

July 12, 2025

RE: Our Lady of Peace Parish

His Excellency
The Most Rev. Michal W. Fisher
Bishop, Diocese of Buffalo
795 Main Street
Buffalo, New York 14203

Your Excellency,

Thank you for your letter of June 25, 2025, responding to my June 18, 2025, letter. Notably, your letter was postmarked on June 30, 2025, and I received it on July 1, 2025. In my letter, I raised issue with the methodology and amount of money invoiced to Our Lady of Peace Parish as the parish's assessed contribution for the settlement of the Chapter 11 proceedings currently underway by the Diocese of Buffalo. My letter recognized that all material published on the matter was obtained from diocesan press releases and other communications from diocesan authorities. These communications lacked your specific intervention or recognition as the Diocesan Bishop of Buffalo. In my letter, I requested:

- a. If you issued the directive to collect the money from our Parish, whether as a tax or a donation, I make remonstratio in accord with Canon 1734 and ask that you revoke your directive and send me a copy of the Decree by which you made the directive;***
- b. If you did not issue the directive and those below your authority have made the directive, whether as the issuance of a tax or a request for donation, I make appeal in accord with Canon 1737 and ask that you correct the invalid acts of administration pursued by those individuals and revoke the directive.***

Your letter constitutes an administrative act in the form of a published decision. It constitutes the first expression of intention published with your signature regarding the methodology used to assess Our Lady of Peace Parish contribution to the purported Chapter 11 settlement. As such, please accept this letter as a *remonstratio* against your stated decisions and intentions as expressed in your letter.

You began your letter by addressing the eight facts I provided as context to my petition. You characterize these facts as "specific concerns" and offered a response to each. Your responses misrepresent the facts without addressing the actual concerns related to them. To maintain context, I address them in the order presented in your letter.

1. Over the past six years that the Chapter 11 process has unfolded, none of the individuals named in your letter have made any attempt to obtain from Our Lady of Peace Parish or its parishioners, or provide to us, the information that would allow them to "*consistently [bring] concerns about parish wellbeing to the table throughout the negotiations.*" None of them hold an ecclesiastical office or appointment to represent the Parish. None of them fulfilled a fiduciary duty of collaboration and reporting for those they supposedly represented.
2. A broad range of 10%-80% assessment per parish does not reflect equity between the entities involved in the settlement, especially when the specific amount was determined by diocesan authorities without proper collaboration with the parishes.
3. You are incorrect, you may want to read the press releases you reference again.

4. "Tax" and "Assessment" mean the same thing, especially in this context used by diocesan authorities.
5. Your statement is unreasonable and only proves my point. Canon law requires administrators of juridic persons to use civilly valid means to protect patrimony, not exploit it. The civil law allowed you options, and still allows options, that would be equitable and less harmful to Our Lady of Peace Parish.
6. I agree that the term "liquid assets" is more restrictive than the term "unrestricted funds." The latter can include fixed assets and patrimony. Your explanation proves my point.
7. If, as Diocesan Bishop, you make a decision that forces a pastor to alienate a large sum of parish patrimony that he would not have alienated but for your decision, your action is either a singular administrative decision concerning the use of patrimony in that parish (Canon 48) or it is an invalid use of force that must be opposed if at all possible (Canon 125§1).
8. If such a large percentage and amount is required of Our Lady of Peace Parish for our Parish to obtain benefit of protection under Chapter 11, why doesn't the Diocese or other parishes have to pay the same percentage to obtain the necessary benefit? Your methodology is unreasonable.

Thank you for the clarification you provide regarding your application of Canons 1263, 1285, and 1291-1295 in this process. Despite your clarifications, it is illegitimate for you to hide behind a civil law process that you initiated and directed, and then claim that our Parish must observe the civil formalities by usurping obligations under Canon Law. This is especially true when a more equitable path could have been chosen in civil law that would not compromise the existence of Our Lady of Peace Parish.

Specific to your argumentation, please consider. Although the 9 June 2025 Press Release does not use the word "tax," it is in fact what is described therein:

Each Parish will receive a detailed statement of their expected contribution to the settlement fund. The contribution is based upon a progressive percentage applied to the parishes' self-reported and unrestricted assets held as of August 31, 2024, the end of the Diocesan fiscal year...

All payments are required to be received by the Diocese by July 15, 2025, and will be held in reserve until the settlement is confirmed by the federal bankruptcy court. Parish contributions from this process total \$80 million of the \$150 million settlement proposed by the Diocese to the Creditors' Committee and accepted in principle.

According to this Press Release, this means that:

- *You*, as the diocesan bishop and juridic administrator of the Diocese of Buffalo, have chosen to pursue \$80 million in funds from all parishes in a case of grave necessity, i.e. to settle the diocesan bankruptcy. Our Lady of Peace Parish has been assessed to pay \$948,885.00.
- *You* have given our Parish a financial statement identifying an amount that we must contribute to the Diocese.
- *You* expect the contribution to be given by July 15, or our Parish could be withdrawn from the Chapter 11 channeling injunction protection.
- The terms "*assessed*" and "*assessment*" are used in press releases and public statements made on record by diocesan authorities. Both words are synonymous to the use of the word "*tax*" as demonstrated in your annual appeal in which you "*assess*" parishes an ordinary tax.

However you look at it, you are placing the same level of coercion on Our Lady of Peace Parish to pay the predetermined amount as you do when you assess our Parish each year for the diocesan ordinary tax.

Regarding your June 25, 2025, letter, it is not canonically proper to describe the methodology of acquiring \$80 million from parishes as individual acts of alienation according to the norms found in canons 1291-1295. Consequently, the procedural formalities of canons 1292 *et al* are irrelevant and invalid. Because these canons cover how a parish may freely give a substantial amount of its assets to the Diocese of Buffalo, the competent authority in Canon 1291 is the *parochus* who is the juridic administrator of the parish—the entity that owns the funds that you expect to acquire. You are not the competent authority to make this decision. As you have stated publicly and, in your June 25, 2025 letter, this is the means by which you intend to settle the diocesan bankruptcy. It is not the expressed intentions of the *parochi*. Moreover, the contribution of Canon 1291 must be freely given; that is, the initiative must come from our Parish. It is not to be exacted by a statement or calculation determined by you and based on unrestricted assets. To pursue these amounts from Our Lady of Peace Parish, if not by extraordinary tax per Canon 1263, would require Your Excellency to interfere with the canonical role of our parish's juridic administrator and usurp parochial goods. That is what is happening.

As noted before, there are institutes available in the civil forum that would allow a proper settlement of the lawsuits and bankruptcy claims without harming Our Lady of Peace Parish and usurping parish patrimony. Regrettably, you have chosen a path that allows you to justify closing Our Lady of Peace Parish without observing the formalities of Canon Law.

It is clear from your letter that you have issued the directive for diocesan authorities to obtain \$948,885.00 from Our Lady of Peace Parish. You admit you have done so without use of a written decree. Nonetheless, your recent letter identifies your stated intentions and decision regarding Our Lady of Peace Parish in writing.

Therefore, I make *remonstratio* against the decisions and intentions found in your June 25, 2025 letter and I ask Your Excellency to revoke them and provide:

- 1. Communicate a decision revoking the \$948,885.00 statement of contribution issued for Our Lady of Peace Parish.**
- 2. Engage in legitimate, collaborative dialogue with the Faithful of Our Lady of Peace Parish to arrive at a mutually agreeable and collaborative resolution to the financial dilemma the Diocese is in.**

With assurances of my prayers, I remain,

Yours in Christ,



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Copy: The Most Rev. Lazzaro Cardinal You Heung-sik
Prefect, Dicastery for the Clergy

Recurrents

Mandaters