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FILED
FIRST JUDICIAL
DISTRICT COURT

FIRST JUDICIAL DISTRICT COURT
COUNTY OF RIO ARRIBA
STATE OF NEW MEXICO

03 AUG 14 12:53

JOANN MARTINEZ, as Personal Representative
of the Estate of BEN MARTINEZ, JOANN
MARTINEZ (Wife of Ben Martinez),
JOANNE MARTINEZ (Daughter-in-law of Ben
Martinez), LEO R. MARTINEZ, DARLA
MARTINEZ, BEN MARTINEZ, JR.,
RICHARD MARTINEZ, NANCY MARTINEZ,
JAMES HAMM and PAULINE HAMM,

Plaintiffs,

vs.

No. D-0117-CV-2003-211

ROMAN CATHOLIC CHURCH
ARCHDIOCESE OF SANTA FE and
FATHER SCOTT MANSFIELD,

Defendants.

ANSWER

Defendants, Roman Catholic Church Archdiocese of Santa Fe and Father Scott Mansfield (referred to hereafter as the Archdiocese, Father Mansfield or collectively as Defendants), for their Answer to Plaintiffs' Complaint state:

1. Defendants are without knowledge or information sufficient to form an opinion as to the truth of the matters contained in paragraphs 1 and 2 and therefore deny them.
2. Answering paragraph 3, Defendants admit that at all times material to the Complaint, Father Mansfield was an employee of the Archdiocese, which is a territorial division

of the Roman Catholic Church governed by an Archbishop, and further state that the offices of the Archdiocese are located in Albuquerque, New Mexico. Defendants deny the remaining allegations contained in paragraph 3.

3. Defendants deny the allegations contained in paragraph 4, and state that Father Mansfield is a resident of Tijeras, New Mexico.

4. Defendants deny the allegations contained in paragraph 5.

5. Defendants are without knowledge or information sufficient to form an opinion as to the truth of the allegations contained in paragraphs 6, 7, 8 and 9 and therefore deny them.

6. Defendants admit paragraph 10.

7. Defendants are without knowledge or information sufficient to form an opinion as to the truth of the matters contained in paragraph 11 and therefore deny them.

8. Answering paragraph 12, Defendants admit that following the death of Ben Martinez, members of his family visited Father Mansfield to make arrangements for Mr. Martinez' funeral mass and burial.

9. Defendants deny the allegations contained in paragraph 13.

10. Answering paragraph 14, Defendants admit Father Mansfield advised the family that a eulogy could be given at the Rosary or at the burial site and that songs must be in keeping with the spirit of the liturgy. Defendants further admit Father Mansfield welcomed music by Pastor Jimmy Martinez before the mass. Defendants deny each and every remaining allegation contained in paragraph 14.

11. Defendants deny the allegations contained in paragraph 15.

12. Defendants are without knowledge or information sufficient to form an opinion as to the truth of the allegations contained in paragraph 16 and therefore deny them.
13. Answering paragraph 17, Defendants admit Father Mansfield did not read from written materials during the funeral mass. Defendants deny each and every remaining allegation contained in paragraph 17.
14. Defendants deny the allegations contained in paragraphs 18 and 19.
15. Answering paragraph 20, Defendants admit Father Mansfield recited scriptural passages from the gospels of the Lord Jesus Christ and scriptural passages from the Book of Revelations but deny the remaining allegations contained in paragraph 20.
16. Defendants admit the allegations contained in paragraph 21.
17. Defendants deny the allegations contained in paragraph 22.
18. Answering paragraph 23, Defendants admit Father Mansfield sprinkled the coffin with holy water and recited a prayer at the grave and departed prior to the eulogy but deny the remaining allegations contained in paragraph 23.
19. Defendants are without knowledge or information sufficient to form an opinion as to the truth of the matters contained in paragraph 24 and therefore deny them.
20. Defendants deny the allegations contained in paragraph 25 and affirmatively state that all of Father Mansfield's words and actions were consistent with the liturgical norms of the Roman Catholic Church.

