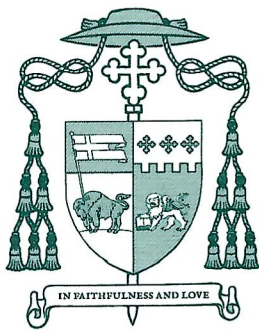


DIOCESE OF BUFFALO
OFFICE OF THE BISHOP



Mr. Timothy M. CREENAN
Procurator for the Parishioners of Our Lady of Peace Parish
5045 Winding Lane
Clarence, New York 14031

25 June 2025

Dear Mr. Creenan,

I am in receipt of your letter of 18 June 2025 in which you oppose the means by which I intend to settle the diocesan bankruptcy. I am happy to address your specific concerns as you have laid them out in your letter.

1. The interests of the parishes were represented in the settlement meetings by the Rev. Msgr. Robert ZAPFEL, S.T.D., M.B.A., Mr. Timothy LYSTER, Esq., and Mr. Ford ELSAESSLER, Esq. These men have consistently brought concerns about parish well being to the table throughout the negotiations.
2. The secular courts, if the opportunity for a channeling injunction/release from future liability of past actions goes through, require that a substantial amount of funds come from parishes seeking the protection. These bankruptcy proceedings have not resulted in a specific number or percentage but have indicated that a “meaningful contribution” is the legal standard to qualify for the channeling injunction..
3. When you refer to “public statements,” I assume you mean the press releases of 15 May 2025, 9 June 2025, and 16 June 2025. In these documents, the word “assessment” does not appear. Neither does the word “invoice” as you claim in your letter. If there is something particular you would like me to address, perhaps you can include it as an enclosure in your next mailing.
4. Also, the word “tax” never appears in the press releases of 15 May, 9 June, or 16 June.
5. From a canonical perspective, the requested contributions cannot be forced. From a civil law perspective, they are required to gain access to the channeling injunction/release from future liability of past actions.

6. The term “liquid assets” does not appear in the documents previously cited. The diocese has been using the term “unrestricted funds” which is much more encompassing. The methodology was based on many factors and decided as fairly as possible.
7. There has been no presentation of a decree because no decree is required and thus, no decree will be issued. Canonically, these contributions are not being made following the norm of canon 1263. The more appropriate reference is canons 1291-1295.
8. The amount requested from Our Lady of Peace is substantial, but this is what would be necessary for the parish to benefit from the protection of Chapter 11 Bankruptcy.

I will also respond to the points you have asked me to consider:

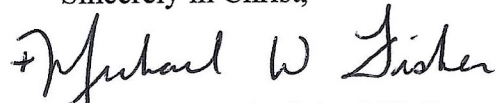
1. The assets of the parish that make up the contribution are coming from unrestricted funds. When the donor does not expressly indicate an intended use for the money he/she donates, this results in unrestricted funds. Since the contribution toward Chapter 11 Bankruptcy will secure the parish legal protection for the future, it is entirely possible to say that the use of these funds is respecting the unstated will of the donors “for the use of the Parish.”
2. The parish is being requested to give at a higher rate based on my intention to merge it into Nativity of the Blessed Virgin Mary Parish. If your recourse is successful, as was explained in the press release of 9 June, the funds that have been handed over will be reimbursed to reflect a level of contribution that does not factor in a merged status. The Dicastery’s suspension of the execution of my merger decree means that the juridic effects of a merger cannot take place until recourse has been concluded. Our Lady of Peace still maintains its own sacramental records, it still has its own bank accounts, its own finance council, and a proper Pastor. Juridically, nothing has changed regarding your parish.
3. The norm of canon 1263 does not apply.
4. Canon 1285 states: “Within the limits of ordinary administration only, administrators are permitted to make donations for purposes of piety or Christian charity from movable goods which do not belong to the stable patrimony.” This is not an ordinary donation. Thus, it follows the norms of canons 1291-1295.

In response to your direct questions:

- a. **There is no decree and thus no means of *remonstratio* or recourse. Recourse can only be made against “singular administrative acts which are given in the external forum” (c. 1732). Since no written administrative act can be cited, this is not an option,**
- b. **A request cannot be confused with a directive. The diocese has presented the Pastors of parishes with an opportunity to benefit from the relief of Chapter 11 Bankruptcy. By following the norms of canons 1291-1295, this is being done validly and in accord with the rule of law. The request you cite is not an administrative act and therefore not subject to recourse according to canon 1737.**

I sincerely hope that these responses to your questions will help you and those you represent to understand the situation as it stands. May God bless you and keep you always,

Sincerely in Christ,

A handwritten signature in black ink that reads "Michael W. Fisher". The signature is written in a cursive style with a small cross at the beginning of the first name.

Most Reverend Michael W. FISHER
Bishop of Buffalo