirely truthful articles “Legal Woes Continue for Dolan and NAC” and “Open Letter to Catholic Media Complicit in the Cover-Up of Sexual Abuse” which according to your own table resulted in a more than 829% increase in donations from March of 2022 to April of 2022. These articles challenged CNA's deceptive narrative about the status of my client's legal efforts and told readers the complete truth that my client's litigation remains ongoing. As should be obvious to any reasonable person, increases in contributions to the Save Our Seminarians Fund correlate to the dates smaller-audience media outlets published balanced and forthcoming articles and interviews.

If there is a decrease on a month-to-month basis, your own table proves that the Fundraiser consistently increased thereafter when other outlets published unbiased articles and investigative reports about the lawsuit on their front pages. This fact contradicts the picture you paint of a fundraiser “tailing off long before January 2022.” For example, using your own table, is a more than 2,753% jump in the amount of contributions received from June of 2021 to July of 2021 not obvious? This drastic increase was the result of media outlets other than CNA releasing balanced reports on newly-filed affidavits against the defendants in July of 2021.

These journalists, unlike CNA and Ms. Brockhaus, interviewed all relevant corroborating witnesses; did not cherry-pick and mischaracterize allegations made under oath against the defendants; and sought comment from all relevant parties. Your unfounded analysis that “CNA had no effect on your donations whatsoever” resembles that of people who claim that our country has “zero inflation” because inflation declined in one month from 8.5% to 8.3%. Just as a drop in monthly inflation cannot camouflage the abysmal state of the U.S. economy, the overall trend of donations made to the Save Our Seminarians Fund is damning to CNA, and perhaps for this reason your letter avoids any reference to this actual trend.

Your own graphs and table do admit a sharp decline in the total number of donations within the seven-month period following CNA's January 18, 2022 article, where CNA and Ms.

Brockhaus first manipulated readers into believing that litigation against the NAC and Cardinal Timothy Dolan was dead. Who would contribute to a fundraiser believed to be defunct? CNA only solidified the damage it caused when on July 20, 2022, Ms. Brockhaus disregarded the court record and chose to conceal the true status of litigation from CNA readers. Your own table proves that Ms. Brockhaus' article, circulated nationally and abroad at the end of July, led to donations plunging to a total of \$20 from August 1, 2022 to August 22, 2022, a 92.31% dive from the previous month.

The far diminished number of contributions that were received following CNA's misleading January 18, 2022 article were solely the result of a few smaller media outlets attempting to correct CNA's distorted reporting by informing the public of the truth: that the case, while dismissed on jurisdictional grounds, is still ongoing and under appeal. While these smaller outlets acted out of integrity and reverence for truth, their vastly smaller audience size made it impossible for their articles recover the financial harm caused by errors and omissions in CNA reports. It is revealing that your letters of August 23, 2022 and September 5, 2022 avoid addressing the fact that a profound majority of readers have been left blind to the full facts due to the significant omissions of the reporting by CNA. The result is that these damaging omissions have been repeated now through various news venues in worldwide distribution to whom CNA disseminates its articles (including, but not limited to *Catholic World Report*, *National Catholic Register*, the newsfeeds of countless dioceses and parishes) whose readers remain unaware of the smaller news outlets who attempted to correct the record.

It is noteworthy that the recent uptick in the number of donations you cite in paragraph 9 of your letter actually confirms our allegations concerning the financial damage that resulted from CNA's omissions. These latest donations came directly from articles "Missing Truth," "Catholic News Agency Canceling Victims," and "Propaganda Machine Outed" which exposed CNA's one-sidedness and told readers *the whole truth* about the status of my client's legal efforts. This fact proves the positive effect that telling the whole truth has had on the Fundraiser versus the harm caused by CNA's hiding of crucial facts.

Contrary to paragraphs 2, 4-7 and 9 of your letter, the facts show that the number of incoming donations dropped drastically in the seven (7) month period immediately following CNA's reports which claimed that Mr. Gorgia's case was dismissed and hid the fact that the dismissal is stayed and the case has been appealed. Any reasonable person who compares the total number of donations received in the seven-month period before Ms. Brockhaus' January 18, 2022 article, 316 donations, to the total number of donations made since Ms. Brockhaus' piece, only 53 (as of August 23), would see an irrefutable 83.23% decline directly tied to CNA's January 18 piece. A graph illustrating this decline was enclosed in my September 5, 2022 letter. In contrast, the same graph demonstrates an overall trend of growth in the number of donations prior to CNA's January 18 article. One has only to compare the fundraising periods of Months 1-6, when 269 donations were received; Months 7-12, when 272 donations were received; and Months 13-19, when 316 donations were received. Once again, the facts disprove your claim that the fundraiser was "tailing off long before January 2022." Following CNA's January 18 article, the drop from 316 to just 53 donors, an 83.23% decline, resulted because CNA decided that it would omit reference to the appeal and that litigation is ongoing. This omission is a

prevarication of the actual facts. This is the theme throughout CNA's articles and reporting: omitting the full facts and promoting and pushing misinformation most favorable to the NAC and its allies. How can any reasonable person not think that CNA is the publicity arm of the NAC, the Archdiocese of New York, Cardinal Dolan, and the assembly and sycophants that blindly follow them?

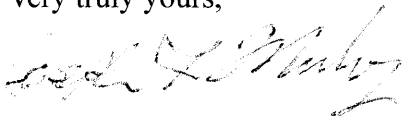
Paragraph 10 of your letter distorts the real reason why the following sentence in CNA's January 18, 2022 article required correction: "*Lawyers for Gorgia and the plaintiffs were not immediately available for comment on Jan 18. prior to publication.*" The errors of the quoted sentence cannot be construed, as you attempt, as "obviously a typo." Ms. Brockhaus' sentence misled reasonable readers by causing them to believe that CNA contacted the plaintiff and that he refused to provide a statement about the status of his legal case. Further, by this undeniably erroneous sentence, Ms. Brockhaus and CNA wrongfully insinuated that my client did not wish to be forthcoming about his case or about his future legal plans. As I made you aware, "the plaintiff" was never contacted by CNA for such a comment.

Given all the facts of the matter, any reasonable person would see Ms. Brockhaus' incorrect sentence as an attempt to cover up CNA's refusal to contact my client; to avoid printing about the appeal; and to perpetuate a false and damaging narrative that litigation ended. The disingenuous "Editor's Note" touted in paragraph 10 of your letter simply confirms this cover-up. In truth, the correction was not required because "Gorgia is the singular plaintiff," but because CNA falsely claimed that Ms. Brockhaus contacted my client for comment even though in fact she never did. To this day, the true reason for this correction remains concealed from CNA readers far and wide who were led to believe that my client declined to comment. The conclusion then is CNA did not want his voice to be heard and is covering up its refusal to seek all relevant sides of the matter before going to print.

Insofar as your September 6, 2022 letter leaves unchallenged a plethora of allegations and evidence regarding CNA's omissions, biased insinuations, deception, and Ms. Brockhaus' improper and ill-advised clandestine outreach to the presiding Judge, my client and I recognize for all purposes moving forward that the intent of CNA's acts and omissions, (i.e., the silence) was, is, and will remain purposeful. The premise, *qui tacet consentire videtur*, applies here.

Based on the above I repeat our expectation that all omissions and errors be corrected.

Very truly yours,



Joseph F. Mulvey

CC Client