

CAUSE NUMBER: 19-5247-431

REVEREND RICHARD KIRKHAM

Plaintiff,

v.

MICHAEL F. OLSON, PERSONALLY,
AND THE CATHOLIC DIOCESE OF
FORT WORTH,

Defendants.

§
§
§
§
§
§
§
§
§
§

IN THE DISTRICT COURT

431ST JUDICIAL DISTRICT COURT

DENTON COUNTY, TEXAS

PLAINTIFF RICHARD KIRKHAM'S NOTICE OF NON-SUIT

The Plaintiff, the Reverend Richard Kirkham, hereby files this **nonsuit** of the above-captioned lawsuit. In filing this lawsuit against Bishop Olson, Fr. Kirkham sought to redress the defamatory statements made by Bishop Olson after he forced Fr. Kirkham to resign as the pastor of St. Martin de Porres. In particular, Fr. Kirkham filed this lawsuit to clarify, in the public record, that his forced resignation had nothing (absolutely nothing!) to do with the safe environment of children, something that Bishop Olson asserted in his public statements about Fr. Kirkham.

In recent discussions between the parties, Bishop Olson acknowledged and admitted that Fr. Kirkham's resignation had nothing to do with the safe environment of children, asserting that:

"My [Bishop Olson] request to have Father Kirkham resign did not result from any failure to report the sexual abuse of a child, and there are not any allegations that Father Kirkham has sexually abused a child."

With this acknowledgment and admission by Bishop Olson, Fr. Kirkham is satisfied that he has clarified the public record on this point. Given this admission by Bishop Olson, Fr. Kirkham is willing to forgo all other potential remedies and damages to end this litigation. Moreover, Fr. Kirkham will allow the canonical process in Rome to adjudicate whether Bishop Olson's forced resignation of Fr. Kirkham should be rescinded. Therefore, Fr. Kirkham, the plaintiff in the above captioned matter, **hereby non-suits the above-referenced lawsuit**. In doing this, Fr. Kirkham requests that this Court dismiss this case immediately and order each party to return all confidential material subject to this Court's Protective Order.

Respectfully submitted,

By: John P. Walsh...

THE SPRIGG LAW OFFICE

John P. Walsh, Esq. (Lead Attorney)

Texas Bar No. 24048867

Jeffrey Sprigg, Esq.

Texas Bar No. 24056364

P.O. Box 2168 Frisco, Texas 75034

Tel: (214) 773-9167

Fax: (214) 299-8668

CERTIFICATE OF SERVICE

The unsigned attorney, John P. Walsh, hereby certifies that a copy of the within motion was served on counsel for Defendants via electronic mail on this 27th day of January 2019.

Caleb B Bulls
Kelly Hart & Hallman LLP
201 Main Street, Suite 2500
Fort Worth, Texas

John P. Walsh...

John P. Walsh