

# Exhibit 3

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION  
TRACY CAEKAERT and CAMILLIA MAPLEY,  
PLAINTIFFS,  
-against- Case No.:  
CV-20-52-BLG-SPW

WATCHTOWER BIBLE AND TRACT SOCIETY OF NEW  
YORK, INC., and WATCH TOWER BIBLE AND TRACT  
SOCIETY OF PENNSYLVANIA,  
DEFENDANTS.

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ARIANE ROWLAND and JAMIE SCHULZE,  
PLAINTIFFS,

-against- Case No:  
CV-20-59-BLG-SPW  
WATCHTOWER BIBLE AND TRACT SOCIETY OF NEW  
YORK, INC., and WATCH TOWER BIBLE AND TRACT  
SOCIETY OF PENNSYLVANIA,  
DEFENDANTS.

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DATE: March 7, 2024  
TIME: 1:13 P.M.

VIDEO-RECORDED DEPOSITION of the  
Defendant by a witness, MARIO MORENO, taken  
by the respective parties, pursuant to a  
Notice and to the Federal Rules of Civil

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Procedure, held at the offices of Veritext  
Legal Solutions, 50 Main Street, Third  
Floor, White Plains, New York 10606, before  
Alison DiTuro, a Notary Public of the State  
of New York.

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M. MORENO

assist them in carrying out their duties as elders -- Pay Attention to the Flock, it used to be called during the relevant time period, and now it's called the Shepherd book, yeah. Shepherd the Flock of God, but it used to be called Pay Attention to the Flock, yeah. And it would have information in there on -- explanation of the -- the Bible principle that you referred to as the two witness rule.

Q. Thank you.

And let's go to C under 35, which is how the two witness rule would apply to the question whether a judicial committee should be established in a situation. And the first example is where elders receive a report that a young girl in a congregation was sexually abused by another member of the congregation.

A. Yeah.

Q. The perpetrator -- the alleged perpetrator denies, and there are no other witnesses.

A. Okay. So there's a lot of

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moving parts here.

First of all, in terms of -- 'cause elders have various responsibilities. When they learn of something like this, there's legal responsibilities when it comes to child sexual abuse, which you are well aware of.

So one of the questions is do they have a legal duty to report it to the authorities, and that has nothing to do with the principle in Deuteronomy or in -- in -- in Timothy or what the Bible says. That's based on secular law. Okay.

So it would not have anything to do with an elder's duty to report it. If the law requires reporting, the elders would be informed of that by the legal department who is familiar with the law. Elders are not going to be familiar with the laws unless they happen to have studied it and are lawyers.

So they call, and they -- and they get legal advice on whether the law in their jurisdiction requires reporting, and

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that evaluation is made strictly on the law. Okay? So I just want to make that clear.

Q. Thank you, and I appreciate that.

And subsection C is -- it's more specific to the judicial committees. I'm -- I appreciate the information --

A. Yeah.

Q. -- you just gave me, but --

A. Yeah. And that would be the second thing then. The second point is the elders, aside from handling that aspect of the matter, they have to determine whether or not to provide loving, pastoral care to the victim, and that has nothing to do with the two witness.

Let's say there's -- she's the only one. So say -- let's say it's a female victim. I think in this case, the hypothetical is a young girl; right? So if the young girl comes to the elders, the elders will -- they know that they're supposed to treat her with love and

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M. MORENO

compassion and treat her as if she were a victim. Whether there is two witnesses or not to the fact that she's a victim, they will give her the pastoral care she needs -- and for that matter, her family members if they need it -- as if it did happen.

But then they have to make a determination as to what to do with the accused. And as to what to do with the accused, that's where this principle in the Bible would come into play. Do we have two witnesses --

Excuse me. Just got a little charley horse.

Q. No problem.

A. So I'm stretching.

MR. FITZGERALD: Do you need to take a break, Mario?

THE WITNESS: No. I can continue. It just went away.

A. So as far as the accused, the principle would apply there in terms of whether or not there was two witnesses that

1 M. MORENO

2 would allow the elders to form a judicial  
3 committee to determine whether the  
4 individual can remain a member of the  
5 congregation or should be disfellowshipped  
6 because child abuse is a -- not only is it  
7 a crime, but it's also a serious sin for  
8 which a person would be disfellowshipped if  
9 it can be be scripturally established. And  
10 by that, I mean -- by scripturally  
11 established, I mean if you have two  
12 witnesses or an admission or a confession  
13 on the part of the accused.

14 So the elders would -- would do  
15 that investigation. They would find out if  
16 there's any other witnesses, and they'll  
17 talk to that person if there is. And if  
18 they had two, then they could form a  
19 judicial committee, and then they would be  
20 able to determine whether or not the  
21 individual should be disfellowshipped or  
22 not based on whether he was repentant or  
23 not for what had happened.

24 If there wasn't two witnesses  
25 or a confession, then scripturally, they



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M. MORENO

could not form a judicial committee. And so that's -- would be the application or the relevance of the two witness rule.

For that said, let me see what else you have here. So you said if he denies it. So if he denies it and there's not a second witness -- no -- you cannot form a judicial committee.

Likewise, there's no other witnesses -- again, if there's only -- if only the victim is the only witness, then they would not be able to form a judicial committee.

Now, that doesn't mean that nothing else will happen. Okay? That doesn't mean that the elders believe that it didn't happen. Okay? It just means they're not authorized by the scriptures to form a judicial committee to potentially disfellowship the individual. It doesn't mean they don't believe it happened. It doesn't mean they're not going to be vigilant for the individual's conduct. Maybe take other steps, depending on the

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M. MORENO

situation.

If they're in the same congregation, depending on the circumstances, they may recommend to the individual who's accused, maybe you ought to go to a different congregation so that, you know, the victim is not traumatized by seeing you at meetings or whatever. And so there's other things they might take in addition to if he remained in their congregation, to be vigilant of his activity.

And in certain situations, there -- there could be other consequences too based on one accusation. There's a lot of other factors that would come into play because sometimes you may not have two witnesses, but there's other smoke that gives a lot of credibility.

And so if an individual was serving an appointed position, it could be -- it could be, and it has happened -- that he may be removed from his position as a ministerial servant or as an elder even

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on the basis of one witness if there's other reasons that would call for that -- poor judgment on his part, maybe having been alone with the victim and -- or other things like that 'cause, you know, there are certain things elders are not supposed to do that may not lead to a disfellowshipping offense -- or ministerial servants shouldn't do for that matter -- but could lead to their losing privileges.

Q. Thank you.

MR. STEPANS: I think we're at a good spot for a break.

THE VIDEOGRAPHER: Off the record 3:59 P.M. Eastern Standard Time.

(Whereupon, a short recess was taken.)

THE VIDEOGRAPHER: Back on the record 4:20 P.M. Eastern Standard Time.

Q. Mr. Moreno, going back to topic 35, which is the two witness rule. Is there -- is there anything specific to