



1 I, Devin M. Storey, based upon my personal knowledge, declare as follows:

2 1. I am an attorney duly licensed to practice law in the State of California. I am employed  
3 with the Zalkin Law Firm, P.C. I am counsel of record for Plaintiff Jose Lopez, herein. I have  
4 represented the Plaintiff from the inception of the lawsuit at the trial court level and in  
5 connection with all of the writs and appeals that followed. I am intimately familiar with the  
6 procedural history of this case.  
7

8 2. This action results from the sexual abuse of Plaintiff Jose Lopez by Gonzalo Campos.  
9 The molestation arose from Plaintiff and Campos' mutual association with Linda Vista Spanish  
10 Congregation of Jehovah's Witnesses ("Linda Vista") and Defendant Watchtower Bible and  
11 Tract Society of New York, Inc. ("Watchtower").  
12

13 3. From the inception of this action, until Watchtower was defaulted on May 30, 2014,  
14 Watchtower and Linda Vista were aligned together in this action and clearly engaged in a joint  
15 defense. Defendants filed joint motions, including motions for summary judgment and  
16 summary adjudication. Given the joint nature of the defense, as long as Watchtower was in the  
17 case, there was no additional burden on Plaintiff to litigate against Linda Vista. The case  
18 against Watchtower was broader than the case against Linda Vista, so Plaintiff would be  
19 required to put on the same case whether Linda Vista was a defendant or not. This changed  
20 when Watchtower was defaulted.  
21

22 4. After Watchtower's answer was stricken, we re-evaluated the value of continuing to  
23 litigate against Linda Vista. We were aware that several congregations generally share each  
24 Kingdom Hall, and that one congregation will hold title to the Kingdom Hall. The title-holding  
25 Kingdom Hall is generally incorporated. Linda Vista Spanish Congregation of Jehovah's  
26 Witnesses is not incorporated. Instead, the Linda Vista English Congregation of Jehovah's  
27 Witnesses, San Diego, CA, Inc. is the corporation using the Linda Vista Kingdom Hall that is  
28

1 incorporated. Linda Vista English Congregation of Jehovah's Witnesses, San Diego, CA, Inc.  
2 also holds the deed to the Kingdom Hall property used by Linda Vista Spanish Congregation –  
3 6504 Linda Vista Road, San Diego, California, 92111.

4 5. A property search that I commissioned revealed that Linda Vista Spanish Congregation  
5 of Jehovah's Witnesses does not own any real property.

6  
7 6. On March 29, 2014, a Body of Elders letter was sent to each congregation of Jehovah's  
8 Witnesses by Christian Congregation of Jehovah's Witnesses. That letter instructed each  
9 congregation that monthly payments need to be sent to the United States branch; that there is no  
10 need for congregations to hold excess funds and that excess funds held by each congregation  
11 should be given to the United States branch; and reiterated that donations placed in the donation  
12 box at the Kingdom Hall should be sent to the United States branch.

13  
14 7. Given these economic realities, we concluded that Linda Vista would not be able to  
15 satisfy any judgment obtained on behalf of Jose Lopez.

16 8. At the same time, it would have been extremely expensive to carry forth with the  
17 litigation and try the case against Linda Vista. The parties had estimated that the trial would  
18 take at least 30 days. Plaintiff had retained an expert witness, Dr. Robert Geffner, Ph.D., to  
19 testify at trial. We also intended to lease trial technology (i.e., computers, screens and a  
20 projector) for the trial. Finally, Irwin Zalkin and I intended to try the case together, which  
21 would have resulted in the expenditure of hundreds of hours of attorney time and additional  
22 paralegal time to try the case.

23  
24 9. Given the uncollectability of any judgment, and the cost of obtaining the paper  
25 judgment, we concluded that it was in Plaintiff's best interest to settle with Linda Vista.

1 Linda Vista had served a 998 offer, so it could not simply be dismissed, because its costs could  
2 be substantial and Plaintiff would have been liable for those costs. There would have been no  
3 benefit to Plaintiff from going to trial against Linda Vista alone.

4 10. I negotiated with Linda Vista's lawyer James McCabe. Ultimately, we agreed that  
5 Plaintiff would dismiss his claim against Linda Vista, and Linda Vista would refrain from  
6 making any efforts to collect its costs from Plaintiff unless and until Plaintiff recovers from  
7 Watchtower. Plaintiff filed a dismissal of his claim against Linda Vista without prejudice. Mr.  
8 McCabe then insisted that the dismissal must be with prejudice, or the settlement was off.  
9 Plaintiff thereafter dismissed Linda Vista with prejudice.  
10

11 11. Linda Vista filed a cost memorandum seeking more than \$120,000 in costs. Plaintiff  
12 filed a motion to strike or tax costs which was partially granted. Consistent with the settlement  
13 agreement, Linda Vista has not made any effort to collect its costs from Plaintiff.  
14

15 12. At no time has Plaintiff Jose Lopez filed a dismissal of his claim against Watchtower  
16 Bible and Tract Society of New York, Inc.

17 13. At no time did Plaintiff Jose Lopez individually sue any of the Elders appointed to Linda  
18 Vista Spanish Congregation of Jehovah's Witnesses. Nor did he, at any time, file a dismissal of  
19 any claims against those Elders.  
20

21 14. Attached as Exhibit 1 to this declaration is a true and correct copy of selected pages of  
22 the deposition of John Doe taken in the matter entitled *Dorman, et al v. Doe 1, La Jolla Church,*  
23 *et al* (Case Number 37-2010-00092450-CU-PO-CTL.) John Doe is not the true name of the  
24 deponent, but is instead a fictitious name adopted by Plaintiff to protect the identity of John  
25 Doe, who was sexually assaulted by Gonzalo Campos. The true name of this witness has been  
26 redacted.  
27  
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1 15. Attached as Exhibit 2 to this declaration is a true and correct copy of selected pages of  
2 the deposition of Jane Doe taken in the matter entitled *Dorman, et al v. Doe 1, La Jolla Church,*  
3 *et al* (Case Number 37-2010-00092450-CU-PO-CTL.) Jane Doe is not the true name of the  
4 deponent, but is instead a fictitious name adopted by Plaintiff to protect the identity of Jane  
5 Doe, who is the mother of a victim of sexual assault by Gonzalo Campos. The true name of this  
6 witness has been redacted.  
7

8 16. Attached as Plaintiff's Exhibit 3 to this declaration is a true and correct copy of selected  
9 pages of the deposition of Gonzalo Campos taken on September 2, 2011, in the matter entitled  
10 *Dorman, et al v. Doe 1, La Jolla Church, et al* (Case Number 37-2010-00092450-CU-PO-CTL.)  
11

12 17. Attached as Plaintiff's Exhibit 4 to this declaration is a true and correct copy of selected  
13 pages from the deposition of Jesus Montijo taken on February 9, 2011 in the matter entitled  
14 *Dorman, et al v. Doe 1, La Jolla Church, et al* (Case Number 37-2010-00092450-CU-PO-CTL.)  
15

16 18. Attached as Plaintiff's Exhibit 5 to this declaration is a true and correct copy of selected  
17 pages of the deposition of Justino Diaz taken on February 8, 2011 in the matter entitled  
18 *Dorman, et al v. Doe 1, La Jolla Church, et al* (Case Number 37-2010-00092450-CU-PO-CTL.)  
19

20 19. Attached as Plaintiff's Exhibit 6 to this declaration is a true and correct copy of selected  
21 pages of the deposition of Plaintiff's mother, Socorro Leticia Preciado de Lopez (Socorro  
22 Preciado) taken on February 28, 2013 in this action.  
23

24 20. Attached as Plaintiff's Exhibit 7 to this declaration is a true and correct copy of selected  
25 pages of the deposition of Aurora Munoz taken on October 21, 2013 in this action.  
26

27 21. Attached as Plaintiff's Exhibit 8 to this declaration is a true and correct copy of selected  
28 pages of the deposition of Ramon Preciado taken on October 23, 2013 in this action.

22. Attached as Plaintiff's Exhibit 9 to this declaration is a true and correct copy of selected  
pages of the deposition of Plaintiff Jose Daniel Lopez taken on March 1, 2013 in this action.

23. Attached as Plaintiff's Exhibit 10 to this declaration is a true and correct copy of the declaration of Plaintiff Jose Daniel Lopez, executed in this action.

24. Attached as Plaintiff's Exhibit 11 to this declaration is a true and correct copy of a draft letter from Playa Pacifica Spanish Congregation to Watchtower Bible and Tract Society of New York, Inc., dated July 4, 1999. The original document was produced in Spanish. Watchtower provided a translation from Spanish to English, which is attached behind the original version.

25. Attached as Plaintiff's Exhibit 12 to this declaration is a true and correct copy of the declaration of Socorro Preciado, executed in this action. Ms. Preciado executed a Spanish language version of her deposition, which is attached behind a translated English version.

26. Attached as Plaintiff's Exhibit 13 to this declaration is a true and correct copy of selected pages of the deposition of Luis Rivera taken on October 17, 2011 in the matter entitled *Dorman, et al v. Doe 1, La Jolla Church, et al* (Case Number 37-2010-00092450-CU-PO-CTL.)

27. Attached as Plaintiff's Exhibit 14 to this declaration is a true and correct copy of selected pages of the deposition of Ramon Preciado taken on December 30, 2013 in this action. Mr. Preciado was produced for this deposition as Linda Vista's PMQ on various topics.

28. Attached as Plaintiff's Exhibit 15 to this declaration is a true and correct copy of Watchtower's Memorandum of Points and Authorities In Support of Its Motion for Summary Adjudication of Plaintiff's Ratification Theory filed in this action and denied on November 22, 2013.

29. Attached as Plaintiff's Exhibit 16 to this declaration is a true and correct copy of the minute order dated November 22, 2013 and denying Defendants' Motion for Summary Adjudication of Plaintiff's Ratification Theory.

30. Attached as Plaintiff's Exhibit 17 to this declaration is a true and correct copy of the January 2, 2014 order adopting the discovery referee's recommendation that Watchtower should

1 produce two categories of documents evidencing Watchtower's institutional awareness of child  
2 molestation allegations against Jehovah's Witnesses.

3 31. Attached as Plaintiff's Exhibit 18 to this declaration is a true and correct copy of the  
4 May 2, 2014 minute order granting Plaintiff's motion for terminating sanctions against  
5 Watchtower.

6 32. Attached as Plaintiff's Exhibit 19 to this declaration is a true and correct copy of the  
7 letter from Watchtower to "All Bodies of Elders in the United States" dated September 15,  
8 1987.

9 33. Attached as Plaintiff's Exhibit 20 to this declaration is a true and correct copy of the  
10 statement of incorporation of the Linda Vista English Congregation of Jehovah's Witnesses,  
11 San Diego, CA, Inc. I obtained this record from a search of the California Secretary of State's  
12 website.

13 34. Attached as Plaintiff's Exhibit 21 to this declaration is a true and correct copy of the  
14 March 29, 2014 letter from Christian Congregation of Jehovah's Witnesses to "All  
15 Congregations."

16 35. Attached as Plaintiff's Exhibit 22 to this declaration is a true and correct copy of  
17 selected pages of the reporter's transcript of the January 2, 2014 hearing in front of this Court.

18 36. Attached as Plaintiff's Exhibit 23 to this declaration is a true and correct copy of the  
19 email I received from Linda Vista's lawyer – James McCabe – on June 16, 2014 regarding the  
20 settlement with Linda Vista.

21 37. Attached as Plaintiff's Exhibit 24 to this declaration is a true and correct copy of the §  
22 998 offer made by Linda Vista in this case. The notation on the first page of the 998 offer is a  
23 handwritten note about the date a response was due which is in my paralegal's handwriting.

1 38. Attached as Plaintiff's Exhibit 25 to this declaration is a true and correct copy of the  
2 memorandum of costs submitted by Linda Vista after this case was dismissed.

3 39. Attached as Plaintiff's Exhibit 26 to this declaration is a true and correct copy of the July  
4 1, 1989 letter sent by Watchtower to "All Bodies of Elders in the United States."

5 40. Attached as Plaintiff's Exhibit 27 to this declaration is a true and correct copy of the  
6 March 23, 1992 letter sent by Watchtower to "All Bodies of Elders."

7 41. Attached as Plaintiff's Exhibit 28 to this declaration is a true and correct copy of the  
8 August 1, 1995 letter sent by Watchtower to "All Bodies of Elders in the United States."

9 42. Attached as Plaintiff's Exhibit 29 to this declaration is a true and correct copy of the  
10 March 14, 1997 letter sent by Watchtower to "All Bodies of Elders."

11 43. Attached as Plaintiff's Exhibit 30 to this declaration is a true and correct copy of the July  
12 20, 1998 letter sent by Watchtower to "All Bodies of Elders."

13 44. Attached as Plaintiff's Exhibit 31 to this declaration is a true and correct copy of  
14 selected pages of the 1981 Watchtower Elder Handbook entitled "Pay Attention to Yourselves  
15 and to All the Flock."

16 45. Attached as Plaintiff's Exhibit 32 to this declaration is a true and correct copy of  
17 selected pages of the 1911 Watchtower Elder Handbook entitled "Pay Attention to Yourselves  
18 and to All the Flock."

19 46. Attached as Plaintiff's Exhibit 33 to this declaration is a true and correct copy of the  
20 December 5, 1985 letter sent by Watchtower to "All Circuit and District Overseers in the United  
21 States."

22 47. Attached as Plaintiff's Exhibit 34 to this declaration is a true and correct copy of  
23 selected pages of the February 8, 1981 edition of Awake!.

1 48. Attached as Plaintiff's Exhibit 35 to this declaration is a true and correct copy of  
2 selected pages of the June 22, 1982 edition of Awake!.

3 49. Attached as Plaintiff's Exhibit 36 to this declaration is a true and correct copy of  
4 selected pages of the October 1, 1983 edition of Watchtower.

5 50. Attached as Plaintiff's Exhibit 37 to this declaration is a true and correct copy of  
6 selected pages of the November 22, 1983 edition of Awake!.

7 51. Attached as Plaintiff's Exhibit 38 to this declaration is a true and correct copy of  
8 selected pages of the January 22, 1985 edition of Awake!.

9 52. Attached as Plaintiff's Exhibit 39 to this declaration is a true and correct copy of the  
10 stipulation entered by the parties in this action agreeing that Elders appointed to a local  
11 congregation are agents of Watchtower.  
12

13 53. Attached as Plaintiff's Exhibit 40 to this declaration is a true and correct copy of  
14 stipulation signed by Plaintiff and Watchtower regarding the after-hours service of  
15 Watchtower's motion for summary judgment on the last business day to give timely notice of  
16 the hearing of this motion.  
17

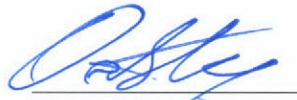
18 54. Attached as Plaintiff's Exhibit 41 to this declaration is a true and correct copy of  
19 executed Request for Entry of Default against Watchtower.

20 55. Attached as Plaintiff's Exhibit 42 to this declaration is a true and correct copy of  
21 Corporation Grant Deed showing that Linda Vista Spanish Congregation of Jehovah's  
22 Witnesses is not the owner of the property located at 6504 Linda Vista Road in San Diego,  
23 California.  
24

25 56. Attached as Plaintiff's Exhibit 43 to this declaration is a true and correct copy of the  
26 November 2, 1995 letter from Watchtower to "All Bodies of Elders."  
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1 57. I declare under penalty of perjury under the laws of the State of California that the  
2 foregoing is true and correct.

3 Executed this 30<sup>th</sup> day of March, 2017 at San Diego, California.  
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6 Devin M. Storey  
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# EXHIBIT 10



1 2. In order to provide for us, my mother worked as a dishwasher in restaurants in the  
2 Claremont area and hired a neighbor to baby sit me during the day while she worked, until I was  
3 old enough to go to pre-school.

4 3. As a little boy I was very attached to my mother. One of my earliest memories is of her  
5 taking me to Kate Sessions Pre-School in Pacific Beach and leaving me. I cried and didn't want  
6 to be away from her. I recall her taking me to pre-school and picking me up from pre-school.  
7

8 4. After Kate Sessions I went to Bay View Terrace elementary school where I started  
9 kindergarten. We were living on Garnet in Pacific Beach at the time. I believe that my mother  
10 had met and married Guadencio Lopez (not related to my biological father) at the time.  
11 Guadencio was a good man and I related to him as my father. I called him dad. Either he or my  
12 mother would take me or pick me up from kindergarten.

13 5. Around the time that I was in the first grade at Bay View Terrace my half-sister, Jennifer  
14 Lopez, was born. I remember being a happy kid and life at home was happy. I was a little bit of  
15 a momma's boy. I remember my first grade class room, singing songs, coloring, playing with  
16 my school friends. I had two very close neighborhood friends, Alvaro Garcia who lived across  
17 the hall in our building and Christian Carreno, who lived nearby. The three of us would run  
18 around our apartment, we played with toys like GI Joe's, we played hide and go seek, tag, and  
19 sometimes we would get into mischief like throwing cherries at cars. I would walk to school  
20 with Alvaro's older sisters. They would walk us and pick us up from school. Alvaro, Christian  
21 and I were like the three Musketeers.  
22

23 6. I believe that we moved when I was in the 2<sup>nd</sup> grade to some other apartments in Pacific  
24 Beach where Christian lived. It was around this time that my mother became involved with the  
25 Jehovah's Witnesses. Some Jehovah's Witness ladies started coming around a lot. Soon my  
26 mother was studying the bible and other books and magazines with them. She made me wear  
27  
28

1 buttoned up white shirts with a pin up tie, slacks and dress shoes. I had to go to the Kingdom  
2 Hall with her at least every Sunday and sometimes during the week. I don't think that Guadencio  
3 got involved, but my mother became very strict and religious. We didn't celebrate birthdays or  
4 holidays. I missed Christmas. I remember that I would go to Alvaro's apartment for Christmas  
5 and they always had a present for me so I wouldn't feel left out. I was just a normal kid at the  
6 time. I was a little shy around adults but not around my friends. I was shy around people I didn't  
7 know, like the people at the Kingdom Hall. I didn't like going, but my mom made me go.

9 7. I started bible study between 6 and 7 years old. I was introduced to Gonzalo Campos as  
10 my bible study teacher. I first met Gonzalo at the Kingdom Hall. We used to go to the Kingdom  
11 Hall in Linda Vista and at La Jolla. I remember Gonzalo coming to our house. He was very  
12 friendly and showed me pictures in a yellow hard book with red letters and lots of drawings. He  
13 would explain the story in the picture. We would study this way in our living room. My mom  
14 would usually be busy cleaning, or doing laundry. These sessions would last about 45 minutes.  
15 Gonzalo would come about every other week. He was always very friendly and polite.  
16 I didn't like bible study or going to the Kingdom Hall. I wanted to play with my friends. When I  
17 would tell my mom that I didn't like it, she didn't want to hear it. She would say "you're going  
18 and that's final."

20 8. I don't recall exactly when it started, but my mom and Guadencio began having  
21 problems. At some time he moved out and got an apartment near us. He still came around, and,  
22 at times, he would take me or pick me up from school.

24 9. I remember the day Campos abused me. I have always tried to forget about it, but it has  
25 always been in my memory. Before I was contacted by an investigator for The Zalkin Law Firm  
26 in 2012 the only people I ever told about what happened to me were my mother, the day it  
27 happened, my high school girlfriend, and my ex-wife. I never talked about it with any medical  
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professionals I have seen over the years. I didn't start understanding any of this until after I started talking to the lawyers at The Zalkin Law Firm, and a psychologist they sent me to. It was then that I learned that Gonzalo had molested many other kids and what they had gone through. It all started making sense to me that what he did to me caused me to go through some of the same problems as the other kids.

10. On the day of the abuse I was still at Bay View Terrace Elementary. Gonzalo came to the house and we had a little talk about the books and the church. He said, "Do you want to take a ride with me"? It was alright with my mom. He took me to a big house in La Jolla. I remember it had a big black top driveway. It was a white house with a big door. Gonzalo said "I just have something to do here real quick." He gave me a video game, and after a while he took me into the bathroom. I took the game with me. "Oh I'm just going to do this real quick," he said. He then started taking my pants down. I was wearing jeans and a T shirt. I remember him unzipping my pants and pulling my pants and underwear down at same time. I was in shock. I didn't do anything. He started rubbing my butt cheeks in a round circular motion. I didn't know what to do. I just kept playing the game. He started to play with my anus with his finger. I remember him breathing real heavy. I remember feeling his finger rubbing around my anus. I remember the sound of a slushy liquid being put on my anus and then he hurt me. I took off running. I told him to stop. I pulled away from him and pulled my pants up. He tried to calm me down. I ran outside the house by his car and told him to take me home. I was sad. I didn't know what to feel. I wanted to go home and tell my mom.

11. We got in the car. He was trying to calm me down, being real friendly. I was just sitting there quiet. He took me to a Laundromat. I didn't really talk to my mom until we got home. I told her he hurt me in my butt. She was checking me, wanted to know details, asking me if I was alright. She said she was going to talk to the church.

1 12. I remember we never went back. Important people in suits and ties from the Jehovah's  
2 Witness people came to the house and talked to my mom. There were two guys and a lady. I  
3 recognized the lady. She gave my mom bible studies. I remember that they were talking. I left  
4 the living room. I didn't want to see them. I locked myself in the bedroom. My mom knocked  
5 on the door. My mom asked if I would talk to them. I didn't want to talk to them. She said,  
6 "They want to know what happened." "They want to hear it from you." I told my mom no. She  
7 left me alone. "I'll leave you alone and go talk to them." She came back and told me "it's my  
8 friend the lady she wants to give you something." She gave me a teddy bear and wanted me to  
9 show her where Campos had touched me. I showed her on the bear. I told her what happened.  
10 She said, "That's all I wanted to know." She said, "Are you alright." I said "I'm alright." They  
11 left and I never saw those people again.  
12

13 13. I think we moved about a month or two later. We went to Tijuana. We rented a house.  
14 It was my mom, Jennifer, and me who lived in the house. I went to elementary school in  
15 Tijuana. I think we lived in Tijuana for about one year.  
16

17 14. We then moved back to San Diego to Ingraham Street in Pacific Beach. I went to Crown  
18 Point Elementary for the 4<sup>th</sup> grade. I was held back. I didn't really have friends at Crown Point  
19 Elementary. I was lonely and shy. I didn't trust anyone. My mom met Roberto Leon around that  
20 time. My mom, Jennifer and I rented a room in a two bedroom apartment at the time. Roberto  
21 Leon moved into the apartment with us.  
22

23 15. We then moved to Sherman Heights in South East San Diego on Market and 20<sup>th</sup> Streets.  
24 I started going to Sherman Elementary school in the 5<sup>th</sup> grade. We lived with Roberto Leon, his  
25 sister (Antonia), her husband, her two kids, mom, Jennifer and me in a two story house. There  
26 were more kids around, and I played with them.  
27  
28

1 16. We lived in Sherman Heights for about two years. I went to Sherman Elementary for  
2 about a year and was going to start there for sixth grade but then my mom signed me up to be  
3 bussed to McDowell Elementary in Claremont. That was a better school. I went to McDowell  
4 for 6<sup>th</sup> grade. I really liked it. They had a science room and computer room.

5 17. I went to Roosevelt Jr. High next to the San Diego Zoo on Park Ave. I started 7<sup>th</sup> grade.  
6 My half-brother Herman Leon was born when I was in 7<sup>th</sup> grade. Our family moved to Golden  
7 Hill on B Street. I lived there with my mom, Roberto, Herman, and Jennifer. My mom and  
8 Roberto broke up around this time. Roberto and mom split up and Roberto moved out. I was  
9 still at Roosevelt.  
10

11 18. Around this time my behavior was ok, but my grades were poor. I did just enough to get  
12 by. I had trouble focusing.

13 19. We moved to Normal Heights on Georgia St. near Adams Ave. It was mom, Jennifer,  
14 Herman and me. Mom was taking care of an old woman named Helen. We lived with her and  
15 my mom took care of her in exchange for no rent. I would walk to Roosevelt. I never got in  
16 trouble at Roosevelt.  
17

18 20. We lived on Georgia Street for about two years. I didn't graduate Roosevelt. I went to  
19 Montgomery Middle School in Linda Vista because we moved. My mom began seeing a man  
20 named Bulmaro Sanchez who lived in Linda Vista. We moved to apartments behind an Asian  
21 Supermarket in Linda Vista. It was my mom, Jennifer, Herman and me. My mom got pregnant  
22 from Bulmaro. She had my half-brother David while we were living in Linda Vista. Bulmaro  
23 did not live with us.  
24

25 21. The Linda Vista apartment was three bedrooms. My mom rented out one bedroom to the  
26 son of a friend of hers, and the other to two Mexican men. There was a lot of alcohol around.  
27 My mom was drinking a lot then. David's dad would come around with his brother. I started  
28

steeling sips of beer. I would take a beer out of the fridge. My mom never knew. I'm sure if she did, she would punish me severely.

22. While I was still at Montgomery, my mom moved us out and into a two bedroom two story apartment in Linda Vista. It was my mom, Jennifer, Herman, David, and me. The apartment was near Linda Vista recreation center.

23. While I was at Montgomery I had what you might call fiends. But these kids would pick on me a lot because I was shy. There was one guy who bullied me all the time and at some point he threatened to beat me up. I was scared. One time I brought a knife to school. Somebody told a teacher that I had a knife and the teacher must have told the principal. My mom had to come and get me. We had to go to meeting with the school board. They asked us both questions. I told them I had the knife for protection. They told us that they have zero tolerance policy. I was expelled from Montgomery even though I had never been in trouble before.

24. I was sent to Claremont Summit School. Claremont Summit was on Claremont Mesa Blvd. next to Kaiser Permanente. Claremont Summit was a school for troubled kids; kids who could not get along with other kids, pregnant girls, just weirdoes. I was at Claremont Summit for about a year and a half from about 8<sup>th</sup> grade to 9<sup>th</sup> grade. Claremont Summit was in an office space. All of my classes were in just one room. The teacher would hand out books and just sit there while we read books and did assignments. I started to hang out with a cousin of mine who went there. His dad is my biological dad's cousin. I started socializing with kids that were troubled from all over San Diego. I was actually having a good time. I didn't get into trouble in that school. We only had to go to school 3-4 hours a day. It was pretty laid back. I got enough credits to go to high school.

25. Outside of school I did become a "tagger." I thought it was cool. I liked to tag. It took a certain amount of talent and creativity. I learned how to spray paint very fancy letters. I tried to

1 express myself through graffiti art. I learned by hanging out with the kids from the Summit  
2 schools who did this. One time I got caught. I was tagging outside of a store in Fashion Valley  
3 and a security guard saw me. He called the police and they got me. They took me home. I was  
4 about 14. My mother spanked me with a belt. She would yell, "Why don't I write on your butt."

5  
6 26. A teacher from Claremont Summit helped me get into Point Loma High School. At this  
7 point, around 10<sup>th</sup> grade, we moved back to the Golden Hill area off of Broadway. I was about  
8 15 when I started 10<sup>th</sup> grade. I would take a city bus to school. I went to Pt. Loma High for all  
9 of 10<sup>th</sup> and half of 11<sup>th</sup> grade. I got into trouble again at Pt. Loma High. I went to eat lunch at my  
10 friend Matt's house nearby. He lived in the garage. We would run over there and drink beer and  
11 then run back to school. I had another friend who was a pot head. They smoked pot. When we  
12 walked back, the security person could tell we were high and took us to the principal. I was  
13 expelled because there was a zero tolerance policy.  
14

15 27. I was sent to Occan Beach Summit School. I was at OB Summit for eight or nine  
16 months. I dropped out and did not go back to any schools. At OB Summit I was really  
17 introduced to pot, and soon became a super pot head. I smoked pot constantly. I started hanging  
18 out with the wrong crowd. I was going to parties, coming home late, and drinking. It was the  
19 first time in my life I found social acceptance among other kids my age.  
20

21 28. I also started hanging out with some old friends from Mission Bay Terrace. At about that  
22 time I met a girl named Dulce at a neighborhood Halloween party in Claremont. By that time I  
23 had already dropped out of school completely.

24 29. After dropping out of high school I just hung out at home. I would go on chat rooms all  
25 day and try to meet girls. I would hang out until night then go party. I would steal beer. I got a  
26 job at a Dairy Queen in Pacific Beach and held on to that for about a year. I never had any  
27 trouble at work at Dairy Queen. All I wanted to do was hook up with girls and go to parties.  
28

1 30. I first became sexually active when I was about sixteen. I was having random sex a lot. I  
2 was with a different girl maybe every other weekend. I was obsessed with sex. I got chlamydia  
3 twice, gonorrhea once, and syphilis at least once. I used to go to a clinic on Pacific Coast  
4 Highway that was run by San Diego County Health Services.

5 31. At some point when I was going to OB Summit we moved to City Heights on Estrella.  
6 Mom was going out with a guy named Salvadore. Mom, David, Herman, Jennifer, Salvadore  
7 and I moved into a two bedroom apartment. I lived there for about one year.

8 32. The family then moved to Winona St. in City Heights into a two bedroom house.  
9 Salvadore moved in with us. I lived there for about one year. I started to hang out with a guy  
10 who lived in a small rental in the back. We would go on chat rooms. He was about 26 or 27. I  
11 was about 17. That's when I went to the Halloween party and started hanging out with Dulce.  
12 One day, mom came home and smelled pot. I was supposed to be watching my younger  
13 brothers, which I was, but I was getting high at the same time. Mom got upset and told him that  
14 if I was going to smoke pot I had to move out. I said fine and ended up moving in with Dulce,  
15 her mother and her uncle on Swift Ave. in City Heights.

16 33. I would get random short lived jobs like a security job, dishwasher, telemarketing, and  
17 finally I got a job doing maintenance at De Anza Trailer Park in Mission Bay. I did that work  
18 for about one year.

19 34. I lived with Dulce and her mom for about one and a half to two years. I went to a  
20 technical school to learn telecommunications. I then got a job at T & T Cabling Industries. I  
21 worked at T & T Cabling for about one and a half years. I went to the technical school for about  
22 eight months.

23 35. Dulce and I moved into a house owned by her mother and we paid her rent. I was about  
24 20 at this time. Everything was going well for a couple of months. Things started going bad  
25  
26  
27  
28

1 when we started using methamphetamine. We started smoking meth. Things went downhill  
2 quickly. I lost my job. We lost our brand new Expedition. We could not make the payment on  
3 the house and moved back in with Dulce's mom.

4 36. Things were rocky with Dulce because of the meth. I was pretty out of control. I cheated  
5 on her, and she cheated back. We split up around 2001/2002. I was in my early 20s. Mom took  
6 me back in. I was a meth mess. I would hear voices and hallucinate. I tried getting psychological  
7 help. I saw a psychologist or psychiatrist who thought I was bi-polar. One day I locked myself  
8 into mom's apartment and just stopped using cold turkey. It took about a couple of weeks to get  
9 clean. It was the worst time. I did not want to go out and be with anyone.

11 37. Mom was now seeing another guy named Vincente and was having trouble with him.  
12 Vincente would tell mom that I was worthless, and that caused trouble between mom and  
13 Vincente. Mom did convince Vincente to take me to work with him at Winco Painting  
14 Company. On the weekends we freelanced doing handyman work like roofing work. We  
15 actually started doing well for a while. Vincente and I started arguing when Vincente wasn't  
16 paying me right. I got very mean with Vincente, and he left. He never went back to my mom's  
17 house. I was probably around 24 or 25. I was not doing the meth at this time. Mom and I  
18 moved to 42<sup>nd</sup> and University. It was mom, Herman, a cousin from Tijuana and me. David went  
19 to live with his father. Jennifer moved out with Christopher (father of her child) to Arizona.  
21

22 38. I got a job at a car wash in La Jolla. There were a lot of meth users and other bad activity  
23 around this apartment. I started using meth again.

24 39. I met my ex-wife Nadine through a friend. He was dating Nadine's daughter. I was  
25 about 27. Nadine was 41 or 42. She was a cougar. We ended up hooking up, and drinking  
26 together. She moved into the apartment with mom, Herman, Hugo and me. She lived in my  
27 room. She helped pay the rent. I was still working at the car wash.  
28

1 40. Eventually, I quit the car wash job. I was not responsible. I would be late and call in sick.  
2 I was doing meth. I was smoking meth every other day. Nadine was on SSI and she would give  
3 me money sometimes. I went on unemployment.

4 41. Mom moved out. German ended up going to jail for grand theft auto. Nadine and I  
5 couldn't afford the rent and we got evicted. I had a truck. Nadine and I ended up homeless  
6 living in the truck. We would park around Mission Bay and use public showers there. I would  
7 steal food, and donate blood to get a little money. I was still doing meth on and off.

9 42. We moved to Arizona and stayed with my sister Jennifer for about a month. Nadine's  
10 mother is married to my biological father's cousin, Pedro Lopez. Nadine knows my biological  
11 father. We came back to San Diego and were homeless again. I was pan handling at a gas  
12 station when I met cousins of mine on my father's side. They were landscapers and related to  
13 Pedro. I asked them if they knew my dad. They gave me some money and my father's son's  
14 (step brother) contact information. I got in contact with him. They called him "Chido". Nadine  
15 and I moved in with him.

17 43. Nadine and I got heavily into meth. One time we got into a very bad fight. I threw her  
18 out of my brother's house. She went on a meth binge and ended up in a psychiatric hospital. I  
19 eventually got her out. Nadine and I would rent bedrooms from place to place. We rented a  
20 room from a guy named Chris, Nadine's uncle. He referred me to a psychiatrist (probably Dr.  
21 Grygorfan). That psychiatrist put me on SSI. I was on SSI from about 2007 to 2012. I stopped  
22 getting SSI when I started working at Challenger Sheet Metal, Inc.

24 44. Nadine and I eventually went to mom's apartment on 43<sup>rd</sup> street. It was a one bedroom  
25 apartment. Mom invited us to come live with her. She stayed in the living room. I was drinking  
26 and arguing with Nadine. I called the police and told them that I wanted her gone.

1 45. In 2008, I did a beer run and got caught. That's when you go into a store and run out with  
2 a six pack of beer. I went to jail for three months. Nadine stole mom's jewelry and took off to  
3 LA. I was now in jail. I was about 30 years old at this time. I got out of jail and decided I  
4 needed to turn my life around.

5 46. I started doing better. Part of my probation required me to undergo a narcotics  
6 anonymous program. I went to UPAC. I graduated from that. I got my GED on January 21,  
7 2010.

9 47. I went to CET (Center for Employment Training) to become a welder. I went to CET for  
10 8 months every day from Monday to Friday. I was still drinking and using meth occasionally.  
11 After CET, I went to National University and took a course in underwater welding in 2006.

12 48. I met my fiancé Vanessa in an on line dating chat. We started to hang out together. She  
13 got pregnant right away with my first son Angel. I couldn't do the underwater welding. I had  
14 too much difficulty doing the drills and panicked with one of them. I had to quit the school. I  
15 was living at my mom's house on 43rd. Vanessa was living with her parents. I ended up getting a  
16 job at Southwest Roof Tear Off.  
17

18 49. I was at Southwest Roof Tear Off for about a year from 2011 – 2012.

19 50. I started sheet metal school at Associated Builders and Contractors about 2011. I go  
20 twice a week from 7:00 p.m. to 9:30 p.m. I have been doing this for two years. I start my 3<sup>rd</sup>  
21 year in August 2014.  
22

23 51. While going to sheet metal journeyman school at ABC I worked at Challenger from July  
24 2012 for one year until a lay off, and then I was sent to West Coast Air for a month, Comfort  
25 Systems (August 2013) for eight months, and now I was just laid off from Western Bay Sheet  
26 Metal just shy of working there for three months due to a lay off. ABC operates like a temporary  
27 employment for its students.  
28

1 52. I moved in with Vanessa and her parents in about September 2012. I was working at  
2 Challenger. In addition to Angel, I have two more sons with Vanessa, Jose Jr. and Jesus  
3 Alexander. Life with Vanessa has been going fairly well. She is trying to help me stop drinking.

4 53. Until Mr. Michael Moreno, and investigator for my lawyers first contacted me about  
5 Campos, I had really tried to bury my memories of him and what he did to me. The only people  
6 I ever told about him were my mother, Dulce and Nadine. I don't really remember why I told  
7 Dulce. I do remember saying that "There was a guy at the church when we were Jehovah's  
8 Witnesses. He touched me." I told Nadine because she once told me that when she was a little  
9 girl guys would touch her and her mom wouldn't do anything about it. That's when I told her  
10 about what Campos did to me.

11 54. Ever since I got that call from Mr. Moreno, I can't stop thinking about Campos. I get  
12 very angry and emotional about it. I hate having to keep talking about it. I have had to talk  
13 about it to the lawyers for the Jehovah's Witnesses who were really aggressive in my deposition.  
14 I have talked to their psychologist for two days, and to Dr. Geffner on a couple of different days.  
15 I still have never really told my mom everything. I was in my lawyer's office listening when  
16 they were asking my mom detailed questions about what she remembered. That was the first  
17 time I ever saw her get emotional about it. I had to leave the room. I was burning mad inside.

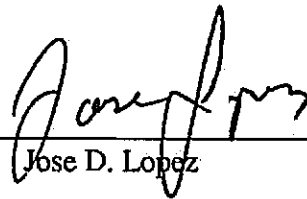
18 55. I think really if this never happened to me I would probably be going door to door as a  
19 Jehovah's Witness. My mom was really into their religion, and I probably would have become  
20 baptized as a Jehovah's Witness. I think my life would have been completely different.

21 56. Looking back I now realize how angry I was about what Campos did to me. I was angry  
22 enough to tell my mom right away. I understand that most victims never tell anyone. I now  
23 realize that I have been angry at my mom too for never talking about it. I wanted to talk about it,  
24 but never felt that I could. It just ate me up inside. That's when I didn't trust anyone anymore,  
25  
26  
27  
28

1 not even my mom. As I got older, I rebelled against her rules. Thinking back, I think I didn't  
2 think her rules protected me before why should I follow them now. I just wanted to be by  
3 myself. I didn't get along with other people. I think that's why I got picked on and bullied. I  
4 only got accepted by other kids when I did bad things like them. I have now come to understand  
5 that my addiction to methamphetamine and alcohol is probably because I would turn to these  
6 drugs to avoid the pain and anger I felt inside. I just wanted those feelings to go away, and the  
7 drugs did that. My addiction has messed up my whole life, and has caused me to repeatedly  
8 make bad decisions. When I'm on these drugs, I act impulsively and do things that I don't think  
9 I would normally do otherwise.  
10

11 57. I declare under penalty of perjury under the laws of the state of California that the  
12 foregoing is true and correct, and that if called to testify at trial, I could competently testify  
13 thereto.  
14

15 Executed this 17th day of July, 2014, in San Diego, California.

16  
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18 \_\_\_\_\_  
19 Jose D. Lopez  
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# EXHIBIT 11

**Congregación Playa Pacifica Spanish**  
**San Diego, California**

3147 Clairemont Drive #4, San Diego, CA 92117-6434

4 de julio de 1999

Service Department  
Watchtower Bible and Tract Society  
of New York, Inc.  
100 Watchtower Drive  
Patterson, NY 12563-4204

Estimados Hermanos;

Les escribimos con respecto al caso de Gonzalo Campos. El fue expulsado el 9 de junio de 1995 por abuso de menores. El ha pedido restablecimiento tres veces. La última vez fue en enero del año en curso. También tenemos a mano su carta SDG:SSE 7 de enero de 1997. En vista de la seriedad del asunto, y a la vez el tiempo que ha pasado desde su expulsión, les queremos hacer unas preguntas. Pero, primero les damos un cuadro completo de acuerdo con las instrucciones de la carta del 14 de marzo de 1997 dirigida a "Todos los cuerpos de ancianos".

La última vez que el cometió el pecado fue en la primavera de 1995, cuando el tenía 25 o 26 años de edad. Sus víctimas tenía 5, 6, 7, 11 años de edad. El practicaba este pecado por largo tiempo. Durante sus años de bautizado, el abusó de cinco niños y intentó abusar de dos más. La comunidad no sabe de esto y no hubo nada de publicidad al respecto. Todo sucedió en la congregación y por eso no ha sido enjuiciado. Las familias de las víctimas saben lo que pasó y muchos miembros de nuestra congregación y de la congregación Linda Vista saben de ello. Antes él iba a Linda Vista. Ninguna de las víctimas ni miembros de su familia están en nuestra congregación. Dos víctimas y sus familias se han mudado del estado. Una tercera familia se mudó de la congregación y es inactiva, el abusaba de los tres hijos de esa familia. Las víctimas están muy disgustadas con él. Hasta una de ellas vino hace uno o dos años para supuestamente matarlo. Pero, no lo encontró por que se equivocó de congregación, fue a Linda Vista. Sin duda algunos hermanos que saben de esto todavía están disgustados con él. Debido al gran daño que ha causado y la tracción de su puesto de superintendente, dos ancianos del comité original los hermanos Kevin Phillips y Jesús Martínez lo encuentran difícil perdonarlo ahora. El tercer hermano Eduardo Chávez entiende la seriedad del asunto pero a la vez reconoce que cuatro años de expulsión es bastante. A la vez, unos hermanos de ambas congregaciones creen que ya es bastante el tiempo que tiene de expulsado.

El 27 de junio, el hermano Eduardo Chavez, anciano de Linda Vista y Hermano Ronald Cortez de Playa Pacifica hablaron con la hermana Berta Gómez, la abuela de uno de las víctimas. Todavía ella es muy lastimada y sentida por lo que pasó. Ella lloró al hablar de esto. Está muy afectada por que ha afectado mucho a su hija, (Hugolina Cervantes la madre de una víctima), y nietos (Joel era víctima). Está especialmente decepcionado con Gonzalo por que era anciano y le confiaban el cuidado de sus nietos. A veces ha tenido ganas de llamar a la policía, llevarlos a donde Gonzalo y denunciarlo. No obstante, aunque ella está muy lastimada, está dispuesta a aceptar que Jehová lo perdone y

3-Rivera  
1-Joel Cervantes  
f - Washington  
1-Caso de 1986  
1-miembro de la congregación

Especialmente por que no se ha encontrado  
confeso que había abusado de los tres hijos de la familia  
Roberto Rivera  
Aunque lo confesó un año después

Cuando pidió restablecimiento, parece que la razón fue que quería volver a su casa.

- Joel Cerrantes (708 al empresario) Rivera  
2 1/2 a 3 años (Luchaban)
- Joshua Rivera (7-8) (un año) Johnny (6) Cristina (5-6) Rivera (203 ocasiones) Rivera (una ocasión)
- Johnny Dorman (607 al empresario) (uno o dos ocasiones)
  - ① Hijo de Leticia López (607) (un año) (1980)
    - Acarició de órganos del niño, y tocó al niño con su miembro viril pero no hubo sexo anal
  - ② Arturo Gelmio (Intento) (809) - en una ocasión
    - Acarició ~~los~~ los órganos del niño - dentro de la ropa
  - ③ Johnny Rivera (203 ocasiones - le acarició ~~los~~ los órganos genitales dentro de la ropa. Luchaban jugando hasta la lucha libre.
  - ④ Cristina Rivera (6-7 años - 102 veces - le acarició a ella sus órganos dentro de la ropa.

# Playa Pacifica Spanish Congregation San Diego, California

3147 Clairemont Drive #4, San Diego, CA 92117-6434

July 4, 1999

Service Department  
Watchtower Bible and Tract Society  
of New York, Inc.  
100 Watchtower Drive  
Patterson, NY 12563-4204

Dear Brothers;

We are writing regarding the case of Gonzalo Campos. He was disfellowshipped on June 9, 1995 for abusing of minors. He has requested reinstatement three times. The last time was in January of this year. Also, we have in hand your letter dated SDG:SSE January 7, 1997. In view of the seriousness of the matter, and at the same time the time that has passed since his disfellowshipping, we would like to ask some questions. But, first we provide you the full picture in accord with the instructions in the March 14, 1997 letter addresses to "All bodies of elders."

The last time he committed the sin was in the spring of 1995, when he was 25 or 26 years old. His victims were 5, 6, 7, 11 years of age. He practiced this sin for a long time. During his years of being baptized, he abused of five-seven children and tried to abuse of two more. The community does not know of all this and there was no publicity about this. Everything took place in the congregation and because of that he was not prosecuted. The victim's families know what happened and many members of our congregation and from the Linda Vista congregation know about it. He attended Linda Vista before. None of the victim or their family members is in our congregation. Two victims and their families have moved out of state. A third family moved from the congregation and is inactive, he abused the three children of that family. The victims are very disgusted with him. One of the female victims even came a year or two ago to supposedly kill him. But she did not find him because she was mistaken with the congregation, she went to Linda Vista. Without a doubt some brothers who know about this are still disgusted with him. Due to the great damage that he caused and the betrayal of his appointment as overseer, two elders of the original committee Brothers Kevin Phillips and Jesus Martinez find it hard to forgive him now. (have serious reservations) The third brother Eduardo Chavez understands the seriousness of the matter but at the same time that four years of being disfellowshipped is sufficient. At the same time, some brothers from both congregations believe that it is now sufficient time that he has been disfellowshipped.

On June 27, Brother Eduardo Chavez, elder in Linda Vista and Ronald Cortez of Playa Pacifica spoke to Sister [REDACTED] the grandmother of one of the victims. She is still very hurt and feels for what happened. She cried as she spoke about this. She is very affected because it has affected her daughter very much, [REDACTED] the mother of one victim), and grandchildren [REDACTED] was a victim). She is especially disappointed with Gonzalo because he was an elder and she trusted him with the care of her grandchildren. At times she has had the urge to call the police, take them to Gonzalo and denounce him. However, even though she is very hurt, she is willing to accept that Jehovah forgive him and

3 - [REDACTED]

1 - [REDACTED]

1 - Washington

1 - 1986 case

1 - child 6 years  
old study

Especially  
because he did  
not confess that  
he had abused

[REDACTED]  
three children.

He confessed a  
year after he was  
reinstated. It  
appears the  
reason is...

██████████ (7 or 8...  
2 ½ to 3 years...

- ██████████ ██████████ (6)  
Riviera 2 or 3 occasions  
(one year) ██████████ (5-6)

- ██████████ (7 or 8...) One or two occasions  
(was from Washington)

-1 Son of Leticia Lopez  
(6 or 7) one occasion  
Fondling the child's organs and touch with his member... but no anal sex

-2 ██████████  
(8 or 9) on one occasion  
Fondling the child's organs – inside the clothes

-3 ██████████ (2 or 3 occasions –he  
Fondling the child's genital organs inside the clothes.  
Was playing lucha libre

-4 ██████████ (6-7 years old -1 or 2 times  
Fondling the child's genital organs inside the clothes.  
her organs inside he clothes.



# EXHIBIT 12

1 IRWIN M. ZALKIN, ESQ. (#89957)  
DEVIN M. STOREY, ESQ. (#234271)  
2 LISA J. GARY, ESQ. (#272936)  
ALEXANDER S. ZALKIN, ESQ. (#280813)  
3 RYAN M. COHEN, ESQ. (#261313)  
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7 [lisa@zalkin.com](mailto:lisa@zalkin.com)  
[alex@zalkin.com](mailto:alex@zalkin.com)  
8 [ryan@zalkin.com](mailto:ryan@zalkin.com)

9 Attorneys for Plaintiff

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **FOR THE COUNTY OF SAN DIEGO**  
12

13 Jose Lopez, Individually,;

14 Plaintiff,

15 v.

16 Defendant Doe 1, Linda Vista Church;  
17 Defendant Doe 2, Supervisory  
18 Organization; Defendant Doe 3,  
19 Perpetrator; and Does 4 through 100,  
inclusive,

20 Defendants.  
21  
22

Case No: 37-2012-00099849-CU-PO-CTL

DECLARATION OF SOCORRO  
LETICIA PRECIADO de LOPEZ  
IN SUPPORT OF DEFAULT  
JUDGMENT

IMAGED FILE

23 I, Socorro Leticia Preciado de Lopez, declare that:

- 24 1. I am the mother of Jose Daniel Lopez. If called to testify in this case I can and would  
25 testify to the following based upon my personal knowledge:  
26  
27 2. I was born in Jalisco, Mexico on November 4, 1955.  
28 3. I have been a permanent resident alien of the United States since 1984.

- 1       4. In approximately 1972, I came to San Diego, California, from Tijuana, Mexico, with  
2       Prisciliano Lopez, Jose Daniel's biological father, to look for work. I was about 17 years  
3       old. I had a son named who remained in Tijuana with my parents. Jose was born in  
4       1978.
- 5       5. When Jose was born we were living in an apartment in Pacific Beach. I was not working  
6       so I could be home with my baby.
- 7       6. When Jose was about 2 years old, Prisciliano left us and went back to Mexico. I lived on  
8       government assistance until Jose was about four or five years old when he started pre-  
9       school. I then went to work in restaurants cleaning dishes and cleaning houses. I got my  
10      social security card when Jose Daniel was about six years old and started working for  
11      hotels cleaning rooms.
- 12     7. Jose Daniel was a very good little boy. He liked to play with his friends and was very  
13      attached to me. I would hire neighbors to baby sit him after school or on weekends when  
14      I worked. He never gave me or them any trouble.
- 15     8. My family in Mexico was Catholic. I was not very involved in religion growing up and  
16      do not recall if I made First Communion or was ever confirmed as a Catholic. When I  
17      came to San Diego I did not go to Catholic Church.
- 18     9. After Priciliano left us I met some Jehovah's Witnesses who came to my door. I first met  
19      with sister Florencia, an older woman. I started to study the bible with Florencia. I  
20      began attending meetings at the Linda Vista Spanish Congregation of the Jehovah's  
21      Witnesses first in La Jolla on Mt. Soledad and then in Linda Vista. I liked the family  
22      feeling of the congregation. Everyone called each other sister and brother. Everybody  
23      knew each other and it was like a family. I always took Jose Daniel with me to the  
24      meetings at the Kingdom Hall or at peoples' houses.

- 1 10. In about 1982, I started to study bible with another sister named Aurora Munos. I studied  
2 with sister Aurora for several years until I left the Jehovah's Witnesses after I learned that  
3 Jose Daniel was sexually abused by Gonzalo Campos.
- 4 11. At the time I became a Jehovah's Witness I met and married Guadencio Lopez. At that  
5 time I went by the name Leticia Lopez. He is not related to Priciliano Lopez. I had a  
6 child, Jennifer Lopez, with Guadencio. Guadencio studied bible and other Jehovah's  
7 Witnesses literature a couple of times with brother Joel Munos, sister Aurora's husband.  
8 Guadencio did not take to being a Jehovah's Witness.
- 9 12. When Jose was six or seven years old, sister Aurora suggested that Jose should begin  
10 bible study. Since I was not yet baptized and Guadencio was not a Jehovah's Witness,  
11 Jose Daniel was considered a "fatherless boy". Sister Aurora suggested that Jose Daniel  
12 should study bible with Gonzalo Campos who was a Baptized Publisher and someone  
13 who was teaching bible to some of the children of the congregation.
- 14 13. Soon after my conversation with Sister Aurora, Brother Ramon Preciado, a congregation  
15 Elder, came to my apartment in Pacific Beach with brother Gonzalo Campos. Brother  
16 Ramon spoke to me about how good Brother Gonzalo is with the children and he too  
17 recommended that I have Brother Gonzalo teach Jose Daniel bible. I had met brother  
18 Gonzalo and his mother at meetings, both at the Kingdom Hall, and at private homes. No  
19 one ever told me that brother Gonzalo had a history of sexually abusing children. I had  
20 no reason to doubt the recommendations of sister Aurora and brother Preciado.
- 21 14. Jose Daniel would study bible with brother Gonzalo once a week in the afternoons and  
22 sometimes on the weekend. He did this for several months. During those times I would  
23 leave them alone in the living room and clean the house or take care of other matters.  
24 Brother Gonzalo was always very polite and nice to Jose Daniel in my presence.
- 25  
26  
27  
28

1 15. One day, as I remember it, brother Gonzalo called me at home and wanted to come over  
2 to study with Jose Daniel. I told him I was going to the Laundromat near Garnet. Brother  
3 Gonzalo asked if he could come by the Laundromat and take Jose Daniel with him to his  
4 house to study bible. I allowed Jose Daniel to go with brother Gonzalo. I thought Jose  
5 Daniel would have fun and I had no reason to suspect that brother Gonzalo would harm  
6 him. They returned about a half an hour later. Brother Gonzalo dropped Jose Daniel off  
7 at the entrance to the Laundromat and left. I did not see him. Jose Daniel came inside  
8 and sat down in a chair and started crying. I immediately hugged him and asked him  
9 "What happened? What happened to you? Where's the brother?" Jose Daniel said "Oh, I  
10 feel really bad. I don't want to study. I don't want to see Gonzalo." I asked, "Why not?"  
11 Jose Daniel said, "Well, he touched me. He's touching me. I didn't want to tell you but  
12 when he goes to our living room, he sits really close to me and he's touching my skin and  
13 touching me." I asked Jose Daniel, "Why didn't you tell me?" Jose Daniel said, "I don't  
14 know. I thought that you were going to get mad at me," or something like that. When I  
15 asked him, "What happened today," he told me that Gonzalo tried to abuse him in a home  
16 and he ran into the street and yelled, "If you are going to grab me again, I'm going to  
17 yell. I'm not going to get in the car." Jose Daniel told me that Gonzalo said, "No, no, no.  
18 I promise I'm not going to touch you anymore. I'm going to take you to your mom."

19 16. On the way home and at home that night I tried to talk with Jose Daniel to get more  
20 details of what Gonzalo did to him. He just cried and refused to talk about it. As  
21 Jehovah's Witnesses we were taught that we should go to our congregation Elders with  
22 all our problems. We were told to obey the Elders and never to bring reproach on  
23 Jehovah, our church or the Elders. I didn't know what to do about Gonzalo. I decided  
24 that I would call Sister Aurora in the morning.  
25  
26  
27  
28

1 17. To my best memory, the next day Sister Aurora came to my house. I told her everything  
2 that had happened. Sister Aurora brought a small teddy bear with her. She asked if she  
3 could talk with Jose Daniel. At first, he did not want to talk. But slowly he began to  
4 open up. He showed her on the teddy bear where Gonzalo touched him in his private  
5 parts. I told Sister Aurora that I wanted to go to the police. She told me not to go to the  
6 police. She said that these are matters to be kept in the congregation and that she was  
7 going to talk to the elders.  
8

9 18. I believe it was either that Friday or Saturday that Elder Ramon Preciado came to my  
10 apartment. I believe that there was another Elder with him. I think it was Elder Ibarra,  
11 but I cannot be sure. I explained to Elder Preciado everything that happened to Jose  
12 Daniel. I am certain Sister Aurora had also spoken with them based on the questions they  
13 asked me. I told them about the teddy bear and Sister Aurora's conversation with Jose  
14 Daniel. I cannot remember if I allowed them to talk directly with Jose Daniel.  
15

16 19. Near the close of the meeting I asked them what they were going to do about Gonzalo. I  
17 was afraid that I would see him at meetings. I told them that I did not want to go back to  
18 the congregation. Elder Preciado told me that Gonzalo was going to be disfellowshipped  
19 and that I should come back.  
20

21 20. I continued my bible study but did not go back to the congregation because I learned that  
22 Gonzalo was still there and nothing had happened to him. I got so angry with these  
23 people that I decided to leave. Within a month or so, we moved out of Pacific Beach. I  
24 never went back to the Jehovah's Witnesses.

25 21. Up until that time, Jose Daniel was a happy boy and played nicely with his friends. He  
26 did not get in trouble; he was not easily distracted and would listen to me. When he was  
27  
28

1 about nine or ten years old, he started to change. He did not want to go out and play. He  
2 became rebellious and had problems paying attention in school.

3 22. My life also changed after we left the Jehovah's Witnesses. As Jehovah's Witnesses we  
4 were not allowed to have parties, or celebrations of birthdays or other holidays like  
5 Christmas. I also did not drink alcohol. Over time, after we left I no longer followed the  
6 strict life of the Jehovah's Witnesses. I did drink beer with friends sometimes at dinner  
7 or when there was a party. When I would have a beer, I would try not to drink in front of  
8 my children.  
9

10 23. At this time, I had a daughter, Jennifer Lopez, by Guadencio. Guadencio and I had been  
11 having marital problems. He did not like the Jehovah's Witnesses life. He moved out,  
12 but lived nearby and would still see the children and often take them to school or pick  
13 them up.  
14

15 24. As Daniel got older, he became more rebellious and angry. He started to get into trouble.  
16 I specifically recall one time when I got a call from his school that he was picked up for  
17 writing graffiti on walls. I was so angry that I hit him with a belt.

18 25. As a teenager, Jose Daniel became very defiant. He would would just come and go as he  
19 pleased. He would not listen to me or show me respect. He would just do what he  
20 wanted.  
21

22 26. As I look back, I feel that he blamed me for what happened to him. We have never  
23 talked about what really happened. To this day, I still don't know the details. After I  
24 learned about what happened to him with Gonzalo, I saw that Jose Daniel would get very  
25 upset if I tried to talk Aurora about it. So I did not try to force him to talk. I didn't go to  
26 the police because Sister Aurora explained how they would force him to talk about it. I  
27 thought it was better not to put him through that stress. I was young, and ignorant and  
28

1 didn't know what to do, so I didn't do anything but leave those people who betrayed my  
2 trust.

3 27. To this day I am angry and feel badly about what Gonzalo did to my son. Just recently, I  
4 was in Jose Daniel's lawyer's office telling them the details of my story. Jose Daniel was  
5 sitting and listening. At some point he got so upset he ran out of the room and was  
6 holding his head outside. I never appreciated how much this affected him in life.

7  
8 28. I could not be there for him all the time. I had to work, and take care of my other  
9 children. After Jennifer, I had two more children, Herman Leon, and David Sanchez.  
10 We struggled to pay our bills and moved around a lot. I had to take in people to help me  
11 pay the rent.

12 29. When Jose Daniel was about seventeen he got involved with a girl named Dulce. They  
13 did a lot of drugs and smoked marijuana. I caught Jose Daniel smoking marijuana one  
14 day at my home when he was supposed to be watching the other children. I got angry and  
15 told him that if he is going to do drugs he needs to leave. He left and went to live with  
16 Dulce and her mother. This was very hard for me. I didn't know what else to do. I could  
17 not afford to get Jose Daniel any kind of help, and I don't think he would have gone to  
18 see any doctor at that time.

19  
20 30. Jose Daniel dropped out of high school when he went to live with Dulce. He got very  
21 involved in drugs for about three years. When he was about twenty he came back to me  
22 and wanted to stop the drugs. He moved in and with us and for the next eight or nine  
23 years lived at home with me. He has had times when he was able to stop the drugs. It  
24 was very hard and painful for him.

25  
26 31. I know that when he drinks too much or takes drugs he makes bad decisions and has  
27 gotten into trouble over the years. I don't know all of the things he has gotten into trouble  
28

1 for. Mostly, I know that he has been caught drinking in public and one time had to go to  
2 a program to get counseling in order to stop drinking.

3 32. I too have had a hard life since we left the Jehovah's Witnesses. I have been married and  
4 divorced twice. I have carried a feeling of guilt with me ever since Jose Daniel was  
5 abused by Gonzalo. It has been very difficult to see my son struggle with anger and  
6 drugs and not be able to help him. We are closer now than we were when he was  
7 growing up. Even now he gets angry when I tell him things. I think and feel that he  
8 blames me for what happened to him for not doing anything about it. All I knew to do  
9 was to leave the congregation and those people who told me to have Gonzalo teach Jose  
10 Daniel. I will never forgive them.

11  
12 I declare under the penalty of perjury of the State of California that the foregoing is true  
13 and correct to the best of my knowledge and belief.

14 Executed this \_\_\_\_ day of July, 2014 in San Diego, California.

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18 \_\_\_\_\_  
19 Socorro Preciado  
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1 IRWIN M. ZALKIN, ESQ. (#89957)  
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16 Attorneys for Plaintiff

17  
18 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
19 **FOR THE COUNTY OF SAN DIEGO**

20 Jose Lopez, Individually,

21 Plaintiff,

22 v.

23 Defendant Doe 1, Linda Vista Church;  
24 Defendant Doe 2, Supervisory  
25 Organization; Defendant Doe 3,  
26 Perpetrator; and Does 4 through 100,  
27 inclusive,

28 Defendants.

Case No: 37-2012-00099849-CU-PO-CTL

**DECLARATION OF SOCORRO  
LETICIA PRECIADO de LOPEZ  
IN SUPPORT OF DEFAULT  
JUDGMENT**

**IMAGED FILE**

I, Socorro Leticia Preciado de López, declaro que:

1. Yo soy la madre de José Daniel López. Si se me llamara a testificar en este caso podría dar testimonio en cuanto a lo siguiente basado en mi conocimiento personal:
2. Nací en Jalisco, México el 4 de noviembre de 1955.
3. He sido residente legal permanente de los Estados Unidos desde 1984.

- 1 4. Aproximadamente en 1972, llegué a San Diego, California, de Tijuana, México, con  
2 Prisciliano López, el padre biológico de José Daniel, en busca de trabajo. Yo tenía unos  
3 17 años de edad. Yo tenía un hijo llamado que se se quedó en Tijuana con mis padres.  
4 José nació en 1978.
- 5 5. Cuando nació José vivíamos en un apartamento en Pacific Beach. Yo no estaba  
6 trabajando para poder estar en casa con mi bebé.
- 7 6. Cuando José tenía unos 2 años de edad, Prisciliano nos dejó y regresó a México. Yo viví  
8 con ayuda del gobierno hasta que José cumplió unos cuatro o cinco años de edad cuando  
9 comenzó a pre-escolar. Luego me fui a trabajar en restaurantes limpiando platos y  
10 limpiando casas. Obtuve mi tarjeta de seguro social cuando José Daniel tenía unos seis  
11 años de edad y comencé a trabajar para hoteles limpiando habitaciones.
- 12 7. José Daniel era un muy buen chico. Le gustaba jugar con sus amigos y estaba muy  
13 apegado a mí. Yo contrataba vecinos para que lo cuidaran después de clases o los fines de  
14 semana cuando yo trabajaba. Él nunca dio ningún problema ni a ellos ni a mí.
- 15 8. Mi familia en México era católica. Yo no estuve muy involucrada en la religión al crecer  
16 y no recuerdo si hice la primera comunión o si alguna vez fui confirmada como católica.  
17 Cuando llegué a San Diego no iba a la iglesia católica.
- 18 9. Después de que Priciliano nos dejó conocí a algunos Testigos de Jehová que vinieron a  
19 mi puerta. Primero conocí a la hermana Florencia, una mujer mayor. Comencé a estudiar  
20 la Biblia con Florencia. Comencé a asistir a las reuniones en la Congregación de Linda  
21 Vista Española de los Testigos de Jehová primero en La Jolla en Mt. Soledad y luego en  
22 Linda Vista. Me gustó la sensación de familia de la congregación. Todo el mundo  
23 llamaba uno a otro hermano y hermana. Todo mundo se conocía y era como una familia.  
24 Siempre llevé a José Daniel conmigo a las reuniones en el Salón del Reino o en las casas  
25 de las personas.

- 1 10. Aproximadamente en 1982, empecé a estudiar la Biblia con otra hermana llamada Aurora  
2 Muñoz. Estudié con la hermana Aurora durante varios años hasta que me salí de los  
3 Testigos de Jehová después de que me enteré que José Daniel fue abusado sexualmente  
4 por Gonzalo Campos.
- 5 11. Cuando me convertí en testigo de Jehová conocí y me casé con Guadencio López. En ese  
6 tiempo mi nombre era Leticia López. Él no tiene parentesco con Priciliano López. Tuve  
7 una hija, Jennifer López, con Guadencio. Guadencio estudió la Biblia y otra literatura de  
8 los Testigos de Jehová un par de veces con el hermano Joel Muñoz, marido de la  
9 hermana Aurora. A Guadencio no le gustaba ser testigo de Jehová.
- 10 12. Cuando José tenía seis o siete años de edad, la hermana Aurora sugirió que José debería  
11 comenzar el estudio bíblico. Ya que yo aún no estaba bautizada y Guadencio no era un  
12 testigo de Jehová, José Daniel era considerado un "niño sin padre". La hermana Aurora  
13 sugirió que José Daniel debería estudiar la Biblia con Gonzalo Campos, quien era un  
14 Miembro Bautizado y alguien que enseñaba la Biblia a algunos de los niños de la  
15 congregación.
- 16 13. Poco después de mi conversación con la hermana Aurora, el Hermano Ramón Preciado,  
17 un Anciano de la congregación, vino a mi casa en Pacific Beach con el hermano Gonzalo  
18 Campos. El Hermano Ramón me habló de lo bueno que el hermano Gonzalo era con los  
19 niños y él también recomendó que el hermano Gonzalo enseñara a José Daniel la biblia.  
20 Había conocido al hermano Gonzalo y su madre en reuniones, tanto en el Salón del  
21 Reino, como en casas particulares. Nadie me dijo nunca que el hermano Gonzalo tenía un  
22 historial de abusar sexualmente de niños. No tenía ninguna razón para dudar de las  
23 recomendaciones de la hermana Aurora y el hermano Preciado.
- 24 14. José Daniel estudiaría la Biblia con el hermano Gonzalo una vez a la semana por las  
25 tardes y a veces en el fin de semana. Lo hizo durante varios meses. Durante esas  
26 ocasiones yo los dejaba solos en la sala y limpiaba la casa o atendía otros asuntos. El  
27 Hermano Gonzalo siempre fue muy educado y amable con Jose Daniel en mi presencia.  
28

1 15. Un día, según recuerdo, el hermano Gonzalo me llamó a casa y quería venir a estudiar  
2 con José Daniel. Yo le dije que iba a la lavandería cerca de Garnet. El Hermano Gonzalo  
3 preguntó si podía venir a la lavandería y llevar a José Daniel con él a su casa para  
4 estudiar la biblia. Permití que José Daniel se fuera con el hermano Gonzalo. Pensé que  
5 José Daniel se divertiría y no tenía razones para sospechar que el hermano Gonzalo le  
6 haría daño. Regresaron alrededor de una media hora más tarde. El Hermano Gonzalo dejó  
7 a José Daniel en la entrada de la lavandería y se fue. Yo no lo vi. José Daniel entró y se  
8 sentó en una silla y comenzó a llorar. Inmediatamente lo abracé y le pregunté "¿Qué  
9 pasó? Qué te pasó? ¿Dónde está el hermano?" José Daniel dijo, "Oh, me siento muy mal.  
10 Yo no quiero estudiar. Yo no quiero ver a Gonzalo." Le pregunté, "¿Por qué no?" José  
11 Daniel dijo: "Bueno, él me tocó. Me está tocando. Yo no quería decirle a usted, pero  
12 cuando va a nuestra sala de estar, se sienta muy cerca de mí y él toca mi piel y me está  
13 tocado." Le pregunté a José Daniel: "¿Por qué no me lo dijiste?" José Daniel dijo: "No sé.  
14 Pensé que usted se iba a enojar conmigo", o algo por el estilo. Cuando le pregunté, "¿Qué  
15 pasó hoy", me dijo que Gonzalo trató de abusar de él en una casa y salió corriendo a la  
16 calle y gritó: "Si me va a agarrar de nuevo, voy a gritar. No voy a entrar en el coche."  
17 José Daniel me dijo que Gonzalo dijo: "No, no, no. Te prometo que no te voy a tocar  
18 nunca más. Voy a llevarte a tu madre".

21 16. En el camino a casa y en casa esa noche traté de hablar con José Daniel para conseguir  
22 más detalles de lo que Gonzalo le hizo. Él sólo lloraba y se negaba a hablar de ello. Como  
23 testigos de Jehová nos enseñaron que debemos ir a la congregación a los Ancianos con  
24 todos nuestros problemas. Nos dijeron que obedeciéramos a los Ancianos y nunca  
25 reprocháramos a Jehová, a nuestra iglesia o a los Ancianos. Yo no sabía qué hacer  
26 respecto a Gonzalo. Decidí que iba a llamar a la Hermana Aurora en la mañana.  
27  
28

- 1 17. Según recuerdo, al día siguiente la hermana Aurora vino a mi casa. Le conté todo lo que  
2 había sucedido. La Hermana Aurora trajo un pequeño oso de peluche con ella. Ella me  
3 preguntó si podía hablar con José Daniel. Al principio, él no quería hablar. Pero poco a  
4 poco empezó a abrirse. Le mostró en el oso de peluche donde Gonzalo le tocó en sus  
5 partes íntimas. Le dije a la hermana Aurora que quería ir a la policía. Ella me dijo que no  
6 fuera a la policía. Dijo que se trataba de cuestiones que se debían mantener en la  
7 congregación y que ella iba a hablar con los ancianos.  
8  
9  
10 18. Creo que fue viernes o sábado que el pastor Ramón Preciado vino a mi apartamento. Creo  
11 que había otro Anciano con él. Creo que fue el Anciano Ibarra, pero no puedo estar  
12 segura. Le expliqué al Anciano Preciado todo lo que le pasó a José Daniel. Estoy segura  
13 que la hermana Aurora también había hablado con ellos en base a las preguntas que me  
14 hicieron. Les hablé del osito de peluche y de la conversación de la hermana Aurora con  
15 José Daniel. No puedo recordar si les permití que hablaran directamente con José Daniel.  
16  
17 19. Cerca del final de la reunión les pregunté qué iban a hacer con Gonzalo. Tenía miedo de  
18 verlo de nuevo en las reuniones. Les dije que no quería volver a la congregación. El  
19 Anciano Preciado me dijo que Gonzalo iba a ser expulsado y que yo debería volver.  
20  
21 20. Continué mi estudio de la Biblia pero no volví a la congregación, porque me enteré de  
22 que Gonzalo seguía allí y nada le había pasado. Me puse tan enojada con esta gente que  
23 decidí salirme. Como en un mes más o menos, nos mudamos de Pacific Beach. Yo nunca  
24 fui de nuevo a los Testigos de Jehová.  
25  
26 21. Hasta ese momento, José Daniel era un niño feliz y jugaba muy bien con sus amigos. No  
27 se metía en problemas; no se distraía con facilidad y me escuchaba. Cuando tenía unos  
28

1           nueve o diez años de edad, comenzó a cambiar. No quería salir a jugar. Él se convirtió en  
2           rebelde y tenía problemas para prestar atención en la escuela.

3           22. Mi vida cambió también después de salir de los Testigos de Jehová. Como Testigos de  
4           Jehová no se nos permitía tener fiestas o celebraciones de cumpleaños u otras fiestas  
5           como la Navidad. Yo también no bebía alcohol. Con el tiempo, después de que nos  
6           fuimos, ya no seguí la vida estricta de los Testigos de Jehová. Bebía cerveza con los  
7           amigos a veces en la cena o cuando había una fiesta. Cuando tomaba una cerveza,  
8           trataba no beber delante de mis hijos.

9  
10          23. Para ese tiempo, tuve una hija, Jennifer López, con Guadencio. Guadencio y yo  
11          habíamos estado teniendo problemas maritales. No le gustaba la vida de los Testigos de  
12          Jehová. Se fue, pero vivía cerca y todavía veía a los niños y, a menudo los llevaba a la  
13          escuela o los recogía.

14  
15          24. Cuando Daniel fue creciendo, se volvió más rebelde e iracundo. Empezó a meterse en  
16          problemas. Yo en concreto recuerdo una vez cuando recibí una llamada de su escuela  
17          que fue recogido por escribir graffiti en las paredes. Yo estaba tan enfadada que le pegué  
18          con un cinturón.

19          25. Cuando era adolescente, José Daniel llegó a ser muy desafiante. Él iba y venía a su  
20          antojo. No me escuchaba ni me mostraba respeto. Simplemente hacía lo que quería.

21          26. Cuando miro hacia atrás, siento que él me culpa por lo que pasó con él. Nunca hemos  
22          hablado de lo que realmente sucedió. Hasta el día de hoy, yo todavía no sé los detalles.  
23          Después de que me enteré de lo que le sucedió con Gonzalo, vi que José Daniel se ponía  
24          muy molesto si trataba de hablar con Aurora al respecto. Así que no traté de obligarlo a  
25          hablar. Yo no fui a la policía porque la hermana Aurora me explicó cómo lo iban a  
26          obligar a hablar de ello. Pensé que era mejor no hacerlo pasar por ese estrés. Yo era  
27  
28

joven, e ignorante, y no sabía qué hacer, así que no hice nada, sino dejar a esa gente que traicionó mi confianza.

27. Hasta este día de hoy estoy enfadada y me siento mal por lo que Gonzalo le hizo a mi hijo. Recientemente, yo estaba en la oficina del abogado de José Daniel contándole los detalles de mi historia. José Daniel estaba sentado y escuchando. En algún momento se alteró tanto que salió corriendo de la habitación y se sostenía la cabeza alla fuera. Nunca aprecié cuánto le afectó esto en su vida.

28. No podía estar allí para él todo el tiempo. Tenía que trabajar y cuidar de mis otros hijos. Después de Jennifer, tuve dos hijos más, Herman León y David Sánchez. Teníamos problemas para pagar nuestras cuentas y nos mudamos mucho. Tuve que rentarle a personas para ayudarme a pagar el alquiler.

29. Cuando José Daniel tenía unos diecisiete años se involucró con una chica llamada Dulce. Usaban muchas drogas y fumaban marihuana. Cogí a José Daniel fumando marihuana un día en mi casa cuando se suponía que debía estar cuidando a los otros niños. Me enojé y le dije que si él va a consumir drogas que tiene que irse. Se retiró y se fue a vivir con Dulce y su madre. Esto fue muy duro para mí. Yo no sabía qué otra cosa hacer. No podía permitirme el lujo de brindarle a José Daniel ningún tipo de ayuda, y no creo que hubiera ido a ver a ningún doctor en ese momento.

30. José Daniel abandonó la escuela cuando se fue a vivir con Dulce. Se involucró mucho en las drogas durante unos tres años. Cuando tenía unos veinte años regresó a mí y quería dejar las drogas. Se vino a vivir con nosotros y por los próximos ocho o nueve años vivió en casa conmigo. Ha tenido momentos en los que pudo dejar las drogas. Fue muy duro y doloroso para él.

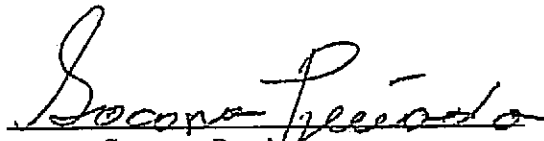
31. Sé que cuando bebe demasiado o se droga toma malas decisiones y se ha metido en problemas en los últimos años. No sé todas las cosas por las que se ha metido en

1 problemas. Por la mayor parte, sé que ha sido visto bebiendo en público y una vez tuvo  
2 que ir a un programa para recibir asesoramiento con el fin de dejar de beber.

3 32. Yo también he tenido una vida dura desde que salimos de los Testigos de Jehová. He  
4 estado casada y divorciada dos veces. He llevado un sentimiento de culpa conmigo  
5 desde que José Daniel fue abusado por Gonzalo. Ha sido muy difícil ver luchar a mi hijo  
6 con la ira y las drogas y no poder ayudarlo. Estamos más cerca ahora de lo que  
7 estábamos cuando él estaba creciendo. Aún ahora se enoja cuando le digo cosas. Pienso  
8 y siento que él me culpa por lo que le sucedió por no hacer nada al respecto. Lo único  
9 que sabía hacer era dejar la congregación, y a esa gente que me dijo que Gonzalo le  
10 enseñara a José Daniel. Nunca los voy a perdonar.

11  
12 Declaro bajo pena de perjurio del Estado de California que lo anterior es  
13 verdadero y correcto a mi leal saber y entender.

14  
15 Ejecutado este día \_\_\_\_ de julio del 2014 en San Diego, California.

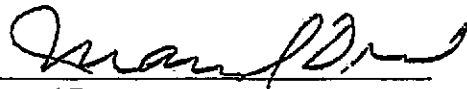
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18 Socorro Preciado  
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## TRANSLATOR'S CERTIFICATION

I, Manuel Duran, duly appointed interpreter and translator for the Federal District Court and the State of California Superior Court hereby depose and certify that I translated:

**DECLARATION OF SOCORRO LETICIA PRECIADO de LOPEZ  
IN SUPPORT OF DEFAULT JUDGMENT**

From the English language to the Spanish language to the best of my knowledge and ability.



Manuel Duran

California Certification No. 300344

Federal Court Certification No. 93-462



# EXHIBIT 14

**Ramon Preciado, PMQ - December 30, 2013**  
**A70D3CB**

|    |   |   |
|----|---|---|
| 1  | SUPERIOR COURT OF THE STATE OF CALIFORNIA   |   |
| 2  | FOR THE COUNTY OF SAN DIEGO                 |   |
| 3  |   |   |
| 4  | - - -                                       |   |
| 5  | Jose Lopez, Individually,                   | ) |
| 6  | Plaintiff,                                  | ) |
| 7  | vs.   | ) |
| 8  | Defendant Doe 1, Linda Vista                | ) |
| 9  | Church; Defendant Doe 2,                    | ) |
| 10 | Supervisory Organization;                   | ) |
| 11 | Defendant Doe 3, Perpetrator;               | ) |
| 12 | and Does 4 through 100,                     | ) |
| 13 | inclusive,                                  | ) |
| 14 | Defendants.                                 | ) |
| 15 | ~~~~~                                       |   |
| 16 |   |   |
| 17 | DEPOSITION OF PERSON MOST QUALIFIED         |   |
| 18 | RAMON PRECIADO                              |   |
| 19 | SAN DIEGO, CALIFORNIA                       |   |
| 20 | DECEMBER 30, 2013                           |   |
| 21 |   |   |
| 22 | ATKINSON-BAKER, INC.                        |   |
| 23 | COURT REPORTERS                             |   |
| 24 | (800) 288-3376                              |   |
| 25 | www.depo.com                                |   |
| 26 |   |   |
| 27 | REPORTED BY: TINA D. SHERMAN, CSR NO. 12441 |   |
| 28 | FILE NO.: A70D3CB                           |   |

**Ramon Preciado, PMQ - December 30, 2013**  
**A70D3CB**

|   |   |
|---|---|
| <div>1        SUPERIOR COURT OF THE STATE OF CALIFORNIA<br/>2        FOR THE COUNTY OF SAN DIEGO<br/>3<br/>4        ---<br/>5        Jose Lopez, Individually,    )<br/>6                                               )<br/>7        Plaintiff,                        )<br/>8        vs.                                        )<br/>9                                               )<br/>10        )CASE NO. 37-2012<br/>11        Defendant Doe 1, Linda Vista    ) 00099849<br/>12        Church; Defendant Doe 2,        ) CU-PO-CTL<br/>13        Supervisory Organization;    )<br/>14        Defendant Doe 3, Perpetrator; )<br/>15        and Does 4 through 100,        )<br/>16        Inclusive,                        )<br/>17                                               )<br/>18        Defendants.                        )<br/>19        ~~~~~<br/>20<br/>21        Deposition of RAMON PRECIADO, taken on behalf of<br/>22        Plaintiff at 12555 High Bluff Drive, Suite 260, San<br/>23        Diego, California, commencing at 10:00 a.m., Monday,<br/>24        December 30, 2013, before Tina D. Sherman, CSR No. 12441.<br/>25</div> <div>Page 2</div> | <div>1        I N D E X<br/>2        WITNESS: RAMON PRECIADO<br/>3<br/>4        EXAMINATION:                        PAGE<br/>5        By Mr. Zalkin                        5<br/>6<br/>7        EXHIBITS<br/>8                               PLAINTIFF'S<br/>9        NUMBER                        DESCRIPTION                        PAGE<br/>10        1-    Plaintiff's Amended Notice of Taking    6<br/>11        Deposition of Person Most Qualified and<br/>12        Request for Production of Documents to<br/>13        Defendant, Doe 1, Linda Vista Church,<br/>14        8 pages<br/>15        2-    Various "Awake" publications, 50 pages    8<br/>16<br/>17        QUESTIONS WITNESS INSTRUCTED NOT TO ANSWER<br/>18        (NDNE)<br/>19<br/>20        INFORMATION TO BE SUPPLIED<br/>21        (NONE)<br/>22        * * *<br/>23<br/>24<br/>25</div> <div>Page 4</div>   |
| <div>1        A P P E A R A N C E S:<br/>2<br/>3        FOR THE PLAINTIFF<br/>4        THE ZALKIN LAW FIRM<br/>5        BY: IRWIN M. ZALKIN, ESQ.<br/>6        12555 High Bluff Drive, Suite 260<br/>7        San Diego, California 92130<br/>8<br/>9        FOR THE DEFENDANT DOE 1 AND LINDA VISTA CHURCH:<br/>10<br/>11        THE McCABE LAW FIRM<br/>12        BY: JAMES M. McCABE, ESQ.<br/>13        4817 Santa Monica Avenue, Suite B<br/>14        San Diego, California 92107<br/>15<br/>16<br/>17<br/>18<br/>19<br/>20<br/>21<br/>22<br/>23<br/>24<br/>25</div> <div>Page 3</div>  | <div>1        RAMON PRECIADO,<br/>2        having been first duly sworn, testifies as follows:<br/>3<br/>4        EXAMINATION<br/>5        BY MR. ZALKIN:<br/>6        Q. Good morning, Mr. Preciado.<br/>7        A. Good morning.<br/>8        Q. My name is Irwin Zalkin. We just met briefly<br/>9        before we put you under oath here.<br/>10        You've had your deposition taken a few times in<br/>11        this case?<br/>12        A. Yes.<br/>13        Q. I don't want to spend a long time going through<br/>14        the admonitions. That might take longer than my<br/>15        questions. I don't have a lot of questions. I have some<br/>16        very specific questions, so we should be fairly quick<br/>17        here this morning.<br/>18        You've sworn an oath. It's the same oath that<br/>19        you would be administered if we were in a courtroom in<br/>20        front of a judge and a jury in this case, so it is a<br/>21        serious proceeding although we're in a more comfortable<br/>22        environment than a courtroom. Do you understand that?<br/>23        A. Yes.<br/>24        Q. I'm going to ask you to please respond with a<br/>25        verbal answer. A nod of your head, a gesture of your</div> <div>Page 5</div> |

2 (Pages 2 to 5)

**Ramon Preciado, PMQ - December 30, 2013**  
**A70D3CB**

1 hand is difficult to interpret, so we want to make sure  
2 we have an actual audible record of your answers,  
3 correct?  
4 A. Correct.  
5 Q. Is there any reason you feel you can't give me  
6 your best testimony here this morning?  
7 A. No, there's no reason.  
8 Q. You'll have a chance to read a transcript of  
9 your testimony, and you can make any corrections to that  
10 transcript as you deem necessary, all right?  
11 A. All right.  
12 Q. So let's just get started.  
13 You've been designated as the person who is  
14 most qualified to answer certain questions regarding  
15 Linda Vista Spanish congregation in the time frame 1986.  
16 Do you understand that?  
17 A. I understand.  
18 MR. ZALKIN: I'm going to mark this as Exhibit  
19 1. It's the Amended Notice of Taking Deposition of  
20 Person Most Qualified.  
21 (Plaintiff's Exhibit 1 marked)  
22 BY MR. ZALKIN:  
23 Q. Have you seen this document?  
24 A. Yes.  
25 Q. Is today the first time you've seen this

Page 6

1 document or did you have a chance to review it  
2 previously?  
3 A. This is the first time I've seen it.  
4 Q. That document requested that you provide  
5 certain documentation with respect to policies and  
6 procedures that were in place at the Linda Vista Spanish  
7 congregation having to do with how a complaint of  
8 childhood sexual abuse or molestation might be handled by  
9 the body of elders at that congregation at that time.  
10 Did you bring any of those documents with you today?  
11 MR. McCABE: Counsel, I'm going to state for  
12 the record that they've already been previously supplied,  
13 but I did bring a copy for you today.  
14 MR. ZALKIN: I'm just looking for anything that  
15 might be new.  
16 MR. McCABE: I think you have all these  
17 documents that have been supplemented through the  
18 discovery process. They're either all "Awake" or  
19 "Watchtower" articles that were in existence at the time.  
20 MR. ZALKIN: Thank you, Counsel. There's  
21 nothing uniquely specific just to Linda Vista Spanish  
22 congregation. Is that correct?  
23 MR. McCABE: That's correct.  
24 MR. ZALKIN: Let's just mark these collectively  
25 as Exhibit No. 2.

Page 7

1 (Plaintiff's Exhibit 2 marked)  
2 BY MR. ZALKIN:  
3 Q. So let's go back to 1986. What position did  
4 you hold within the Linda Vista Spanish congregation at  
5 that time?  
6 A. I was one of the elders.  
7 Q. When you say you were one of the elders, did  
8 you serve in any particular role within the body of  
9 elders? Were you a presiding overseer? Were you a  
10 secretary?  
11 A. I don't remember.  
12 Q. Do you know approximately how many elders there  
13 were in the body of that congregation at that time?  
14 A. I don't remember. If I say a number, I'd be  
15 guessing, pretty much.  
16 Q. Were there more than at least three or four?  
17 A. Yes.  
18 Q. Did the body of elders at Linda Vista Spanish  
19 congregation in 1986 develop any policies or procedures  
20 with respect to how to handle a complaint of child sexual  
21 abuse by an adult member of the congregation?  
22 A. No. We didn't develop anything.  
23 Q. With respect to how to handle a complaint of  
24 childhood sexual abuse by an adult member of the  
25 congregation, did the policies that were in place come

Page 8

1 from "Watchtower"?  
2 A. We followed the Bible procedures. If  
3 somebody's accused of something like that, which is very  
4 serious, then two elders would listen to the case.  
5 They'd do an investigation. If they find solid evidence,  
6 then they would form a judicial committee.  
7 Q. I understand. That is how Jehovah's Witnesses  
8 interpret a Bible process for adjudicating a sin, such as  
9 the abuse of a child, correct?  
10 A. That's what the Bible reads, pretty much. Very  
11 clear.  
12 Q. The "Watchtower," from time to time, sends in  
13 certain instructions or directives on how specifically  
14 certain matters should be handled. For example, I've  
15 seen several bodies of elder letters that have required  
16 that if an elder does get such a complaint within the  
17 congregation, they should at least report that to either  
18 the service committee at one time or to the legal  
19 department.  
20 MR. McCABE: Service department.  
21 BY MR. ZALKIN:  
22 Q. Service department or to the legal department.  
23 Are you familiar with such bodies of elder letters?  
24 A. Yes.  
25 Q. In 1986, when you were an elder at the Linda

Page 9

3 (Pages 6 to 9)

**Ramon Preciado, PMQ - December 30, 2013**  
**A70D3CB**

|  |  |
|--|--|
| <p>1 <b>Vista Spanish congregation, did you have an understanding</b><br/>2 <b>that at that time if you were to receive a complaint of</b><br/>3 <b>an adult acting sexually inappropriately what a child,</b><br/>4 <b>that would be reported to the branch office?</b><br/>5 MR. McCABE: I'm going to make an objection.<br/>6 It misstates previous testimony and assumes facts not in<br/>7 evidence.<br/>8 Can we go off the record for just a second?<br/>9 MR. ZALKIN: Sure.<br/>10 (Discussion off the record)<br/>11 MR. McCABE: Back on the record.<br/>12 BY MR. ZALKIN:<br/>13 <b>Q. In 1986, when you were an elder at Linda Vista</b><br/>14 <b>Spanish congregation, did you have any understanding as</b><br/>15 <b>to whether or not you as an elder, or any of the elders,</b><br/>16 <b>were required to report a complaint of child sexual abuse</b><br/>17 <b>within the congregation to either the service department</b><br/>18 <b>or the legal department of the branch office?</b><br/>19 A. No. We were not aware because there was no<br/>20 letter yet.<br/>21 <b>Q. As a matter of practice, as opposed to being</b><br/>22 <b>mandated in some way, did elders at Linda Vista</b><br/>23 <b>congregation in 1986 report complaints of some sort of</b><br/>24 <b>great sin that was to be investigated to the branch</b><br/>25 <b>office?</b></p> <p style="text-align: right;">Page 10</p> | <p>1 <b>Q. When would that be necessary? Under what</b><br/>2 <b>circumstances would it be necessary?</b><br/>3 A. Very extreme cases, like you mentioned.<br/>4 <b>Q. Of child sexual abuse?</b><br/>5 A. Yes.<br/>6 <b>Q. So if there was such a claim, you would advise</b><br/>7 <b>the circuit overseer?</b><br/>8 A. Yes.<br/>9 <b>Q. Would the body of elders at times seek the</b><br/>10 <b>counsel and advice of the circuit overseer on how to deal</b><br/>11 <b>with such a complaint of childhood sexual abuse?</b><br/>12 A. Yes.<br/>13 <b>Q. Would the circuit overseer be included in a</b><br/>14 <b>determination of a judicial committee on what sanctions</b><br/>15 <b>should be imposed, if any, on the accused in 1986?</b><br/>16 A. No.<br/>17 <b>Q. So that judicial committee would only include</b><br/>18 <b>members of the bodies of elders of the congregation?</b><br/>19 A. Yes.<br/>20 <b>Q. If the circuit overseer was advised of the</b><br/>21 <b>complaint that was received of childhood sexual abuse by</b><br/>22 <b>an adult member of Linda Vista congregation of 1986,</b><br/>23 <b>would that be documented in some way?</b><br/>24 A. Yes.<br/>25 <b>Q. How would that be documented?</b></p> <p style="text-align: right;">Page 12</p>  |
| <p>1 MR. McCABE: Objection. Vague.<br/>2 You can answer.<br/>3 THE WITNESS: No, I don't remember any case<br/>4 like that.<br/>5 BY MR. ZALKIN:<br/>6 <b>Q. If, in fact, a judicial committee was formed,</b><br/>7 <b>was the branch office advised that a judicial committee</b><br/>8 <b>has been formed to conduct an evaluation of someone who's</b><br/>9 <b>been accused of some great sin?</b><br/>10 A. Yes. We'll fill a document. It would be<br/>11 recorded, everything.<br/>12 <b>Q. Is that once a judicial committee has made a</b><br/>13 <b>decision or is it once a judicial committee has been</b><br/>14 <b>formed? At which point was the branch office advised at</b><br/>15 <b>that time in 1986?</b><br/>16 A. Once the -- if the judicial committee finish<br/>17 the case, then we'll send a letter.<br/>18 <b>Q. In 1986, when you were an elder with the body</b><br/>19 <b>of elders at the Linda Vista Spanish congregation, if you</b><br/>20 <b>were to receive a complaint of some kind of child sexual</b><br/>21 <b>abuse by an adult member of the congregation, would you</b><br/>22 <b>advise a circuit overseer that you'd received such a</b><br/>23 <b>complaint?</b><br/>24 A. Yes, if it's necessary. Not all the cases were<br/>25 necessary to do that.</p> <p style="text-align: right;">Page 11</p>  | <p>1 A. Who was present; who was involved; the names;<br/>2 the dates, of course; and what was the outcome of the<br/>3 judicial committee.<br/>4 <b>Q. So they would be advised of the process, the</b><br/>5 <b>judicial committee process. Is that correct?</b><br/>6 A. Yes.<br/>7 <b>Q. But if they were consulted or advised in some</b><br/>8 <b>other way, would there be a document of that, some notes,</b><br/>9 <b>or is there any practice that you were aware of of</b><br/>10 <b>maintaining such a record?</b><br/>11 A. Yes. Even if -- as a judicial committee,<br/>12 everything is written. Everything is recorded.<br/>13 <b>Q. That's only if there is a judicial committee.</b><br/>14 <b>Is that what you're telling me?</b><br/>15 A. Yes.<br/>16 <b>Q. So if there was anything less than a judicial</b><br/>17 <b>committee, for example, there's an investigation and it's</b><br/>18 <b>determined that there is not a confession from the</b><br/>19 <b>accused or there are not two witnesses to the incident --</b><br/>20 <b>a judicial committee would not be formed -- would there</b><br/>21 <b>still be a document generated in some way that would</b><br/>22 <b>reflect at least that complaint was received, there had</b><br/>23 <b>been this investigation, and it was determined that it</b><br/>24 <b>was not substantiated?</b><br/>25 A. I don't remember that, how that goes. I don't</p> <p style="text-align: right;">Page 13</p> |

4 (Pages 10 to 13)



# EXHIBIT 15

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13 Attorneys for Watchtower Bible and Tract Society of  
New York, Inc. (sued as "Doe 2, Supervisory Organi-  
14 zation")

15  
16 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
17 COUNTY OF SAN DIEGO

18 JOSE LOPEZ, Individually,

19 Plaintiff,

20 vs.

21 DEFENDANT DOE 1, Linda Vista Church;  
22 DEFENDANT DOE 2, Supervisory  
Organization; DEFENDANT DOE 3,  
23 Perpetrator; and DOES 4 through 100,  
inclusive,

24 Defendants.  
25  
26  
27  
28

Case No.: 37-2012-00099849-CU-PO-CTL

**MEMORANDUM OF POINTS AND AU-  
THORITIES IN SUPPORT OF LINDA  
VISTA CHURCH AND SUPERVISORY  
ORGANIZATION'S JOINT MOTION FOR  
SUMMARY ADJUDICATION OF THE  
FIFTH AND SIXTH CAUSES OF ACTION**

Judge: Joan M. Lewis

Dept: 65

Date: November 22, 2013

Time: 8:30 A.M.

Complaint Filed: June 29, 2012

Trial Date: January 10, 2014

1 Defendants Doe 2, Watchtower Bible and Tract Society of New York, Inc. (hereinafter  
2 "Watchtower") and Doe 1, Linda Vista Spanish Congregation of Jehovah's Witnesses, San Die-  
3 go, California (hereinafter "Linda Vista Congregation") submit the following memorandum of  
4 points and authorities in support of their Joint Motion for Summary Adjudication as respects to  
5 the fifth and sixth causes of action, which are based on ratification.

6 **I. SUMMARY OF ARGUMENT**

7 Plaintiff asserts a ratification theory to hold Linda Vista Congregation and Watchtower  
8 (collectively referred to as "the Moving Defendants") responsible for intentional acts of sexual  
9 battery and sexual harassment<sup>1</sup> committed by a rank and file member of the Linda Vista Con-  
10 gregation. Importantly, this is *not* a case where a member of the clergy or a church employee  
11 committed sexual abuse. Rather, a rank-and-file congregation member (Campos)<sup>2</sup> sexually  
12 abused the child (Plaintiff) of another rank-and-file congregation member. Plaintiff pled ratifi-  
13 cation and not vicarious liability, presumably because Plaintiff acknowledges that the law pro-  
14 scribes holding a principal vicarious liable for sexual assault committed by an agent or employ-  
15 ee. (*C.A. v. William S. Hart Union High School Dist.* (2012) 53 Cal.4th 861, 867; *Jeffrey E. v.*  
16 *Central Baptist Church* (1988) 197 Cal.App.3d 718; and *Rita M. v. Roman Catholic Archbishop*  
17 (1986) 197 Cal.App.3d 1453.)

18 Moving Defendants are entitled to summary adjudication on the Fifth and Sixth Claims  
19

20 <sup>1</sup> The First Amended Complaint does not identify the legal basis for the Sixth Cause of Action  
21 labeled "Sexual Harassment." California does not recognize a common law claim for sexual  
22 harassment. (*Myers v. Trendwest Resorts, Inc.*, 148 Cal. App. 4th 1403, 1426-27 citing *Medix*  
*Ambulance Service, Inc. v. Superior Court* (2002) 97 Cal.App.4th 19, 118-119.)

23 <sup>2</sup> In 1986, Campos was a Linda Vista Congregation publisher, i.e., a rank-and-file congregation  
24 member. Although Plaintiff attempts to entice the Court into thinking that an 'Auxiliary Pio-  
25 neer' somehow made Campos an agent of the Moving Defendants, this is simply not true. First,  
26 Campos was never an Auxiliary Pioneer in 1986 or at any time while he was a member of the  
27 Linda Vista Congregation. (UMF 15) However, even if he was an Auxiliary Pioneer during cer-  
28 tain months, an Auxiliary Pioneer is simply a congregation member who commits to more hours  
in the field service (i.e. the public preaching activity for which Jehovah's Witnesses are well  
known) than the average congregation member. (UMF 16) A congregation member merely in-  
creasing one's time in field service, without more, does not create an agency relationship be-  
tween the congregation member and his congregation or Watchtower. (See *Gillet v. Watchtow-*  
*er Bible & Tract Society of Pennsylvania, Inc.* (Fla. Ct. App. 2005) 913 So.2d 618.)

1 for Relief that are based on ratification because (A) the Plaintiff's claims based on ratification  
2 rest on the Moving Defendants' ecclesiastical decisions regarding Campos' internal congrega-  
3 tion discipline, membership and appointments and are therefore barred by the United States and  
4 California constitutions; (B) Campos was not an agent or employee of Moving Defendants<sup>3</sup>; (C)  
5 the Moving Defendants did not benefit from Campos' sexual abuse of Plaintiff; and (D) the  
6 Moving Defendants lacked the administrative power to authorize the sexual abuse of a child.

## 7 II. SUMMARY JUDGMENT STANDARD

8 A party may move for summary judgment of an entire action and in the alternative, for  
9 summary adjudication of a specific claim. (Code Civ. Proc. § 437c(f).) The Moving Defend-  
10 ants bear the burden of showing that a cause of action has no merit because Plaintiff "has not  
11 established, and cannot reasonably expect to establish, a prima facie case" on one or more ele-  
12 ments of the cause of action, or because defendants have a complete defense. *Hernandez v.*  
13 *Hillsides, Inc.* (2009) 47 Cal.4th 272, 285; Code Civ. Proc., § 437c (a) and (p)(2). Once the  
14 Moving Defendants make this showing, the burden then shifts to Plaintiff to establish that a tri-  
15 able issue of fact exists. (*Saelzler v. Advanced Group 400* (2001) 25 Cal.4th 763, 767.) Where  
16 the evidence forecasts the inevitability of a nonsuit in a defendant's favor the trial court should  
17 grant summary judgment "to avoid a useless trial." (*Johnson v. American Standard, Inc.* (2008)  
18 43 Cal.4th 56, 64.)

## 19 III. STATEMENT OF UNDISPUTED MATERIAL FACTS

20 For purposes of this motion only, the Moving Defendants admit the facts presented in  
21 the "Joint Separate Statement of Undisputed Facts in Support of the Motion for Summary Adju-  
22 dication on the Issue of Ratification" ("UMF") filed with this Memorandum.

23 Plaintiff was born on October 23, 1978. (UMF 1) According to Plaintiff's deposition  
24 testimony, on one occasion in 1986, when he was seven years old, he was with his mother (Mrs.  
25 Lopez) at a Laundromat when Campos, then age 23, obtained permission from Mrs. Lopez to

26 <sup>3</sup> Plaintiff alleges ratification by employment "retention or promotion." (*First Amended Com-*  
27 *plaint*, 8:13-20; 9:7-8.) That type of ratification arises exclusively under the law of agency.  
28 (Restatement 3d Agency § 4.01; *C.R. v. Tenet Healthcare Corp.* (2009) 169 Cal.App.4th 1094,  
1110-12.)

1 drive her son to a private residence. (UMF 2) Once inside, Campos gave Plaintiff a handheld  
2 video game to occupy him. (UMF 3) While Plaintiff was playing the game, Campos sexually  
3 abused him by pulling down his pants and rubbing his buttocks and anus for an estimated total  
4 of fifteen minutes. (UMF 4) Scared by the incident, Plaintiff pulled up his pants and immedi-  
5 ately ran outside the house. (UMF 5) Campos then took Plaintiff back to his mother. (UMF 6)  
6 Plaintiff had no further contact with Campos. (UMF 7-9)

7 At the time of the single incident of abuse,<sup>4</sup> Campos was acquainted with the Lopez fam-  
8 ily through their mutual affiliation with the Linda Vista Congregation. Plaintiff attended reli-  
9 gious meetings with his mother at the Linda Vista Congregation where Mrs. Lopez was a mem-  
10 ber. (UMF 11) Campos was a member of the same congregation. (UMF 12-14)<sup>5</sup>

11 Mrs. Lopez asked Campos to privately study the Bible with her son (Plaintiff). (UMF  
12 19)<sup>6</sup> These private Bible studies were *not* arranged or sponsored by the Moving Defendants.  
13 (UMF 24)<sup>7</sup> Prior to the single incident of abuse, Campos had provided at least two bible study

14 <sup>4</sup> The Moving Defendants abhor child abuse and consider any act of child sexual abuse to be a  
15 disgusting crime that does not benefit the congregation in any way. (UMF 10) Their descrip-  
16 tion throughout this motion of the "only incident of child sexual abuse" Plaintiff experienced is  
17 not intended to minimize the Moving Defendants' distain for the sexual abuse of a child. Ra-  
18 ther, the reference is intended to provide the court with an accurate history of the single brief  
19 event upon which the Plaintiff rests his entire case.

20 <sup>5</sup> Campos began to associate with the Linda Vista Spanish Congregation in about 1979 or 1980  
21 when he was 16 or 17 years old. (UMF 12) He became a member of the Linda Vista Congrega-  
22 tion when he was later baptized as one of Jehovah's Witnesses in 1980, at age 17, and became a  
23 member of the Linda Vista Spanish Congregation where he continued to associate with that  
24 congregation until December 1986. (UMF 13-14) Campos was not an Elder, Ministerial Serv-  
25 ant, Regular Pioneer or Auxiliary Pioneer during the time that he was with the Linda Vista  
26 Spanish Congregation. (UMF 15) When Campos moved from the Linda Vista Spanish Congre-  
27 gation to the La Jolla Spanish Congregation in January 1987, he was a rank-and-file congrega-  
28 tion member, i.e., a "publisher." (UMF 17-18)

<sup>6</sup> Plaintiff's First Amended Complaint alleges that "Elder [Joel] Munoz" recommended that  
Campos conduct Bible studies with Plaintiff. (UMF 20) That allegation lacks foundation.  
Plaintiff did not provide evidence or a witness with personal knowledge that can confirm that  
allegation. (UMF 21) Indeed, the opposite is true—all witnesses agree that Joel Munoz never  
made that recommendation. (UMF 22) Furthermore, Joel Munoz never served as an elder in  
any congregation of Jehovah's Witnesses. (UMF 23)

<sup>7</sup> According to the Bible-based religious practices and policies of Jehovah's Witnesses, parents  
are responsible for the religious instruction of their children. (UMF 25) Linda Vista Congrega-  
tion did not provide any separate forum for the religious education of children who attended  
meetings with their parents, such as Sunday School classrooms, summer youth camps, team

1 sessions to Lopez but he gave no Bible instruction on the day the abuse occurred. (UMF 28)

2 Within a few days of the incident, Mrs. Lopez informed three congregation members, at  
3 least one of whom was a responsible elder with Linda Vista Congregation, about Campos' sin-  
4 gle act of abusing Plaintiff. (UMF 29) From that date in 1986 forward, neither Plaintiff nor his  
5 mother had any further interaction or contact with Campos. (UMF 8) At the same time, the  
6 Lopez family stopped all further association with the Moving Defendants. (UMF 9)

#### 7 IV. LEGAL ARGUMENT

8 Plaintiff seeks to hold the Moving Defendants responsible for Campos' intentional acts  
9 of child sexual abuse because the Moving Defendants allegedly ratified Campos' sexual abuse  
10 of Plaintiff. (First Amended Complaint, 8:13-20; 9:7-8; 14:2-5; 15:24-26.) "Ratify" means to  
11 "approve and sanction . . . authorize or otherwise approve, retroactively, an agreement or con-  
12 duct either expressly or by implication." (*White v. Moriarty* (1993) 15 Cal.App.4th 1290,  
13 1295.) "Ratification is approval of a transaction that has already taken place." (*City of Fresno*  
14 *v. Baboian* (1975) 52 Cal.App.3d 753, 759; *White v. Moriarty* (1993) 15 Cal.App.4th 1290,  
15 1295 ["the word 'ratify' pertains to past events."].) Constitutional safeguards that prevent a  
16 court from examining internal ecclesiastical matters and from burdening religious conduct pro-  
17 vide the Moving Defendants with a complete defense to ratification claims based upon ecclesi-  
18 astical decisions related to internal congregation discipline, membership, or appointments.<sup>8</sup> But,  
19 even if this Court is not constitutionally barred from examining Plaintiff's ratification claims,  
20 the ratification claims still fail because Campos was not the Moving Defendants' agent for any  
21 purpose and, even if some sort of agency relationship existed, the Moving Defendants did not  
22 benefit from his criminal act. Moreover, the Moving Defendants lacked the power to confer au-  
23 thority upon Campos to sexually abuse a child.

24 ///

25 sports, or day-care facilities. (UMF 26) Linda Vista Congregation had no child care custodians,  
26 Sunday School teachers, or other youth counselors responsible for the religious education and  
27 training of young people. (UMF 27)

28 <sup>8</sup> "The Establishment Clause prevents the Government from appointing ministers, and the Free Exercise  
Clause prevents it from interfering with the freedom of religious groups to select their own." (*Hosanna*  
*Tabor Evangelical Lutheran Church & Sch. v. EEOC* (2012) 132 S.Ct. 694, 703.)

1           A.     **Plaintiff's Fifth and Sixth Claims for Relief Should Be Dismissed Because**  
2               **the United States Constitution and the California Constitution Bar Ratifica-**  
3               **tion Claims Based upon Ecclesiastical Decisions Related to Internal Congre-**  
4               **gation Discipline, Membership, or Appointments.**

5           Plaintiff pled ratification based upon the Moving Defendants "retaining and promoting,"  
6           Campos after learning of his past sexual abuse of children. (First Amended Complaint, 8:13-20;  
7           9:7-8.) At the time Campos abused Plaintiff, Campos had the same rank-and-file congregation  
8           member status as any other congregation member in any congregation of Jehovah's Witnesses.  
9           (UMF 14-15)<sup>9</sup> Although the basis of Plaintiff's assertion that the Moving Defendants somehow  
10          ratified Campos' intentional, criminal acts is not especially clear, it appears that the basis can be  
11          broken down into two categories:

12           (1) that despite allegedly knowing that Campos had been accused of attempting  
13           to abuse a child in 1982, Linda Vista "retained Perpetrator in his position as  
14           its agent" and "promoted Perpetrator to the position of Auxiliary Pioneer"  
15           and recommended him to serve as a Bible Study Instructor for Plaintiff (First  
16           Amended Complaint 8:18-20);<sup>10</sup> and

17           (2) that despite allegedly knowing that Campos had been accused of abusing  
18           Plaintiff in 1986, the Moving Defendants "retained and promoted" Campos to  
19           the position as a Ministerial Servant in 1988 and an Elder in 1993. (First  
20           Amended Complaint 9:7-9.)<sup>11</sup>

21          This Court should decline Plaintiff's invitation to pass judgment on and create liability  
22          for (1) Defendant Linda Vista's determination of when an individual meets Biblical standards  
23          for congregation membership, or (2) Watchtower's approval of La Jolla Spanish Congregation's  
24          recommendation of the member's qualification for a congregation appointment or determination  
25          that a member is disqualified from such appointment. It has long been established that "the First  
26          and Fourteenth Amendments permit hierarchical religious organizations to establish their own

27          <sup>9</sup> Individual Jehovah's Witnesses voluntarily participate in the door-to-door preaching for which  
28          they are well known because they believe the Bible commands them to do so in Scriptures such  
29          as Mark 16:15 and Acts 20:20 and Matthew 28:19-20 where Jesus Christ directed his disciples:  
30          "Go ... make disciples ... teaching them to observe all the things I have commanded YOU."  
31          (See *Watchtower Bible and Tract Society of New York, Inc. v. Village of Stratton* (2002) 536  
32          U.S. 150, 161.) There are no sanctions if one of Jehovah's Witnesses does not participate in the  
33          door-to-door preaching activity. (UMF 30)

34          <sup>10</sup> ("By retaining [Campos] after learning of his past sexual abuse of children, and taking these  
35          other actions, [Linda Vista Congregation] ratified and authorized [Campos'] conduct.")

36          <sup>11</sup> ("By retaining and promoting [Campos] after learning of his past sexual abuse of children,  
37          [Watchtower] ratified and authorized [Campos'] conduct.")

1 rules and regulations for internal discipline and governance, and to create tribunals for adjudi-  
2 cating disputes over these matters." (*Serbian Eastern Orthodox Diocese v. Milivojevich* (1976)  
3 426 U.S. 696, 724-25.)<sup>12</sup> As such, civil courts do not have jurisdiction over such ecclesiastical  
4 decisions. (*Id.* at 713, 714.) The California Supreme Court has been equally clear that courts  
5 have no role in questioning ecclesiastical decisions.<sup>13</sup>

6 The general rule that courts will not interfere in religious societies with ref-  
7 erence to their ecclesiastical practices stems from the separation of the  
8 church and state.... The courts of the land are not concerned with mere po-  
9 lemic discussions, and cannot coerce the performance of obligations of a  
10 spiritual character, or adopt a judicial standard for theological orthodoxy,  
11 or determine the abstract truth of religious doctrines ... or decide who the  
rightful leader of a church ought to be, or enjoin a clergyman from striking  
the complainant's name from his register of communicants, or enforce the  
religious right of a member to partake of the Lord's Supper. (*Rosicrucian  
Fellow. v. Rosicrucian Etc. Ch.* (1952) 39 Cal.2d 121, 131-32 [citations  
omitted].)

12 The latest decision from the U.S. Supreme Court on this issue maintained the historical  
13 analysis:

14 It is impermissible for the government to contradict a church's determina-  
15 tion of who can act as its ministers. . . . Requiring a church to accept or re-  
16 tain an unwanted minister, or punishing a church for failing to do so, in-  
trudes upon more than a mere employment decision. Such actions interfere  
with the internal governance of a church, depriving the church of control

17  
18 <sup>12</sup> Cf *Jones v. Wolf* (1979) 443 U.S. 595, 602-04 [The prohibition against a civil court burdening in any  
19 way the most fundamental constitutional right of religious association specifically extends to issues in-  
20 volving membership, clergy credentials and discipline, as well as governance and administration.]; *Paul  
v. Watchtower Bible and Tract Society of New York, Inc.* (9th Cir. 1986) 819 F.2d 875 [A state tort law  
prohibition against (a religious practice) would directly restrict the free exercise of the Jehovah's Wit-  
nesses' religious faith.].

21 <sup>13</sup> Cf *Higgins v. Maher* (1989) 210 Ca.App.3d 1168, California's Court of Appeal for the Fourth Appel-  
22 late District upheld demurrer where a priest attempted to characterize his complaint to include "garden-  
23 variety torts which just happen to involve the Bishop." The court rejected the invitation to "right wrongs  
caused by the use of "a procedure contrary to church law and regulations" because "civil courts may not  
24 involve themselves in reviewing the termination of clergy for theological or disciplinary reasons." (*Id.* at  
1173.) "The teaching of this line of authority is that secular courts will not attempt to right wrongs relat-  
25 ed to the hiring, firing, discipline or administration of clergy. Implicit in this statement of the rule is the  
acknowledgement that such wrongs may exist, that they may be severe, and that the administration of the  
26 church itself may be inadequate to provide a remedy. The preservation of the free exercise of religion is  
deemed so important a principle as to overshadow the inequities which may result from its liberal appli-  
27 cation." (*Ibid.*) With respect to the plaintiff's accusation that the Priest engaged in conduct that consti-  
tuted an invasion of privacy, the court said: "[T]he bishop is answerable only to canonical authorities for  
28 misdeeds in the wrongful treatment of a priest, in terms of ecclesiastical as distinguished from civil  
spheres. If, as part of procedures resulting in the defrocking of a priest, the Bishop makes false accusa-  
tions, we refrain the civil authorities from becoming involved." (*Id.* at 1176.)

1 over the selection of those who will personify its beliefs. By imposing an  
2 unwanted minister, the State infringes on the Free Exercise Clause, which  
3 protects a religious group's right to shape its own faith and mission through  
4 its appointments. According to the state the power to determine which indi-  
viduals will minister to the faithful also violates the Establishment Clause,  
which prohibits government involvement in such ecclesiastical decisions.  
(*Hosanna-Tabor Evangelical Lutheran Church and School v. Equal Em-  
ployment Opportunity Commission* (2012) 132 S.Ct. 694, 706.)

5 The U.S. and California constitutions clearly forbid courts to review claims that are  
6 premised on discipline of a member, a member's standing in a religious organization, or based  
7 on a religion's polity, ministerial, or leadership decisions. Therefore, this Court should grant  
8 summary adjudication on Plaintiff's Fifth and Sixth Causes of Action as to the Moving Defend-  
9 ants.

10 **B. Plaintiff's Fifth and Sixth Claims for Relief Based on Ratification Should be**  
11 **Dismissed Because Campos Was Not an Agent or Employee of the Moving**  
**Defendants**

12 Since the basis for Plaintiff's ratification claim is "retention" or "promotion," the ratifi-  
13 cation theory can arise only under the law of agency. (First Amended Complaint, 8:18-20, 9:7-  
14 9; Restatement 3d Agency § 4.01; *C.R. v. Tenet Healthcare Corp.* (2009) 169 Cal.App.4th 1094,  
15 1110-12.)<sup>14</sup> Campos was merely a rank-and-file member of the Linda Vista Congregation when  
16 he abused Plaintiff (UMF 15) and he was not an employee, member, officer, or director of  
17 Watchtower. (UMF 31) He was only a rank and file member of the Lina Vista Congregation.  
18 (UM 15) Thus, he was not an agent of either of the Moving Defendants in 1986.

19 Despite the fact that Campos was a mere rank-and-file member of Linda Vista Congre-  
20 gation in 1986, and had no relationship to Watchtower, Plaintiff equates Campos' congregation  
21 membership to an agency relationship with both Moving Defendants. There are no reported  
22 cases in California that have decided the specific issue of whether a person baptized into the re-  
23 ligion of Jehovah's Witnesses is an agent of the local congregation or of Watchtower (the na-  
24 tional church entity of Jehovah's Witnesses). But, that precise issue was decided by a Florida  
25 Appellate Court in *Gillet*. (*Gillet, supra*, 913 So.2d 621 n. 2.) There the court held that a con-

26 <sup>14</sup> Courts are not quick to impute that an agency relationship exists; the issue is generally one  
27 that begins with the assumption "that a person is acting for himself or herself and not as an  
28 agent of another." (*Inglewood Teachers Assn. v. Public Employment Relations Board* (1991)  
227 Cal.App.3d 767, 780.)

gregation member engaging in the spiritual activities of Jehovah's Witness was *not an agent* of the local congregation or Watchtower. (*Id.* at 620-21.)

Since Campos was not an agent of either of the Moving Defendants, this court should grant summary adjudication on the Fifth and Sixth Causes of Action as to Moving Defendants.

**C. Even Assuming Arguendo that Campos Was the Moving Defendants' Agent, this Court Should Dismiss All Claims Based Upon Ratification Because the Moving Defendants Did Not Benefit In Any Way From Campos' Abhorrent Act.**

Ratification is the subsequent adoption by one claiming the benefits of an act ... who had the power to confer authority. (*Reusche v. California Pacific Title Ins. Co* (1965) 42 Cal.App.2d 731, 734.) Moving Defendants vehemently deny they received any "benefit" from Campos' acts. Notwithstanding the Constitutional bar to examining a congregation's internal decisions related to discipline, membership and appointments, the Moving Defendants view Campos' sexual abuse of Plaintiff as a despicable act that does not benefit the Moving Defendants in any way. (UMF 10)

Additionally, Campos was no longer affiliated with the Defendant Linda Vista Congregation after December 1986. (UMF 17) Thus, that Defendant had nothing to do with any of Campos' activities after January 1, 1987. (UMF 8-9, 14, 17) Therefore, no ratification occurred and this Court should grant summary adjudication on the Fifth and Sixth Claims for Relief.

**D. This Court Should Dismiss All Claims Based Upon Ratification Because the Moving Defendants Lacked the Administrative Power To Authorize the Sexual Abuse of a Child**

California Civ. Code § 2312 expressly provides that "a ratification is not valid unless, at the time of ratifying the act done, the principle has the power to confer authority for such act." (*Reusche, supra*, 42 Cal.App.2d at 734 ["Ratification is the subsequent adoption by one claiming the benefits of an act ... who had the power to confer authority"]; *Behniwal v. Mix* (2005) 133 Cal.App.4th 1027, 1039 ["A ratification can be made only in the manner that would have been necessary to confer an original authority for the act ratified."].)

Simply put, Jehovah's Witnesses abhor child sexual abuse. (UMF 10) No person or persons associated with the Moving Defendants had the power to confer upon Campos authority

1 to abuse a child. (UMF 32) Since neither of the Moving Defendants ever possessed the power  
2 to confer upon Campos authority to abuse any child, no one associated with the Moving De-  
3 fendants could have "ratified" the sexual abuse of Plaintiff or any other child.

4 **V. CONCLUSION**

5 This Court should grant summary adjudication on the Fifth and Sixth Claims for Relief  
6 based on ratification because:

- 7 (1) Plaintiff's ratification claims based on Moving Defendants' decisions regard-  
8 ing Campos' congregation discipline, membership, and appointments are  
9 barred by the United States and California constitutions;  
10 (2) Campos was not an agent or employee of Moving Defendants;  
11 (3) Neither of the Moving Defendants benefitted from Campos' despicable con-  
12 duct;  
13 (4) The Moving Defendants lacked the power to confer upon Campos authority  
14 to abuse any child; and  
15 (5) Defendant Linda Vista Congregation had no affiliation with Campos after  
16 December 1986.

17 Dated: September 4, 2013

THE MCCABE LAW FIRM, APC

18 By   
19 James M. McCabe

20 Attorneys for Defendant Linda Vista Spanish  
21 Congregation of Jehovah's Witnesses, San Diego,  
22 California

23 Dated: September 4, 2013

LAW OFFICE OF ROCKY K. COPLEY

24 By   
25 Rocky K. Copley

26 Defendants Watchtower Bible and Tract Society of  
27 New York, Inc.  
28



# EXHIBIT 16

**SUPERIOR COURT OF CALIFORNIA ,  
COUNTY OF SAN DIEGO  
CENTRAL**

**MINUTE ORDER**

DATE: 11/22/2013

TIME: 08:30:00 AM

DEPT: C-65

JUDICIAL OFFICER PRESIDING: Joan M. Lewis

CLERK: Regina Lindsey-Cooper

REPORTER/ERM: Amorita Ledesma CSR# 12852

BAILIFF/COURT ATTENDANT: Joe Arnold

CASE NO: **37-2012-00099849-CU-PO-CTL** CASE INIT.DATE: 06/29/2012

CASE TITLE: **Lopez vs. Doe 1 Linda Vista Church [IMAGED]**

CASE CATEGORY: Civil - Unlimited CASE TYPE: PI/PD/WD - Other

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**EVENT TYPE:** Summary Judgment / Summary Adjudication (Civil)

**MOVING PARTY:** Watchtower Bible and Tract Society of New York Inc, Linda Vista Spanish  
Congregation of Jehovah's Witnesses San Diego California

**CAUSAL DOCUMENT/DATE FILED:** Motion for Summary Judgment and/or Adjudication AS TO THE  
5TH AND 6TH CAUSE OF ACTION, 09/05/2013

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**APPEARANCES**

Devin M Storey, counsel, present for Plaintiff(s).

Rocky K Copley, counsel, present for Defendant(s).

Calvin A. Rouse, counsel, present for Defendant(s).

James M McCabe, counsel, present for Defendant(s).

Irwin Zalkin, counsel, present for Plaintiff..

Alex Zalkin, counsel, present for Plaintiff.

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The Court hears oral argument and **CONFIRMS** the tentative ruling as follows:

Defendants Watchtower Bible and Tract Society of New York, Inc. and Linda Vista Church have filed a joint motion for summary adjudication of the fifth cause of action for sexual battery and the sixth cause of action for sexual harassment.

As an initial matter, the Court is unaware of any authority that would permit different parties represented by separate counsel to file a joint motion. Although the Court, as it did recently on these same parties' joint motion for summary judgment, has considered the papers the Court will not entertain argument by the Defendants that would attempt to distinguish liability between them.

The motion is denied.

In denying the motion, the Court first rejects Defendants' argument that the fifth and sixth causes of action should be dismissed because the claims, Defendants contend, involve ecclesiastical decisions. Defendants argued that the United States and California Constitutions forbid courts from reviewing claims that are premised on discipline of a member, a member's standing in a religious organization or based on a religion's policy, ministerial or leadership decisions. The Court denies the motion on this

basis because it believes that Plaintiff's claims do not relate to religious belief, doctrine or ecclesiology.

Defendants also argued that Plaintiff's abuser, Gonzalo Campos ("Campos"), was not their agent. The Court finds triable issues of fact exist as to whether Campos was Defendants' agent at the time of abuse. See evidence cited in support of Plaintiff's opposing Separate Statement ("PSS") Nos. 1-42; 56-60. Included in this evidence is deposition testimony from Plaintiff's mother that in 1985 or 1986, Elder Ramon Preciado suggested that Plaintiff should receive Bible Study from Campos. [See evidence cited in support of PSS No. 58]. In considering this evidence, the Court rejects Defendants' argument that Plaintiff is bound by the allegation in the First Amended Complaint – and thereby precluded from considering this evidence -- that it was Mr. Munoz that made this recommendation.

The Court also finds that triable issues of fact exist as to whether Defendants ratified Campos' conduct. See evidence cited in support of PSS Nos. 43-54; and 61-93. In finding a triable issue of fact exists as to ratification, the Court rejects Defendants' argument that Plaintiff must demonstrate that Defendants benefitted from the wrongful conduct. See *Ventura v. ABM Industries* (2012) 212 Cal.App.4<sup>th</sup> 258. The Court also disagrees with Defendants that because Jehovah's Witnesses "abhor child sexual abuse", there can be no ratification. Rather, the Court believes the question is whether the evidence, even if contrary to Defendants' beliefs or teachings, creates a triable issue of fact as to ratification, which the Court believes it does.

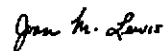
In ruling on this motion, the Court sustained Plaintiff's Evidentiary Objection No. 1 and overruled Objection No. 2.

Defendants' Evidentiary Objections 1 and 2 are overruled. The Court declines to consider the evidence objected to at Objection No. 3 as it was in Spanish with no translation provided.

Plaintiff also brought a motion to seal certain documents. The motion is granted. At the time of the hearing the Court intends to sign the proposed order, setting forth the Court's findings supporting sealing as required under CRC 2.550(d).

Trial Readiness Conference (Civil) is continued pursuant to party's motion to 01/03/2014 at 10:00AM before Judge Joan M. Lewis.

Estimated length of trial: 30 days



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Judge Joan M. Lewis



# EXHIBIT 17

1 Hon. Vincent P. Di Figlia (Ret.)  
2 Judicate West  
3 402 West Broadway, Suite 2400  
4 San Diego, CA 92101  
5 Telephone: (619) 814-1966  
6 Fax: (619) 814-1967

**F I L E D**  
Clerk of the Superior Court

JAN 02 2014

By: R. LINDSEY-COOPER, Deputy

8 SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF SAN DIEGO, CENTRAL DIVISION

11 JOSE LOPEZ, an individual;

12 Plaintiff,

13 vs.

14 DOE 1, LINDA VISTA CHURCH, et al.

15 Defendants.

Case No. 37-2012-0099849-CU-PO-CTL

RECOMMENDATIONS OF DISCOVERY  
REFEREE  
CCP § 643

17 I

18 INTRODUCTION

19 This matter came on for hearing on December 13, 2013, in the offices of Judicate West,  
20 402 West Broadway, Suite 2400, San Diego, CA 92101, before the Honorable Vincent P.  
21 Di Figlia (Ret.) referee. Irwin M. Zalkin, Esq., Devin M. Storey, Esq. and Alexander S. Zalkin,  
22 Esq. appeared on behalf of plaintiff Jose Lopez. Rocky K. Copley, Esq. appeared on behalf of  
23 Watchtower Bible and Tract Society of New York, Inc. (sued as "Doe 2, Supervisory  
24 Organization").

25 II

26 DISCUSSION

27 The case came before the referee on cross-motions by the appearing parties. Plaintiff  
28 Lopez moved to compel the deposition testimony of the Watchtower Person Most Qualified

1 (hereinafter PMQ). In previous similar litigation, defendant Watchtower has designated Allen  
2 Shuster as its PMQ. Plaintiff additionally seeks to obtain the deposition testimony of Gerrit  
3 Losch. Mr. Losch is a long standing member of the Watchtower's "Governing Body." According  
4 to deposition testimony given by Mr. Shuster (Plaintiff's Exhibit 9), the Governing Body  
5 approves operational guidelines for the United States branch of the Jehovah's Witness  
6 Organization, including directives for investigating and reporting of alleged childhood sexual  
7 abuse within the church. Mr. Shuster has testified that the Governing Body oversees the  
8 worldwide activity of Jehovah's Witnesses. (Plaintiff's Ex. 9 at 19-6-13)

9 Plaintiff's Notice of Deposition of PMQ sets forth 30 specific areas of inquiry and  
10 requests production pursuant to C.C.P. §§ 2025 and 2019(a)(3) of 29 classes of documents.  
11 (Plaintiff's Exhibit I) Defendant Watchtower has in turn objected to each and every proposed  
12 topic of examination and each and every request for production.

13 Watchtower's grounds for objection are:

- 14 1. The information sought is protected from discovery by the minister-communicant  
15 privilege (Cal. Evid. Code §§ 1033, 1034).
- 16 2. The information sought is protected from discovery by the First Amendment.
- 17 3. The information sought is protected by the attorney-client and/or work-product  
18 doctrine.
- 19 4. The time frame of the request is overly broad, and the relevant area of enquiry should  
20 be limited to the year 1986.

21 (See defendant's objections, Plaintiff Ex. 2)

22 These privilege claims have been raised in 2 prior discovery motions brought before  
23 Judge Lewis as well as in a failed Motion for Summary Judgment/Adjudication. (Plaintiff's Ex.  
24 3, 4 and 5.) In each instance, the aforementioned claims of privilege were found to be without  
25 merit, except as to 4 documents deemed privileged under Evidence Code §§1033 and 1034.  
26 (Plaintiff's Ex. 3)

27 .....

28 .....

1 As previously noted, this matter came before the referee ostensibly on cross-motions. In  
2 setting the hearing, counsel for Watchtower indicated he would be filing a Motion for a  
3 Protective Order precluding the deposition testimony of Gerrit Losch.

4 Defendant's opening brief withdrew the request as premature, claiming the notice was  
5 defective.

6 In reply, defendant submits the declaration of Danny L. Bland, an employee in  
7 defendant's treasurer's office who declares that a search of the records in the treasurer's office  
8 reveals that "Gerrit Losch has never been an officer, director, managing agent or employee of  
9 Watchtower Bible and Tract Society of New York, Inc." (Bland Decl. p. 2, lines 3-11)

### 10 III

#### 11 RECOMMENDATION

##### 12 A. DEPOSITION OF GERRIT LOSCH

13 The referee recommends that plaintiff be permitted to depose Mr. Losch. The deposition  
14 testimony of Mr. Shuster establishes that the Governing Body, of which Mr. Losch is a member  
15 is the principal overseer of the church's activities. Mr. Losch is the longest serving member of  
16 the Governing Body and may well possess knowledge pertinent to this litigation.

17 It is noteworthy that opposition to Mr. Losch's deposition was based solely on the  
18 previously mentioned Bland declarations. Defendant did not invoke the "apex" grounds as a  
19 reason to preclude Mr. Losch's deposition. See *Liberty Mutual Ins. Co. v. Superior Court*, (1992)  
20 10 Cal. App. 4<sup>th</sup> 1282.

21 Despite Mr. Bland's declaration, the referee believes that Mr. Losch's position as a  
22 member of the Governing Body and its functions as described by Mr. Shuster, make Mr. Losch a  
23 managing agent within the contemplation of the law. C.C.P. § 2025.280(a)

##### 24 B. DEPOSITION OF WATCHTOWER'S PMQ and ACCOMPANYING REQUEST FOR 25 PRODUCTION

26 This honorable court has already ruled on issues of privilege and privacy in this case. It is  
27 the referee's recommendation that the deposition of the PMQ be allowed to go forward on the  
28 topics enumerated, and that the PMQ be required to produce the documents in question which I

1 believe are relevant to the subject matter of the lawsuit in many areas, including subsequent  
2 ratification by the church, if any.

3 To the extent the documents produced might invade the privacy rights of third parties,  
4 defendant may produce documents wherein the names, addresses, e-mail addresses, telephone  
5 numbers and social security number of third-parties have been redacted.

6 Additionally, in that the court has previously reviewed in camera and withheld some  
7 documents pursuant to Evidence Code §§ 1033 and 1034, the referee recommends that defendant  
8 prepare a privilege log and provide for in camera review by me those documents which may fall  
9 within the minister-communicant and/or attorney/client or work produce privileges.

10 Respectfully submitted,

11  
12   
13 HON. VINCENT P. DI FIGLIA (Ret.)  
14

15  
16 Dated: December 20, 2013  
17

18  
19  
20 JAN 02 2014

21  
22 IT IS SO ORDERED,  
23 JOAN M. LEWIS  
24 JUDGE OF THE SUPERIOR COURT  
25  
26  
27  
28



# EXHIBIT 18

**SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF SAN DIEGO  
CENTRAL**

**MINUTE ORDER**

DATE: 05/02/2014

TIME: 08:30:00 AM

DEPT: C-65

JUDICIAL OFFICER PRESIDING: Joan M. Lewis

CLERK: Regina Lindsey-Cooper

REPORTER/ERM: Kersten Song, CSR# 12796

BAILIFF/COURT ATTENDANT: Henry Whatley

CASE NO: **37-2012-00099849-CU-PO-CTL** CASE INIT.DATE: 06/29/2012

CASE TITLE: **Lopez vs. Doe 1 Linda Vista Church [IMAGED]**

CASE CATEGORY: Civil - Unlimited CASE TYPE: PI/PD/WD - Other

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**EVENT TYPE:** Motion Hearing (Civil)

**MOVING PARTY:** Watchtower Bible and Tract Society of New York Inc, Linda Vista Spanish  
Congregation of Jehovah's Witnesses San Diego California

**CAUSAL DOCUMENT/DATE FILED:** Motion - Other Deft's Notice of Motion and Motion for Leave to File  
1st Amended Answer to 1st Amended Complaint; Memorandum of Points & Authorities; Declarations;  
Notice of Lodgment; Proof of Service, 04/04/2014

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**EVENT TYPE:** Motion Hearing (Civil)

**MOVING PARTY:** Jose Lopez

**CAUSAL DOCUMENT/DATE FILED:** Motion for Sanctions AND TERMINATING SANCTIONS,  
04/08/2014

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**APPEARANCES**

Devin M Storey, counsel, present for Plaintiff(s).

Rocky K Copley, counsel, present for Defendant, Plaintiff(s).

James M McCabe, counsel, present for Defendant(s).

Irwin Zalkin, counsel, present for Plaintiff.

---

Counsel appearing in this proceeding hereby stipulate to the court appointing an official court reporter  
pro tempore Kersten Song as set forth in the Agreement and Order.

The Court hears oral argument and CONFIRMS the tentative ruling as follows:

**Ruling on Plaintiff's motion for sanctions**

Plaintiff brought a motion seeking terminating and/or monetary sanctions against Defendant Watchtower  
Bible and Tract Society of New York, Inc. ("Watchtower").

Initially, the Court notes it did consider Defendant's sur-reply in ruling on this motion.

The sanctions sought concern this Court's earlier orders requiring (1) the production of documents  
relating to Watchtower's knowledge of the prevalence of childhood sexual abuse within its organization;

and (2) the production of its managing agent Gerrit Losch for deposition.

In opposing the motion, Watchtower made various arguments including that Mr. Losch was not Watchtower's managing agent and that Defendant was simply exercising its appellate rights.

As to Mr. Losch, notwithstanding Defendant's opinion that Mr. Losch is not Watchtower's managing agent, this Court has found to the contrary and has ordered his deposition to proceed.

The Court agrees that Watchtower is within its rights to seek appellate review. However, in the absence of a stay of this Court's orders, compliance therewith is required notwithstanding any pending writ petition or petition for review. To date, no reviewing court has ordered this Court's earlier orders stayed. As a result, there is no basis in the law for Watchtower to not fully comply with these orders.

In its sur-reply Defendant – citing to Richard Ashe, Jr.'s declaration – states that to produce the documents sought would be so time-consuming as to take years to search the relevant records. However, the Court was unable to locate any evidence that Watchtower at any time since the Court first ordered production months ago has even attempted to locate responsive documents.

Having considered the evidence and argument before the Court – including this Court's earlier orders and Watchtower's failure to comply and Defendant's failure to offer a valid basis for the failure to comply – the Court grants Plaintiff's motion for terminating sanctions and orders Watchtower's answer stricken.

The Court additionally grants Plaintiff's request for monetary sanctions in the amount of \$37,799.21 for the reasons argued in Plaintiff's papers, including the expenses associated with traveling to New York relative to the scheduled Losch deposition.

**Ruling on Defendants' motion for leave to file first amended answer to first amended complaint**

Defendant Watchtower's motion to file a first amended answer to the first amended answer to the first amended complaint is off calendar as moot based on the Court's ruling granting terminating sanctions.

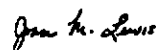
Defendant Linda Vista Spanish Congregation's ("Linda Vista") motion to file an amended answer is granted.

Defendant Linda Vista is directed to file and serve its original, signed answer within 10 days of this ruling.

**Exhibits 9 and 10 to defendant's opposition to plaintiff's motion is accepted as part of the record.**

**Plaintiff's counsel to give notice.**

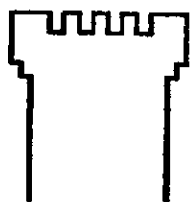
Plaintiff's counsel to prepare a statement of decision.



\_\_\_\_\_  
Judge Joan M. Lewis



# EXHIBIT 19



# WATCHTOWER

BIBLE AND TRACT SOCIETY OF NEW YORK, INC.

25 COLUMBIA HEIGHTS, BROOKLYN, NEW YORK 11201, U.S.A.

PHONE (718) 625-3600

September 15, 1987

TO ALL BODIES OF ELDERS IN THE UNITED STATES

Dear Brothers:

The purpose of this letter is to stress the importance of properly handling matters regarding ownership of the Kingdom Hall. A failure to do so may result in potential problems for the congregation.

Extensive guidelines on this matter were provided in the Society's letter of April 1, 1982 entitled "INFORMATION REGARDING OWNERSHIP OF KINGDOM HALLS." Various details were provided in order to assist the congregation to handle matters properly and in accord with local laws. In regard to taking title to the Kingdom Hall property, it advised that there are two ways in which this can be done: "(1) trustees in behalf of the congregation and (2) a corporation formed by the congregation."

Quite a number of congregations handle matters through the trustee arrangement. When selecting brothers to serve as trustees, it was directed that "mature ministers who are not likely to move away from the community should be chosen. It is desirable, although not necessary, to appoint overseers or ministerial servants of the congregation to act as trustees. In the event an overseer or ministerial servant who has been appointed a trustee is replaced in his office of elder or ministerial servant, it will not be necessary to replace him as trustee unless he moves away, is disfellowshipped or becomes inactive. . . . In the deed a paragraph should be inserted authorizing the congregation to appoint a substitute trustee to act in the place of any trustee who may die, resign or become disqualified to act as trustee."

It has come to our attention that some congregations have not kept matters up to date as outlined above. For example, in one congregation two of the three trustees became inactive and had not associated with the congregation for several years. There is a possibility that other congregations have failed to give attention to this matter or, in other ways, have failed to comply with local laws governing the ownership of property. This, of course, could result in serious problems for the congregation. Therefore, we feel it is advisable for each congregation to carefully review the ownership of the Kingdom Hall and make any adjustments needed to put things in order.

## REPLACING TRUSTEES

If one or more of the appointed trustees has been disqualified, is disfellowshipped, disassociates himself, becomes inactive, is no longer with the congregation, or for some other

reason should be replaced, steps should be taken promptly to appoint a replacement. The April 1, 1982 letter referred to above suggested that matters should be handled in this way: "When it becomes necessary to appoint a substitute trustee, he should be appointed by resolution duly adopted by the congregation. When a substitute trustee is appointed it is generally advisable to have a notarized document duly recorded in the deed record showing the appointment of the substitute trustee. This is in order to keep the title record straight and avoid complications.

"Consult with your attorney as to the language to be used in the appointment of trustees and in the appointment of substitute trustees if such substitution becomes necessary. Also have your attorney advise you as to the filing of the trustee and substitute trustee appointment in the land records.

"Everyone who is appointed a trustee or substitute trustee should sign a formally written legal document, a declaration of trust, before a notary public showing that he takes title to the property as a trustee and that he has no personal right, title or interest in and to the property conveyed to him. It should be recited that neither his estate nor heirs have any interest in and to the property when the trustee or substitute trustee dies. This need not be recorded but should be carefully kept in the congregation records. Your attorney handling the interests of the congregation in respect to the property can guide you in respect to the language of the declaration of trust so that the congregation will be fully protected legally under the laws of your locality."

#### UPDATING CORPORATE RECORDS

Congregations that own their Kingdom Halls by the corporation method also need to keep their corporate records up-to-date. Whenever a corporate trustee or director dies, moves away, is disfellowshipped, disassociates himself, becomes inactive, or for some other reason should be replaced, the appropriate action should be taken and a written record kept for the corporate file.

The corporation should have by-laws for the conduct of its affairs. The by-laws probably set forth a procedure for the replacement of a trustee or director. If they do not have such provision, they should be amended so as to include such a procedure.

Whenever a trustee or director needs to be replaced, the procedure outlined in the by-laws should be meticulously followed and a written record of the action, including the vote, should be kept in the corporation's records.

When a trustee or director is replaced, it also will require his position as an officer to be filled. The procedure outlined in the by-laws should be meticulously followed and a written record of the action, including the vote, should be kept in the corporation's records.

A review of these matters should be made without delay. If adjustments are needed, they should be made promptly. If you encounter some unusual difficulty and need direction, feel free to write to the Society and we will be pleased to do what we can to help. We pray Jehovah's blessing and direction as you endeavor to fulfill your weighty responsibilities as shepherds of the flock. We send our warm Christian love.

Your brothers,

*Watchtower B. & F. Society*

OF NEW YORK, INC.

**P.S. to Circuit Overseers:**

At the time of your next visit with each congregation, we request that you discuss these matters with the body of elders. If they have procrastinated and have not followed through in making needed adjustments, please provide appropriate counsel to assist them in doing so. If you feel some situations require direction from the Society, you can provide us with full information and we will be pleased to assist. Your cooperation in handling this matter is much appreciated.



# EXHIBIT 20



# State of California Secretary of State

N

29  
NO

## Statement of Information

(Domestic Nonprofit, Credit Union and Consumer Cooperative Corporations)

Filing Fee: \$20.00. If this is an amendment, see instructions.  
**IMPORTANT - READ INSTRUCTIONS BEFORE COMPLETING THIS FORM**

**FILED**  
Secretary of State  
State of California

OCT 16 2013

See Secretary of State's  
records for exact entity name.

This Space for Filing Use Only

## 1. CORPORATE NAME

Linda Vista English Congregation of Jehovah Witnesses San Diego CA INC

## 2. CALIFORNIA CORPORATE NUMBER

C0271852

## Complete Principal Office Address (Do not abbreviate the name of the city. Item 3 cannot be a P.O. Box.)

## 3. STREET ADDRESS OF PRINCIPAL OFFICE IN CALIFORNIA, IF ANY

6504 Linda Vista Rd

## CITY

San Diego

## STATE

CA

## ZIP CODE

92111

## 4. MAILING ADDRESS OF THE CORPORATION

6504 Linda Vista RD

## CITY

San Diego

## STATE

CA

## ZIP CODE

92111

**Names and Complete Addresses of the Following Officers** (The corporation must list these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)

## 5. CHIEF EXECUTIVE OFFICER/

## ADDRESS

## CITY

## STATE

## ZIP CODE

Danny Sawyer

6525 Lanston st

San Diego

CA

92111

## 6. SECRETARY

## ADDRESS

## CITY

## STATE

## ZIP CODE

Dathan Kern

2901 Preece st

San Diego

CA

92111

## 7. CHIEF FINANCIAL OFFICER/

## ADDRESS

## CITY

## STATE

## ZIP CODE

Jim Cavanaugh

7730-A3 Belden st

San Diego

CA

92111

**Agent for Service of Process** If the agent is an individual, the agent must reside in California and Item 9 must be completed with a California street address, a P.O. Box address is not acceptable. If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 9 must be left blank.

## 8. NAME OF AGENT FOR SERVICE OF PROCESS

Danny Sawyer

## 9. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL

## CITY

## STATE

## ZIP CODE

6525 Lanston st

San Diego

CA

92111

## Davis-Stirling Common Interest Development Act (California Civil Code section 1350, et seq.)

10. ☐ Check here if the corporation is an association formed to manage a common interest development under the Davis-Stirling Common Interest Development Act.

NOTE: Corporations formed to manage a common interest development must also file a Statement by Common Interest Development Association (Form SI-CID) as required by California Civil Code section 1363.6. Please see instructions on the reverse side of this form.

## 11. THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

5/18/2013

Dathan Kern

Secretary

DATE

TYPE/PRINT NAME OF PERSON COMPLETING FORM

TITLE

SIGNATURE



# EXHIBIT 21

# Christian Congregation of Jehovah's Witnesses

2821 Route 22, Patterson, NY 12563-2237 Phone: (845) 306-1100

March 29, 2014

TO ALL CONGREGATIONS

Re: Adjustment to financing Kingdom Hall and Assembly Hall construction worldwide

Dear Brothers:

On September 1, 1983, the Kingdom Hall Fund was created to help finance the increasing need for Kingdom Halls. For more than 30 years, this arrangement has served to expand the construction of Kingdom Halls worldwide in a tremendous way by means of Regional Building Committees and the program for lands with limited resources. Having sufficient, adequate places of worship is vital, as Jehovah continues to 'speed up' the gathering of "a mighty nation." (Isa. 60:22) In order to meet these ever-increasing needs, the Governing Body has directed that an adjustment be made in the way Kingdom Hall and Assembly Hall construction projects are financed.

In harmony with the principle at 2 Corinthians 8:12-14, congregations will now be asked to pool their resources worldwide to support the construction of theocratic facilities wherever they are needed. Congregations and Assembly Halls will no longer be asked to repay a loan, and use of the separate contribution box labeled "Kingdom Hall Construction Worldwide" has been discontinued. Instead, all congregations will have the opportunity to support Kingdom Hall and Assembly Hall construction worldwide by resolving to make a monthly donation from congregation funds. If individual publishers wish to donate specifically to support Kingdom Hall and Assembly Hall construction worldwide, such donations will be accepted gladly and used wisely by the branch office. From now on, all funding for approved projects will be provided by the branch office from the funds that have been donated by you dear brothers and sisters.

The need for Kingdom Halls and Assembly Halls is greater than ever before. At this time, over 13,000 Kingdom Hall projects and 35 Assembly Hall projects are needed worldwide. Much of this need is in parts of the world where the cost of property and building materials is high. A tremendous amount of funds is needed to care for this work. However, we are confident that Jehovah will provide what is needed by your generous support. Time and again we have seen this take place. For example, it has been 24 years since we began offering literature under the donation arrangement, yet Jehovah's blessing on this adjustment has been obvious. We are confident that by means of Jehovah's continued blessing and the generosity of the worldwide brotherhood, the new arrangement for financing Kingdom Hall and Assembly Hall construction will be a success as well.—1 Chron. 29:11-14; Ps. 127:1.

May Jehovah continue to richly bless your hard work and loyal service as you generously support Kingdom interests.

Your brothers,  
*Christian Congregation  
of Jehovah's Witnesses*

c: Traveling overseers  
3/29/14-E

PS to body of elders:

At the Service Meeting for the week of April 28, 2014, the congregation should be informed that use of the contribution box labeled "Kingdom Hall Construction Worldwide" will be discontinued on May 1, 2014, and that further information will be provided at the following Service Meeting. This letter should be read to the congregation during the local needs part on the Service Meeting for the week of May 5, 2014. (Congregations having an assembly the week of May 5 should have the letter read the following week.) **This postscript should not be read to the congregation, and this letter should not be posted on the information board.** After the reading of the letter, either a resolution should be presented to the congregation or the survey described below should be taken. The December 7, 2009, letter to all congregations should be removed from the congregation permanent file of policy letters and be destroyed. Updated congregation accounting instructions and forms will begin to be provided in May 2014.

**Resolved donations:** All congregations are asked to establish a monthly resolved donation to support Kingdom Hall and Assembly Hall construction worldwide by no later than May 31, 2014.

- What amount should be used for this new resolved monthly donation?

The elders in congregations currently making loan repayments would likely propose a resolution that is *at least* the same amount as the current monthly loan repayment, keeping in mind that donations will no longer be received from the "Kingdom Hall Construction Worldwide" contribution box. The elders in congregations without loans or those having standing resolutions to support Kingdom Hall construction worldwide should take a confidential survey of all publishers to determine the amount of the new resolution. This can be done by passing out slips of paper to be filled out anonymously by the publishers indicating how much they are able to contribute monthly toward local congregation expenses, including the resolution to support Kingdom Hall and Assembly Hall construction worldwide. At the time the survey is taken, it may be helpful to also review with the congregation the average monthly operating expenses that need to be covered.

Elders should review this resolution annually in May to ensure the amount is what the congregation is realistically able to donate on a monthly basis. For example, there may be a significant increase or decrease in the number of publishers in the congregation, or the local economic conditions may appreciably improve or deteriorate, thus affecting the amount that the congregation can reasonably contribute. If necessary, the elders may take a new financial survey, as described above, to determine whether the resolved monthly contribution to Kingdom Hall and Assembly Hall construction worldwide should be adjusted for the coming year.

- What should be done with other existing resolutions?

Any previous resolution to support Kingdom Hall construction should be discontinued. All other resolutions, such as those for contributing to the worldwide work, the Convention Fund, the Traveling Overseer Assistance Arrangement, and the Kingdom Hall Assistance Arrangement, should continue to be honored. Where more than one congregation shares a Kingdom Hall, resolutions to contribute to a shared Kingdom

Hall operating account to cover the operating costs, minor renovations, and repairs may be adjusted as needed.

- How should this new resolved amount be submitted to the branch office?

Each congregation should establish its own resolution to contribute to Kingdom Hall and Assembly Hall construction worldwide and submit the resolved amount with its monthly remittance to the branch office. These resolved amounts should not be submitted through Kingdom Hall operating accounts. If revised forms for congregation accounting are not yet available in the language of the congregation, the resolved donation amount for Kingdom Hall and Assembly Hall construction worldwide may be recorded on the line "Kingdom Hall Construction Worldwide (Resolution)" that appears on the form(s) currently being used.

- What should be done if congregation funds are not sufficient to cover resolved donations?

If sufficient funds are not available for all resolved donations in a particular month, additional funds should not be solicited. The elders should determine what amounts from the congregation funds that are available at the end of the month will be applied toward the resolved monthly donation(s) and whether the shortfall should be made up in future months. However, it would be appropriate for the elders to remind the congregation of the resolved monthly commitments. If the congregation can no longer contribute the amount(s) they resolved on a regular basis, the elders may consider the situation at the next annual review of the resolution for Kingdom Hall and Assembly Hall construction worldwide.

**Contribution boxes:** As noted above, on May 1, 2014, each Kingdom Hall should have only two types of contribution boxes, one labeled "Local Congregation Expenses" and one labeled "Worldwide Work."

- What should be done with existing "Kingdom Hall Construction Worldwide" boxes or boxes set up to accept donations for a local building project?

These boxes will no longer be used for accepting donations in support of Kingdom Hall or Assembly Hall construction. They should be removed or relabeled to accept donations for the worldwide work on May 1, 2014.

- What type of expenses can be paid from funds received in the "Local Congregation Expenses" box?

These funds should be used to pay approved congregation expenses, including Kingdom Hall operating expenses, minor renovations, and repairs (through the operating committee, if applicable), as well as for all monthly resolved donations that are sent to the branch office.

- Are there any changes to the existing "Worldwide Work" box?

No. Funds received in the "Worldwide Work" box will continue to be forwarded to the branch office each month. No congregation expenses or monthly resolutions should be paid from these funds.

**Surplus funds:**

- Is it necessary to save congregation funds for future construction or major renovation projects?

No. While it may be practical to keep sufficient funds in the congregation account to care for minor renovations or repairs, there is no need to save funds for major renovations or repairs since these projects will be financed by the branch office as needed.

- What should be done with excess congregation funds that are currently being held or that may accumulate in the future?

The elders of congregations having funds on deposit with the branch office should review the balance of such funds and decide if these can be donated in full or in part to the worldwide work and/or Kingdom Hall and Assembly Hall construction worldwide, particularly if these funds were being saved for a future construction project. Periodically, the body of elders may also review the balance of the congregation funds to determine if surplus cash could be sent to the branch office as a donation. The recommendation for such a donation should be presented to the congregation as a one-time resolution. When this resolution is approved by the congregation, the one-time donation to the worldwide work or to Kingdom Hall and Assembly Hall construction worldwide may be added to the monthly resolved amounts sent to the branch office.



# EXHIBIT 22

In The Superior Court Of The State Of California  
In And For The County Of San Diego  
Department 65; Hon. JOAN LEWIS, Judge

|                           |   |          |
|---------------------------|---|----------|
| LOPEZ,                    | ) |          |
|                           | ) |          |
| Plaintiff,                | ) |          |
|                           | ) |          |
| vs.                       | ) | Case No. |
|                           | ) |          |
| DOE 1 LINDA VISTA CHURCH, | ) |          |
|                           | ) |          |
| Defendants.               | ) |          |
| <hr/>                     |   |          |

Reporter's Transcript  
THURSDAY, JANUARY 2, 2014

Appearances:

For the Plaintiff: THE ZALKIN GROUP  
By: DEVIN STOREY, Esq.  
By: IRWIN ZALKIN, Esq.  
12555 HIGH BLUFF DRIVE, SUITE 260  
SAN DIEGO, CALIFORNIA 92130

For the defendants: LAW OFFICE OF ROCKY COPLEY  
By: ROCKY COPLEY, Esq.  
225 BROADWAY, SUITE 2100  
SAN DIEGO, CALIFORNIA 92101  
  
JAMES MCCABE, Esq.  
4817 SANTA MONICA AVENUE  
SAN DIEGO, CALIFORNIA 92107

Darla Kmety, RPR, CSR 12956  
Official Court Reporter  
San Diego Superior Court  
San Diego, California 92101

1 the panel is called up. I understand that the complaint  
2 has a cause of action for sexual harassment, which you  
3 want to dismiss on the record?

4 MR. ZALKIN: We'll do that at this time:  
5 Dismiss the sexual harassment cause of action.

6 THE COURT: How many causes of action remain?

7 MR. STOREY: Five, your Honor.

8 THE COURT: Sexual harassment cause of action is  
9 dismissed.

10 Motion in limine, we talked about how many you  
11 anticipated having. First, Mr. Copley asked if both sides  
12 could do -- both defendants could do one set of the  
13 motions in limine. My answer is yes if it applies to you  
14 equally or exactly the same. If not, you need to do your  
15 own, so I know who I'm looking to what evidence I'm  
16 looking at or what argument I'm looking at and what party.

17 Anybody have an idea how many they're going to  
18 be doing at this time?

19 MR. COPLEY: We have 24, your Honor.

20 MR. STOREY: We'll be in that range, your Honor.

21 THE COURT: Okay. Now, I know that, it's under  
22 the rules, I think it's five days before the trial that  
23 the moving papers are filed and a few days later the  
24 opposition papers. You might want to stipulate you are  
25 going to do it earlier than that, get them to me earlier  
26 than that so I can read them. If there is 48 to 50, we're  
27 not starting Monday after the trial call. I cannot read  
28 that many motion in limines and make decisions on it.

1 Keep that in mind.

2 Trial briefs during trial, I do not want you to  
3 drop any trial briefs on my desk if I don't have any -- I  
4 have some concern I need something briefed, I will ask you  
5 to brief it. And please make sure if you're going to do  
6 trial briefs, they're in your trial notebook because in  
7 your trial notebook you'll see my TRC report, the jury  
8 instruction, the verdict form, the witness list, the  
9 exhibit list, trial briefs, this type of thing.

10 Even though we're doing everything most  
11 electronically, Regina still needs a caption page of the  
12 exhibit list on the joint statement of the case and on the  
13 witness list. She needs a caption page. Sometimes I just  
14 see in my notebook it says witness list, there's the  
15 witnesses.

16 MR. STOREY: That was a separate caption  
17 page for the exhibit, witness list?

18 THE COURT: Exhibit list, statement of the case.

19 MR. STOREY: On the witness list, I think your  
20 order indicates you want a description of what they're  
21 going to say. Certainly what they're -- I saw something  
22 there not just the name but a little description. Is that  
23 required?

24 THE COURT: No. I think it might be percipient,  
25 expert, party. Put them in alphabetical order. It would  
26 help Regina. I know you'll add a ton of people you won't  
27 anticipate to call. That is okay. I may have to ask  
28 these people if they know the names. How many days of --



# EXHIBIT 23

## Devin Storey

---

**From:** James McCabe <jim@mccabelaw.net>  
**Sent:** Monday, June 16, 2014 10:08 AM  
**To:** Devin Storey  
**Subject:** Lopez v. Linda Vista Dismissal

Devin:

When we spoke last week about your dismissing the case against Linda Vista Spanish Congregation, I assumed that you intended to dismiss with prejudice. I note this morning that your dismissal is without prejudice. My agreement with you to hold off on collecting costs was predicated on the dismissal being with prejudice. I will stipulate that you can withdraw your requests for dismissal without prejudice and re-file it with prejudice. If you do not choose to do that then please understand that we do not have any agreements with respect to the costs.

Jim

--

James M. McCabe  
The McCabe Law Firm, APC  
4817 Santa Monica Ave Suite B  
San Diego, CA 92107  
619 224-2848 Fax 619 224-0089  
Cell 619 203-1461  
[jim@mccabelaw.net](mailto:jim@mccabelaw.net)



# EXHIBIT 24

1 James M. McCabe, SBN 51040  
The McCabe Law Firm, APC  
2 4817 Santa Monica Avenue, Suite B  
San Diego, CA 92107  
3 (619) 224-2848

4 Attorneys for Doe 1, Linda Vista Church,  
Linda Vista Spanish Congregation  
5 of Jehovah's Witnesses

7-25-13  
Response  
Due if  
Accepted

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9 **COUNTY OF SAN DIEGO, CENTRAL DIVISION**

10 JOSE LOPEZ, an Individual,

11 Plaintiff,

12 v.

13 DOE 1, LINDA VISTA CHURCH; DOE  
2, SUPERVISORY ORGANIZATION;  
14 DOE 3, PERPETRATOR; and DOES 4  
through 100, inclusive,

15 Defendants.

CASE NO. 37-2012-00099849-CU-PO-CTL

**LINDA VISTA SPANISH CONGREGATION  
OF JEHOVAH'S WITNESSES' STATUTORY  
OFFER TO COMPROMISE PURSUANT TO  
CODE OF CIVIL PROCEDURE SECTION 998**

**IMAGED FILE**

Dept: C-65  
Judge: Joan M. Lewis

Complaint Filed: June 29, 2012  
Trial Date: January 10, 2014

18 **TO PLAINTIFF JOSE LOPEZ AND TO HIS ATTORNEYS OF RECORD:**

19 Defendant Linda Vista Spanish Congregation of Jehovah's Witnesses ("Linda Vista  
20 Spanish Congregation") sued herein as Doe 1, Linda Vista Church, offers to settle plaintiff Jose  
21 Lopez's claims against it upon judgment to be entered as follows:

22 Judgment to be entered in favor of plaintiff Jose Lopez and against Linda Vista Spanish  
23 Congregation for the sum of Sixty-six Thousand Six Hundred Seventy-five Dollars (\$66,675),  
24 each party to bear their own costs and attorney's fees.

25 Pursuant to Code of Civil Procedure section 998, subdivision (b), notice is hereby given  
26 that the plaintiff or his counsel may accept the offer set forth above by signing the acceptance line  
27 below and returning this offer reflecting that the offer has been accepted to the offering party. In  
28 the alternative, the party to whom this offer is made or his counsel may sign a separate statement

1 and shall serve the acceptance upon counsel for the offering party. The acceptance of this offer  
2 must be by mail or personal delivery to counsel for the offering party within thirty (30) days after  
3 the offer is made, or prior to trial or arbitration, whichever occurs first. After that time period, the  
4 offer is deemed withdrawn pursuant to Code of Civil Procedure section 998, subdivision (b)(2).  
5 For purposes of determining the deadline for acceptance of this offer, a trial or arbitration shall be  
6 deemed to be actually commenced at the beginning of the opening statement of the plaintiff or  
7 counsel, and if there is no opening statement, then at the time of the administering of the oath or  
8 affirmation to the first witness, or the introduction of any evidence. (Code Civ. Proc. § 998, subd.  
9 (b)(3).)

10 Defendant Linda Vista Spanish Congregation puts plaintiff on notice that it will request  
11 full payment for the services of any expert witnesses retained or used by it for the purpose of trial  
12 necessitated by plaintiff's failure or refusal to accept this offer of settlement as provided in Code  
13 of Civil Procedure section 998.

14 The McCabe Law Firm, APC

15  
16 Dated: June 21, 2013

17 By: 

18 James M. McCabe  
19 Attorney for Doe 1, Linda Vista Spanish  
20 Congregation of Jehovah's Witnesses

21 The above stated statutory offer to compromise under Code of Civil Procedure section 998  
22 is hereby accepted.

23 Dated: \_\_\_\_\_

24 \_\_\_\_\_



# EXHIBIT 25

|   |   |
|---|---|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, s. number, and address):<br><b>Rocky K. Copley (SBN 101628)</b><br><b>Law Office of Rocky K. Copley</b><br><b>225 Broadway, Suite 2100</b><br><b>San Diego, CA 92107</b><br>TELEPHONE NO.: (619) 232-3131 FAX NO.: (619) 232-1690<br>ATTORNEY FOR (Name): <b>Linda Vista Spanish Congregation</b> | FOR COURT USE ONLY                                |
| INSERT NAME OF COURT, JUDICIAL DISTRICT, AND BRANCH COURT, IF ANY:<br><b>Superior Court of the State of California, County of San Diego</b>   |   |
| PLAINTIFF: <b>Jose Lopez</b><br>DEFENDANT: <b>Defendant Doe 1, Linda Vista Church</b>   |   |
| <b>MEMORANDUM OF COSTS (SUMMARY)</b>  | CASE NUMBER:<br><b>37-2012-00099849-CU-PO-CTL</b> |

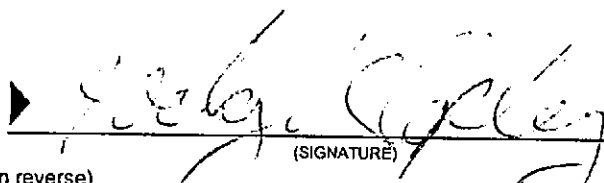
The following costs are requested:

|  | TOTALS   |
|--|--|
| 1. Filing and motion fees .....  | 1. \$ <span style="border: 1px solid black; padding: 2px;">2,015.00</span>       |
| 2. Jury fees .....   | 2. \$ <span style="border: 1px solid black; padding: 2px;">150.00</span>         |
| 3. Jury food and lodging .....   | 3. \$ <span style="border: 1px solid black; padding: 2px;">0.00</span>           |
| 4. Deposition costs .....  | 4. \$ <span style="border: 1px solid black; padding: 2px;">21,743.23</span>      |
| 5. Service of process .....  | 5. \$ <span style="border: 1px solid black; padding: 2px;">6,192.54</span>       |
| 6. Attachment expenses .....   | 6. \$ <span style="border: 1px solid black; padding: 2px;">0.00</span>           |
| 7. Surety bond premiums .....  | 7. \$ <span style="border: 1px solid black; padding: 2px;">0.00</span>           |
| 8. Witness fees .....  | 8. \$ <span style="border: 1px solid black; padding: 2px;">87,625.74</span>      |
| 9. Court-ordered transcripts .....   | 9. \$ <span style="border: 1px solid black; padding: 2px;">0.00</span>           |
| 10. Attorney fees (enter here if contractual or statutory fees are fixed without necessity of a court determination; otherwise a noticed motion is required) ..... | 10. \$ <span style="border: 1px solid black; padding: 2px;">0.00</span>          |
| 11. Models, blowups, and photocopies of exhibits .....   | 11. \$ <span style="border: 1px solid black; padding: 2px;">0.00</span>          |
| 12. Court reporter fees as established by statute .....  | 12. \$ <span style="border: 1px solid black; padding: 2px;">2,732.60</span>      |
| 13. Other .....  | 13. \$ <span style="border: 1px solid black; padding: 2px;">0.00</span>          |
| <b>TOTAL COSTS .....</b>   | <b>\$ <span style="border: 1px solid black; padding: 2px;">120,459.11</span></b> |

I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief this memorandum of costs is correct and these costs were necessarily incurred in this case.

Date: July 18, 2014

Rocky K. Copley  
(TYPE OR PRINT NAME)

  
(SIGNATURE)

(Proof of service on reverse)

SHORT TITLE: Jose Lopez v. Defendant Doe 1, Linda Vista Church, et al.

CASE NUMBER:

37-2012-00099849-CU-PO-CTL

## MEMORANDUM OF COSTS (WORKSHEET)

## 1. Filing and motion fees

Paper filedFiling fee

a. \_\_\_\_\_ \$ \_\_\_\_\_

b. \_\_\_\_\_ \$ \_\_\_\_\_

c. \_\_\_\_\_ \$ \_\_\_\_\_

d. \_\_\_\_\_ \$ \_\_\_\_\_

e. \_\_\_\_\_ \$ \_\_\_\_\_

f. \_\_\_\_\_ \$ \_\_\_\_\_

g. ☒ Information about additional filing and motion fees is contained in Attachment 1g.

TOTAL 1. \$ 2,015.00

## 2. Jury fees

DateFee & mileage

a. November 13, 2012 \$ 150.00

b. \_\_\_\_\_ \$ \_\_\_\_\_

c. \_\_\_\_\_ \$ \_\_\_\_\_

d. \_\_\_\_\_ \$ \_\_\_\_\_

e. ☐ Information about additional jury fees is contained in Attachment 2e.

TOTAL 2. \$ 150.00

3. Juror food: \$ \_\_\_\_\_ and lodging: \$ \_\_\_\_\_

TOTAL 3. \$ 0.00

## 4. Deposition costs

Name of deponentTakingTranscribingTravelVideo-tapingSubtotals

a. \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

b. \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

c. \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

d. \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

e. ☒ Information about additional deposition costs is contained in Attachment 4e.

TOTAL 4. \$ 21,743.23

(Continued on reverse)

Page 1 of 3

SHORT TITLE: Jose Lopez v. Defei. at Doe I, Linda Vista Church, et al.

CASE NUMBER:

37-2012-00099849-CU-PO-CTL

5. Service of process

|    | <u>Name of person served</u> | <u>Public officer</u> | <u>Registered process</u> | <u>Publication</u> | <u>Other (specify)</u> |
|----|------------------------------|-----------------------|---------------------------|--------------------|------------------------|
| a. | _____                        | \$ _____              | \$ _____                  | \$ _____           | \$ _____               |
| b. | _____                        | \$ _____              | \$ _____                  | \$ _____           | \$ _____               |
| c. | _____                        | \$ _____              | \$ _____                  | \$ _____           | \$ _____               |

d. ☒ Information about additional costs for service of process is contained in Attachment 5d.

TOTAL 5. \$ 6,192.54

6. Attachment expenses (specify):

6. \$ 0.00

7. Surety bond premiums (itemize bonds and amounts):

7. \$ 0.00

8. a. Ordinary witness fees

|     | <u>Name of witness</u> | <u>Daily fee</u>           | <u>Mileage</u>                   | <u>Total</u> |
|-----|------------------------|----------------------------|----------------------------------|--------------|
| (1) | _____                  | _____ days at _____ \$/day | _____ miles at _____ ¢/mile .... | \$ _____     |
| (2) | _____                  | _____ days at _____ \$/day | _____ miles at _____ ¢/mile .... | \$ _____     |
| (3) | _____                  | _____ days at _____ \$/day | _____ miles at _____ ¢/mile .... | \$ _____     |
| (4) | _____                  | _____ days at _____ \$/day | _____ miles at _____ ¢/mile .... | \$ _____     |
| (5) | _____                  | _____ days at _____ \$/day | _____ miles at _____ ¢/mile .... | \$ _____     |

(6) ☒ Information about additional ordinary witness fees is contained in Attachment 8a(6).

SUBTOTAL 8a. \$ 110.60

(Continued on next page)

Page 2 of 3

SHORT TITLE: Jose Lopez v. Defel. at Doe I, Linda Vista Church, et al.

CASE NUMBER:

37-2012-00099849-CU-PO-CTL

MEMORANDUM OF COSTS (WORKSHEET) (Continued)

8. b. Expert fees (per Code of Civil Procedure section 998)

Name of witness

Fee

(1) \_\_\_\_\_ hours at \$ \_\_\_\_\_ /hr ... \$ \_\_\_\_\_  
(2) \_\_\_\_\_ hours at \$ \_\_\_\_\_ /hr ... \$ \_\_\_\_\_  
(3) \_\_\_\_\_ hours at \$ \_\_\_\_\_ /hr ... \$ \_\_\_\_\_  
(4) \_\_\_\_\_ hours at \$ \_\_\_\_\_ /hr ... \$ \_\_\_\_\_

(5) ☒ Information about additional expert witness fees is contained in Attachment 8b(5).

SUBTOTAL 8b. \$ 87,515.14

c. Court-ordered expert fees

Name of witness

Fee

(1) \_\_\_\_\_ hours at \$ \_\_\_\_\_ /hr ... \$ \_\_\_\_\_  
(2) \_\_\_\_\_ hours at \$ \_\_\_\_\_ /hr ... \$ \_\_\_\_\_

(3) ☐ Information about additional court-ordered expert witness fees is contained in Attachment 8c(3).

SUBTOTAL 8c. \$ 0.00

TOTAL (8a, 8b, & 8c) 8. \$ 87,625.74

9. Court-ordered transcripts (specify):

9. \$ 0.00

10. Attorney fees (enter here if contractual or statutory fees are fixed without necessity of a court determination; otherwise a noticed motion is required):

10. \$ 0.00

11. Models, blowups, and photocopies of exhibits (specify):

11. \$ 0.00

12. Court reporter fees (as established by statute)

a. (Name of reporter): \_\_\_\_\_ Fees: \$ \_\_\_\_\_

b. (Name of reporter): \_\_\_\_\_ Fees: \$ \_\_\_\_\_

c. ☒ Information about additional court reporter fees is contained in Attachment 12c.

TOTAL 12. \$ 2,732.60

13. Other (specify):

13. \$ 0.00

TOTAL COSTS \$ 120,459.11

(Additional information may be supplied on the reverse)

Page 3 of 3

**Attachment 1G - Filing and Motion Fees:**

|            |                |   |             |    |          |
|------------|----------------|---|-------------|----|----------|
| 9/18/2012  | Superior Court | Filing fee for Linda Vista's Answer   | Filing Fees | \$ | 435.00   |
| 4/23/2013  | Superior Court | 37-2012-0099849-CU-PO-CTL Lopez v. Watchtower   | Filing Fees | \$ | 20.00    |
| 5/16/2013  | Superior Court | Filing fee for motion to compel answers at deposition of plaintiff                                | Filing Fees | \$ | 60.00    |
| 5/23/2013  | Superior Court | Filing fee for motion to compel re production of records from Dr. Kugel                           | Filing Fees | \$ | 60.00    |
| 5/31/2013  | Superior Court | Filing fee for ex parte application to continue trial date  | Filing Fees | \$ | 60.00    |
| 6/20/2013  | Superior Court | Filing fee for Joint Motion for Summary Judgment re statute of limitations                        | Filing Fees | \$ | 500.00   |
| 7/29/2013  | Superior Court | Filing fee for Stipulation to Take Motion to Compel Off Calendar                                  | Filing Fees | \$ | 20.00    |
| 8/26/2013  | Superior Court | Filing fee for ex parte papers  | Filing Fees | \$ | 60.00    |
| 9/4/2013   | Superior Court | Filing fee for Motion for Summary Adjudication re ratification                                    | Filing Fees | \$ | 500.00   |
| 9/12/2013  | Superior Court | Filing fee for ex parte application to set a hearing for a motion to compel D. Esteban deposition | Filing Fees | \$ | 60.00    |
| 12/24/2013 | Superior Court | Filing fee for ex parte papers re bifurcation   | Filing Fees | \$ | 60.00    |
| 1/21/2014  | Superior Court | Filing fee for ex parte application to file First Amended Complaint                               | Filing Fees | \$ | 60.00    |
| 1/21/2014  | Superior Court | Filing fee for Ex Parte Application for Stay of Discovery Orders                                  | Filing Fees | \$ | 60.00    |
| 4/4/2014   | Superior Court | Filing fee for Motion to file First Amended Answer to First Amended Complaint                     | Filing Fees | \$ | 60.00    |
| Sub-Total: |                |   |             | \$ | 2,015.00 |

**Attachment 4E - Deposition Costs:**

|           |                      |  |              |    |        |
|-----------|----------------------|--|--------------|----|--------|
| 3/1/2013  | Atkinson-Baker, Inc. | Spanish Interpreter for the deposition of Leticia Lopez taken on February 28, 2013 | Interpreter  | \$ | 830.00 |
| 3/21/2013 | Atkinson-Baker, Inc. | DVD for the deposition of Leticia Lopez taken on February 28, 2013                 | Video Taping | \$ | 575.00 |

|            |                      |   |                 |    |          |
|------------|----------------------|---|-----------------|----|----------|
| 3/21/2013  | Atkinson-Baker, Inc. | Reporter's transcript of the deposition of Socorro Preciado de Lopez taken on February 28, 2013 | Court Reporting | \$ | 1,167.65 |
| 3/21/2013  | Atkinson-Baker, Inc. | DVD for the deposition of Jose Lopez taken on March 1, 2013                                     | Video Taping    | \$ | 525.00   |
| 3/22/2013  | Atkinson-Baker, Inc. | Reporter's transcript of the deposition of Jose Lopez taken on March 1, 2013                    | Court Reporting | \$ | 1,275.95 |
| 8/27/2013  | Atkinson-Baker, Inc. | DVD for the dposition of Alvaro Garcia taken on August 19, 2013                                 | Video Taping    | \$ | 561.25   |
| 8/27/2013  | Atkinson-Baker, Inc. | DVD for the deposition of Christian Carreno taken on August 20, 2013                            | Video Taping    | \$ | 1,047.50 |
| 8/30/2013  | Atkinson-Baker, Inc. | Reporter's transcript of deposition of Alvaro Garcia, taken on August 19, 2013                  | Court Reporting | \$ | 434.80   |
| 9/5/2013   | Atkinson-Baker, Inc. | Reporter's transcript of deposition of Christian Carreno taken on August 20, 2013               | Court Reporting | \$ | 775.50   |
| 9/5/2013   | Atkinson-Baker, Inc. | Reporter's affidavit of non-appearance with statement for Dulcinea Esteban                      | Court Reporting | \$ | 152.00   |
| 11/7/2013  | Atkinson-Baker, Inc. | DVD for the deposition of Dulcinea Esteban taken on October 29, 2013                            | Video Taping    | \$ | 487.00   |
| 11/15/2013 | Atkinson-Baker, Inc. | Reporter's transcript of the deposition of Dulcinea Esteban taken on October 29, 2013           | Court Reporting | \$ | 401.80   |
| 11/15/2013 | Atkinson-Baker, Inc. | Reporter's transcript of the deposition of Michael Moreno taken on October 30, 2013             | Court Reporting | \$ | 294.75   |
| 11/27/2013 | Atkinson-Baker, Inc. | Reporter's transcript of the deposition of Robert A. Geffner, Ph.D. taken on November 25, 2013  | Court Reporting | \$ | 1,356.43 |
| 12/3/2013  | Atkinson-Baker, Inc. | DVD for the deposition of Robert A. Geffner, Ph.D. taken on November 25, 2013                   | Video Taping    | \$ | 823.75   |
| 12/11/2013 | Atkinson-Baker, Inc. | Certified copy of the reporter's transcript of the deposition of Monica Applewhite              | Court Reporting | \$ | 341.95   |
| 12/20/2013 | Atkinson-Baker, Inc. | Reporter's transcript of the deposition of Mauela Perales taken on December 13, 2013            | Court Reporting | \$ | 497.70   |
| 12/24/2013 | Atkinson-Baker, Inc. | Video time and DVD for the deposition of Robert A. Geffner, Ph.D. taken on December 18, 2013    | Video Taping    | \$ | 1,065.00 |

|            |                      |  |                 |    |          |
|------------|----------------------|--|-----------------|----|----------|
| 12/27/2013 | Atkinson-Baker, Inc. | Certified copy of the reporter's transcript of the deposition of Jeffrey Younggren, Ph.D. taken on December 12, 2013 | Court Reporting | \$ | 485.45   |
| 12/31/2013 | Atkinson-Baker, Inc. | Electronic transcript of the deposition of Ramon Preciado taken on October 23, 2013                                  | Court Reporting | \$ | 169.80   |
| 1/3/2014   | Atkinson-Baker, Inc. | Reporter's transcript of the deposition of Robert A. Geffner, Ph.D. taken on December 18, 2013                       | Court Reporting | \$ | 1,578.89 |
| 5/6/2014   | Atkinson-Baker, Inc. | Electronic transcript of the deposition of Ricard Ashe taken March 31, 2014  | Court Reporting | \$ | 504.80   |
| 5/8/2014   | Atkinson-Baker, Inc. | Electronic transcripts of the depositions of Richard Ashe and Mario F. Moreno taken on April 1, 2014                 | Court Reporting | \$ | 646.35   |
| 6/5/2014   | Atkinson-Baker, Inc. | DVD for the deposition of Manuela Dorman taken on December 13, 2013  | Video Taping    | \$ | 325.00   |
| 6/11/2014  | Atkinson-Baker, Inc. | DVD for the deposition of Richard Ashe taken on March 31, 2014   | Video Taping    | \$ | 475.00   |
| 6/11/2014  | Atkinson-Baker, Inc. | DVD for the depositions of Richard Ashe and Mario Moreno taken on April 1, 2014                                      | Video Taping    | \$ | 525.00   |
| 6/11/2014  | Atkinson-Baker, Inc. | DVD for the deposition of Dr. Jeffrey Younggren taken on December 12, 2013   | Video Taping    | \$ | 225.00   |
| 4/23/2013  | Videotrack           | Digital audio and trial presentation services by Videotrack re psychological evaluation of plaintiff                 | Transcribing    | \$ | 429.30   |
| 5/22/2013  | Videotrack           | Digital Video Services by Videotrack re videotaped deposition  | Video Taping    | \$ | 221.40   |
| 3/14/2014  | Other Expenses       | RT airfare San Diego/New York to attend depositions  | Travel          | \$ | 1,470.00 |
| 4/10/2014  | Rocky Copley         | Cab Fare 3/30/14 RKC office to SO airport re travel to NY for dep...   | Travel          | \$ | 17.00    |
| 4/10/2014  | Rocky Copley         | Cab Fare 3/30/14 hotel to restaurant re NY trip re depositions   | Travel          | \$ | 15.00    |
| 4/10/2014  | Rocky Copley         | 4/2/14 bridge toll re travel to Patterson, NY re meetings with Watchtower  | Travel          | \$ | 7.50     |
| 4/10/2014  | Rocky Copley         | 4/2/14 bridge toll re travel to Brooklyn after meetings with Watchtower  | Travel          | \$ | 7.50     |
| 4/10/2014  | Rocky Copley         | Cab Fare 4/3/14 hotel to LaGuardia Airport   | Travel          | \$ | 45.00    |
| 4/10/2014  | Rocky Copley         | Cab Fair 4/3/14 SO Airport to RKC office   | Travel          | \$ | 17.00    |
| 3/14/2014  | Other Expenses       | Round trip airfare to New York for the deposition of Richard Ashe  | Travel          | \$ | 579.50   |

|                   |                |  |        |           |                  |
|-------------------|----------------|--|--------|-----------|------------------|
| 3/30/2014         | Other Expenses | Food expense re attending depositions of PMQ and Losch in Brooklyn, NY         | Travel | \$        | 96.50            |
| 3/31/2014         | Other Expenses | Food expense re NY trip to attend depositions of PMQ and Losch in Brooklyn, NY | Travel | \$        | 51.00            |
| 4/1/2014          | Other Expenses | Food expense re NY trip to attend depositions of PMQ and Losch in Brooklyn, NY | Travel | \$        | 46.34            |
| 4/2/2014          | Other Expenses | Food expense re NY trip to attend depositions of PMQ and Losch in Brooklyn, NY | Travel | \$        | 47.64            |
| 3/27/2014         | Travelocity    | Airfare to fly SO to NY on 3/30/14   | Travel | \$        | 1,114.50         |
| 4/3/2014          | Other Expenses | Food expense re travel from NY to SO 4/3/14                                    | Travel | \$        | 11.15            |
| 4/3/2014          | Other          | Food expense re travel from NY to SO 4/3/14                                    | Travel | \$        | 18.58            |
| <b>Sub-Total:</b> |                |  |        | <b>\$</b> | <b>21,743.23</b> |

**Attachment 5D - Service of Process:**

|            |                        |  |    |        |
|------------|------------------------|--|----|--------|
| 6/10/2013  | Express Processing     | Fee for service of process on Samuel Kugel, M.D. on 6/6/2013 (business records       | \$ | 120.00 |
| 7/2/2013   | Express Processing     | Fee for service of process on Dulcinea Esteban on 6/29/13 (deposition subpoena)      | \$ | 73.00  |
| 7/2/2013   | Express Processing     | Fee for service of process on Alvaro Garcia on 6/28/13 (deposition subpoena)         | \$ | 73.00  |
| 7/18/2013  | Express Processing     | Fee for service of process on Alvaro Garcia on 7/16/13 (amended deposition subpoena) | \$ | 73.00  |
| 7/18/2013  | Express Processing     | Fee for service of process on Dulcinea Esteban on 7/16/13 (Amended deposition        | \$ | 73.00  |
| 7/23/2013  | Express Processing     | Fee for service of process on Christian Carreno on 7/22/13                           | \$ | 68.00  |
| 10/29/2012 | Knox Attorney Services | Service of Authorization for records from Leed Recycling                             | \$ | 71.68  |
| 10/26/2012 | Knox Attorney Services | Service of Authorization for records from San Diego County Office of Education       | \$ | 70.12  |
| 10/26/2012 | Knox Attorney Services | Service of Authorization for records from Chandler Packaging                         | \$ | 94.95  |
| 10/25/2012 | Knox Attorney Services | Service of Authorization for records from Taco Bell                                  | \$ | 75.17  |

|            |                        |   |    |        |
|------------|------------------------|---|----|--------|
| 10/25/2012 | Knox Attorney Services | Service of Authorization for records from SAY San Diego                         | \$ | 68.96  |
| 10/25/2012 | Knox Attorney Services | Service of Authorization for records from UPAC                                  | \$ | 68.96  |
| 11/6/2012  | Knox Attorney Services | Service of Authorization for records from Macy's Corporation                    | \$ | 133.63 |
| 10/31/2012 | Knox Attorney Services | Service of Authorization for records from TNT Cable Industries                  | \$ | 86.12  |
| 11/6/2012  | Knox Attorney Services | Service of Authorization for records from Dr. Linhkieu T. Nguyen                | \$ | 97.48  |
| 11/6/2012  | Knox Attorney Services | Service of Authorization for records from GMI Integrated Facility Solutions     | \$ | 79.44  |
| 11/6/2012  | Knox Attorney Services | Service of Authorization for records from Challenger Sheet Metal                | \$ | 89.92  |
| 11/8/2012  | Knox Attorney Services | Service of Authorization for records from San Diego Unified School District     | \$ | 76.34  |
| 11/8/2012  | Knox Attorney Services | Service of Authorization for records from Center for Employment                 | \$ | 109.10 |
| 11/7/2012  | Knox Attorney Services | Service of Authorization for records from True Blue, Inc.                       | \$ | 139.84 |
| 11/14/2012 | Knox Attorney Services | Service of Authorization for records from The Green Flash Restaurant            | \$ | 72.46  |
| 11/27/2012 | Knox Attorney Services | Service of Authorization on La Jolla Car Wash re records of Jose Lopez          | \$ | 72.46  |
| 12/4/2012  | Knox Attorney Services | Service of Authorization for records on La Maestra Community Health             | \$ | 88.62  |
| 12/7/2012  | Knox Attorney Services | Service of Authorization for records on Masteres Billing for Dr. Nguyen billing | \$ | 103.26 |
| 12/4/2012  | Knox Attorney Services | Service of Authorization for records from Sweetwater Union High School District | \$ | 90.11  |
| 12/6/2012  | Knox Attorney Services | Service of Authorization for records from Center for Education                  | \$ | 148.34 |
| 1/9/2013   | Knox Attorney Services | Service of Authorization for records from Campland on the Bay                   | \$ | 72.63  |
| 1/8/2013   | Knox Attorney Services | Service of Authorization for records from Employee Leasing                      | \$ | 120.92 |
| 1/16/2013  | Knox Attorney Services | Scanning/Photocopy services by Knox Attorney Services                           | \$ | 76.84  |
| 1/24/2013  | Knox Attorney Services | Service of Authorization for records from UPAC                                  | \$ | 77.68  |

|            |                        |  |    |        |
|------------|------------------------|--|----|--------|
| 2/25/2013  | Knox Attorney Services | Service of Deposition Subpoena for records from San Diego Sheriff's Dept.        | \$ | 71.75  |
| 2/25/2013  | Knox Attorney Services | Service of Deposition Subpoena for Records from San Diego Police Dept.           | \$ | 39.75  |
| 2/26/2013  | Knox Attorney Services | Service of Deposition Subpoena for Records from ADT Program                      | \$ | 73.75  |
| 3/8/2013   | Knox Attorney Services | Service of subpoena for records on Union of Pan -Asian Communities               | \$ | 73.71  |
| 3/18/2013  | Knox Attorney Services | Printing/Reproduction expense  | \$ | 104.98 |
| 3/29/2013  | Knox Attorney Services | Printing/Reproduction expense: Records from SDPD                                 | \$ | 300.32 |
| 4/25/2013  | Knox Attorney Services | Service of subpoena on Clark Clipson, Ph.D.                                      | \$ | 73.71  |
| 5/1/2013   | Knox Attorney Services | Service of subpoena on San Diego Police Dept.                                    | \$ | 104.24 |
| 5/31/2013  | Knox Attorney Services | Service of subpoena on San Diego County Probation Department                     | \$ | 90.98  |
| 7/5/2013   | Knox Attorney Services | Service of subpoena on Samuel Kugel, M.D.  | \$ | 106.95 |
| 8/15/2013  | Knox Attorney Services | Service of subpoena for records of Joseph Sheridan, M.D.                         | \$ | 120.73 |
| 9/5/2013   | Knox Attorney Services | Photocopy services   | \$ | 105.62 |
| 9/5/2013   | Knox Attorney Services | Service of subpoena for records on Medical Services Division -SD Sheriff's Dept. | \$ | 183.49 |
| 9/5/2013   | Knox Attorney Services | Service of subpoena for records on California Employment Development             | \$ | 140.18 |
| 10/23/2013 | Knox Attorney Services | Service of deposition subpoena on Michael Moreno                                 | \$ | 59.00  |
| 11/6/2013  | Knox Attorney Services | Service of subpoena and reproduction costs for Dr. Geffner, Ph.D.'s file         | \$ | 755.71 |
| 11/14/2013 | Knox Attorney Services | Scan of Dr. Geffner records to disk  | \$ | 236.47 |
| 12/3/2013  | Knox Attorney Services | Fee for service of subpoena for records from Jess M. Grygorfan, Ph.D.            | \$ | 98.23  |
| 12/6/2013  | Knox Attorney Services | Reproduction expense for duplication of Monica Applewhite's file                 | \$ | 433.94 |
| 6/11/2014  | Knox Attorney Services | Process Service of Trial Subpoena Esteban  | \$ | 59.00  |

|           |                        |  |                   |                    |
|-----------|------------------------|--|-------------------|--------------------|
| 6/11/2014 | Knox Attorney Services | Process Service of Trial Subpoena Carreno        | \$                | 59.00              |
| 6/11/2014 | Knox Attorney Services | Process Service of Trial Subpoena Kugel MD       | \$                | 59.00              |
| 6/11/2014 | Knox Attorney Services | Process Service of Trial Subpoena Sheridan MD    | \$                | 59.00              |
| 6/17/2014 | Knox Attorney Services | Process Service of Trial Subpoena Michael Moreno | \$                | 118.00             |
|           |                        |  | <b>Sub-Total:</b> | <b>\$ 6,192.54</b> |

**Attachment 8A(6) - Ordinary Witness Fees:**

|           |                   |  |                   |           |               |
|-----------|-------------------|--|-------------------|-----------|---------------|
| 7/12/2013 | Alvaro Garcia     | Witness fees and mileage for Alvaro Garcia deposition on 8/19/2013   | General Witness   | \$        | 36.40         |
| 7/12/2013 | Dulcinea Esteban  | Witness fees and mileage for Dulcinea Esteban for 8/20/13 deposition | General Witness   | \$        | 37.40         |
| 7/18/2013 | Christian Carreno | Witness and mileage fee re deposition of Christian Carreno           | General Witness   | \$        | 36.80         |
|           |                   |  | <b>Sub-Total:</b> | <b>\$</b> | <b>110.60</b> |

**Attachment 8B(5) - Expert Fees:**

|            |                               |   |             |    |           |
|------------|-------------------------------|---|-------------|----|-----------|
| 5/14/2013  | Park Dietz & Associates, Inc. | Expert fees for Monica Applewhite, Ph.D.    | Expert Fees | \$ | 1,485.00  |
| 6/17/2013  | Park Dietz & Associates, Inc. | Expert fees for Monica Applewhite, Ph.D.    | Expert Fees | \$ | 10,395.00 |
| 12/16/2013 | Park Dietz & Associates, Inc. | Expert fees for Monica Applewhite, Ph.D.    | Expert Fees | \$ | 25,740.00 |
| 1/13/2014  | Park Dietz & Associates, Inc. | Expert fees for Monica Applewhite, Ph.D.    | Expert Fees | \$ | 21,451.09 |
| 2/4/2013   | Jeffrey N. Younggren, Ph.D.   | Expert fees for Jeffrey N. Younggren, Ph.D. | Expert Fees | \$ | 8,493.75  |
| 5/8/2013   | Jeffrey N. Younggren, Ph.D.   | Expert fees for Jeffrey N. Younggren, Ph.D. | Expert Fees | \$ | 10,000.61 |
| 7/3/2013   | Jeffrey N. Younggren, Ph.D.   | Expert fees for Jeffrey N. Younggren, Ph.D. | Expert Fees | \$ | 875.00    |
| 7/31/2013  | Jeffrey N. Younggren, Ph.D.   | Expert fees for Jeffrey N. Younggren, Ph.D. | Expert Fees | \$ | 175.00    |
| 9/5/2013   | Jeffrey N. Younggren, Ph.D.   | Expert fees for Jeffrey N. Younggren, Ph.D. | Expert Fees | \$ | 87.50     |

|                  |                             |   |             |           |                  |
|------------------|-----------------------------|---|-------------|-----------|------------------|
| 10/2/2013        | Jeffrey N. Younggren, Ph.D. | Expert fees for Jeffrey N. Younggren, Ph.D. | Expert Fees | \$        | 262.50           |
| 11/4/2013        | Jeffrey N. Younggren, Ph.D. | Expert fees for Jeffrey N. Younggren, Ph.D. | Expert Fees | \$        | 937.50           |
| 12/18/2013       | Jeffrey N. Younggren, Ph.D. | Expert fees for Jeffrey N. Younggren, Ph.D. | Expert Fees | \$        | 7,612.19         |
| <b>Sub-Total</b> |                             |   |             | <b>\$</b> | <b>87,515.14</b> |

**Attachment 12C - Court Reporter Fees:**

|                   |                      |   |                 |           |                 |
|-------------------|----------------------|---|-----------------|-----------|-----------------|
| 12/12/2013        | Atkinson-Baker, Inc. | Reporter's per diem and certified copy of the proceedings taken on October 25, 2013 | Court Reporting | \$        | 446.60          |
| 12/13/2013        | Atkinson-Baker, Inc. | Reporter's fee for taking the proceeding taken on November 22, 2013                 | Court Reporting | \$        | 435.00          |
| 1/16/2014         | Darla Kmety          | Reporter's transcript of the proceedings taken on January 2, 2014                   |                 | \$        | 193.50          |
| 2/7/2014          | Atkinson-Baker, Inc. | Reporter's transcript for the proceedings taken January 30, 2014                    | Court Reporting | \$        | 319.30          |
| 2/7/2014          | Atkinson-Baker, Inc. | Reporter's transcript for the proceedings taken February 6, 2014                    | Court Reporting | \$        | 304.45          |
| 5/15/2014         | Atkinson-Baker, Inc. | Reporter's transcript of the proceedings taken on May 2, 2014                       | Court Reporting | \$        | 1,033.75        |
| <b>Sub-Total:</b> |                      |   |                 | <b>\$</b> | <b>2,732.60</b> |

|                               |           |                   |
|-------------------------------|-----------|-------------------|
| <b>Filing and Motion Fees</b> | <b>\$</b> | <b>2,015.00</b>   |
| <b>Jury Fees</b>              | <b>\$</b> | <b>150.00</b>     |
| <b>Deposition Fees</b>        | <b>\$</b> | <b>21,743.23</b>  |
| <b>Service of Process</b>     | <b>\$</b> | <b>6,192.54</b>   |
| <b>Ordinary Witness Fees</b>  | <b>\$</b> | <b>110.60</b>     |
| <b>Expert Fees</b>            | <b>\$</b> | <b>87,515.14</b>  |
| <b>Court Reporter Fees</b>    | <b>\$</b> | <b>2,732.60</b>   |
| <b>GRAND TOTAL:</b>           | <b>\$</b> | <b>120,459.11</b> |





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# EXHIBIT 26

# WATCHTOWER

BIBLE AND TRACT SOCIETY OF NEW YORK, INC.

CABLE WATCHTOWER

25 COLUMBIA HEIGHTS, BROOKLYN, NEW YORK 11201, U.S.A.

PHONE (718) 825-3800

July 1, 1989

TO ALL BODIES OF ELDERS IN THE UNITED STATES

C O N F I D E N T I A L

Dear Brothers:

We are writing to help all of you as individual elders be aware of a growing concern regarding the handling of your duties that may involve legal issues or questions. Due to its importance, the presiding overseer should arrange for a special meeting of the body of elders to read and consider this letter carefully.

In spreading the Kingdom message, it is appropriate that we be bold and outspoken. Jesus commanded that "what you hear whispered, preach from the housetops." (Matthew 10:27) Even when worldly authorities demand that we keep silent, we reply as did the apostles: "We cannot stop speaking about the things we have seen and heard." (Acts 4:20) The Christian congregation will continue to declare the Kingdom message boldly until Jehovah says the work is done.

Elders share the obligation to shepherd the flock. However, they must be careful not to divulge information about personal matters to unauthorized persons. There is "a time to keep quiet," when "your words should prove to be few." (Ecclesiastes 3:7; 5:2) Proverbs 10:19 warns: "In the abundance of words there does not fail to be transgression, but the one keeping his lips in check is acting discreetly." Problems are created when elders unwisely reveal matters that should be kept confidential. Elders must give special heed to the counsel: "Do not reveal the confidential talk of another." (Proverbs 25:9) Often the peace, unity, and spiritual well-being of the congregation are at stake. Improper use of the tongue by an elder can result in serious legal problems for the individual, the congregation, and even the Society.

While we as Christians are ready to forgive others who may wrong us, those in the world are not so inclined. Worldly persons are quick to resort to lawsuits if they feel their "rights" have been violated. Some who oppose the Kingdom preaching work readily take advantage of any legal provisions to interfere with it or impede its progress. Thus, elders must especially guard the use of the tongue. Jesus faced opposers who tried to "catch him in speech, so as to turn him over to the government." (Luke 20:20) He instructed us to be "cautious as serpents and yet innocent as doves" in such situations. (Matthew 10:16) Where such a threat exists, our position as elders should be in line with David's words: "I will set a muzzle as a guard to my own mouth, as long as anyone wicked is in front of me."—Psalm 39:1.

TO ALL BODIES OF ELDERS  
July 1, 1989  
Page 2

In recent years, this matter has come to be a cause for increasing concern. The spirit of the world has sensitized people regarding their legal "rights" and the legal means by which they can exact punishment if such "rights" are violated. Hence, a growing number of vindictive or disgruntled ones, as well as opposers, have initiated lawsuits to inflict financial penalties on the individual, the congregation, or the Society. Many of these lawsuits are the result of the misuse of the tongue. As elders, remember that ill-advised statements or actions on your part can sometimes be interpreted legally as violating others' "rights."

The need for elders to maintain strict confidentiality has been repeatedly stressed. Please see The Watchtower of April 1, 1971, pages 222-4, and September 1, 1987, pages 12-15. The September 1977 Our Kingdom Service, page 6, paragraph 36, and the ks77 text-book, page 65, also provide helpful direction and counsel. That material strongly emphasized the elders' responsibility to avoid revealing confidential information to those not entitled to it.

The legal consequences of a breach of confidentiality by the elders can be substantial. If the elders fail to follow the Society's direction carefully in handling confidential matters, such mistakes could result in successful litigation by those offended. Substantial monetary damages could be assessed against the elders or congregation. In some cases where the authorities are involved, certain complications could lead to a fine or imprisonment. These possibilities underscore the need for elders to be discerning and to follow carefully directions provided by the Society.

## I. WHAT TO DO IN SPECIFIC CASES

### A. Judicial Committee Matters

Judicial committees must follow carefully the Society's instructions in carrying out their duties. (Note ks77, pages 66-70; ks81, pages 160-70.) Anything submitted in writing to the committee by the alleged wrongdoer or by witnesses should be kept in strict confidence. If it is necessary to continue at a later time a committee hearing, the members of the committee should submit to the chairman any personal notes they have taken. The chairman will keep these notes in a secure place to prevent breaches of confidentiality. The notes may be returned to the individual elders when the hearing resumes. Upon conclusion of the case, the chairman should place only necessary notes and documents, a summary of the case, and the S-77 forms in a sealed envelope for the congregation file. Nothing should be preserved outside of this sealed envelope (including unnecessary personal notes) by any elder on the committee. Obviously, no committee will ever allow judicial proceedings to be tape recorded or allow witnesses testifying before the committee to take notes.

## **B. Child Abuse**

Many states have child abuse reporting laws. When elders receive reports of physical or sexual abuse of a child, they should contact the Society's Legal Department immediately. Victims of such abuse need to be protected from further danger.—See "If the Worst Should Happen," Awake! January 22, 1985, page 8.

## **C. Search Warrants and Subpoenas**

1. A search warrant is a court order authorizing the police to search premises to locate evidence that may be used in a criminal prosecution. No elder should ever consent to the search of a Kingdom Hall or any other place where confidential records are stored. However, armed with a search warrant the police do not need consent and may even use force to accomplish their task. Likely before obtaining a search warrant, the police or other governmental officials will make inquiries regarding confidential records, make request to obtain the records, or indicate that they will seek a search warrant if the elder(s) involved does not cooperate. In any such situation, the Society's Legal Department should be called immediately.

At any time an elder is confronted with a search warrant (whether given advance notice or not), the elder should first ask to read the warrant. After reading it he should ask if he can call for legal guidance and then call the Society's Legal Department. If for some reason the Legal Department cannot be contacted, the elders involved should make every effort to obtain the assistance of a local attorney for the purpose of protecting the confidentiality of the records. It may be impossible to stop determined officers from conducting the search authorized by the warrant. Conscientious elders will want to do all they reasonably and peaceably can to preserve the confidentiality of the congregation in harmony with the principle set out in Acts 5:29.

2. Subpoenas are demands for records or for the appearance of an individual at a trial or deposition to give testimony. Subpoenas may be issued by a court or in some cases by a governmental agency or an attorney. If an elder receives a subpoena, he should contact the Society's Legal Department immediately. Never turn over records, notes, documents, or reveal any confidential matter sought by subpoena without receiving direction from the Legal Department.

## **D. Crimes and Criminal Investigations**

In some cases the elders will form judicial committees to handle alleged wrongdoing that also could constitute a violation of Caesar's criminal laws (e.g., theft, assault, etc.). Generally, a secular investigation into a matter that is a concern to the congregation should not delay conducting a judicial hearing. To avoid entanglement with the secular authorities who may be investigating the same matter, the strictest confidentiality (even of the fact that there is a committee) must be maintained.

If the alleged wrongdoer confesses to the sin (crime), no one else should be present besides the members of the committee. When evidence supports the accusation but genuine repentance is not displayed resulting in a decision to disfellowship, this should be handled in the normal course regarding advice of appeal rights and announcements to the congregation. In cases of serious criminal wrongdoing (e.g., murder, rape, etc.), or where the criminal conduct is widely known in the community, the body of elders should contact the Society before proceeding with the judicial committee process.

#### **E. When Servants and Publishers Move**

A considerable number of publishers, including elders and ministerial servants move from one congregation to another. Sometimes the circumstances surrounding their departure are unsettled. Some appointed brothers may be experiencing problems that have brought their qualifications into question. It is not uncommon for a body of elders to hold back in giving counsel, allowing a brother to move without discussing his problem. Thereafter, they decline to recommend his reappointment in his new congregation. Often such a brother protests, requiring extensive correspondence between the bodies of elders. Much personal, and sometimes embarrassing, information must then be passed on. Such mishandling of things greatly increases the potential for serious repercussions. Problems can be avoided by the body of elders assuming its responsibility to inform a brother that he will not be favorably recommended, fully explaining the reasons why. Every effort should be made to resolve any difference before he leaves, eliminating any need for controversy involving his new congregation. The body should assign two elders to meet with him before he moves, letting him know whether they are recommending him to the new congregation.

This would likewise apply to publishers who move at a time when their personal conduct requires investigation by the elders. If serious accusations of wrongdoing have been made against an individual and he moves to another congregation before matters are finalized, usually it is best for the elders in the original congregation to follow through in handling matters, if possible and if distance permits. They are acquainted with the individual and the circumstances surrounding the alleged wrongdoing; this ordinarily puts them in the best position to get the facts and to handle the case. Handling matters in this way will eliminate the need to reveal confidential information unnecessarily about the private lives of individuals.

#### **F. When Lawsuits Are Threatened**

If the congregation or the elders (in their capacity as elders) are threatened with a lawsuit, the Society's Legal Department should be contacted immediately. No statements should be made by any member of the body of elders about the merits or validity of an actual or threatened lawsuit without authorization from the Society.

### **G. Child Custody**

Elders may learn that a publisher is facing a dispute over child custody in a divorce proceeding. If the parental rights of such is challenged on the basis of our Christian beliefs, or on the assertion that our beliefs are harmful to a child's best interests, the elders should immediately write to the Society's Legal Department. In a rare emergency, a telephone call may be necessary. The Legal Department will assess the facts and determine the degree of its involvement, if any. Elders have no authority to make any promises about the Society's paying legal fees or handling specific cases. There is no need to contact the Society if there is no indication that the beliefs and practices of Jehovah's Witnesses will be attacked in a child custody dispute.

When you write to the Society's Legal Department about a specific case, please provide the following information:

1. The names of the parents and their attorneys.
2. The number of children involved and their ages.
3. A brief description of the facts, including the presence of any apostates.
4. An assessment of the Christian parent's spiritual condition—Is he or she new in the truth? Active? Inactive? Balanced?
5. The status of the legal proceedings—Has the matter gone to trial? Has the trial date been set? If so, when?

## **II. POINTS TO REMEMBER**

### **A. Appreciate the Importance of Maintaining Confidentiality**

Elders must exercise extraordinary caution when it comes to handling confidential information about the private lives of others. Do not mistakenly minimize the gravity of a breach of confidentiality. Unauthorized disclosure of confidential information can result in costly lawsuits. Even if a lawsuit turns out favorably, valuable time and energy that could have been devoted to Kingdom interests will be lost.

### **B. Do Not Make Statements to Secular Authorities Until You Receive Legal Advice from the Society**

You are not legally required to make immediate responses to secular authorities about matters that could involve the disclosure of confidential information. Voluntarily allowing the Kingdom Hall or confidential records to be searched, where no search warrant is produced, could infringe on the legal rights of the congregation or of others. No statements should be made until you have an understanding of your legal position from the Society's Legal Department.

**C. Be Extremely Careful with Written Material**

All material related to judicial matters should be kept in a safe place, accessible only to elders. Final reports on the handling of judicial matters should be placed in a sealed envelope in the congregation file. A judicial committee should avoid sending to an individual any kind of correspondence that accuses him of specific wrongdoing. (Note ks77, pages 68-9.) Nothing should be put in writing to any disfellowshipped person to advise him of his status or the reasons for it without specific direction from the Society. The rules and procedures of Jehovah's Witnesses do not require such written disclosures. Anything in writing submitted to a judicial committee should be kept in strict confidence. If a judicial committee disfellowships an individual, he should be informed orally of the action taken and of the right to appeal. If the wrongdoer refuses to attend the hearing, two members of the judicial committee should attempt to contact the individual at his home and inform him orally of the decision. If this is not possible, the two elders may be able to inform him by telephone.

**D. Guard the Use of Your Tongue**

Think before you speak. Do not discuss private and judicial matters with members of your family, including your wives, or with other members of the congregation. Be extremely careful not to inadvertently disclose private information when others are present, such as when speaking on the telephone with others listening in or nearby. (Note ks77, page 65.) At times, complicated judicial cases may necessitate consultation with an experienced, mature elder in another congregation or with the circuit overseer. Unless the circuit overseer is the elder consulted, only the pertinent details should be discussed and names should not be used.

Elders bear a heavy responsibility in ministering to the needs of the Christian congregation, and observing confidentiality as they do so. (1 Corinthians 16:13) We trust that the information in this letter will help you carry this burden. Please be assured of our love and prayers, and may Jehovah continue to bless you as you shepherd his flock.—1 Peter 5:1-3.

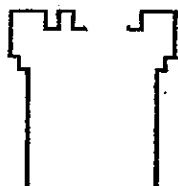
Your brothers,

*Watchtower B. & F. Society*  
OF NEW YORK, INC.

P.S. Due to the importance of the information that is presented herein it is suggested that the body of elders jointly read and consider this letter as soon as possible after its receipt in the congregation. Please do not make any copies of this letter, nor should it be read by others. It should be kept in the congregation's confidential files for any future reference that may be required by the body of elders.



# EXHIBIT 27



# WATCHTOWER

BIBLE AND TRACT SOCIETY OF NEW YORK, INC.

25 COLUMBIA HEIGHTS, BROOKLYN, NEW YORK 11201, U.S.A.

PHONE (718) 625-3600

March 23, 1992

## TO ALL BODIES OF ELDERS

Dear Brothers:

After the recent Kingdom Ministry School, the Society received many expressions of appreciation from you brothers for the fine instruction presented. Indeed, not only did the school remind us of the privilege we have as elders but it provided us with practical direction on how to care properly for our many responsibilities.

As elders, you certainly have much to do—keeping your families spiritually strong, studying and preparing for meetings, caring for judicial matters, working at assemblies and conventions. Some of you willingly expend yourselves in building and maintaining Kingdom Halls and even in doing construction work at Bethel or on branch projects. And all of this is in addition to your taking the lead in the field ministry.

Your work in shepherding God's people is also very much needed and deeply appreciated. (1 Pet. 5:1-3) We often receive reports of your hard work in giving spiritual encouragement and personal attention to the needs of individual members of the congregation, some of whom are experiencing very serious problems. This is true of many who have been victims of child abuse. They also need our loving understanding and help. Many of these, even after learning the truth, continue to suffer emotional scars and must cope with unhappy memories. The Kingdom Ministry School drew attention to some of the things that the Bible and the Society's publications show that you, as spiritual

shepherds, can do to help such victims. We would like to review some of these points and others with you. We also hope to answer various questions that you have asked about meeting the needs of such victims of child abuse, particularly those sexually abused.

### HELPING VICTIMS OF CHILD ABUSE

Many children who have been continually violated by adults grow up with severe emotional scars and certainly need much loving attention. Thus, you will want to be conscious of treating such victims of abuse with much thoughtfulness and kindness. (See *"Pay Attention to Yourselves and to All the Flock,"* page 17.) Such an attitude helps to assure the victim that you really care for him and that you are "like a hiding place from the wind and a place of concealment from the rainstorm." (Isa. 32:2) Like Jesus, we should be "tenderly compassionate."—Eph. 4:32.

One way you can show sincere interest is by being a good listener. James counseled: "Every man must be swift about hearing, slow about speaking." (Jas. 1:19) Further, Proverbs 21:13 says: "As for anyone stopping up his ear from the complaining cry of the lowly one, he himself also will call and not be answered." So as patient spiritual counselors, listen carefully when a victim's problem is being discussed. The October 1, 1983, issue of *The Watchtower*, on page 28, cautions against telling a sufferer who seeks assistance "just to forget" what occurred. Many have found great relief simply in talking with a sympathetic, nonjudgmental elder who can provide "the good word" of

encouragement. (Prov. 12:25) Though you may need to ask tactful questions to help the victim express matters, avoid probing unnecessarily or repeatedly into the details of the abuse, which can have a discouraging effect.

Many victims of abuse have learned to handle their emotional scars quite well, which is commendable. If the victim is leading a calm and peaceful life, then there is no need to dredge up memories that have been handled and put in the past. Others can be helped to put this problem to rest. On the other hand, there are still others, as described at Psalm 55:17, who 'cannot but show concern and moan' over their turmoil. In such cases, it may be very difficult for them to heal completely. Still, we want to help such ones feel that there is hope. By reasoning on the Scriptures and strengthening the victim with words of consolation and encouragement, elders may be able to help such troubled ones put the bad experiences behind them.—Job 16:5; 1 Pet. 5:12.

#### **BALANCING YOUR RESPONSIBILITIES**

It must be recognized that the time you can spend in helping an abuse victim is limited. Therefore, this shepherding responsibility must be balanced with your other responsibilities, which include caring for the spiritual, emotional, and material needs of your own family and assisting those in the congregation who have other problems. In some cases an incest survivor wants more attention than you can give. So some elders have found it beneficial to put boundaries, or some limits, on the time they spend. Depending on the individual's need, it may take several visits to get the desired relief for the victim, if this is possible. If the individual approaches you looking for help at times when you cannot discuss the problem extensively, perhaps giving some brief words of encouragement assuring that one of Jehovah's love, reading an appropriate scripture, or offering a short prayer, will affirm to the sufferer your interest and willingness to help to the extent possible.

Sometimes abuse victims approach capable older sisters for help. It is understood that a sister should not be in the awkward position of trying to help in a situation that would appropriately be cared for by an elder, but the sister can give victims emotional support and encouragement as her circumstances and time allow. (See the March 15, 1990, issue of *The Watchtower*, page 28.) If the sister is approached by a child-abuse victim and endeavors to help her, she should periodically let the elders know what is being accomplished. If an abuse victim accuses a member of the Christian congregation of having molested her, then it would not be appropriate for a sister to become involved in this aspect of the matter. It is best for the victim to be assisted by the elders.

Just as good judgment is needed in selecting brothers to serve on a judicial committee, depending on what is involved, so, too, it would be wise to select among yourselves those best fitted to assist certain abuse victims. Since elders have varied abilities, some may be more effective than others in handling these cases.—Compare 1 Corinthians 12:4.

#### **WHAT ABOUT PROFESSIONAL THERAPY?**

There are times when an emotionally distressed Christian may seek professional help. Whether or not a brother or a sister pursues treatment from psychiatrists, psychologists, or therapists is a personal decision as long as the therapy does not conflict with Bible principles. (See *The Watchtower* of April 15, 1975, pages 255-6.) Potential problems may be avoided if a patient, or a companion, explains to the therapist the importance of the sufferer's religious beliefs.

Some medical professionals and therapists offer group therapy to those suffering from the effects of child abuse. While participating in group therapy by a professional therapist is a personal decision, there could be problems of revealing confidential facts about other

members of the Christian congregation during such therapy if a Christian does not exercise discretion. (See July 8, 1982, issue of *Awake!*, page 8.) Thus, elders can give cautions to their brothers and sisters, such as those outlined in the October 15, 1988, issue of *The Watchtower*, page 29, under the subheading "Talk Therapies." They can be helped to see that talking indiscriminately to others about child abuse may result in circulating damaging and harmful talk.—Prov. 17:9.

It must be recognized that elders as such are not mental-health professionals or therapists but are spiritual shepherds. (1 Pet. 5:2) Consequently, they should not conduct sessions where victims have come together for what some may view as group therapy. Nor should elders spend time reading secular publications dealing with worldly psychology or psychiatry. They should not take on a role similar to that of a professional therapist. Someone who has a serious mental or emotional illness may need professional help.

If a current case of child abuse comes to light in your congregation, elders should do what they can to protect children from further abuse. (See "*Pay Attention to Yourselves and to All the Flock*," page 93.) How might this be accomplished? In the Addendum presented at the Kingdom Ministry School, direction was given that when elders receive reports of physical or sexual abuse of a child, they should contact the Society immediately for legal advice. Thereafter, if it is established that a member of the congregation is guilty of sexually abusing a child, a

judicial committee would meet with this one, following theocratic procedures. If the person is not repentant over the gross sin, disfellowshipping action would be warranted. Additionally, elders can encourage parents to review the January 22, 1985, issue of *Awake!*, which provides suggestions on what they can do to protect their children from sexual abuse by anyone, inside or outside the family.—See also *Awake!* issues of June 22, 1982, and December 22, 1986.

Hopefully, the above direction will assist you brothers lovingly to help victims of abuse, as well as others in the congregation who face different problems. May Jehovah's rich blessing continue to be with you in carrying out your many responsibilities as shepherds of the flock. With this letter we send our warm Christian love and best wishes.

Your brothers,

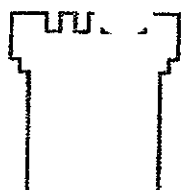
*Watchtower B. & F. Society*  
OF NEW YORK, INC.

P.S. The presiding overseer should arrange to read this letter to the body of elders. Thereafter, the secretary should place it in the congregation file. In the future if elders are called upon to assist a victim of child abuse, this letter should be reviewed by them.

A copy of the information "What Elders Can Say to Abuse Victims," which appears on the following page, may be made for each elder.



# EXHIBIT 28



# WATCHTOWER

BIBLE AND TRACT SOCIETY OF NEW YORK, INC.

25 COLUMBIA HEIGHTS, BROOKLYN, NEW YORK 11201-2483, U.S.A. PHONE (718) 625-3600

August 1, 1995

## TO ALL BODIES OF ELDERS IN THE UNITED STATES

Dear Brothers:

We are pleased to outline below some guidelines that we hope will be helpful to you in protecting victims of child abuse and in dealing with a brother or sister in the congregation who has been guilty of sexually abusing a child.

When a member of the congregation is accused of child molestation, the elders should contact the Society's Legal Department immediately. Many states make it mandatory that elders report an accusation to the proper authorities but other states do not. In those states where such is required, oftentimes the parent, the guardian, or the accused person himself can do the reporting. In this way the confidentiality protected by ecclesiastical privilege is not violated. Still, whether or not the accusation is reported to the authorities, when it is established that a member of the congregation is guilty of child abuse, appropriate steps should be taken in keeping with initial direction from the Society's Legal Department.

Additionally, steps should be taken to protect the child, or other children, from further sexual abuse. Obviously, parents would be keenly interested in taking adequate precautions in this regard. Helpful information along these lines can be reviewed in the January 22, 1985, and October 8, 1993, issues of *Awake!* Loving elders, too, will want to act in a way that demonstrates their protective care, since the word "overseer" carries the thought of one who watches over, a guardian, a shepherd of the flock. (See "*Pay Attention to Yourself and to All the Flock*," pages 90 and 93.) Thus, they would want to take steps to protect a child abuse victim when a judicial committee determines that the child molester is repentant and will remain a member of the Christian congregation. The same concern would be shown when a pedophile is disfellowshipped and later cleans up his life and is reinstated.

It would be appropriate to talk very frankly to a former child abuser, strongly cautioning him as to the dangers of hugging or holding children on his lap and that he should never be in the presence of a child without another adult being present. This may prevent putting that one in the way of temptation or unfounded accusation. At the same time, it is good to remember that the Bible, at Matthew 12:31 and I Corinthians 6:9-11, shows it is possible for a person to stop his or her wrongful course, repent, and thereafter live in harmony with God's righteous standards. This is true of all wrongdoers—even a former child abuser.

TO ALL BODIES OF ELDERS IN THE UNITED STATES

August 1, 1995

Page 2

While it is unscriptural to say that a former child abuser could never enjoy exemplary privileges of service in the congregation, certainly the elders will want to be very cautious, especially when one had repeatedly engaged in this kind of wrongdoing or had been disfellowshipped for such an offense. Before extending privileges, therefore, it is necessary that one would meet the qualification of having a fine testimony from individuals inside and outside the congregation. This means that he must have lived down the reproach which resulted from his wrongdoing. Generally, it will take a considerable number of years to achieve such irreprehensibility depending on the notoriety involved. So it would be up to the elders to determine whether such a one is extended privileges, taking into account all factors in each individual case. (1 Tim. 3:7) At any rate, this should never be done hastily. Considerable time should always pass before a former child abuser is used, if ever.

What if a former child abuser moves to another congregation? The Congregation's Publisher Record card(s) for that person should be sent to the new congregation, along with a letter of introduction. If he is under judicial restrictions, the committee in his former congregation should clearly and discreetly inform the elders in the new congregation about the problem, outlining the counsel given and the restrictions imposed and pointing out what they have been doing to monitor and assist him. Even if years have passed and the individual is no longer restricted but there is still some concern (as outlined in the preceding paragraph), the elders in the new congregation should be informed.

It is hoped that the above direction will help you brothers in handling matters in the congregation so as to protect victims and potential victims from child abuse, and at the same time, balance justice with mercy. With this letter we send our warm Christian love and greetings.

Your brothers,

*Watchtower B. & F. Society*  
OF NEW YORK, INC.

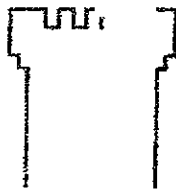


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# EXHIBIT 29



# WATCHTOWER

BIBLE AND TRACT SOCIETY OF NEW YORK, INC.

25 COLUMBIA HEIGHTS, BROOKLYN, NEW YORK 11201-2483, U.S.A. PHONE (718) 625-3600

March 14, 1997

CONFIDENTIAL

TO ALL BODIES OF ELDERS

Dear Brothers:

A matter of serious concern was addressed in the article "Let Us Abhor What Is Wicked," published in the January 1, 1997, issue of *The Watchtower*. This concern involves the purity of Jehovah's organization in these last days. It is our responsibility to protect the flock of God from these threatening influences.—Isa. 32:1, 2.

We wish to take necessary steps that will help protect the congregation, especially our children, from the unwholesome practices that are constantly worsening in the world. We are grateful that the truth has limited the spread of child sexual abuse in Jehovah's organization.

## WHO IS A 'KNOWN CHILD MOLESTER'?

**What is child molestation?** Webster's *Ninth New Collegiate Dictionary* defines "pedophilia" as "sexual perversion in which children are the preferred sexual object." (See "Questions From Readers" in *The Watchtower* of February 1, 1997, page 29.) Deuteronomy 23:17, 18 condemns such practices as "detestable." (See the footnotes to verses 17 and 18 in the *Reference Bible*. Also, it would be helpful to see the footnote on page 10 of the October 8, 1993, issue of *Awake!*) In harmony with these references, we are herein discussing sexual perversion in which children are the object of sexual abuse, including fondling by an adult. We are not discussing a situation wherein a consenting minor, who is approaching adulthood, has sexual relations with an adult who is a few years older than the minor. Rather, we are referring, for example, to situations in which it is established by a congregation judicial committee that an adult brother or sister has been guilty of sexually abusing a young child or has been sexually involved with a nonconsenting minor who is approaching adulthood.

**Who is a known child molester?** The January 1, 1997, *Watchtower* article "Let Us Abhor What Is Wicked" mentions on page 29 that a man "known to have been a child molester" would not qualify for privileges in the congregation. An individual "known" to be a former child molester has reference to the perception of that one in the community and in the Christian congregation. In the eyes of the congregation, a man known to have been a child molester is not "free from accusation" and "irreprehensible," nor does he have "a fine testimony from those on the outside." (1 Tim. 3:1-7, 10; 5:22; Titus 1:7) In view of his past, people in the community would not respect him, and the brothers might even stumble over his appointment.

## PROTECTING OUR CHILDREN

**What can we do to protect our children and preserve the cleanness of Jehovah's organization?** The primary responsibility for protecting our children rests upon the parents. Fine suggestions for parents can be found in the January 22, 1985, *Awake!* article "Child Molesting—You Can Protect Your Child." Other articles that parents do well to consider are those in the October 8, 1993, *Awake!* entitled "How Can We Protect Our Children" and the December 1, 1996, *Watchtower* entitled "Parents, Find Pleasure in Your Children," specifically pages 13 and 14, paragraphs 18 and 19.

**What can the elders do to help protect our children?** The elders should be alert to the activity of any who are known to have molested children in the past. Individuals who have manifested a weakness in this regard should be sensitive to their need not to be alone with children. They should refrain from holding children or displaying other forms of affection for them. It would be appropriate for elders to give kindly cautions to any who are doing things that may be a temptation or a cause for concern to others in the congregation.—1 Cor. 10:12, 32.

**What should elders do when a former child molester moves to another congregation?** As outlined in the February 1991 *Our Kingdom Ministry* "Question Box" and the August 1, 1995, letter to all Bodies of Elders, our policy is always to send a letter of introduction when a publisher moves to another congregation. *It is imperative that this be done when one who is known to have been a child molester moves.* The secretary should write on behalf of the elders to the new congregation's body of elders and outline this publisher's background and what the elders in the old congregation have been doing to assist him. Any needed cautions should be provided to the new congregation's body of elders. This letter should not be read to or discussed with the congregation. This information should be kept in the congregation's confidential files where it can be reviewed by any elder. The elders should send a copy of this letter to the Watchtower Bible and Tract Society in one of the "Special Blue" envelopes.

## PRIVILEGES OF SERVICE IN THE CONGREGATION

In the January 1, 1997, issue of *The Watchtower*, the article "Let Us Abhor What Is Wicked" stated on page 29: "For the protection of our children, a man known to have been a child molester *does not qualify for a responsible position in the congregation. Moreover, he cannot be a pioneer or serve in any other special full-time service.*" We have had a number of inquiries asking how this applies in the congregation, and this is being given consideration.

It may be possible that some who were guilty of child molestation were or are now serving as elders, ministerial servants, or regular or special pioneers. Others may have been guilty of child molestation before they were baptized. The bodies of elders should not query individuals. However, the body of elders should discuss this matter and give the Society a report on anyone who is currently serving or who formerly served in a Society-appointed position in your congregation who is known to have been guilty of child molestation in the past.

TO ALL BODIES OF ELDERS

March 14, 1997

Page 3

In your report please answer the following questions: How long ago did he commit the sin? What was his age at the time? What was the age of his victim(s)? Was it a one-time occurrence or a practice? If it was a practice, to what extent? How is he viewed in the community and by the authorities? Has he lived down any notoriety in the community? Are members of the congregation aware of what took place? How do they and/or his victim(s) view him? Has he ever been disfellowshipped, reprovved, counseled, or otherwise dealt with? If he has moved to another congregation, please identify the congregation to which he has moved. Was that congregation advised of his past conduct of child molestation, and, if so, when? [If you have not advised them, this should be done now, and you should send a copy of your letter to the Society in a "Special Blue" envelope.] This information should be sent to the Society along with any other observations that the body of elders has. Please send this to the Society in the "Special Blue" envelope so that the factors involved may be given due consideration; this information is not to be made available to those not involved.

Jehovah has been blessing the efforts of his people to get the vital Kingdom-preaching and disciple-making work done. Isaiah 52:11 states: "Keep yourselves clean, you who are carrying the utensils of Jehovah." We must be ever vigilant to demonstrate to Jehovah that we want to keep the organization he uses in these last days fit for this all-essential trust. May Jehovah bless your efforts to that end.

Your brothers,

*Watchtower B. & F. Society*  
OF NEW YORK, INC.

P.S. to Body of Elders: A meeting of the body of elders should be arranged to read and discuss this letter together. **This letter is confidential and should not be copied but should be kept in the congregation's confidential file. Elders should not discuss this information with others.** It is provided so that you can appropriately apply the spirit of the Scriptural information in the January 1, 1997, *Watchtower* article "Let Us Abhor What Is Wicked."



# EXHIBIT 30

# WATCHTOWER

BIBLE AND TRACT SOCIETY OF NEW YORK, INC.

25 COLUMBIA HEIGHTS, BROOKLYN, NEW YORK 11201-2483, U.S.A. PHONE (718) 825-3600

July 20, 1998

## CONFIDENTIAL

### TO ALL BODIES OF ELDERS

Dear Brothers:

We are here providing, for your future reference, information that was presented at the 15-hour supplementary course for congregation elders on certain serious matters.

**Child Molestation:** The Society's letter to all bodies of elders dated March 14, 1997, page 2, paragraph 5, states: "[G]ive the Society a report on anyone who is currently serving or who formerly served in a Society-appointed position in your congregation who is known to have been guilty of child molestation in the past." Reports indicate that some elders think this direction does not apply if before his baptism the person sexually abused a child. However, even in such a situation, the elders should write the branch office. This is true even if what occurred was many years ago. If any body of elders has not yet reported such a matter, they should immediately do so. Furthermore, any correspondence put in the confidential congregation file about an individual accused of child molestation, proven or otherwise, should be marked "Do Not Destroy" and be kept indefinitely.

In the Kingdom Ministry School Supplementary Course for Congregation Elders there was a panel discussion in Unit 5b, "**USE DISCERNMENT IN HANDLING SERIOUS MATTERS.**" This portion of the course addressed questions related to the problems associated with child abuse. Question 6 to the panel asked: "What factors should be considered in determining what congregation privileges, if any, a former child molester can enjoy?" The answer included the statement: "There are also legal considerations." Some have inquired about how and why legal considerations should affect our recommendations of those who have been guilty of child abuse in the past.

Those who are appointed to privileges of service, such as elders and ministerial servants, are put in a position of trust. One who is extended privileges in the congregation is judged by others as being worthy of trust. This includes being more liberal in leaving children in their care and oversight. The congregation would be left unprotected if we prematurely appointed someone who was a child abuser as a ministerial servant or an elder. In addition, court officials and lawyers will hold responsible any organization that knowingly appoints former child abusers to positions of trust, if one of these, thereafter, commits a further act of child abuse. This could result in costly lawsuits, involving dedicated funds that should be used to further the Kingdom work. So, legal considerations must also be weighed along with the degree of notoriety, the extent of the misconduct, how many years ago the sin occurred, and how the brother is now viewed by the congregation and people in the community including those he victimized.

**Scriptural Freedom to Remarry:** The 1991 Kingdom Ministry School textbook, page 135, paragraph 1, describes a situation where an adulterous mate unilaterally obtains a divorce over the objection of the innocent mate. In such a case, the guilty one is not free to remarry.

What if the innocent mate consents to the divorce by signing the divorce papers? Does this free the guilty mate to remarry? Yes, Jesus' counsel at Matthew 5:37 applies here: "Let your *Yes* mean *Yes*, your *No*, *No*." If the innocent mate, perhaps in an effort to protect herself financially or to obtain custody of children, agrees to a divorce obtained by her adulterous husband, the adulterous one is then free to remarry. Although the innocent one may claim forgiveness, by signing the divorce papers she indicates her rejection of the adulterous mate. Since she has rejected that one, she holds no further claim on him, and he is Scripturally free to remarry.

Another situation involving the Scriptural freedom to remarry is where an unscriptural divorce is obtained and then, some time later, one of the mates commits fornication. In such a case, does either one have a Scriptural basis to remarry?

If a man takes the initiative and divorces his mate without a Scriptural basis and his divorced wife later commits adultery, both are free to remarry. This is because, by his previous unscriptural action of divorcing his wife, the husband has given evidence of his wanting to reject her. What is stated in the 1991 Kingdom Ministry School textbook, page 135, paragraph 6, applies: "*A person who commits adultery after having been divorced by his or her mate on unscriptural grounds would be Scripturally free to remarry, since he or she had already been rejected by the mate that obtained the divorce.*" However, the converse is not necessarily true. If the one who initiated the unscriptural divorce later commits adultery, that one is still obligated to confess to the mate, although they are legally divorced. The innocent mate must be given the opportunity to determine whether to forgive or not. However, in both cases, the one committing adultery would need to meet with a judicial committee.

While the principles outlined above should prove helpful in handling inquiries from publishers about the Scriptural freedom to remarry, the elders should always exercise extreme caution when providing an answer. They should never inform a publisher that there appears to be a basis for Scriptural freedom to divorce and remarry, *unless conclusive evidence has been established* (1) that adultery was committed, (2) that the innocent mate has rejected the guilty one, and (3) that a legal, final divorce has been obtained. Because of the numerous factors involved in such matters, in many cases it will be best to write the Society. When doing so, always provide as many details as possible, including the names of the individuals involved. The Society will then provide the needed assistance.

When a divorced brother or sister wishes to remarry, the elders should kindly request to see the divorce papers to make sure that that one is legally free to do so. They should also determine that it has been established that both parties involved are Scripturally free to remarry. (Matt. 19:9) This will help servants of Jehovah to preserve the cleanness of the congregation and avoid entering adulterous marriages. Always review the Society's letter to all bodies of elders

TO ALL BODIES OF ELDERS

July 20, 1998

Page 3

dated May 15, 1988, regarding guidelines on wedding procedures before agreeing to solemnize any marriage.

Please be assured of our prayers on your behalf as you endeavor to fulfill your weighty responsibilities as shepherds of the flock. We send herewith a warm expression of our Christian love and best wishes.

Your brothers,

*Watchtower B. & F. Society*  
OF NEW YORK, INC.

P.S. to Body of Elders: At the next meeting of the entire body of elders, the presiding overseer should have this letter read and should have each elder make the following notations in the margins of his personal copy of the 1991 Kingdom Ministry School textbook:

On page 93, next to paragraphs 10-11: See the Society's letters dated July 20, 1998; March 14, 1997; August 1, 1995; February 3, 1993; March 23, 1992; and July 1, 1989.

On page 135, next to paragraphs 1-6: See the Society's letter dated July 20, 1998.



# EXHIBIT 33

# WATCHTOWER

BIBLE AND TRACT SOCIETY OF NEW YORK, INC.

CABLE WATCHTOWER

25 COLUMBIA HEIGHTS, BROOKLYN, NEW YORK 11201, U.S.A.      PHONE (718) 625-3600

December 5, 1985

TO ALL CIRCUIT AND DISTRICT OVERSEERS IN THE UNITED STATES

Dear Brothers:

TO ALL CIRCUIT AND DISTRICT OVERSEERS IN THE UNITED STATES  
December 5, 1985  
Page 2

Should cases of child abuse be reported to the civil authorities?  
When questions come up on reporting child abuse matters to the authorities, it would be best to have the brothers communicate with the Society on the matter without you expressing a judgment inasmuch as the legal requirements vary from state to state and the circumstances of each case vary also.

We hope this information is helpful in assisting you with the work of providing good direction to the congregations you serve. We are certainly pleased to have you as our "fellow workers for the Kingdom of God," and with this letter we send a warm expression of our Christian love and best wishes.--Colossians 4:11.

Your brothers,

*Watchtower B. & F. Society*  
OF NEW YORK, INC.



# EXHIBIT 34

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# *Awake!*

FEBRUARY 8, 1981



## **A Death In The Family —How Can You Cope?**

# Awake!

February 8, 1981  
Vol. 62, Num. 3

## FEATURE ARTICLES

Each year millions of persons lose loved ones in death. Your heart will be warmed by the experiences of some who have faced the ordeal with courage and optimism. You will also learn what gave them such strength

- 5 LEARNING TO LIVE WITHOUT ONE YOU LOVE
- 8 THE DIFFERENCE A SURE HOPE MAKES
- 10 PREPARING THE FAMILY TO COPE WITH DEATH

## OTHER ITEMS

- 3 Have You Ever Wondered—  
Is It of Any Benefit  
to Be Religious?
- 12 Printing Revolution Sweeps  
into the Eighties
- 16 Incest—The Hidden Crime
- 19 As Forests Go, Songbirds Go
- 20 Crossword Puzzle
- 21 Counterfeiting—Don't Be a Victim!
- 24 Household Time-Savers
- 25 Feathers—Marvels of Design
- 28 "Would You Type This, Please?"
- 29 Watching the World

## WHY THIS MAGAZINE IS PUBLISHED

"Awake!" is for the enlightenment of the entire family. It reports the news, tells about people in many lands, examines religion and science. But it does more. It probes beneath the surface and points to the real meaning behind current events, yet it stays politically neutral and does not exalt one race above another. It also shows how to cope with today's problems. Most importantly, "Awake!" builds confidence in the Creator's promise of a peaceful and secure new order within our generation.

The Bible translation used in "Awake!" is the modern-language "New World Translation of the Holy Scriptures," unless otherwise indicated.

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## Incest— The Hidden Crime

**"I**S THERE any help for a person like me?" This sad question came from a woman with a difficult problem—one shared by a surprising number of other women today. After many years, she was still suffering from a childhood experience. She had been a victim of incest. How can her question be answered?

"Incest" is not a pleasant word. Most would rather not discuss it, yet it is increasingly common. If estimates are correct, it is quite likely that some of your personal friends have been victims. It is certainly a problem of which parents should be aware.

Most of us know what incest means—sexual activity between close relatives. It is suspected that a lot of such activity goes on between brothers and sisters, although this is not usually reported. Authorities are particularly concerned when children are abused by adult relatives. Of greatest concern, and probably accounting for most of the reported cases, are instances where children are molested by their fathers or stepfathers.

### *Is the Problem Really Widespread?*

Despite the lack of complete statistics, the answer is clearly, Yes. Susan Brown-miller, in her book *Against Our Will*, says: "The sexually abused child is statistically more prevalent than the physically abused, or battered child." Mrs. Lee Preney, a childcare worker, asserts that incest is "more common than rape, and less frequently reported."



A report in the *Seattle Times* said: "Look at any 15 girls in your daughter's classroom the next time you're there . . . the odds are good that at least one—and possibly two or three—has been a victim of incest."

Hank Giarretto, a psychologist who works in a sexual-abuse treatment program in prosperous Santa Clara County, California, thinks that incest is "epidemic" in America. In an area with a population of around one million, he saw incest cases rise from 30 in 1971 to more than 500 in 1977. In an interview with the magazine *People*, he said: "I think we are just beginning to tap the actual prevalence."

Some estimate that 25 million women in America today suffered incestuous abuse as children! Reports indicate that many other countries are experiencing the same growing problem.

### *Should We Be Concerned About It?*

Many experts have raised this question. For example, Wardell Pomeroy, coauthor

of the original Kinsey reports, was quoted in *Time* magazine as saying: "It is time to admit that incest need not be a perversion or a symptom of mental illness. Incest between . . . children and adults . . . can sometimes be beneficial."

Are you a parent? How do you feel about that viewpoint? Would you allow your little boy or girl to have sex relations with an older relative?

If you are a Christian, you *know* you should be concerned about incest. God's opinion about it—much more important than any man's—was stated very clearly to the Israelites: "You people must not come near, any man of you, to any close fleshly relative of his to lay bare nakedness." The forbidden relationships are specified, including: brother/sister, parent/child, as well as uncle-or-aunt/niece-or-nephew relations.—Leviticus 18:6-18.

The experience of children who have been incestuously abused also shows that we should be concerned.

#### ***What Happens to the Child?***

In correspondence with the *Australian Women's Weekly*, a woman described how childhood incest drove her to several suicide attempts, starting from the age of 10. Others could not have normal sex relationships when they grew up.

Another, one of three sisters molested by their father, wrote: "It has taken me 10 years and a lot of help from my husband to come to terms with it and discuss it freely. It affects everybody differently. My eldest sister thinks sex is the dirtiest thing in the world; my youngest just doesn't care. She was charged with prostitution at the age of 14 and had a child by the time she was 15 years old."

Prostitution, drug abuse, committing rape (in the case of boys), alcoholism, rebelliousness and emotional turmoil have all resulted from incest. One young girl could not think of God as her heavenly Father.

An incestuous relationship with her natural father had soured her on the whole concept of fatherhood.

Why does incest seem to cause more emotional turmoil than, say, rape? Because the molester is imposing on a very close and important relationship. One girl complained that she felt more like a wife than a daughter and believed that she was there only for her father's sexual pleasure.

Consider the comment of another victim: "I was terrified to tell anyone what was happening to me. I was so scared to disobey him; after all he was my father, he wouldn't do anything he wasn't supposed to . . . As I grew into my teens, things got worse and worse. I understood things better. I felt like I was dirty, cheap and worthless. So many times I considered suicide. And how I hated men! . . . I knew I was only a little girl when it started, but I could not stop feeling that it was all my fault . . . almost worse than the actual molesting is the guilt."

#### ***What About the Perpetrator?***

Not only the victim, but the molester, too, can suffer because of incest. Often he feels shame and self-hatred, while all the time becoming more and more involved. A therapist told the *Seattle Times*: "The problem is that we're dealing with compulsive behavior. These men have conditioned themselves through repeated sexual daydreaming . . . to respond to young girls."

One molester said: "I tried stopping it several times, and I told my stepdaughter that I had to stop because of what I was doing to the family." But he did not stop. Another said his incestuous relationship left him with "permanent emotional scars."

Besides this, remember that in most lands incest is against the law, punishable by a possible prison sentence. Surely, if all these facts were kept in mind, fewer par-

ents would allow themselves to fall into incestuous relationships.

### ***Then Why Do They Do It?***

Some adults who turn to incest are psychotic. Most are not, however. They may be apparently good family men, business or community leaders, even good churchgoers.

Why do such "ordinary people" commit incest? Loss of control due to alcohol has been involved. Sometimes, a man marries a woman who already has children. As his stepchildren get older, he may be tempted sexually.

Family problems can contribute. Hank Giarretto says: "Usually it's a man losing his job or going through a low-ebb period in his life. He and his wife become alienated. The father reaches out to his daughter, looking for closeness. She is open to him, loves him, thinks he's great. The first overtures are not sexual."

There may be additional causes. One incest victim told how pornographic literature was always present in the house. Giarretto adds: "It's the sexual climate of our society which helps create the problem. We teach our girls to be Lolitas and sexual provocateurs from the time they're 2."

An adult committing incest with a child betrays selfishness. He shows no concern at all for the welfare of the child. Yet, in a world that encourages us to 'do our own thing' and promotes such perversions as child pornography, is it surprising that cases of incest are on the increase?

### ***Can It Be Prevented?***

It surely can, but it means that individuals must make a determined mental stand against the worsening moral climate of this world. For this, we can get no better advice than that found in the Bible. The apostle Paul tells us: "Quit being fashioned after this system of things, but

be transformed by making your mind over." (Rom. 12:2) To do this, we must avoid unclean books and entertainment and block from our minds the unclean influences to which we are constantly exposed. Thus, we avoid conditioning ourselves to wrong behavior.

One incest victim recommended teaching children at an early age that certain parts of their bodies are not for others to play with. This can be done in a loving way, perhaps using the story of Dinah, in the publication *My Book of Bible Stories*.<sup>\*</sup> Then, if anything resembling molestation should occur, the child can immediately tell mother or father. Remember, sexual molestation does not have to be intercourse. Fondling, "touching," unwarranted intimacy or any sexual playing can cause great damage in later life.

Deep parental love is a true safeguard. Paul said: "Love . . . does not behave indecently, does not look for its own interests." (1 Cor. 13:4, 5) This unselfish love will surely prevent parents from allowing fleshly weaknesses to nudge them to do wrong acts toward their offspring. It will also help to prevent another problem. Sometimes, as children start to become young men or women, their parents, afraid of falling into incestuous relationships, become cold and distant. Of course, this, too, is harmful to the growing child.

### ***Handling the Problem***

Handling incest has not proved easy. It is a secret crime. Families often try to keep it hidden. Mothers who know that "something is going on" may turn a blind eye, afraid of disrupting the family. Children who report their parents may come under strong pressure to withdraw the complaint. Yet, in the experience of many specialists, children rarely lie about incest.

Some feel that prison is not always the

<sup>\*</sup> Published by the Watchtower Bible and Tract Society.

answer for the molester. Hence, counseling centers have been set up where these families can be treated as a whole. Explaining what he thinks is very important in such treatment, Hank Giarretto says: "[The father] must face the daughter and accept full responsibility for whatever happened." This may be difficult for the father to do; but it is a way he can try to undo some of the harm that has been done to the child.

Outsiders can help too. Many victims have testified how, through patient, considerate and selfless care, they were assisted to overcome the emotional confusion and start planning for the future. The scars may never completely disappear; but with persistence, they will at least recede into the background.

#### *Another Source of Help*

What, then, about the incest victim whose question appears at the beginning of this article? She was molested by her grandfather from the age of six until nine. She tried immorality, drugs and psychiatrists, but found in these no relief from her unhappiness.

Happily, there is help for such a person. However confused and "down" we may be, there is One who is "raising up the lowly one from the very dust," and we can get to know him by means of the Bible. (Ps. 113:7) He can help even in the deepest depression, for he is the "Father of

tender mercies and the God of all comfort." (2 Cor. 1:3) It takes much prayer, study and discussion with mature people to replace the depressing, guilt-ridden thoughts in the mind with upbuilding ones. But it can be done. The following experience may help to demonstrate this.

A woman said that she was abused by her natural father from a very early age, and then by her stepfather. She sank into immorality, drug abuse and finally had an illegitimate child. But she says: "There is a way out of incest, child-abuse, statutory rape, drugs and homosexuality. You may feel as though you can't live through these things with a completely sane mind, but you can if you have hope of something better to live for. I have that hope . . . I never fought back as a child. I only wish I had, but I was afraid, afraid no one would take care of me or want me. I was wrong, very wrong! Jehovah cares . . . and the elders at the local Kingdom Hall [of Jehovah's Witnesses] care too."

Whatever our past history, any of us can be "washed clean," and "sanctified" from the standpoint of God. (1 Cor. 6:11) The Bible explains how. By the power of his Word and spirit, God can also remove our guilt feelings and provide escape even from emotional confusion. He can help us to live a satisfying life now, and give us confidence that, one day soon, we will live in a world where such things as incest will never happen again.

### **AS FORESTS GO, SONGBIRDS GO**

Forests in Central America and northern South America are being cut down for timber and other wood products—approximately 35 percent in the last 25 years. Some 55 species of songbirds winter in these areas, and migrate into North America for spring and summer. As the forests disappear, so do the numbers of warblers, kingbirds, vireas, tanagers, peewees and other perching songbirds. The United States Fish and Wildlife Service conducts a survey each spring at 1,700 sites across the country. Thousands of millions of birds migrate northward each spring, but the surveys show a steady annual population decrease since 1968.



# EXHIBIT 35

**The New Morality—Harvesting Its Crop**

# Rape at Home

**“E**VERY child has the right to loving relationships, including sexual, with a parent, sibling, other responsible adults or children.”—Article Seven of “A Child’s Sexual Bill of Rights,” by the leader of Childhood Sexuality Circle.

All this time incest, the hidden crime, has been waiting impatiently in the wings, but now it is pushing forward for its turn on center stage.

Five thousand new cases are reported nationally each year, and experts say that for each one reported ten or twenty go unreported. One head of an incest clinic says: “I believe that incest is widespread in America.” A childcare worker says that incest is “more common than rape, and less frequently reported.” Some estimate that twenty-five million women in America today suffered incestuous abuse as children. Reports indicate that other countries are experiencing the same growing problem. “The latest thing now,” a new book on child abuse says, “is father-son sex clubs.” “The rate of incidence is so high,” one source said, “as to make prohibition absurd.” The strange logic is, if the crime is so widespread, why fight it?

The strangeness of that last-quoted opinion becomes understandable when its source is known. It is one of the many arguments advanced by the pro-incest lobby. The March 1980 issue of *Psychology Today* reported some of the incest lobby’s contentions, as follows:



Now even  
incest clamors  
for acceptance

“Some incest experiences appear to be positive and even beneficial.” “Incest in some cases may be either a positive, healthy experience or, at worst, neutral and dull.” “Incest fear has a chilling effect on the expression of loving feeling within the home.”

The writer of the article in *Psychology Today* does not agree with these pro-incest arguments. He says: “To be loved for oneself, for what one is rather than for what one can give or become, is for a child as urgent a longing as that for physical nourishment. But few children can know from infancy the difference between being loved for oneself and being used . . . to serve an elder’s sexual appetite.”

*Time* magazine of September 7, 1981, also published pro-incest propaganda, titled “Cradle-to-Grave Intimacy”:

"Very young children should be allowed, and perhaps encouraged, to conduct a full sex life without interference from parents and the law." "Human beings, like the other primates, require a period of early sexual rehearsal play." "Children really are a disenfranchised minority. They should have the right to express themselves sexually, which means that they may or may not have contact with people older than themselves." "Such sex is basically harmless to the child." "Incest can sometimes be beneficial." "We believe children should begin sex at birth. It causes a lot of problems not to practice incest."

The *Time* article concludes with some statements by psychiatrists. One said: "Premature sexual behavior among children in this society almost always leads to psychological difficulties." Another who works with children concludes: "Childhood sexuality is like playing with a loaded gun."

The popular slogan, Do your own thing, is also a loaded gun. The pimp may be doing his own thing, but it isn't his "baby pros'" own thing. The sodomist may do his own thing, but it isn't his young victim's own thing. An incestuous parent may be doing his or her own thing, but it is hardly the small child's thing. A child's own thing is to be a child, to be secure in his childhood, to be loved by married parents. Love is thinking of others; doing your own thing is thinking of self.

Incest is probably the most selfish and reprehensible kind of child abuse. It is a grotesque violation of the child's trust and dependency. It is the child's closest protector that is turning on it. And the

child is a damaged victim. "I have never knowingly talked to a happy, well-adjusted, unconcerned incest victim," said Dr. Suzanne Sgroi, former chairman of the Sexual Trauma Treatment Program.

Dr. Judianne Densen-Gerber, director of Odyssey Institute in New York city, says: "In my own practice I have the hardest time imaginable treating these children who suffer from incest, even more than the kids who are battered, abused, set on fire, and whipped because at least those children don't confuse what's being done to them with love. The parent who sexually uses a child while telling him, 'I love you,' is raising a child who will be afraid to establish rapport, trust, and engagement with anyone else in his life, even with the therapist, because unlike the beaten child, he doesn't seek affection, he fears affection and becomes extremely isolated."

On page 129 of the book *The Death of Innocence*, we read: "Among prostitutes, the frequency of sexual molestation in childhood is 92 percent; 67 percent of them experienced some form of incestuous assault. . . . At least 75 percent of the runaways, on the national average, are escaping incestuous abuse. The same figures apply to cases of adolescent drug addiction: About 70 percent are victims of incest."

And again, as in the case of homosexuality, the Bible views it as a crime worthy of the death penalty: "You people must not come near, any man of you, to any close fleshly relative of his to lay bare nakedness. I am Jehovah. In case anyone does any of all these detestable things, then the souls doing them must be cut off."—Leviticus 18:6, 29.

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*The New Morality—Harvesting Its Crop*

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## To End Child Abuse

The remedy works when practiced, not when preached

**T**HE new morality is not new. It is only a new name for the old immorality. The tree is still rotten, its fruit still worthless. Its wisdom is unrighteous, its "children" prove it so. As it occurred in the days of Noah and in the days of Lot, so it is occurring in these last days of another immoral system. The crop being reaped is the same, only this time it's a bumper harvest. And not at all practical—very, very impractical. Especially so for the children.

The Bible's remedy is practical, for children and everyone else. Even the professional people who are involved with the problem of child abuse offer similar solutions, up to a point. They know that bad family conditions cause children to run away from home, and that a high percentage of runaways end up on the streets and in prostitution and pornogra-

phy and suffer appalling abuse. Some are escaping incest at home, homes broken by divorce, chronic conflicts with parents, lack of loving attention, and some are swayed by their peers. Whatever the specific causes, the remedy is the healing of family breakdown. So say the experts.

So does the Bible. It calls for close communication between parent and child. Concerning righteous principles, the command is: "You must inculcate them in your son and speak of them when you sit in your house and when you walk on the road and when you lie down and when you get up."—Deuteronomy 6:7.

The Bible counsels both parents and children on how to act: "Children, be obedient to your parents in union with the Lord, for this is righteous . . . And you, fathers, do not be irritating your children, but go on bringing them up in

the discipline and mental-regulating of Jehovah.”—Ephesians 6:1, 4.

Psychiatrists agree. They say parents must be fair and set good examples, but children need regulations and discipline. One psychotherapist confirms this, saying: “We abandon our children also when, hoping to make ‘friends’ of them, we renounce our responsibilities as models and as law-givers. This is a betrayal that children feel acutely because no need is stronger to a growing child than the sense of boundaries and limits. The child experiences them as love.” The Bible confirms this. “The one whom Jehovah loves he reproves, even as a father does a son in whom he finds pleasure.”—Proverbs 3:12.

Some say that more sex education in the schools is what is needed; others contend it’s already too explicit and goes too far. One illustrated booklet for children, prepared by a Syracuse University professor, says: “All thoughts are normal.” “Masturbation is a normal expression of sex for both males and females at any age. Enjoy it.” Homosexuality is your business, “so choose the sexual life you want.” “A lot of people wonder about oral and anal sex, and some think it is ‘perverted.’ We think there is nothing wrong with any kind of sex.” “Pornography is harmless.”

Perhaps Johnny can’t read or write because his teachers are too busy indoctrinating him with the “normality” of sexual perversions. Sex instruction for children can be too much too soon. Dr. Greenwood warns: “Parents in their efforts to be liberal often overeducate, and they may be giving their children material they’re not yet ready to cope

with.” Regardless of the pros and cons of sex education, the hard fact is the tremendous increase in child prostitution, sodomy, pornography and incest.

Those who greedily exploit children in these ways fit the Bible’s description, found at Ephesians 4:19: “Having come to be past all moral sense, they gave themselves over to loose conduct to work uncleanness of every sort with greediness.” They fit those of Noah’s day: “Jehovah saw that the badness of man was abundant in the earth and every inclination of the thoughts of his heart was only bad all the time.”—Genesis 6:5.

Only the Bible’s solution will end the abuse of children. Jesus summed it up: ‘Love God with your whole heart. Love your neighbor as yourself.’ (Matthew 22: 37-39) The apostle Paul repeated it: “Love does not work evil to one’s neighbor; therefore love is the law’s fulfillment.”—Romans 13:10.

This solution of brotherly love is practical. When applied, it works. Too many are hearers of God’s Word but not doers of it. Too many say “Lord, Lord,” but don’t listen to Jesus or do Jehovah’s will.—James 1:22; Matthew 7:21.

In God’s due time all who embrace his kingdom under Christ will become able to keep this law of love perfectly. Then will come fulfillment of Proverbs 2:21, 22: “The upright are the ones that will reside in the earth, and the blameless are the ones that will be left over in it. As regards the wicked, they will be cut off from the very earth; and as for the treacherous, they will be torn away from it.”

This is the only way, the final way, to end child abuse.



# EXHIBIT 36

## Help for the Victims of Incest

**"F**OR most of her life Rachel has been ridden with guilt, convinced of her own worthlessness, and trapped in a sense of hopeless isolation." What could so blemish the life of a British housewife and mother?

A 16-year-old girl from California said: "I now have a pain deep in my heart that will never go away, and it hurts, truly hurts." What could cause her such anguish?

The answer in both cases is the same: incest. Both of these women were sexually abused by their fathers when they were children. Unhappily, there are many like them. Studies in the United States suggest that one in five girls and one in ten boys suffer sexual molestation before they grow up. In most cases, the crime is committed by someone the young victim knows, and in many cases it is incestuous. Reports from other countries tell a similar story.

As the world becomes more degenerate, this problem will likely get worse. Even now, many women coming into the Christian congregation have emotional difficulties because of incest committed against them when they were children. Some have gone to professional counselors and psychologists for help, but many turn to the



congregation, looking to their Christian brothers and sisters for support. Is there any way mature ones in the congregation, even if they are not professionals in the field of mental health, can help them? Often there is.—1 Thessalonians 5:11.

If you have any doubt about the harm incest does, consider the expressions of

some of its victims many years after the crime: "For 15 years I kept all those things in, so I was engulfed by years of guilt . . . How I hated men!"

"Almost worse than the actual molesting is the guilt."

"I can truly say I think I would have killed myself by now because of the memories."

"I don't want to get married because of the memory of sex. And I surely don't want any children."

A study prepared by Doctors Bruce A. Woodling (of the University of Southern California School of Medicine) and

Peter D. Kossoris (a deputy district attorney) confirms the above, stating: "Older women who were incestuously molested as children or adolescents are commonly depressed and neurotically anxious."

A University of Washington study published in *Medical Times* adds: "Problems reported

Incestuous child abuse is sexual abuse of children by an older relative. Usually, it is by a male relative—such as a father, stepfather, uncle or older brother. Sometimes, but much more rarely, it is by a female relative. According to the book *The Silent Children*, incestuous abuse can range from improper fondling to oral-genital contact to intercourse. Of course, affectionate physical contact between children and older people is proper. But when the older person finds these contacts arousing, or when he does things alone with the child that he would not do if the child's mother were present, this will likely lead to sexual abuse of the child.

include: feelings of guilt and depression; negative self-image; difficulties in interpersonal relationships associated with an underlying mistrust of men, inadequate social skills, and sexual dysfunction."

Why is incest so shattering? The magazine *Child Welfare* draws attention to the situation of a daughter molested by her father: "The daughter who has been molested is dependent on her father for protection and care. . . . She dares not express or even feel the depths of her anger at being used. She must comply with her father's demands or risk losing the parental love that she needs."

A former victim rightly insists that incest "is selfish and reprehensible . . . and a grotesque violation of a child's trust and dependency."

Some little girls who were victims of incest thought that the only way men would love them was sexually, so they behaved precociously toward other men besides the one victimizing them. Other victims, when they grew to be teenagers, were overly interested in sex, even promiscuous. Many have feelings of deep anger, worthlessness and, especially, guilt. They feel guilty because of what happened, guilty because they did not stop it, guilty because of the harmful emotions, guilty if they had any pleasurable feelings during the experience, and, if the incest affected the parents' marriage, guilty because of that.

Is there any way they can be helped to handle such emotional turmoil?

#### **It Does Not Help to Say . . .**

One woman who was having problems because she had been a victim of incest over many years went to the elders in the congregation to discuss her problem. "They told me to forget about it," she reports. The well-intentioned reasoning behind that advice was doubtless that

since the bad experiences were all in the past and nothing could be done about them now the best thing to do was to put them out of her mind and think good thoughts. (Philippians 4:8) Unhappily, it is not as simple as that.

Why not? Well, think of someone who has had an arm severely disabled in an accident. His friends visit him to help him. Would it help for them to say to him: 'Oh, forget about it!' Of course not. There is no way he can forget about it.

Similarly, many women who have been incestuously abused are unable just to forget about it. For some, it is stamped on their consciousness like an emotional scar. One victim wrote: "My grandfather assaulted me when I was seven years old, not just once but on a number of occasions. My naiveté left me defenseless. Now I feel the repercussions constantly. It's been a living nightmare ever since. The memory can be pushed back for a while only to resurface and make me sick to my stomach. I feel ashamed and dirty, and I wasn't even to blame."

True, the emotional scars of incest (and other traumatic experiences) are not visi-

"The memory can be pushed back for a while only to resurface and make me sick"

ble. But they are just as real as physical scars. So how can those be helped who have them? One way is to listen to the victim and encourage her to "talk it out."

#### **It Might Help to Say . . .**

The counselor should be helpful, not judgmental. The apostle Paul encouraged Christians: "Become kind to one another

er, tenderly compassionate." (Ephesians 4:32) In counseling situations, these qualities are vital.

Thus, a woman who was victimized over many years by her father when she was a girl says: "Elders (or whoever else is approached) should be superkind." Another who was also abused by her father says: "The main thing is not to be shocked. Be calm and understanding, not pushing for every detail but being willing to listen to whatever you are told. Try to understand the victim's emotions."

Being calm and understanding is not always easy. One woman admitted that she often spoke excitedly, even belligerently, when discussing her problem. Is such conduct disrespectful? Perhaps. But a "tenderly compassionate," mature Christian will quickly realize that it is not meant personally. It is an expression of inner turmoil.—Philippians 2:1-4.

Additionally, those counseling incest victims need to listen, just as Jehovah God listens. (Psalm 69:33) They should not be quick to make comments or judgments. (Proverbs 18:13; James 1:19) Does listening and giving comfort really help? Yes, indeed. One victim reports: "I was able to talk it over with a sister older than I, and what a relief I felt! I . . . wept with her." Another said: "I think just having somebody to talk to was the thing that helped me most."

If the victim is suffering from severe emotional turmoil, a more experienced counselor may be able to help her determine the reason for that turmoil and how she can deal with it. Questions such as the following may help to draw out hidden feelings: "Do you want to discuss what happened? How do you feel about yourself? How do you feel about your father [or uncle, or whoever the abuser was]? Do you blame yourself for what

happened? Do you think it makes you worse than other people?" A loving counselor will show that he is not shocked by the answers. Rather, he will explain that such feelings are not uncommon. Some have felt better when they learned this.

What if the victim reveals that she feels worthless because of the experience? A young woman who was abused by her grandfather, father and stepfather, says: "They [the counselors] could help her realize she is worth a lot. I used to feel different from my friends at school. I felt dirty compared with them. Then as a teenager I got into trouble a few times. But now I know that Jehovah does not hold this experience against me. He views me as a worthwhile person." —Psalm 25:8; 1 John 4:18, 19.

Victims often feel anger too. In her book *The Silent Children* Linda T. Sanford explains why, saying: "As the child grows older, she learns the real meaning of the sexual activity and becomes aware of the adult's gross inappropriateness. Therefore she feels betrayed. She had looked up to and trusted this older

Just having somebody to talk to helped me the most

person. She learns that his reassurances were monumental lies."

Some of this anger—and some of the guilt feelings victims experience—may be defused if the abuser straightforwardly admits what he did and apologizes. One victim, whose father was arrested after the incest was exposed, said: "About three years ago, my father gave me a nice present and said: 'I just want you to know I am really sorry for a lot of the things that happened between us.' I knew what he meant and accepted his

apology. Now I have a good relationship with him."

Unhappily, however, many abusers flatly deny everything or admit to only a fraction of what they did. By the time a disturbed woman seeks help, the abuser may even be dead. But the anger may still be there. Those counseling may, nonetheless, be able to help her. They can kindly point out that her anger is completely understandable. Even Jehovah remains angry at sinners who do not repent.—John 3:36.

However, they may tactfully point out the dangers of letting anger overwhelm a person. (Ephesians 4:26) They may help her to reason on this by gently asking questions such as, "Is your anger helping you or is it harming you? By letting anger affect you so much, are you still letting him influence your life? Do you *really* think he has got away with something? Is not Jehovah the Judge even of those who commit crimes in secret?" —Psalm 69:5; Luke 8:17; Romans 12:19.

Reasoning, but not in a lecturing tone, on Romans 12:21 may help. The purpose of the counsel is to help, not to discipline or apply pressure. Rather than telling the victim how she *should* feel, it is far more beneficial to listen and find out how she *does* feel, and, by gently probing with questions, to help her to see for herself why she feels that way.

If discussions reveal a deep feeling of guilt, it should be pointed out that incest committed against a young child is *never* the child's fault. True, young children often act affectionately toward adults. But they have no idea about adult sex. As the book *The Silent Children* points out: "The child never intended the closeness and warmth to become sexual. Incest is an adult's interpretation of the child's wishes—an interpretation greatly colored by the adult's own needs."

Surely one who was sexually abused as a child can be certain of God's understanding and loving acceptance. Why, Jehovah forgives even those who, unlike the abused child, commit gross sins—if they repent and change their course of action!—1 Corinthians 6:9-11.

#### **A Realistic View**

Helping victims of emotional trauma is not easy. It cannot be handled in a few minutes in a crowded Kingdom Hall. It takes patience, love, kindness, repeated efforts and, especially, time. There are no miracle cures. It takes a lot of talking—and praying—before a disturbed victim achieves emotional stability. The bad experience is never forgotten. But the victim can learn to live with the memory.

Thus one victim said: "I still get feelings of worthlessness. But I tell myself it is not true. And in about a day, the feeling goes." Another victim said: "I've learned from the Scriptures to be forgiving, to help others and not to feel sorry for myself." Another added: "They helped me to see that Jehovah loves me still . . . I'm going to overcome all my problems with the help of Jehovah."—Psalm 55:22.

#### **The Permanent Solution**

While Jesus was on earth, he miraculously healed those who were physically scarred, the 'lame and maimed.' (Matthew 15:30) In the approaching New Order, that miracle will be repeated many times over as all physical sickness is removed.—Isaiah 33:24.

In the case of those suffering emotional scars, often the loving, patient help of mature Christian men and women applying the soothing influence of God's Word can help them to handle their problems and still find joy in Jehovah's service. (James 5:13-15) However, in the New Order, we are promised: "The former dis-

tresses will actually be forgotten." (Isaiah 65:16) Thus, all servants of God look forward with confidence to the time when God "will wipe out every tear from their eyes, and death will be no more, neither

will mourning nor outcry nor pain be anymore. The former things have passed away." (Revelation 21:4) This will be the final healing of all sicknesses, including emotional ones.

## Questions From Readers

■ Does Jesus' promise of everlasting life, as given at John 11:25, 26, apply only to the anointed, or do these words embrace also the "great crowd," who look forward to life in the Paradise earth?

At certain times in the past *The Watchtower* has suggested that the application of this scripture is limited to those Christians who gain heavenly life. Evidently this view was taken because Jesus was there speaking to persons who later would be given that hope. But a careful examination of these scriptures shows that Jesus was not making such a limitation. As the articles for study in this issue of *The Watchtower* confirm, our viewpoint on John 11:25, 26 must be the broader one that includes those persons whose hope is to live forever in the Paradise earth. Why do we make this statement?

Note what Martha says about the dead Lazarus at John 11:24: "I know he will rise in the resurrection on the last day." Which resurrection did she there have in mind? Why, the resurrection that Abraham, and other integrity-keeping Jews looked forward to in faith—an earthly resurrection! How, then, would Jesus' following words appeal to Martha? They would convey to her the situation with regard to the earthly resurrection.

Jesus next identified himself as the one who would raise the dead.

But he did not say that he was talking only about *some* of the dead who exercised faith in him. He is "the resurrection and the life" for all who attain to everlasting life, whether in heaven or on earth. All of what Jesus goes on to say, in verses 25 and 26, may be applied to both groups, though in different ways. Anointed Christians "come to life" in that they are raised to immortal heavenly life. Those of the dead who will live forever on earth are resurrected and then are gradually brought to perfection.—Compare Revelation 20:4.

It is certainly true of the anointed, as stated in verse 26, that they will "never die at all" after being resurrected. They then "see God just as he is," so that they are no longer "walking by faith." (1 John 3:2; 2 Corinthians 5:7) So when Jesus says, "Everyone that is living *and exercises faith in me*," he introduces a factor that is especially significant with regard to those today whose hope is to attain to everlasting life on earth. Righteousness is already imputed to the "great crowd" because "they have washed their robes

and made them white in the blood of the Lamb." They are already living in the flesh with the hope of surviving the great tribulation, and their lives are considered righteous lives, like that of Abraham of old. They, together with resurrected mankind, must continue to exercise faith during Christ's millennial reign in order to attain to everlasting life in human perfection.—Revelation 7:9, 10, 14, 15; 21:3, 4.

Actually, this is not an entirely new viewpoint. From time to time through the years, the Watch Tower Society's publications have suggested a broader application of John 11:24-26. For example, *The Watchtower* of June 1, 1959, page 337, said of the witnesses of Jehovah gathered out of all nations: "Those who expect to live on this earth hope also to survive the end of this world, and to live on into the new world without ever dying." It cited Hebrews 11:1, 6 and John 11:26 in support. And *The Watchtower* of April 15, 1976, page 243, likewise included resurrected mankind along with the "great crowd" of Armageddon survivors in those same words of Jesus: "Everyone that is living and exercises faith in me will never die at all. Do you believe this?"

Do you?



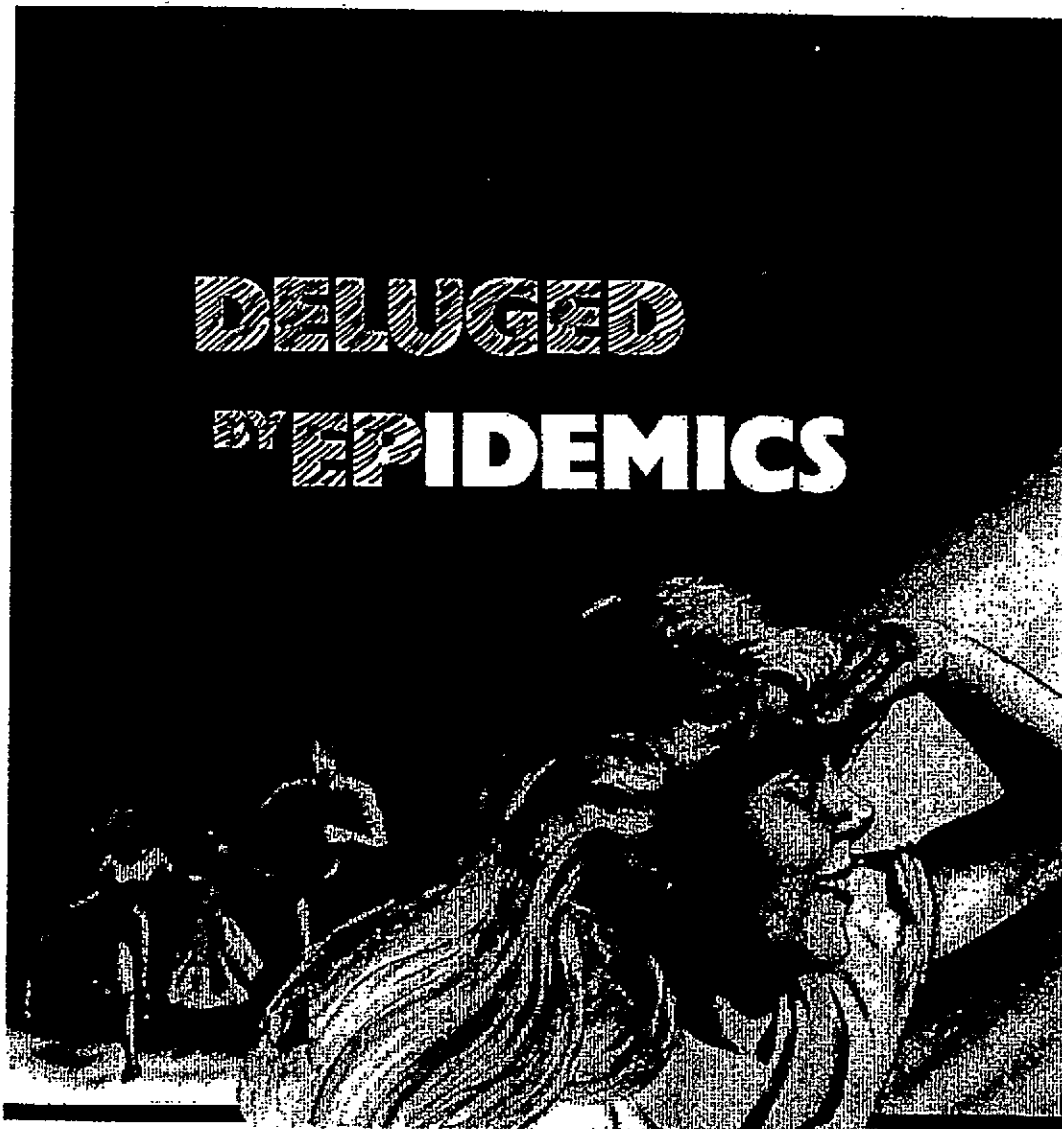
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# Awake!

NOVEMBER 22, 1983

**DELUGED  
BY EPIDEMICS**



**THERE IS A WAY OUT**

# Awake!

**WHAT IS AWAKE IN YOUR MIND?**

Awake! is a magazine for people who are interested in the spiritual and moral life. It is a place where you can find out what is going on in the world and what you can do about it. It is a place where you can find out what is going on in the world and what you can do about it. It is a place where you can find out what is going on in the world and what you can do about it.

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## Feature Articles

From the Black Death to the Spanish flu, man has long suffered from epidemics. Even today, physical sickness still plagues the human race. But in modern times, epidemics of a different kind have become even more prevalent and threaten to overwhelm us. Learn what these epidemics are, why we should protect ourselves from them, and how the threat of them will ultimately be removed

|   |   |
|---|---|
| <b>We Are Being Deluged by Epidemics!</b> ..... | 3 |
| <b>An Epidemic of Homosexuals</b> .....         | 4 |
| <b>Child Abuse—The Spin-off Epidemic</b> .....  | 5 |
| <b>The Harvest—A VD Epidemic</b> .....          | 6 |
| <b>The Way Out</b> .....                        | 6 |

## Also In This Issue

|  |    |
|--|----|
| <b>Young People Ask ...</b>                          |    |
| <b>Is Religion for Me?</b> .....                     | 11 |
| <b>Koi—Flowers That Swim</b> .....                   | 14 |
| <b>Killer From the Sky!</b> .....                    | 15 |
| <b>Is Man Winning the War Against Insects?</b> ..... | 20 |
| <b>My Search for Real Happiness</b> .....            | 24 |
| <b>Higher Earnings Mean Divorce?</b> .....           | 27 |
| <b>Poisoned "Candy"</b> .....                        | 27 |
| <b>From Our Readers</b> .....                        | 28 |
| <b>Watching the World</b> .....                      | 29 |

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vote in Atlanta, Georgia. The Institute of Sex Research estimates that 10 percent of the United States population is gay. "Homosexual men and women are coming out of the closet as never before to live openly," says *Time* magazine. "They are colonizing areas of big cities as their own turf, operating bars and even founding churches in conservative small towns, and setting up a nationwide network of organizations to offer counseling and companionship to those gays—still the vast majority—who continue to conceal their sexual orientation."

There was a time when mental-health authorities dealt with homosexuality as though it were an illness. But had not Freud himself held that homosexual behavior "cannot be classified as an illness"? In 1973 the American Psychiatric Association's Board of Trustees ruled that "homosexuality . . . by itself does

not necessarily constitute a psychiatric disorder."

First-century Christians did not view homosexuality as something normal, like blue eyes or dark skin. They viewed it as the cultivating of "disgraceful sexual appetites" when homosexual women "changed the natural use of themselves into one contrary to nature," and homosexual men 'worked what is obscene' with one another.—Romans 1:26, 27.

Yet, like other unclean appetites and hurtful desires, homosexual tendencies can be controlled and even overcome, stripped off as part of the old personality. In the Corinthian congregation there were some who had been homosexuals, as well as others who had been thieves, greedy persons, extortioners, drunkards, adulterers and idolaters. Yet all of these had changed. They had been "washed clean . . . sanctified . . . declared righteous."—1 Corinthians 6:9-11; Colossians 3:5-11.

**C**ONSTANT obsession with sex and more sex leads to more abnormal cravings. One of the most depraved practices crawling into view is sexual abuse of children. How widespread is this? No one really knows, but a 1982 report on child abuse in the United States estimates that at least 1.5 million cases go unreported or unbelieved.

Sexual abuse of children can be anything from inde-



## DEFLUGED BY EPIDEMICS

cent exposure to rape. One of its uglier forms is child pornography. Children are photographed in sexually explicit poses, sometimes of unimaginable depravity, and the photographs are sold to pedophiles, morally sick individuals who find children sexually attractive.

Another aspect of this spin-off epidemic is the problem of incest. "As recently as 15 years ago, experts claimed that incest . . . occurred in only one out of a million families," *Reader's Digest* reported in January 1981. "Now some professionals believe the actual incidence could be as high as one in a hundred."

Are you horrified even to contemplate the sexual use of children? Not everyone shares your feelings. The official publication of the Sex Information and Education Council of the United States has suggested that incest with the children at home might be better than so much teenage fornication outside the home!

In Los Angeles there exists the Rene Guyon Society, reportedly made up of doctors, lawyers and other men and women in respected, influential positions,

whose members believe that young children should experience sex. The group's slogan is, "Sex by age eight, or it's too late." This group is reported as using child pornography to stimulate youngsters.

Then there is NAMBLA (North American Man-Boy Love Association), a homosexual group interested in promoting "love" between men and boys. Such ideas of "love" remind one of the Bible proverb: "The mercies of the wicked ones are cruel." (Proverbs 12:10) Many children today suffer from such cruelty.

And while the sexual abuse of children gets worse, other kinds of abuse are not lagging behind. As never before, children are tasting parental violence. Homicide is one of the five leading causes of death among children in the United States. According to the CDC (Centers for Disease Control), in recent years such homicides have risen at a shocking rate and one third of these are at the hands of parents or stepparents. In most cases the 1- to 17-year-olds are killed with guns, knives or by strangulation.

## THE HARVEST —A VD EPIDEMIC

**"SEXUALLY** transmitted diseases (STDs) are so widespread that they are considered to be hyperendemic." This announcement of the *Journal of the American Medical Association* gives

just one indication of how the modern epidemic of immorality has resulted in literal epidemics of the flesh. Thinking that medical science had conquered venereal diseases, this generation has gone after

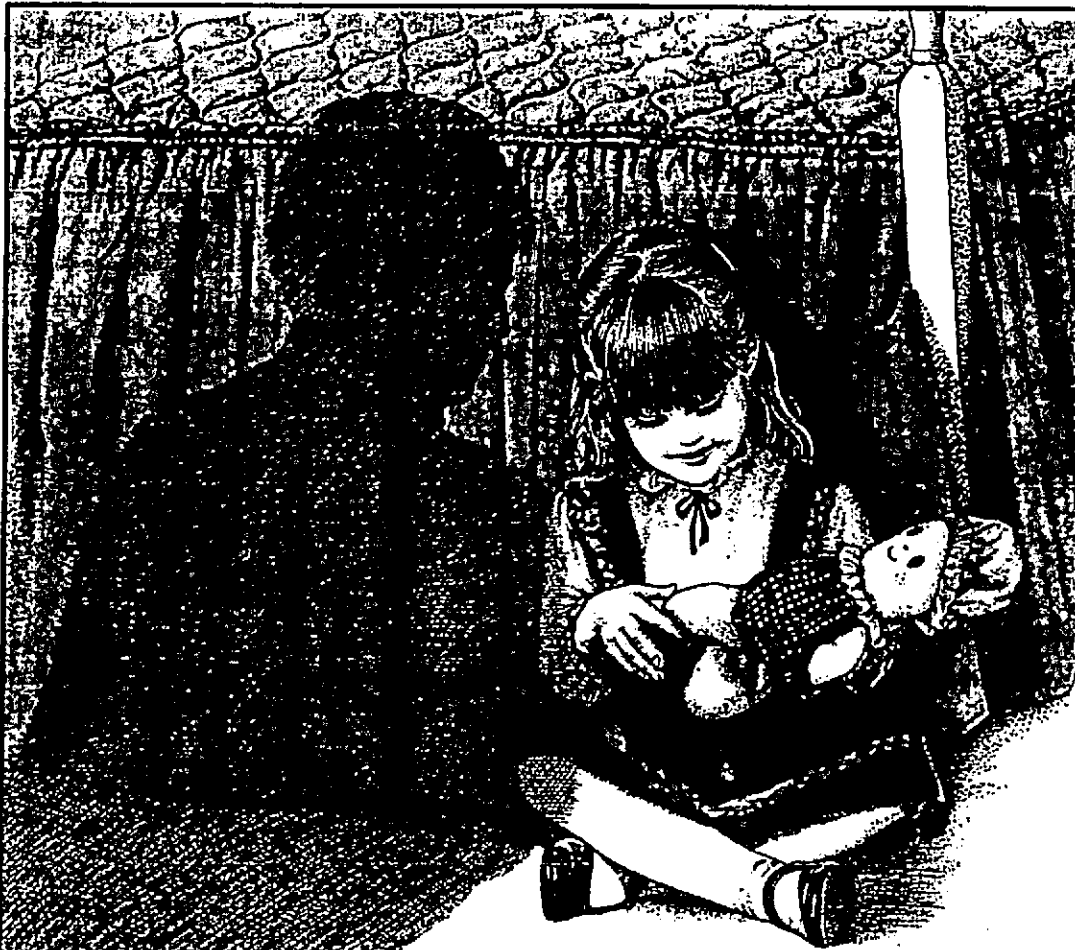


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# ***Awake!***

JANUARY 22, 1985



**Child Molesting**  
*You Can Protect Your Child*

## WHY AWAKE! IS PUBLISHED

AWAKE! is for the enlightenment of the entire family. It shows how to cope with today's problems. It reports the news, tells about people in many lands, examines religion and science. But it does more. It probes beneath the surface and points to the real meaning behind current events, yet it stays politically neutral and does not exalt one race above another.

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## Feature Articles

Child molestation, a growing horror! Although the cases number into the scores of thousands yearly, one child welfare league calls the figures "only the tip of the iceberg." Who would stoop to such depraved and cowardly immorality against helpless children? Strangers, yes, but much more often the abusers are relatives of the victims or friends of their family. What steps can parents take to protect their children? This opening series reviews the problem and offers suggestions

|  |   |
|--|---|
| Child Molesting                          |   |
| —Every Mother's Nightmare .....          | 3 |
| Child Molesting                          |   |
| —'Who Would Do a Thing Like That?' ..... | 4 |
| Child Molesting                          |   |
| —You Can Protect Your Child .....        | 6 |

## Also in This Issue

|   |    |
|---|----|
| How Much Is Too Much? .....                     | 11 |
| The River That Falls From the Sky .....         | 12 |
| Filters Tell a Deadly Tale! .....               | 14 |
| Young People Ask ...                            |    |
| How Can I Satisfy My Parents? .....             | 15 |
| "Jehovah Will Give Increase" .....              | 18 |
| Door-to-Door Evangelism—How Effective? .....    | 23 |
| Seeking the Causes of Death, I Found Life ..... | 24 |
| From Our Readers .....                          | 28 |
| Watching the World .....                        | 29 |

Photos of Angel Falls courtesy of Venezuela Government Tourist Office

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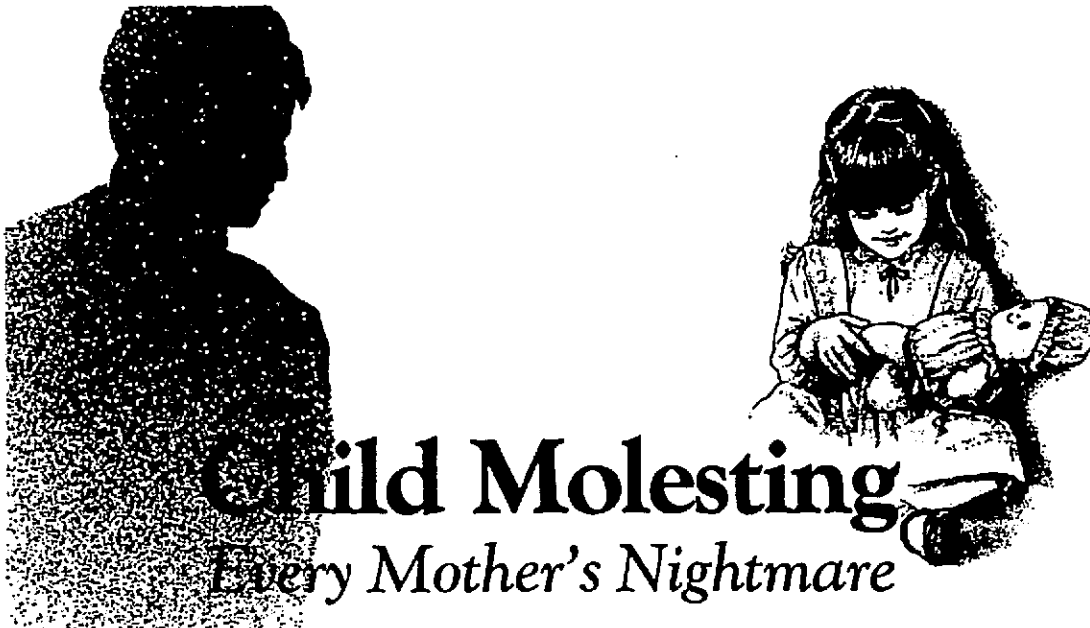
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Frederick W. Franz, President



**F**OR the young mother, it was a nightmare come true. When her four-year-old daughter complained of abdominal pains, she took her to see a doctor. The doctor, after a thorough examination, gravely told the mother that her little girl was the victim of sexual molestation. She had been raped. The mother informed the New York City authorities, who quickly determined that the abuse occurred at a Bronx, New York, day-care center.

Investigations at the center yielded horrifying results. First one, then another, then still another child revealed that they, too, had been molested. At least 30 children eventually claimed that they had been abused in that same center. One of them had gonorrhea. Then reports surfaced that children had been molested at another day-care center. Then at another. Eventually seven day-care centers had to be investigated in the New York City area alone.

As each new case was publicized, reports of child molesting started coming in

from other parts of the country. The scandal spread. Parents asked one another: "What's happening?" What indeed! Was this just a freakish rash of molestation incidents? Or was it something very widespread that was only now being noticed?

#### ***A Widespread Problem***

The fact is, sexual molestation of children has been going on for a long time and today it is widespread. In 1983, the head of New York City's Advisory Task Force on Rape reported 'a dramatic increase in the number of young children who are victims of rape, incest, and other forms of sexual abuse.' Dr. David Finkelhor of the Family Violence Research Program at the University of New Hampshire conducted a large-scale study of the subject. He found that the children of 9 percent of the parents interviewed had been sexually abused. Fifteen percent of the women and 6 percent of the men had themselves been sexually abused as children!

## Child Molesting—a growing horror

Exact statistics are difficult to come by. In the United States, the National Center on Child Abuse and Neglect has records of 55,399 cases of children being sexually molested in one year. But these are only cases of incestuous abuse. Abuse by friends, neighbors, teachers, and so forth—as well as by strangers—would increase that figure to a considerable extent. And a spokesman for the Child Welfare League of America told *Awake!* that “the figures we have are only the tip of the iceberg.”

A report in the magazine *Ladies Home Journal* estimates: “Sexual abuse of

young girls is four times more common than rape of adult women. Between the ages of five and 13, one in four little girls falls prey to some form of sexual abuse by adults—whether it be exhibitionism, inappropriate fondling, rape, or incest. Although young females are the most common victims, 20 to 25 percent of those attacked are little boys.”

Doctors are convinced of the harmful and long-term effects of such abuse. Hence, parents wonder: ‘Are my children at risk? What steps can I take to protect them? What sort of person would try to harm them?’

# Child Molesting

## ‘Who Would Do a Thing Like That?’



**M**OST parents would answer this question wrong. When we think of sexual molestation, most of us probably picture a weird stranger who exposes himself to children or lures them away into a car or to some wooded area. Publicity has also been given to groups that lure children away to exploit them for pornography or child prostitution. Such things *do* happen, but these people are far from the usual type of child molester. So who are the usual child molesters?

Sue was molested by a man who was running a church group. He ran a youth club, and everybody agreed that he was very pleasant. But he sexually abused Sue

and other girls. Another young girl wrote to an advice column to tell that her favorite uncle had taken to pulling her onto his lap and fondling her improperly. One man remembers that as a boy he was habitually abused by the grown son of a close family friend. An 11-year-old boy was molested by the aunt that he lived with. A New York woman reports being molested by her grandfather when she was seven years old. A 15-year-old boy was molested by his doctor during a medical examination. For Pam, it was even worse. For many years, her own father molested her. And Mary was molested by two older brothers and an older first cousin.

In fact, probably less than a third of sexual assaults on children are committed by strangers. Usually the victim knows the assailant. Often the abuser is a relative. Thus, in most cases children are molested by people they know and trust, which makes the problem of protecting them more difficult.

### ***The Molester at Work***

Many parents have another misconception. They envision molestation as being violent, with the child fighting and screaming for mercy. This may not be the case at all, at least not in the beginning. At the outset, sexual abuse may be disguised as playful or affectionate contact, and go on from there. The abuser is likely to persuade and pressure the child, using all the built-in authority of an older person. Do you remember what it was like when you were a child and were trained to obey adults even when they told you to do things you did not like, such as go to bed early or eat all your vegetables? Molesters take advantage of this training. One convicted abuser said: "Show me an obedient child, and I'll show you an easy victim."

One child was receiving obscene phone calls. When asked why she had not put the phone down, she said she thought it was rude to do that when someone was still talking! A woman of 30 remembers having been approached at the age of 5 by her grandfather. He said to her: "Good girls do this for Grandpa and never tell their mothers." How many five-year-olds would be able to see through such a deception?

And do you remember how you loved presents and treats as a child? Abusers

often use this childish trait to get an abusive relationship started. For example, what would your child do if the school janitor said: "Stay with me for a while in the office after school, and I will give you some money"? or if the baby-sitter said: "I will let you sit up late and watch television, if you do something for me first"?

Sometimes molesters misuse a child's natural love of secrets. Wasn't it exciting, when you were young, to have a secret? One little girl had a secret that she kept from her parents. But one day her parents

### ***She was molested by her minister***

saw her acting in a precocious, sexual manner. When asked where she had learned such a thing, the little girl said: "It's a secret." Her father explained that sometimes we should not keep a secret, so the little girl revealed her secret. A 40-year-old man with a family of his own, who was a close family relative, had pushed her down and sexually assaulted her.

Finally, threats may be involved, subtle threats that strike at a child's sense of security. A grown woman tells of having been abused by her stepfather when she was a child. She says he abused her for four years, starting when she was six. Why did she not tell her mother? "He said that if I ever told anybody about it, the police would come get him and my mother would lose her job. The family would starve and it would all be my fault."

## *Child Molesting—a growing horror*

Author Gail Sheehy covers many of these points in the following observation: "We forget how grownups seemed omnipotent to us when we ourselves were children." She adds: "It is very easy for a parent or babysitter to initiate sexual activities under the guise of normal bathing and hygiene inspection. The child gets the message something is wrong only when secrecy is introduced: 'Don't tell your mommy that we did that'—and sufficient intimidation can be laid in with a single stroke—'or she won't love you anymore.'" Would your child be able to withstand that sort of psychological blackmail?

### ***The Child's Best Defense***

So you see, molesters can be the most unexpected of people and they can use sophisticated and cunning tactics. Child molestation is probably almost as old as history. But as this generation progresses, and more and more people are "lovers of themselves, . . . having no natural affection, . . . without self-control," the threat is becoming greater. (2 Timothy 3:1-3) However, children do have one very strong defense. What is that? Their parents. These are the adults best able to protect them from other adults who may wish to molest them. Let us see how.

# Child Molesting

## You Can Protect Your Child



**A** YOUNG woman who was molested as a girl by her brother and her brother-in-law says: "I was afraid, so I did not tell anyone. For this reason, I would like to warn all parents: 'Please teach your children not to let anyone in the family, or outside the family, put their hands on them in any wrong way. If anyone tries to, do not be afraid to tell on them.'" She adds: "It can happen to any child at any time!"

In this degenerating world, we must take definite steps to protect our children from sexual molestation. It is not wise to leave things to chance and just hope that nothing will happen.

### ***The First Line of Defense***

The first line of defense is to avoid situations that leave our children vulnerable. For example, parents are advised to be careful about using as baby-sitters young adults who seem to prefer being with children rather than with folks their own age. One clinical psychologist reports that two thirds of the molesters he is treating committed the offense while baby-sitting.

Dr. Suzanne M. Sgroi mentions two more situations that have led to trouble: Children doubling up (in beds or rooms) with adults or teenagers, and large family gatherings where the grown-ups get in-

## *Child Molesting—a growing horror*

volved in enjoying themselves and just assume that the older children are taking care of the young ones.

The truth is, the more we can keep our children under our own supervision, the less opportunity molesters will have to get at them. Ann, a mother of three, goes to the extent of not allowing her youngest child, a 14-year-old boy, to wander around the shopping mall—or even to go into public rest rooms—alone. The boy probably finds this very restrictive, but his mother has her reasons. She was molested as a child.

However, parents cannot always keep such a close watch on their children. Working parents may have no choice but to use day-care facilities or to leave their children with relatives or baby-sitters. Children have to go to school, and parents cannot always be with them. Relatives and friends come to visit. And then there are the neighbors! How can we protect our children when they are so vulnerable? Really, there is only one way—

### ***Talk to Your Child About the Danger***

Psychologist Debrah Shulman said: "It's foolish to pretend to children that dangers do not exist. Children are aware of their vulnerability and are naturally concerned about their own safety. It's part of a parent's job to give them the tools to deal with danger realistically. If presented honestly and posi-

tively such information will not threaten children, it will reassure them." Yes, we have to talk to them about it.

This is easy to say but not so easy to do, especially since the greatest danger is from friends and relatives. We may already have warned our children against the stranger who wants to lure them into the woods or carry them away in a car. But how can we give them "the tools" to protect themselves from ones they know, respect, and even love?

### ***Follow Their Instincts***

Ann, the mother referred to previously, reports that she was only five years old when a male relative molested her. Nevertheless, she knew that he was doing something wrong, although she did not know how to stop him. And, unhappily, she could not talk to her parents about it. The lines of communication were not very good at that time.

Ann's experience demonstrates that



children usually have a natural sense of what is fit and proper. We have to reinforce this instinct, tell them that they should obey it even if an adult tells them differently. A simple and determined "No, I don't want you to do that!" is often

enough to deter a molester. Ann's experience also shows the need for open lines of communication with our children.

Recently a husband and wife were discussing this problem between themselves. Becoming concerned, they asked their

### *If the Worst Should Happen*

No parent can give a child complete protection against sexual molestation, although taking sensible precautions will enormously reduce the possibility that anything will happen. However, if parents have established good family communication, it may be that children will talk about it in the event that the worst should happen. Sometimes, though, children are so shocked by or ashamed of the experience that they will not discuss it. Hence, parents need to be alert. Here are some signs that researchers say *may* show that something has happened:

Be suspicious of any changes in the normal routine. In one case, a teacher asked that certain children come to school long before others. Watch for any telling signs in children such as declining grades or extreme anxiety around a specific adult. One woman who was victimized by her brother and her father as a girl said: "I came at the bottom of a class of 42, and nobody tried to find out why."

Pay attention to physical symptoms, such as headaches, vomiting or loss of appetite, and difficulty in sleeping. Genital complaints, such as soreness, are particularly important. Be aware of precocious sexuality in language, dress, or behavior. Be on the lookout for sudden changes in behavior that might indicate a problem. If a child becomes unusually withdrawn or shows an inclination to avoid one member of the family, a warning bell should sound. We also have to listen for the oblique messages that our

children send us. The statement, "I don't like that math teacher any more" may be the child's way of trying to broach this difficult subject.

If parents see anything like this in their child, they should try to find out what is wrong. The child has a problem, and it may be a problem of molestation. If so, the child needs help. Unfortunately, many children do not get that help. Molested children have been accused of inventing the incident, although researchers assure us that children rarely, if ever, invent such things. Incest has been covered up so as not to break up the family.

However, if molestation—and especially incest—is discovered to have occurred, two things must be done immediately:

First, the child—and other children too—must be protected from any further abuse. This must be done, whatever the cost. In many cases, the accused molester will have to be confronted. But whatever it takes, it is important that the child should feel confident that the molester will never be able to get at her (or him) again.

Second, the child must be given a lot of love and emotional support. Parents must make it very clear that the little victim is not to blame. The crime and anything that happens as a result of it—even if a close relative goes to prison—is not her (or his) fault. But that reassurance will have to be given many times, so that the victim comes to believe it—and to believe that the parents believe it too!

## *Child Molesting—a growing horror*

child if she had ever been molested. To their horror, the child said yes. An old and trusted friend of the family had repeatedly done so. The family had excellent communication with their children, so why had the child not said something before? Simply because she did not know how. Once the subject was mentioned, the child was more than willing to discuss it.

### ***How Can We Tell Them?***

First, we have to bring the subject up. One suggestion is that if ever a scandal is reported in the news, parents could use it as an opportunity to ask their children: "Did anyone ever do anything like that to you?" and then go on to tell them how to act if anyone tries to.

Parents who teach their children about the Bible can use parts of it as a starting point. They can use the story of Dinah, the daughter of Jacob, to explain the boundaries that exist in what one person may do to another. (Genesis 34:1-4) The story of Tamar and Amnon can be used to show that there are things that even close relatives are not permitted to do to each other. (2 Samuel 13:10-16) And we should make sure they understand that if something like that does happen to them, we want to know about it. We will not get angry with them if they tell us.

Mary was molested when she was a little girl, so she made very sure to put her three daughters on guard against molesters. How did she do it? As soon as they were old enough to understand, she told them: "If anyone touches you in the wrong place, tell me and I will not be angry." How would they know where the

wrong places are? Mary says that when they were about three years old she showed them. When she was bathing them or getting them ready for bed, she pointed out the parts of their body that other people should not touch. As they got a little older, she presented situations: "Nobody should touch you there, even if it is a schoolteacher or a policeman. Not even Mummy or Daddy should touch you there. And a doctor should only touch you there if Mummy or Daddy is with you!"

Did this work? Mary remembers one occasion when a relative was playing with her six-year-old daughter. The things the relative was doing started to make the little girl feel uncomfortable. What did she do? She just walked away from him. Mary is not sure whether the relative had bad intentions or not. But she is delighted that her daughter was able to walk away from the situation when it started to feel "not right," or "strange."

Hence, just as parents warn their children against going off with strangers, playing in a busy street, and putting their

**"If anyone touches you in the wrong place, tell me"**

hands on electric wires, they should also tell them about avoiding molestation. They should explain the boundaries on their bodies that others—even their own parents—should not transgress. They should clearly state that if something *does* happen, they want to know about it. And they will not blame the children.

### **The "What if . . . ?" Game**

Sometimes adults will use their greater experience and intelligence to deceive children into joining them in some inappropriate activity, and children may not spot the deception without help. So Linda Tschirhart Sanford, author of the book *The Silent Children*, suggests a tool that could be used to counter this in advance: the "What if . . . ?" game. From time to time, ask the children what they would do in certain situations: "What if the baby sitter said that you could stay up late watching television if you got in the bathtub with him and played games? What would you tell him?" "What if someone you knew took you for a ride and wanted to put his hands where he should not? What would you do?" "What would you do if an older friend touched you in a way

**Tell children the right names for the parts of their body**

you did not like, or wanted to undress you and play a secret game with you?"

In teaching the child how to answer, parents can show that there are occasions when they can say no to an adult. There are also occasions when they should reveal secrets. If they are trained to say things like "I will just go and ask Mummy first," they will be able to discourage most potential molesters. If the child learns the right answers in the "What if . . . ?" game, it is gaining some good tools to protect itself. If it gives a wrong answer, well, go back over the question and suggest a different answer.

### **Give Them the Words**

The following experience shows another problem that children face in the matter of molestation: A woman relates that she was abused as a child and tried to tell her mother about it. But she did not have the right words and could not explain what had happened. Her mother thought that someone was just trying to be affectionate and that the little girl had misunderstood the situation and blown it out of proportion.

Because of similar experiences, social workers encourage parents to tell their children the right names for parts of their bodies. Give them the vocabulary to express themselves in case the worst happens.

### **Alert but Balanced**

One of a parent's worst nightmares is that their child might be sexually molested. However, we need to remember that *most* adults are not going to molest our children. Most of our relatives love them and would be as concerned as we are to protect them from abuse.

On the other hand, it *can* happen. And merely hoping that it will not happen is not enough. The Biblical proverb says: "Shrewd is the one that has seen the calamity and proceeds to conceal himself." (Proverbs 22:3) Hence, it is wise to be cautious, especially in view of the times we live in. If we avoid, to the extent possible, putting our children in situations that leave them vulnerable, if we explain to them the boundaries that even adults are not to cross, and if we teach them how to react in case any adult should try to cross those boundaries, then we are doing a lot to protect our children from the molester.



# EXHIBIT 39

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7 Attorneys for Plaintiff

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

10 Jose Lopez, Individually,  
11 )

Case No: 37-2012-0099849-CU-PO-  
CTL

12 Plaintiff,  
13 )

**STIPULATION RE FOUNDATION  
OF DOCUMENTS AND AGENCY  
OF INDIVIDUALS IN SPECIFIED  
POSITIONS**

14 v.  
15 )

Defendant Doe 1, Linda Vista Church, and  
15 Defendant Doe 2, Supervisory  
Organization, Defendant Doe 3,  
16 Perpetrator, and Does 4 through 100,  
17 inclusive,  
18 )

Defendants.  
19 )

Dept: C-65  
Judge: Joan M. Lewis  
Trial: None Set

20  
21 Plaintiff Jose Lopez (hereinafter Plaintiff) and Defendant Linda Vista Spanish  
22 Congregation of Jehovah's Witnesses, San Diego, California, and Defendant Watchtower Bible  
23 and Tract Society of New York, Inc. (hereinafter "the Church Defendants"), by and through  
24 their respective counsel of record, hereby stipulate to the foundation and business record status  
25 of documents produced by the parties in discovery and the agency status of individuals holding  
26 the positions of Elder or Ministerial Servant.  
27

1 Plaintiff and the Church Defendants further agree and stipulate that the stipulations  
2 agreed to herein shall be maintained in confidence and shall be used for the sole and exclusive  
3 purposes of preparing this action for motions, hearings, trial or appeal, and shall not be  
4 disclosed to any person or entity for any purpose unrelated to the prosecution of the present  
5 litigation. The agreements reached herein are not intended to be used, and are specifically  
6 intended to be of no effect in any other action.

7  
8 **STIPULATED AGREEMENT**

9 WHEREAS, Plaintiff Jose Lopez has commenced an action alleging sexual abuse at the  
10 hands of Gonzalo Campos while Campos was one of Jehovah's Witnesses, wherein Plaintiff has  
11 commenced this action against Defendant Linda Vista Spanish Congregation of Jehovah's  
12 Witnesses, Defendant Watchtower Bible and Tract Society of New York, Inc., and Defendant  
13 Gonzalo Campos. Defendant Gonzalo Campos is not a signatory to this Stipulation;

14 WHEREAS, all parties to this stipulation have engaged in the discovery process, and  
15 either have produced documents in response to requests for production of documents or by  
16 agreement will be producing documents in response to requests for production of documents,  
17 and the parties to this stipulation seek to streamline the process of establishing the foundation of  
18 such documents, including their authenticity and business record status;

19  
20 WHEREAS, Gonzalo Campos was associated with Defendant Linda Vista Spanish  
21 Congregation of Jehovah's Witnesses at the time of the molestation of Plaintiff. At the time of  
22 the events that are the subject matter of this action, and prior to April of 2001, Defendant  
23 Watchtower Bible & Tract Society of New York, Inc., made the final determination of which  
24 men were appointed to the positions of Elder and Ministerial Servant for each Congregation of  
25 Jehovah's Witnesses in the United States;

26  
27 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED:

1 All Documents hereto produced in the above-captioned action by any party to this  
2 stipulation, as well as any document subsequently produced by any party to this stipulation, are  
3 genuine and authentic, and satisfy the requirements for authentication as that term is used in  
4 Evidence Code § 1400.

5 All Documents hereto produced in the above-captioned action by any party to this  
6 stipulation, as well as any document subsequently produced by any party to this stipulation,  
7 meets the requirements of a business record as that term is defined in Evidence Code § 1271.  
8

9 No party will challenge the foundation, genuineness, or business record status of any  
10 document produced at any time in this litigation by any party to this stipulation. Nothing in this  
11 stipulated agreement shall be construed to limit, in any way, any party's right to object to the  
12 admissibility of any document produced in this action, or any content included in any such  
13 document, on any other ground (relevance, hearsay on hearsay, etc.).

14 Each individual holding the position of Ministerial Servant or Elder in any local  
15 congregation of Jehovah's Witnesses, including Linda Vista Spanish Congregation of Jehovah's  
16 Witnesses, is an agent, as that term is defined in Civil Code § 2295 of the local congregation in  
17 which they hold that title, as well as an agent of The Watchtower Bible and Tract Society of  
18 New York, Inc., for the time period prior to April 2001.

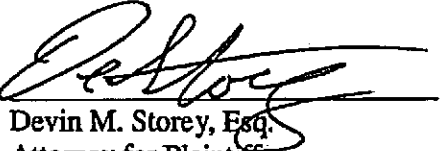
20 No Defendant will dispute that an individual holding the position of Elder or Ministerial  
21 Servant is an agent of the local congregation to which he is appointed during the period of time  
22 that he holds such positions, or that an individual holding such a position is an agent of The  
23 Watchtower Bible and Tract Society of New York, Inc. during the period of time prior to April  
24 2001 that he holds such position, and Plaintiffs will not conduct discovery for the purpose of  
25 establishing that each local congregation of Jehovah's Witnesses is an agent or alter ego of The  
26  
27  
28

1 Watchtower Bible and Tract Society of New York, Inc. Nothing in this agreement shall be  
2 construed to preclude any party from conducting discovery regarding other issues.

3 IT IS SO STIPULATED.

4 THE ZALKIN LAW FIRM, P.C.

5  
6 Dated: 2/28/13

  
Devin M. Storey, Esq.  
Attorney for Plaintiffs

8 THE MCCABE LAW FIRM, APC

9  
10 Dated: 2/28/13

  
James M. McCabe, Esq.  
Attorney for Linda Vista Spanish Congregation of  
of Jehovah's Witnesses

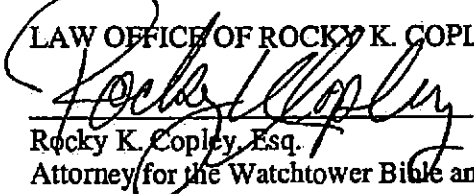
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13 SOCIETY OF NEW YORK, INC., LEGAL  
14 DEPARTMENT

15  
16 Dated: 2/28/13

  
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18 LAW OFFICE OF ROCKY K. COPLEY

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Irwin@Zalkin.com  
DMS@Zalkin.com  
Alex@Zalkin.com

Attorneys for Plaintiff, Jose Lopez

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

JOSE LOPEZ, an Individual,

Plaintiff,

v.

DOE 1, LINDA VISTA CHURCH; DOE 2,  
SUPERVISORY ORGANIZATION; DOE 3,  
PERPETRATOR; and DOES 4 through 100,  
inclusive,

Defendants

Case No. 37-2012-00099849-CU-PO-CTL

**STIPULATION RE: SERVICE OF  
DEFENDANT WATCHTOWER BIBLE AND  
TRACT SOCIETY OF NEW YORK, INC.'S  
MOTION FOR SUMMARY JUDGMENT, OR  
IN THE ALTERNATIVE SUMMARY  
ADJUDICATION OF ISSUES, AND  
PLAINTIFF'S OPPOSITION THERETO**

Assigned to: Hon. Gregory W. Pollack  
Dept.: 71

Trial Date: Vacated

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1 Finally, Watchtower Bible and Tract Society of New York, Inc. stipulates to accept service of  
2 Plaintiff Jose Lopez's opposition to the above document by email addressed to  
3 BKahn@mpplaw.com, DOlson@mpplaw.com, PPalmer@mpplaw.com, and RMcKim@mpplaw.com  
4 on or before 6:00 p.m. (Pacific) on March 31, 2017 as if the opposition were personally served.

5 IT IS SO STIPULATED.

6 Dated: February 6, 2017

MORRIS POLICH & PURDY LLP

7  
8 By: Ryan C. McKim  
9 Beth A. Kahn  
10 Dean A. Olson  
11 Pamela A. Palmer  
12 Ryan C. McKim  
13 Attorneys for Defendant, Watchtower Bible and  
14 Tract Society of New York, Inc., sued herein as  
15 Doe 2, Supervisory Organization

16 Dated: 2-7, 2017

THE ZALKIN LAW FIRM, P.C.

17 By: [Signature]  
18 Irwin M. Zalkin  
19 Devin M. Storey  
20 Alexander S. Zalkin  
21 Attorneys for Plaintiff, Jose Lopez  
22  
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# EXHIBIT 41

|  |  |   |  |
|--|--|---|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):<br>Devin M. Storey, Esq. (#234271)<br>The Zalkin Law Firm, P.C.<br>12555 High Bluff Drive, Suite 301<br>San Diego, CA 92130<br>TELEPHONE NO.: (858) 259-3011<br>E-MAIL ADDRESS (Optional): dms@zalkin.com<br>ATTORNEY FOR (Name): Plaintiff Jose Lopez |  | FAX NO. (Optional): (858) 259-3015                            |  |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Diego<br>STREET ADDRESS: 330 W. Broadway<br>MAILING ADDRESS: 330 W. Broadway<br>CITY AND ZIP CODE: San Diego, CA<br>BRANCH NAME: Hall of Justice   |  |   |  |
| PLAINTIFF/PETITIONER: Jose Lopez<br>DEFENDANT/RESPONDENT: Doe 1, Linda Vista Church, et al   |  |   |  |
| REQUEST FOR (Application)<br><input checked="" type="checkbox"/> Entry of Default<br><input type="checkbox"/> Court Judgment   |  | CLERK'S JUDGMENT<br><input type="checkbox"/> Clerk's Judgment |  |
|  |  | CASE NUMBER:<br>37-2012-00099849-CU-PO-CTL                    |  |

1. TO THE CLERK: On the complaint or cross-complaint filed
- on (date): 6/29/2012
  - by (name): Jose Lopez
  - ☒ Enter default of defendant (names): Watchtower Bible and Tract Society of New York, Inc (originally sued as Doe 2, Supervisory Organization in accord with Code of Civil Procedure Section 340.1 (m)-(p).)
  - ☐ I request a court judgment under Code of Civil Procedure sections 585(b), 585(c), 989, etc., against defendant (names):

(Testimony required. Apply to the clerk for a hearing date, unless the court will enter a judgment on an affidavit under Code Civ. Proc., § 585(d).)

- e. ☐ Enter clerk's judgment
- ☐ for restitution of the premises only and issue a writ of execution on the judgment. Code of Civil Procedure section 1174(c) does not apply. (Code Civ. Proc., § 1169.)  
☐ Include in the judgment all tenants, subtenants, named claimants, and other occupants of the premises. The Prejudgment Claim of Right to Possession was served in compliance with Code of Civil Procedure section 415.46.
  - ☐ under Code of Civil Procedure section 585(a). (Complete the declaration under Code Civ. Proc., § 585.5 on the reverse (item 5).)
  - ☐ for default previously entered on (date):

| Judgment to be entered.      | Amount | Credits acknowledged | Balance |
|------------------------------|--------|----------------------|---------|
| a. Demand of complaint ..... | \$     | \$                   | \$      |
| b. Statement of damages *    |        |                      |         |
| (1) Special .....            | \$     | \$                   | \$      |
| (2) General .....            | \$     | \$                   | \$      |
| c. Interest .....            | \$     | \$                   | \$      |
| d. Costs (see reverse) ..... | \$     | \$                   | \$      |
| e. Attorney fees .....       | \$     | \$                   | \$      |
| f. TOTALS .....              | \$     | \$                   | \$      |

g. Daily damages were demanded in complaint at the rate of: \$ per day beginning (date):  
(\* Personal injury or wrongful death actions; Code Civ. Proc., § 425.11.)

3. ☐ (Check if filed in an unlawful detainer case) Legal document assistant or unlawful detainer assistant information is on the reverse (complete item 4).

Date: 5/30/2014

Devin M. Storey

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

FOR COURT  
USE ONLY

- (1) ☒ Default entered as requested on (date): 5-30-14  
(2) ☐ Default NOT entered as requested (state reason):

Clerk, by A. Santiago, Deputy

|  |                            |
|--|----------------------------|
| PLAINTIFF/PETITIONER: Jose Lopez                       | CASE NUMBER:               |
| DEFENDANT/RESPONDENT: Doe 1, Linda Vista Church, et al | 37-2012-00099849-CU-PO-CTL |

4. **Legal document assistant or unlawful detainer assistant (Bus. & Prof. Code, § 6400 et seq.).** A legal document assistant or unlawful detainer assistant ☐ did ☒ did not for compensation give advice or assistance with this form. (If declarant has received any help or advice for pay from a legal document assistant or unlawful detainer assistant, state):

- |  |                            |
|--|----------------------------|
| a. Assistant's name:                   | c. Telephone no.:          |
| b. Street address, city, and zip code: | d. County of registration: |
|  | e. Registration no.:       |
|  | f. Expires on (date):      |

5. ☒ **Declaration under Code of Civil Procedure Section 585.5 (required for entry of default under Code Civ. Proc., § 585(a)).**  
This action

- |   |   |
|---|---|
| a. <input type="checkbox"/> is <input checked="" type="checkbox"/> is not | on a contract or installment sale for goods or services subject to Civ. Code, § 1801 et seq. (Unruh Act).                 |
| b. <input type="checkbox"/> is <input checked="" type="checkbox"/> is not | on a conditional sales contract subject to Civ. Code, § 2981 et seq. (Rees-Levering Motor Vehicle Sales and Finance Act). |
| c. <input type="checkbox"/> is <input checked="" type="checkbox"/> is not | on an obligation for goods, services, loans, or extensions of credit subject to Code Civ. Proc., § 395(b).                |

6. **Declaration of mailing (Code Civ. Proc., § 587).** A copy of this *Request for Entry of Default* was

- a. ☐ not mailed to the following defendants, whose addresses are unknown to plaintiff or plaintiff's attorney (names):
- b. ☒ mailed first-class, postage prepaid, in a sealed envelope addressed to each defendant's attorney of record or, if none, to each defendant's last known address as follows:
- (1) Mailed on (date): (2) To (specify names and addresses shown on the envelopes):

I declare under penalty of perjury under the laws of the State of California that the foregoing items 4, 5, and 6 are true and correct.  
Date: 5/30/2014

Devin M. Storey

(TYPE OR PRINT NAME)



(SIGNATURE OF DECLARANT)

7. **Memorandum of costs (required if money judgment requested).** Costs and disbursements are as follows (Code Civ. Proc., § 1033.5):

- |                                |    |
|--------------------------------|----|
| a. Clerk's filing fees .....   | \$ |
| b. Process server's fees ..... | \$ |
| c. Other (specify): .....      | \$ |
| d. ....                        | \$ |
| e. <b>TOTAL</b> .....          | \$ |
- f. ☐ Costs and disbursements are waived.

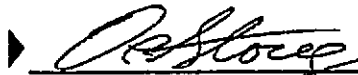
9. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief this memorandum of costs is correct and these costs were necessarily incurred in this case.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: May 30, 2014

Devin M. Storey

(TYPE OR PRINT NAME)



(SIGNATURE OF DECLARANT)


8. ☒ **Declaration of nonmilitary status (required for a judgment).** No defendant named in item 1c of the application is in the military service so as to be entitled to the benefits of the Servicemembers Civil Relief Act (50 U.S.C. App. § 501 et seq.).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: May 30, 2014

Devin M. Storey

(TYPE OR PRINT NAME)



(SIGNATURE OF DECLARANT)



# EXHIBIT 42

RECORDING REQUESTED L

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENT TO:

Name  
JOE CHAPMAN  
Street  
Address  
2433 TUNICA CIRCLE  
City & State  
SAN DIEGO CA 92111  
Zip

13567

Title Order No. \_\_\_\_\_ Escrow No. \_\_\_\_\_

DOI 2007-0209438



MAR 28, 2007 2:34 PM

OFFICIAL RECORDS  
SAN DIEGO COUNTY RECORDER'S OFFICE  
GREGORY J. SMITH, COUNTY RECORDER

FEES: 20.00  
OC: OC  
PAGES: 2



2007-0209438

T 355 Legal (2-94)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## Corporation Grant Deed

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX IS \$ None

☐ unincorporated area ☐ City of \_\_\_\_\_

Parcel No. 437-330-23

☐ computed on full value of interest or property conveyed, or

☐ computed on full value less value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

LINDA VISTA COMPANY OF JEHOVAH'S WITNESSES

a corporation organized under the laws of the state of California hereby GRANT(S) to

LINDA VISTA ENGLISH CONGREGATION OF JEHOVAH'S WITNESSES,  
SAN DIEGO, CA, INC.

the following described real property in the  
county of SAN DIEGO

, state of California:

(SEE EXHIBIT "A" ATTACHED HERETO)

The grantor(s) and grantee(s) in this conveyance are comprised of the same parties who continue to hold the same proportionate interest in the property - R & T 11925(d).

In Witness Whereof, said corporation has caused its name to be affixed hereto and this instrument to be executed by its President and Secretary thereunto duly authorized.

LINDA VISTA COMPANY  
OF JEHOVAH'S WITNESSES

Dated March 15, 2007

By Danny Sawyer  
Danny Sawyer

President

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO } S.S.

On March 15, 2007 before me,

L. Collier

a Notary Public in and for said County and State, personally appeared

Danny Sawyer and

Joe Chapman

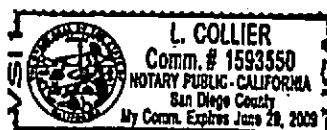
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature

By Joe Chapman  
Joe Chapman

Secretary



(This area for official notarial seal)

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE

Name

Street Address

City & State

## EXHIBIT "A"

13568

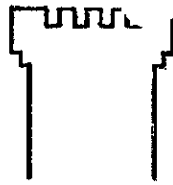
A Parcel of land in the CAL-4256 Portion of the Linda Vista Project lying in Pueblo Lot 1176, and described as follows:

That portion of Pueblo Lot 1176 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to a Map thereof made by James Pascoe in 1870, a copy of which Map being on file in the office of the Recorder of said County of San Diego, lying within the following described boundaries:

Beginning at the Northeast corner of said Pueblo Lot 1176; thence South  $0^{\circ}00'15''$  East, a distance of 1154.17 feet to the center line of Linda Vista Road; thence South  $49^{\circ}01'38''$  West along said center line a distance of 601.42 feet to the center line of Bullock Street; thence North  $40^{\circ}58'22''$  West along said center line, a distance of 50.00 feet; thence North  $49^{\circ}01'38''$  East, a distance of 25.00 feet to the TRUE POINT OF BEGINNING; thence North  $40^{\circ}58'22''$  West, a distance of 43.65 feet to the beginning of a tangent curve, concave to the right; thence through the arc of said curve, having a radius of 95.00 feet, a central angle of  $104^{\circ}18'09''$ , and an arc length of 172.94 feet; thence South  $20^{\circ}38'22''$  East, a distance of 67.54 feet; thence South  $40^{\circ}58'22''$  East, a distance of 72.37 feet; thence South  $49^{\circ}01'38''$  West, a distance of 95.00 feet to the TRUE POINT OF BEGINNING.



# EXHIBIT 43



# WATCHTOWER

BIBLE AND TRACT SOCIETY OF NEW YORK, INC.

25 COLUMBIA HEIGHTS, BROOKLYN, NEW YORK 11201-2483, U.S.A. PHONE (718) 560-5000

November 2, 1995

TO ALL BODIES OF ELDERS

Re: Maintenance and construction of Kingdom Halls

Dear Brothers:

1. We are writing to share some information with you that should help in caring for matters in connection with the use, upkeep, and construction of Kingdom Halls in the future. This will adjust some procedures that were outlined in the past.

2. **Cleaning and Maintenance:** With the Kingdom Hall in use several times each week, there is a need for cleaning and maintenance. Usually these matters are cared for locally with volunteers from within the congregation(s) meeting in the Kingdom Hall. The Kingdom Hall should be cleaned according to a regular schedule, depending on its use and needs. All may have a share, even the children. In this way all will learn the responsibility attached to the upkeep of the Kingdom Hall and will appreciate it more. How nice it is to step into a clean and neat Kingdom Hall and to invite new ones to such a hall! Usually cleaning is arranged according to book study groups. The elders may wish to make a schedule so that groups, under the direction of the book study conductor or another brother in the group, may rotate weekly in looking after the cleaning. A list of things to be done may be posted. Supplies and equipment should be on hand for use in cleaning. With all having a part in caring for the hall, the burden will not fall on just a few.

3. The general appearance of the Kingdom Hall should be monitored. Does it need new paint inside or out? Are repairs needed? Does the yard or the parking lot need attention? If there is a lawn or shrubbery, it needs regular care. Are there ways within the budget of the congregation(s) to make the inside of the hall more attractive? Often little things can be done that are relatively inexpensive but that do much to make the decor more pleasing. A meeting place that is kept clean, furnished in a practical manner, and maintained properly is one that reflects well on Jehovah and his people. Maintenance will be kept to a minimum if all are careful to avoid breaking equipment or damaging the furnishings. All the elders in the congregation(s) meeting in a Kingdom Hall share responsibility for taking care of it. Regular, consistent attention needs to be given to the hall's security, maintenance, and day-to-day operation.

4. **Ownership:** No one congregation should feel that it "owns" the Kingdom Hall. It is dedicated to Jehovah's worship. The congregation that builds or rents a building has committed into its care a trust in connection with the hall, and the body of elders has the responsibility to manage wisely the Kingdom Hall's operation so that Kingdom interests are best served. In many instances several congregations use the same Kingdom Hall in order to get full use of the facilities and to keep down expenses. The Society deals with only one of the congregations as far as loans, insurance, and things of this nature are concerned, and this congregation is usually the one holding the territory in which the Kingdom Hall is located. Although the Society corresponds

## TO ALL BODIES OF ELDERS

November 2, 1995

Page 2

with only one congregation and the title may be held by a corporation or trusteeship formed by this congregation, handling these physical responsibilities does not provide a basis for this congregation to decide unilaterally when meetings will be held by all the congregations meeting in the Kingdom Hall or how much money each should pay on any mortgage and operating expenses. Additional details about ownership of Kingdom Halls are contained in the memorandum "Information Regarding Ownership of Kingdom Halls" (T-36), which should be in the congregation's file.

**5. Written Agreement:** How can these matters be decided with loving consideration for all? When more than one congregation uses the hall, it is best for all the elders in the congregations involved to meet and decide Kingdom Hall matters. In this way problems resulting from lack of communication or representation are kept to a minimum. Thus there is a common sharing of the building dedicated to Jehovah's service, and there is common responsibility to take good care of it. Under this arrangement no one congregation dominates while others become mere "tenants." The agreement describing how the building will be cared for and used and when meetings will be held and what will be the responsibility of each congregation financially and otherwise should be in writing, with a copy for each congregation's file, since elders may move and subsequent elders may not be aware of any oral understanding.

**6. Selecting Meeting Times:** When there is only one congregation meeting in a Kingdom Hall, the elders should consider what they feel will be the best times for the meetings and should present their recommendations to the congregation for discussion, possible adjustment, and final decision (by majority vote of the baptized publishers), making the times as convenient as possible for the majority. However, in line with what is stated above, when more than one congregation meets in the hall, the elders of all the congregations may wish to meet and discuss meeting-time preferences to work out the best arrangements for all concerned. Where there is a choice in the times of meetings, the decision rests not simply with the elders but with each congregation. Some congregations find that rotating the times of meetings, or offering to do so every year or so, is desirable. When a rotation is made, it should take place on the first of January. (*km* 12/94 page 2) Good communication and cooperation contribute to mutual understanding and contentment, preventing the feeling that one congregation has certain advantages all the time. Good cooperation is also needed in connection with meetings during the circuit overseer's visit, weddings, and so forth.

**7. Operating Committee:** All the elders may meet initially and set up a committee of knowledgeable elders or ministerial servants to care for day-to-day operation and maintenance of the hall. This will prevent the entire body of elders (or bodies, if there is more than one congregation) from having to meet often to decide on ordinary matters having to do with general operation, maintenance, and the payment of incidental bills. Guidelines should be established, such as a cutoff point for how much can be spent on normal operations without special approval. The committee should have a permanent chairman, an elder if possible. He should have good organizational ability, be able to take the initiative, and be quick to expedite matters. He should not be a procrastinator. The chairman should be alert to care for details or to see that they are cared for. One member of the committee should be designated to care for all day-to-day matters in connection with the operation of the hall. He should be given the authority to care for repairs,

## TO ALL BODIES OF ELDERS

November 2, 1995

Page 3

the replenishing of supplies, and so forth, which do not involve changing the Kingdom Hall or spending large sums of money. This brother should ably care for routine matters so that the other members of the operating committee can concentrate on major matters when the committee meets. He may need to be provided with petty cash sufficient to care for necessary purchases. (w92 10/15 page 23) He should provide receipts for funds spent. Periodically, reports on the operation of the hall should be made to the elders by the operating committee.

8. If there are difficult questions or unanticipated major expenditures, these should be referred to the whole group of elders for determination. If the elders feel that a major expenditure is advisable, their joint recommendation should be submitted to the respective congregations, setting forth the facts, including the anticipated costs. Then the congregations make the final decision.

9. The operating committee oversees general maintenance of the Kingdom Hall and work done on it that does not require the use of volunteers from other congregations not meeting in the Kingdom Hall. If a project is so involved that outside volunteer assistance is needed, then the matter should be handled under the oversight of the Regional Building Committee assigned to your area.

10. **Representation:** The involved congregations should have EQUAL representation on the operating committee. If only one congregation uses a Kingdom Hall, it might select two or three elders or ministerial servants to care for this assignment. If two congregations use the hall, each congregation might each have one or two representatives. If three or more congregations use the hall, likely one representative from each congregation would suffice.

11. **Central Account:** Each congregation should supply an agreed-upon amount monthly for Kingdom Hall operation. To arrive at this amount, all the elders in the congregations meeting in the hall should discuss together what is needed on the average each month for any mortgage payment and other expenses. On the basis of this, the elders in the respective congregations decide what recommendation they will make to their congregation. Each congregation will then make a decision on what payment will be made each month. As necessary, and as seems advisable, adjustments can be made in the amount sent to this fund by each congregation. Where all the congregations using a Kingdom Hall are about the same size, they may all decide to remit the same amount monthly. Where there is a considerable size difference, such as when there is a smaller foreign-language congregation using the hall, the larger congregation(s) might lovingly decide to contribute a larger portion monthly.

12. Funds may be handled through the congregation that sends the mortgage payments to the Society, if that is being done. A separate accounts sheet should be maintained exclusively for the operation of the Kingdom Hall. If it will assist with the bookkeeping, a separate bank account could be opened by this congregation. Arrangements should be made for a quarterly audit of the accounts by the chairman of the operating committee.

13. **Planning for Expansion:** With the steady increase in attendance at the meetings of Jehovah's Witnesses, the time inevitably comes when consideration must be given to arranging for a new Kingdom Hall. If a new Kingdom Hall project is anticipated, the Regional Building

## TO ALL BODIES OF ELDERS

November 2, 1995

Page 4

Committee for your area should be contacted *before* any steps are taken. The regional committee and those working with it can help you in deciding whether it would be better to build anew or to enlarge or renovate your present facility. If it seems wise to build anew, they can help you evaluate property before any offer to purchase is made. They have guidelines provided by the Society that can help you avoid pitfalls in this regard.

**14. Regional Building Committee's Role:** Whenever a Kingdom Hall project, whether for new construction or renovation, involves using volunteer help from outside the congregation(s) that will meet in a new hall or in an existing one undergoing renovation, the Regional Building Committee assigned to your area should take oversight. These elders have been appointed by the Society to assist with Kingdom Hall construction and to coordinate volunteer activity for this purpose. Thus, although you will select local elders or ministerial servants to serve as a local building committee, the elders serving on the regional committee will have oversight of the project. They will work in close coordination with the local building committee and will not make arbitrary or unilateral decisions. They know the Society's thinking on how matters are to be handled and can aid in all aspects of the undertaking from the initial decision to expand to initiating a building fund through purchasing property, constructing the hall, and completing the final landscaping. Please review the Society's letter of October 12, 1993, to all bodies of elders.

**15. Local Building Committee:** When a new Kingdom Hall is to be built or a major renovation project is being planned, it is advisable for the elders to select a building committee to coordinate the construction work under the direction of the Regional Building Committee, designating one member as chairman. It is good to select brothers for this committee who have had some building or business experience, if possible. There should be EQUAL representation of all congregations that will meet in the Kingdom Hall. General decisions on construction, in harmony with the plans and wishes of the congregation(s), can be made by the building committee in cooperation with the regional committee. The building committee should cooperate well with the body, or bodies, of elders, consulting them, since the building committee is responsible to them. The elders will be consulted on any major changes or unusual developments.


**16. Financing the Kingdom Hall:** When the congregation is discussing the possibility of obtaining a Kingdom Hall or renovating one, the elders may seek needed information concerning finances available from those associated with the congregation. Unsigned slips from the publishers would suffice to give these estimates as to how much members of the congregation(s) will be able to (1) contribute at the outset to the building fund in a lump sum donation, (2) loan for the project, and (3) contribute monthly to retire any loans obtained to assist with the purchase as well as to cover the normal operating expenses of the congregation. The Regional Building Committee has brothers working with it who can assist you in taking these surveys, and they have copies of the forms that are needed to apply for a loan from the Society Kingdom Hall Fund.

**17.** When the elders, along with the Regional Building Committee, have a recommendation to make to the congregation(s) regarding a proposed Kingdom Hall construction project, they should share full details with the publishers. At the outset the congregation should know basically what the total cost of building at a certain location would be. If property is to be pur-

TO ALL BODIES OF ELDERS

November 2, 1995

Page 5

chased for a new Kingdom Hall, the added cost of developing the site and of constructing the hall, including the needed permits, should be outlined. The publishers should have opportunity to consider the full details and to have all their questions answered before voting on a resolution to build. Please review the Question Box from the June 1984 *Our Kingdom Ministry* as to how resolutions are to be prepared and presented. 

18. When two or more congregations decide to cooperate in buying land and building a hall or in remodeling an existing building, there should be thorough discussion by all the elders along with the Regional Building Committee of what is proposed, and an agreement should be reached on type of building, approximate costs, financing, and so forth. The respective congregations should clearly know, through their bodies of elders, what is recommended and the estimated cost so that a final decision can be made by each congregation on the basis of sound information. The general agreement to cooperate on the project and the basic understanding should be set down in writing and signed by all the elders after approval by the respective congregations. We cannot emphasize too strongly the need for cooperation among the bodies of elders and the congregations involved. Your making good use of the voluntary efforts available through those working with the regional committee follows the example of the tabernacle construction in the wilderness and the building of Solomon's temple, when fine craftsmen from among Jehovah's people were used. Ex. 35:34, 35; 2 Chron. 2:11-16.

19. The Kingdom Hall is one of Jehovah's provisions that enable us to meet together. The happy and rewarding activities arranged at the Kingdom Hall are part of the provisions of Jehovah's spiritual paradise. The provisions are there for all to share. But it is not wise to take them for granted. We should appreciate them and look well to the care of the Kingdom Hall. King David said: "I rejoiced when they were saying to me: 'To the house of Jehovah let us go.'" (Ps. 122:1) Let us all imitate David and other faithful servants of old in how they viewed the construction and use of buildings dedicated to the true worship of Jehovah.

Your brothers,

  
OF NEW YORK, INC.

cc: Regional Building Committee members