

Exhibit D

1 **WATCHTOWER BIBLE AND TRACT**
2 **SOCIETY OF NEW YORK, INC.**
3 **LEGAL DEPARTMENT**

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6 Attorney for Defendant Doe 3, Supervisory Organization

7
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF SAN DIEGO**

10 JOHN DORMAN, Individually, and JOEL
11 GAMBOA, Individually,

11 Plaintiffs,

12 v.

13 DEFENDANT DOE 1, La Jolla Church,
14 DEFENDANT DOE 2, Linda Vista Church,
15 and DEFENDANT DOE 3, Supervisory
16 Organization, DEFENDANT DOE 4,
16 Perpetrator, and DOES 5 through 100,
17 inclusive,

18 Defendants.

Case No.: 37-2010-00092450-CU-PO-CTL

AFFIDAVIT OF ALLEN SHUSTER

19
20 I, Allen Shuster, after being duly sworn, depose and state that if called to testify in this
21 matter I would competently testify as follows:

22 1. I am over 21 years of age, of sound mind, and competent to make this Affidavit.

23 I have personal knowledge of the matters contained herein, and they are all true and correct.

24 2. I reside in Patterson, New York, and have served as an elder in the faith of
25 Jehovah's Witnesses since about 1979.

1 3. On April 23, 1976, I began serving at the U.S. branch offices of Jehovah's
2 Witnesses in New York, and I have served in the Service Department of the U.S. branch offices
3 since February 5, 1981. I provide spiritual assistance to congregation elders who call or write
4 the Service Department for help. Prior to March 2001, the spiritual assistance provided by the
5 Service Department, along with the appointment of elders and ministerial servants, was
6 communicated to congregations of Jehovah's Witnesses through the Watchtower Bible and
7 Tract Society of New York, Inc. (hereinafter "Watchtower"). Since March 2001, this has been
8 communicated through the Christian Congregation of Jehovah's Witnesses.
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10 4. My duties in the Service Department also include monitoring the organization,
11 functioning, and staffing of congregations of Jehovah's Witnesses, including reviewing the
12 qualifications for the appointment of elders and ministerial servants to congregations of
13 Jehovah's Witnesses in the United States.

14 **ORGANIZATION OF CONGREGATIONS**

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16 5. All congregations of Jehovah's Witnesses are composed of individuals and
17 families who gather together to worship in buildings called "Kingdom Halls."

18 6. A rank-and-file member of the congregation is called a "publisher." There are
19 baptized and unbaptized publishers, but only baptized publishers are considered to be Jehovah's
20 Witnesses or congregation members.

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22 7. Jehovah's Witnesses do not practice infant baptism, so their youth are not
23 typically baptized until they are of a sufficient age to make their own determination about their
24 religious beliefs, often not until their teenage years, but there is no age requirement for baptism.

25 8. Some unbaptized publishers have been as young as five or six years old.

26 9. There is no predetermined amount of hours a publisher is required to spend in the
27 public ministry to qualify as a publisher.
28

1 10. Individuals spend as much time in the public ministry as their heart motivates
2 them to do so.

3 11. There is no requirement for publishers to place certain amounts of literature.

4 12. Before an individual, whether a man, woman, or child, is recognized as an
5 unbaptized publisher, two congregation Elders briefly meet with that person (and their parents
6 in the case of a minor) to determine whether the individual believes the Bible is the inspired
7 Word of God, whether the person knows basic Bible teachings, whether their life is in harmony
8 with the Bible's prohibitions against immorality, drunkenness, and drug abuse, and whether they
9 want to be one of Jehovah's Witnesses. Thereafter, the two Elders who meet with the individual
10 determine whether the individual qualifies to be recognized as an unbaptized publisher in the
11 congregation.
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13 13. However, this procedure for becoming an unbaptized publisher did not come into
14 existence until it was announced in the November 15, 1988, issue of *The Watchtower*. Prior to
15 the publishing of *The Watchtower* of November 15, 1988, the individual publisher who studied
16 the Bible with an interested person made the decision as to when that interested person could be
17 invited to accompany the congregation in the field ministry as an approved associate of
18 Jehovah's Witnesses.
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20 14. There is no application form to fill out to become an unbaptized publisher.
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22 15. Neither Watchtower nor the U.S. branch offices of Jehovah's Witnesses review
23 or approve whether an individual is recognized as an unbaptized or baptized publisher, nor do
24 Watchtower or the U.S. branch offices of Jehovah's Witnesses maintain a list of unbaptized or
25 baptized publishers in a given congregation. Likewise, prior to November 15, 1988, neither
26 Watchtower nor the U.S. branch offices of Jehovah's Witnesses reviewed or approved whether
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1 an individual could be an approved associate of Jehovah's Witnesses, and neither did they
2 maintain a list of approved associates in a given congregation.

3 16. After the person turns in his or her first field service report to the Elders, an
4 announcement is made during one of the weekday congregation meetings that so-and-so is a
5 new unbaptized publisher in the congregation. The procedure to announce a new unbaptized
6 publisher to the congregation did not come into existence until it was announced in the
7 November 15, 1988, issue of *The Watchtower*. Prior to that date there was no announcement
8 made when an individual became an approved associate.
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10 17. Before an individual can serve as an Elder, Ministerial Servant, and/or Regular or
11 Auxiliary Pioneer, they must be a baptized publisher. Most baptized publishers do not serve in
12 an appointed position as Elders, Ministerial Servants, and/or Regular Pioneers.
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14 18. There is no paid clergy class at Watchtower, the U.S. branch offices of Jehovah's
15 Witnesses, or in congregations of Jehovah's Witnesses.

16 19. Each congregation is supervised by a group of men, in many cases three or more,
17 who are referred to as "Elders."
18

19 20. These Elders take the lead in teaching, providing pastoral care, and organizing
20 the congregations. Most Elders are also husbands and fathers, and most are secularly employed
21 to support their families. These men are unpaid volunteers and they do not wear any priestly
22 garb or special identifying clothing.

23 21. Each congregation of Jehovah's Witnesses, including the Linda Vista Spanish
24 Congregation and the La Jolla Spanish Congregation (now called Playa Pacifica Spanish
25 Congregation), has its own individual group of Elders known as a "body of elders" for their
26 separate congregation.
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1 22. Each congregation has three different Elders serving in three separate positions
2 known as “Coordinator of the Body of Elders” (previously called “Presiding Overseer”),
3 “Secretary,” and “Service Overseer.”

4 23. The “Coordinator of the Body of Elders” serves as the chairman at meetings of
5 the Elders and directly coordinates certain congregation activities in behalf of the elders.

6 24. The Secretary maintains field service reports (record of individual’s field service
7 activity) and other congregation records.

8 25. The Service Overseer monitors the public ministry of congregation members as a
9 whole, which is sometimes also referred to as “field ministry” or “field service.”

10 26. These three Elders (Coordinator of the Body of Elders, Secretary, and Service
11 Overseer) constitute a “Congregation Service Committee” to care for some matters on behalf of
12 the body of elders, such as the composition and location of Congregation Book Studies, and
13 communications with Watchtower, the U.S. branch offices of Jehovah’s Witnesses, and other
14 congregations.
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16 27. Other Elders in the congregation serve as a Theocratic Ministry School Overseer
17 and a *Watchtower* Study Conductor. During the 1970’s through the 1990’s other Elders also
18 served as Congregation Book Study Overseers.
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20 28. The Theocratic Ministry School Overseer is responsible for organizing and
21 instructing a weekly midweek meeting entitled the Theocratic Ministry School.
22

23 29. The *Watchtower* Study Conductor organizes and oversees a weekly one-hour
24 meeting that takes place on the weekends (usually Sunday) during which an article from the
25 *Watchtower* magazine is considered.
26

27 30. Both the Theocratic Ministry School and the *Watchtower* Study meetings are
28 held at the Kingdom Hall and are open to all congregation members and to the public.

1 31. During the 1970's through the 1990's the Congregation Book Study Overseers
2 organized and oversaw a second weekly one-hour meeting of separate small groups that
3 generally met in the private homes of some of the congregation members to study a Bible-based
4 publication published by Jehovah's Witnesses.

5 32. Each congregation also has "Ministerial Servants" who are appointed to assist the
6 Elders to care for the practical needs of the congregations.

7 33. The responsibilities of Ministerial Servants include handling the congregation
8 literature, congregation accounts, and congregation territory for the public ministry, caring for
9 microphone and sound equipment during meetings, serving as attendants during congregation
10 meetings, and maintaining the physical appearance and cleanliness of the Kingdom Hall,
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12 34. Congregations also have "Regular Pioneers" and "Auxiliary Pioneers" who can
13 be men, women, or young people who are active in the public ministry.
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15 35. During the 1970's through the 1990's, Regular Pioneers had to average 100
16 hours per month in the public ministry and then later had to average 90 hours a month.
17 Beginning in 1976, Auxiliary Pioneers had a 60 hours per month average. Currently, Regular
18 Pioneers have to average 70 hours per month in the public ministry and Auxiliary Pioneers have
19 to average 50 hours per month.
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21 36. Those who serve in the capacity of Elders, Ministerial Servants, and Regular or
22 Auxiliary Pioneers are all volunteers and none of them are paid for their service nor do they
23 receive any reimbursement for their transportation, living, or meal expenses.

24 37. Neither Watchtower, the U.S. branch offices of Jehovah's Witnesses, nor any
25 congregations of Jehovah's Witnesses have any paid employees, and as previously noted, there
26 is no paid clergy class.
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APPOINTMENTS OF ELDERS, MINISTERIAL SERVANTS, AND PIONEERS

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38. At least twice a year, the body of elders of a congregation meets together to review the qualifications of the men in the congregation who might qualify to serve as an Elder or Ministerial Servant.

39. Elders are recommended from among the Ministerial Servants in the congregation and must meet the spiritual qualifications found at 1 Timothy 3:1-7 and Titus 1:5-9.

40. Ministerial Servants are recommended from other male members of the congregation who are not serving as an Elder or Ministerial Servant and who meet the spiritual qualifications found at 1 Timothy 3:8-10, 12, 13.

41. A "Regular Pioneer" or "Auxiliary Pioneer," on the other hand, is a position that any congregation member can apply for by filling out an application and turning it in to the Congregation Service Committee.

42. The Congregation Service Committee reviews the application to determine, among other factors, whether the individual meets the spiritual and moral requirements and is likely to meet the monthly time requirement to serve as a Regular or Auxiliary Pioneer.

43. During the 1970's through the 1990's, the local congregation's Elders' recommendations of Elders, Ministerial Servants, and Regular Pioneers had to be approved by the Service Department at the U.S. branch offices of Jehovah's Witnesses in New York before they could be appointed. However, Auxiliary Pioneers were approved by the local Congregation Service Committee without any review or approval by the Service Department at the U.S. branch offices.

1 44. During the 1970's through the 1990's, all appointments of Elders, Ministerial
2 Servants, and Regular Pioneers in the United States were communicated by the Service
3 Department to congregations through Watchtower.

4 45. After the local congregation body of elders received the approval from
5 Watchtower for an appointment, an announcement was made to the congregation during one of
6 the regularly scheduled weekday meetings that the individual was appointed to serve as an
7 Elder, Ministerial Servant, or Regular Pioneer. A similar announcement is made after a
8 publisher is approved as an Auxiliary Pioneer by the local Congregation Service Committee.
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10 46. Based on my review of the records of the Service Department of the U.S. branch
11 offices of Jehovah's Witnesses, which approves appointments of Elders and Ministerial
12 Servants, it was not until December 22, 1988, that Gonzalo Campos was first appointed to serve
13 as a Ministerial Servant in the La Jolla Spanish Congregation of Jehovah's Witnesses, San
14 Diego, California. Gonzalo Campos was never appointed to serve as a Ministerial Servant in
15 the Linda Vista Spanish Congregation, or in any other congregation of Jehovah's Witnesses,
16 prior to that date.
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18 47. Based on my review of the records of the Service Department of the U.S. branch
19 offices of Jehovah's Witnesses, which approves appointments of Elders and Ministerial
20 Servants, it was not until June 23, 1993, that Gonzalo Campos was appointed to serve as an
21 Elder in the La Jolla Spanish Congregation of Jehovah's Witnesses, San Diego, California.
22 Gonzalo Campos was never appointed to serve as an elder in the Linda Vista, Spanish
23 Congregation, or in any other congregation of Jehovah's Witnesses, prior to that date.
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1 SIGNED this the 21 day of September, 2011.

2 I declare under penalty of perjury under the laws of the State of New York that the foregoing is
3 true and correct to the best of my information, belief, and knowledge.

4 Allen Shuster

Allen Shuster

5 STATE OF NEW YORK)

6) ss.:

7 COUNTY OF PUTNAM)

8 SUBSCRIBED AND SWORN TO BEFORE ME on the 21st day of September, 2011, to
9 certify which witness my hand and official seal.

10 Mark J. Bloedorn
Notary Public, State of New York

11 **MARK J. BLOEDORN**
12 Notary Public, State of New York
13 No. 01BL6124975
14 Qualified in Kings County
15 Commission Expires 04/04/20 13

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