

COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT

CHURCH UNIVERSAL & TRIUMPHANT,)
INC., A MONTANA CORPORATION,)
)
PLAINTIFF, CROSS-DEFENDANT)
AND APPELLANT;)
)
ELIZABETH CLARE PROPHET,)
)
CROSS-DEFENDANT AND APPELLANT,)
)
VS.) SUPERIOR COURT
) NO. C 358191
)
GREGORY MULL,)
)
DEFENDANT, CROSS-COMPLAINANT)
AND RESPONDENT.)
)

APPEAL FROM THE SUPERIOR COURT OF LOS ANGELES COUNTY
HONORABLE ALFRED L. MARGOLIS, JUDGE PRESIDING
REPORTERS' TRANSCRIPT ON APPEAL

APPEARANCES:

FOR THE PLAINTIFF,
CROSS-DEFENDANTS AND
APPELLANTS:

RIORDAN & MC KINZIE
300 SOUTH GRAND AVENUE, SUITE 2900
LOS ANGELES, CALIFORNIA 90071
TELEPHONE: (213) 629-4824

FOR THE DEFENDANT,
CROSS-COMPLAINANT AND
RESPONDENT:

LAWRENCE LEVY, ESQ.
14724 VENTURA BOULEVARD, SUITE 704
SHERMAN OAKS, CALIFORNIA 91403
(818) 905-5971

-AND-

LYLE FRANCIS MIDDLETON, ESQ.
2500 WILSHIRE BOULEVARD, SUITE 810
LOS ANGELES, CALIFORNIA 90057
(213) 381-2277

COPY

VOLUME 10 OF 12 VOLUMES
PAGES 2142 TO 2292, INCL.

KATHLEEN H. ADAMS, CSR #2853
BRIDGET F. GEORGE, CSR #6148
CELESTE HALE, CSR #1310
ERMA DE MAR, CSR #2117
OFFICIAL REPORTERS

1 LOS ANGELES, CALIFORNIA; WEDNESDAY, MARCH 12, 1986 *

2 9:40 A.M.

3 DEPARTMENT 50 HON. ALFRED L. MARGOLIS, JUDGE
4 (APPEARANCES AS HERETOFORE NOTED.)

5
6 THE COURT: GOOD MORNING, EVERYBODY.

7
8 GRACE MC GUIRE, +

9 THE WITNESS ON THE STAND AT THE TIME OF ADJOURNMENT, RESUMES
10 THE STAND AND TESTIFIES FURTHER AS FOLLOWS:

11 THE CLERK: MA'AM, YOU HAVE PREVIOUSLY BEEN SWORN AND
12 ARE STILL UNDER OATH. PLEASE STATE YOUR NAME AGAIN FOR THE
13 RECORD.

14 THE WITNESS: MY NAME IS GRACE MC GUIRE.

15 THE CLERK: THANK YOU.

16 THE COURT: PLEASE PROCEED.

17 MR. LEVY: THANK YOU, YOUR HONOR.

18
19 CROSS-EXAMINATION + (RESUMED)

20 BY MR. LEVY:

21 Q MISS MC GUIRE, WHEN YOU WERE IN THE SAN
22 FRANCISCO OR REDWOOD CITY AREA, DID YOU EVER VISIT THE
23 TEACHING CENTER IN SAN FRANCISCO?

24 A YES, I HAVE.

25 Q ARE YOU AWARE OF THE RULES AT THE TEACHING
26 CENTERS?

27 A NOT ALL OF THE RULES.

28 Q WELL, WHEN YOU VISITED, DID YOU GET A COPY OF

1 THE RULES?

2 A NO, I DID NOT.

3 Q WERE THEY POSTED AT THE TEACHING CENTER?

4 A I HAVE NEVER OBSERVED THEM.

5 Q SO YOU WENT TO THE TEACHING CENTER AND YOU HAVE
6 NO IDEA WHAT THE RULES FOR TEACHING CENTERS ARE?

7 A I ATTENDED SERVICES AT THE TEACHING CENTER. I
8 DID NOT LIVE AT THE TEACHING CENTER.

9 Q DO YOU KNOW OF ANY RULES WITH REGARDS TO
10 DECREES AT THE TEACHING CENTERS?

11 A NO, I DON'T.

12 Q I THINK YOU TESTIFIED YESTERDAY THAT -- MAYBE I
13 AM INCORRECT, SO LET ME ASK YOU TODAY.

14 WHAT ARE DECREES?

15 A DECREE IS A COMMAND TO GOD ACCORDING TO THE
16 WILL OF GOD. YOU ASK THAT THAT CALL OR THAT COMMAND BE
17 ADJUSTED, SPOKEN OUT LOUD.

18 Q IN YOUR CHURCH, IS A DECREE SOMEWHAT LIKE A
19 PRAYER?

20 A YES, SIMILAR TO A PRAYER.

21 Q ARE THEY DANGEROUS TO DO DECREES?

22 A NO, THEY ARE NOT.

23 Q LET ME SHOW YOU WHAT IS MARKED AS EXHIBIT
24 NUMBER 5. THIS IS THE ADDENDUM TO THE HOUSE RULES FOR THE
25 TEACHING CENTER IN SAN FRANCISCO.

26 IF YOU EXAMINE THAT DOCUMENT, YOU WILL SEE
27 THERE IS A PORTION THAT IS UNDERLINED. THE UNDERLINED
28 PORTION INSTRUCTS YOU NOT TO DECREE AROUND PEOPLE WHO APPEAR

1 TO BE UPSET. IT SAYS IT CAN BE EXTREMELY DANGEROUS TO DO
2 SO.

3 CAN YOU EXPLAIN TO US WHY IT IS DANGEROUS TO
4 DECREE?

5 MR. KLEIN: I AM GOING TO OBJECT, YOUR HONOR. THE
6 WITNESS SAID SHE HADN'T SEEN THOSE RULES AND SHE DIDN'T
7 THINK IT WAS DANGEROUS TO DECREE.

8 THE COURT: SHE CAN ANSWER.

9 THE WITNESS: I AM NOT FAMILIAR WITH THIS -- THIS
10 MEMO.

11 Q BY MR. LEVY: WHY DON'T YOU TAKE A MOMENT OR
12 TWO TO READ IT.

13 HAVE YOU HAD TIME TO READ IT?

14 A YES, I HAVE.

15 Q CAN YOU TELL US NOW WHY THERE IS A POSSIBILITY
16 THAT DECREERING OR PRAYING, AS YOU DESCRIBE IT, CAN BE
17 DANGEROUS?

18 A I DO NOT BELIEVE THAT DECREERING OR PRAYING CAN
19 BE DANGEROUS.

20 Q WOULD YOU CHARACTERIZE YOURSELF AS A LOYAL
21 MEMBER OF THE CHURCH?

22 A YES, I AM.

23 Q YOU TOLD US YESTERDAY YOUR DAUGHTER'S NAME WAS
24 KIRSTEN?

25 A KEIRSTEN.

26 Q WHAT IS YOUR SON'S NAME?

27 A COLIN.

28 Q COLIN. DID THERE COME A TIME IN 1979 WHEN

1 COLIN LEFT CAMELOT?

2 A HE LEFT FOR THE SUMMER.

3 Q HOW OLD WAS COLIN AT THAT TIME?

4 A TWELVE YEARS OLD. WENT HOME FOR THE SUMMER TO
5 SEE HIS FATHER.

6 Q WAS THERE A TIME WHEN YOUR SON WAS FOUND TAKING
7 DOWN THE UNDERWEAR OF ONE OF ELIZABETH'S CHILDREN; AND AS A
8 RESULT, ELIZABETH BANNED HIM FROM THE CHURCH; AND OUT OF
9 LOYALTY FOR THE CHURCH, YOU STAYED WITH THE CHURCH AND LET
10 YOUR SON BE SENT AWAY?

11 A THAT IS NOT -- THAT IS NOT TRUE. COLIN WAS
12 DISCIPLINED FOR AN INCIDENT WITH ONE OF MOTHER'S CHILDREN,
13 THAT IS CORRECT. HE WAS SENT HOME FOR THE SUMMER AS HIS
14 DISCIPLINE TO THINK ABOUT WHAT HE HAD DONE BECAUSE IT WASN'T
15 CORRECT. HE THOUGHT ABOUT IT. AT THE END OF THE SUMMER, HE
16 CAME BACK AND WENT TO SCHOOL TO MONTESSORI FOR ANOTHER YEAR.

17 Q HOW OLD WAS HE AT THAT TIME?

18 A HE WAS 12 YEARS OLD. I FELT IT WAS APPROPRIATE
19 DISCIPLINE. I WENT ALONG WITH IT. IT WAS ALSO AT THE SAME
20 TIME THAT HE WENT TO VISIT HIS FATHER FOR THE SUMMER EVERY
21 YEAR. MY DAUGHTER ALSO WENT HOME FOR THE SUMMER.

22 Q WAS THAT THE SAME YEAR YOUR DAUGHTER DECIDED
23 SHE DIDN'T LIKE IT AT THE CHURCH ANYMORE?

24 A NO. SHE WAS THERE FOR ANOTHER TWO YEARS.

25 Q YOUR LOYALTY IS RATHER TO THE CHURCH, THAT IS
26 YOUR PRIMARY IMPORTANCE --

27 A THAT IS NOT NOT --

28 Q -- RATHER THAN TO YOUR CHILDREN; IS THAT

1 CORRECT?

2 A THAT IS NOT CORRECT.

3 MR. LEVY: NOTHING FURTHER, YOUR HONOR.

4

5 REDIRECT EXAMINATION +

6 BY MR. KLEIN:

7 Q YOU CURRENTLY LIVE WITH YOUR DAUGHTER?

8 A YES, I DO.

9 Q YOU WERE ASKED BY MR. LEVY ABOUT THE WORD
10 "CHELA." THE AMERICAN COLLEGE DICTIONARY DEFINES CHELA AS
11 FIRST, "A NIPPERLIKE ORGAN OR CLAW TERMINATING CERTAIN LIMBS
12 OF" --

13 THE COURT: IS THIS GOING TO BE A QUESTION?

14 MR. KLEIN: YES, YOUR HONOR.

15 THE COURT: ALL RIGHT.

16 Q BY MR. KLEIN: WHEN YOU USED THE WORD, DID YOU
17 MEAN IT AS A CLAW?

18 A NO, I DID NOT.

19 Q THE SECOND MEANING IS, "A DISCIPLE OF A
20 RELIGIOUS TEACHER."

21 WHEN YOU USED THE WORD "CHELA," DID YOU MEAN TO
22 USE IT LIKE THAT?

23 A YES, I DID.

24 Q NOW, WITH RESPECT TO THAT SQUARE DANCE
25 INCIDENT, YOU SAID PEOPLE WALKED BY DURING THE TIME THAT MR.
26 FRANCIS WAS TALKING TO MR. MULL?

27 A YES.

28 MR. LEVY: I AM GOING TO OBJECT, YOUR HONOR. THAT

1 MISCHARACTERIZES THE TESTIMONY. THIS WITNESS SPECIFICALLY
2 SAID NOBODY WALKED BY. THERE WERE A NUMBER OF CARS THAT
3 DROVE BY.

4 THE COURT: PLEASE REPHRASE YOUR QUESTION.

5 Q BY MR. KLEIN: DID ANYBODY WALK BY DURING THE
6 TIME MR. FRANCIS WAS TALKING TO MR. MULL?

7 A YES.

8 Q AND DESCRIBE WHAT -- WHO WERE WALKING BY?

9 A THOSE THAT I NOTICED WALKING BY WERE LADIES
10 FROM THE STAFF FROM GRAPHICS DEPARTMENT WHO WALKED BY,
11 PERHAPS ONE OR TWO GENTLEMEN WHO WALKED BY ON THEIR WAY TO
12 THE CAFETERIA OF THE SQUARE DANCE. THEY WALKED AND LOOKED
13 AND CONTINUED ON. NO ONE STOPPED.

14 Q IF ANY GROUP OF MEN WOULD HAVE STOPPED AND
15 STATIONED THEMSELVES IN THE ROAD WHERE MR. FRANCIS AND MR.
16 MULL WERE, WOULD THERE HAVE BEEN ANY WAY THAT YOU WOULD NOT
17 HAVE SEEN THAT?

18 MR. LEVY: I AM GOING TO OBJECT AT THIS POINT. THAT
19 IS ANOTHER MISCHARACTERIZATION. THIS WITNESS TESTIFIED
20 THAT --

21 THE COURT: JUST STATE THE GROUNDS, PLEASE.

22 MR. LEVY: MISCHARACTERIZATION OF TESTIMONY.

23 THE COURT: SUSTAINED. ALSO ASKED FOR A CONCLUSION.

24 Q BY MR. KLEIN: DURING THE TIME THAT YOU WERE
25 THERE, DID YOU EVER SEE ANY GROUP OF MEN MOVE INTO THE
26 VICINITY OF THE AREA WHERE MR. FRANCIS AND MR. MULL WERE AND
27 BLOCKED THE ROAD?

28 A NO.

1 Q DID YOU SEE ANY GROUP OF MEN IN THE VICINITY AT
2 ALL OTHER THAN WHAT YOU HAVE DESCRIBED?

3 A NOT AT ALL.

4 MR. KLEIN: I HAVE NO FURTHER QUESTIONS.

5 MR. LEVY: NOTHING FURTHER, YOUR HONOR.

6 THE COURT: YOU ARE EXCUSED.

7 MR. KLEIN: YOUR HONOR, WE WOULD CALL MR. EDWARD
8 FRANCIS.

9
10 EDWARD L. FRANCIS, +
11 A CROSS-DEFENDANT HEREIN, CALLED AS A WITNESS ON HIS OWN
12 BEHALF, HAVING BEEN FIRST DULY SWORN, TESTIFIES AS FOLLOWS:

13 THE CLERK: PLEASE BE SEATED. STATE YOUR NAME FOR
14 THE RECORD AND PLEASE SPELL YOUR NAME.

15 THE WITNESS: MY NAME IS EDWARD L. FRANCIS.
16 E-D-W-A-R-D, F-R-A-N-C-I-S.

17 THE CLERK: THANK YOU.

18 THE COURT: PROCEED.

19 MR. KLEIN: THANK YOU, YOUR HONOR.

20

21 DIRECT EXAMINATION +

22 BY MR. KLEIN:

23 Q MR. FRANCIS, WHAT IS YOUR EDUCATIONAL
24 BACKGROUND?

25 A I HAVE THREE AND A HALF YEARS OF UNDERGRADUATE
26 STUDY AT COLORADO COLLEGE AND THE UNIVERSITY OF COLORADO.
27 AND I HAVE -- I ATTENDED THREE AND A HALF YEARS OF LAW
28 SCHOOL AT NIGHT SCHOOL AT WHITTIER COLLEGE HERE IN LOS

1 ANGELES.

2 Q DID YOU RECEIVE A DEGREE FROM EITHER OF THOSE
3 SCHOOLS?

4 A NO.

5 Q ARE YOU CURRENTLY AFFILIATED WITH CHURCH
6 UNIVERSAL AND TRIUMPHANT?

7 A YES.

8 Q WHAT IS THE NATURE OF YOUR AFFILIATION?

9 A I AM A MEMBER OF THE BOARD OF DIRECTORS. I AM
10 THE VICE PRESIDENT, THE CORPORATE SECRETARY AND THE BUSINESS
11 MANAGER OF THE CHURCH.

12 Q HOW LONG HAVE YOU BEEN AFFILIATED WITH CHURCH
13 UNIVERSAL AND TRIUMPHANT?

14 A SINCE ABOUT 1970, ABOUT THE MIDDLE OF 1970.

15 Q WITH RESPECT TO YOUR POSITION AS CORPORATE
16 SECRETARY, WHEN DID YOU FIRST OBTAIN THAT POSITION?

17 A 1976.

18 Q AND WHAT ARE YOUR DUTIES AS CORPORATE
19 SECRETARY?

20 A THE DUTIES OF THE CORPORATE SECRETARY ARE TO
21 KEEP THE MINUTES AND RECORDS OF DECISIONS OF THE BOARD OF
22 DIRECTORS, AND TO ATTEND MEETINGS OF THE BOARD TO KEEP THOSE
23 RECORDS, TO KEEP CUSTODY AND CONTROL OF THE MINUTES BOOK AND
24 THE CORPORATE SEAL OF THE CHURCH AND TO ATTEST DOCUMENTS AS
25 DIRECTED BY THE BOARD.

26 Q HOW LONG HAVE YOU BEEN A MEMBER OF THE BOARD?

27 A I BECAME A MEMBER OF THE BOARD OF THE CHURCH IN
28 1976, AND PRIOR TO THAT OF THE SUMMIT LIGHTHOUSE IN 1972.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Q WHAT ARE YOUR GENERAL DUTIES AS A MEMBER OF THE BOARD?

A MEMBER OF THE BOARD OF DIRECTOR'S PRIMARY DUTY IS TO ATTEND THE MEETINGS OF THE BOARD, AND TO PARTICIPATE IN THE DECISION MAKING PROCESS OF THE CHURCH AND MANAGING THE AFFAIRS OF THE CHURCH FROM A LEGAL STANDPOINT, A BUSINESS STANDPOINT.

Q HOW LONG HAVE YOU BEEN BUSINESS MANAGER?

A 1976.

Q WHAT ARE YOUR DUTIES AS BUSINESS MANAGER?

A AS BUSINESS MANAGER, THE MAIN DUTIES INCLUDE OVERSEEING MAJOR FINANCIAL TRANSACTIONS, PURCHASES, LEASES AND SALES OF PROPERTY, CONTRACTS, MAJOR CONTRACTS AND PURCHASES, AND COPYRIGHT AND TRADEMARK PROTECTION, REGISTRATIONS, THAT KIND OF THING.

Q HOW LONG HAVE YOU BEEN VICE PRESIDENT OF THE CHURCH?

A SINCE 1976.

Q WHAT ARE YOUR DUTIES AS VICE PRESIDENT?

A THE DUTY OF THE VICE PRESIDENT IS TO ACT IN THE PLACE OF THE PRESIDENT WHEN THE PRESIDENT IS UNAVAILABLE OR TO ACT OTHERWISE AS DIRECTED BY THE BOARD OF DIRECTORS ON THE BASIS OF A BOARD DIRECTIVE.

Q ARE YOU RELATED TO ELIZABETH CLARE PROPHET?

A YES.

Q WHAT IS THE NATURE OF THAT RELATIONSHIP?

A SHE IS MY WIFE.

Q WHEN WERE YOU MARRIED?

1 A 1981.

2 Q DO YOU KNOW MR. MULL?

3 A YES.

4 Q HOW LONG HAVE YOU KNOWN HIM?

5 A SINCE 1975.

6 Q TO YOUR KNOWLEDGE, DID THE CHURCH EVER LEND ANY
7 MONEY TO MR. MULL?

8 A YES, WE DID.

9 Q APPROXIMATELY HOW MUCH?

10 A THIRTY-SEVEN THOUSAND FOUR HUNDRED AND SOME
11 DOLLARS.

12 Q DID YOU EVER HAVE ANY CONVERSATIONS WITH MR.
13 MULL WITH RESPECT TO THAT MONEY?

14 A YES, I DID.

15 Q WHEN WAS THE FIRST CONVERSATION YOU HAD WITH
16 MR. MULL WITH RESPECT TO THE MONEY THE CHURCH LOANED HIM?

17 A THE FIRST CONVERSATION I HAD WITH MR. MULL
18 CONCERNING THE MONEY WAS IN THE SPRING OF 1979.

19 Q DO YOU RECALL WHO WAS PRESENT?

20 A JUST MYSELF AND HIM TO MY RECOLLECTION.

21 Q AS BEST YOU CAN RECALL, WHAT DID YOU SAY AND
22 WHAT DID HE SAY AT THAT CONVERSATION?

23 A WELL, PRIOR TO THAT TIME, THE BOARD HAD
24 APPROVED LOANING HIM A CERTAIN AMOUNT OF FUNDS TO MEET HIS
25 EXPENSES. AND I HAD THE CHECK IN MY POSSESSION AND ASKED
26 HIM TO COME TO MY OFFICE TO PICK UP THE CHECK.

27 WHEN HE CAME THERE, I TOLD HIM THAT I WOULD
28 LIKE TO CONFIRM WITH HIM THAT THE MONEY BEING GIVEN TO HIM

1 WAS A LOAN, THAT IT WAS TO BE REPAYED FROM THE SALE OF HIS
 2 PROPERTY. AND HE ANSWERED THAT THAT WAS HIS UNDERSTANDING
 3 AND THAT WAS THE BASIS UPON WHICH HE WAS ACCEPTING THE
 4 MONEY.

5 AND THE BULK OF THE CONVERSATION CONCERNED WHAT
 6 HE WAS DOING TO PUT HIS PROPERTY ON THE MARKET, WHAT HE WAS
 7 GOING TO DO TO SELL IT, WHAT THE TIME TABLE WAS, ET CETERA.

8 Q THIS OCCURRED IN THE SPRING OF '79 AFTER HE HAD
 9 ALREADY MOVED TO CAMELOT, THIS CONVERSATION?

10 A THIS IS CORRECT.

11 Q WHY DID YOU FEEL A NEED TO CONFIRM WITH HIM THE
 12 THINGS THAT YOU JUST MENTIONED?

13 A WELL, I HAD NEVER TALKED TO HIM BEFORE
 14 REGARDING THIS PARTICULAR SITUATION. AND THE EXECUTIVE
 15 COMMITTEE OF THE BOARD, WHEN IT HAD AGREED TO LOAN HIM THE
 16 MONEY, INFORMED HIM THAT HE SHOULD CONTACT ME REGARDING WHAT
 17 HE WAS DOING TO SELL HIS PROPERTY. AND THIS WAS BASICALLY
 18 THE FIRST OPPORTUNITY I HAD TO TALK TO HIM ABOUT IT.

19 Q WAS THERE ANOTHER CONVERSATION BETWEEN YOU AND
 20 MR. MULL ABOUT THE MONEY THE CHURCH LOANED HIM?

21 A YES.

22 Q APPROXIMATELY WHEN DID THAT OCCUR?

23 A THIS WOULD HAVE BEEN LATE SPRING OR SOMETIME IN
 24 THE SUMMER, 1979.

25 Q WHO WAS PRESENT?

26 A JUST ME AND HIM TO MY RECOLLECTION.

27 Q AS BEST YOU CAN RECALL, WHAT WAS SAID?

28 A I ASKED HIM TO COME TO MY OFFICE TO GIVE HIM

1 ANOTHER CHECK. I BASICALLY USED THE SEVERAL OCCASIONS OF
2 GIVING HIM A CHECK TO INQUIRE ABOUT WHAT HE WAS DOING ON THE
3 SALE OF HIS PROPERTY. AND I INQUIRED ABOUT IT AGAIN.

4 AND AT THAT MEETING HE INFORMED ME THAT HE
5 THOUGHT THAT HE HAD IT SOLD. HE THOUGHT THAT HE WAS VERY
6 CLOSE TO HAVING IT SOLD. HE TOLD ME THINGS THAT HE WAS
7 DOING TO WORK ON SELLING THE PROPERTY, WHICH INCLUDED FIXING
8 IT UP AND MAKING IT PRESENTABLE FOR PEOPLE TO COME LOOK AT
9 IT.

10 HE WAS HAVING OPEN HOUSES, HE AND HIS DAUGHTER,
11 ON THE WEEKEND AND HE HAD SEVERAL PROSPECTS AND BASICALLY
12 THOUGHT HE HAD IT SOLD.

13 Q DID THERE COME A TIME WHEN YOU HAD ANOTHER
14 CONVERSATION -- DID THERE COME A TIME WHEN YOU HAD ANOTHER
15 CONVERSATION WITH MR. MULL WITH RESPECT TO THE MONEY THE
16 CHURCH LOANED HIM?

17 A YES.

18 Q WHEN WAS THAT?

19 A SEPTEMBER, MIDDLE TO END OF SEPTEMBER, 1979.

20 Q WHO WAS PRESENT AT THAT CONVERSATION?

21 A MYSELF, MONROE SHEARER, MR. MULL AND I BELIEVE
22 JIM MC CAFFREY.

23 Q AS BEST YOU CAN RECALL, WHAT WAS SAID AT THAT
24 MEETING?

25 A OKAY. WE ASKED MR. MULL TO COME TO AN INFORMAL
26 MEETING OF THE EXECUTIVE COMMITTEE, WHICH WAS MYSELF, MONROE
27 AND JIM MC CAFFREY, AND INQUIRED OF HIM ABOUT AGAIN WHAT WAS
28 BEING DONE ABOUT THE SALE OF HIS PROPERTY IN RESPONSE TO A

1 REQUEST THAT HE HAD MADE IN SEPTEMBER FOR LOANING HIM MORE
2 FUNDS.

3 AND WE TOLD HIM AT THAT TIME THAT WE REALLY
4 THOUGHT THAT THE AMOUNT OF MONEY THAT WAS BEING LOANED TO
5 HIM WAS GETTING EXTREMELY LARGE. AND ONE OF THE POINTS THAT
6 WAS RAISED WAS THAT THE AMOUNTS PER MONTH WERE MUCH LARGER
7 THAN WHAT WE HAD EXPECTED OR WHAT HE HAD LED US TO BELIEVE
8 WE FELT. WE HAD EXPECTED ABOUT 2,000 A MONTH AND IT WAS
9 REALLY AVERAGING ABOUT 4,000 A MONTH OR MAYBE EVEN A LITTLE
10 BIT MORE.

11 AND WE TOLD HIM THE AMOUNT HAD GROWN -- THE
12 TOTAL AMOUNT HAD GROWN MUCH LARGER THAN WHAT WE HAD EVER
13 EXPECTED, AND THAT WE FELT THAT WE COULDN'T CONTINUE TO
14 ADVANCE HIM THESE FUNDS WITHOUT HAVING THE AGREEMENT
15 DOCUMENTED AND THE LOAN TRANSACTION DOCUMENTED.

16 SO THEREFORE WE TOLD HIM IF HE -- HE WANTED TO
17 GO -- WE WERE WILLING TO LOAN HIM THE MONEY THAT MONTH. BUT
18 IF HE WANTED TO GO THROUGH WITH IT, WE HAD TO HAVE A
19 PROMISSORY NOTE FROM HIM TO DOCUMENT IT.

20 HE WANTED TO KNOW WHY WE COULDN'T TRUST HIM AT
21 HIS WORD TO REPAY THE MONEY AS HE PROMISED AND WE TOLD HIM
22 WE DID PROMISE HIM, BUT WE FELT THAT WE HAD TO HAVE
23 SOMETHING FOR OUR RECORDS. WE JUST DIDN'T FEEL WE COULD
24 ADVANCE UNDOCUMENTED MONIES IN THIS FASHION IN THE EVENT WE
25 WERE AUDITED OR INVESTIGATED PERHAPS EVEN BY THE INTERNAL
26 REVENUE SERVICE IN AN AUDIT. THESE THINGS ARE SUPPOSED TO
27 BE DOCUMENTED.

28 SO HE SEEMED AGREEABLE TO THAT AFTER THAT

1 EXPLANATION. THERE WAS ALSO SOME QUESTION ON HIS PART OVER
2 THE INTEREST. HE WANTED TO KNOW WHY WE SHOULD CHARGE
3 INTEREST.

4 AND I EXPLAINED TO HIM THAT THERE WERE
5 REQUIREMENTS BY THE INTERNAL REVENUE SERVICE FOR LOAN
6 TRANSACTIONS TO CHARGE A MINIMUM RATE OF INTEREST. AND AT
7 THAT TIME THE MINIMUM LEGAL RATE WAS SEVEN PERCENT AND THAT
8 THAT IS WHY WE HAD CHOSEN THAT AMOUNT.

9 SO THE MEETING CONCLUDED BY US LETTING HIM KNOW
10 THAT IF HE WOULD MEET WITH MICHAEL ERLICH, WHO WAS A PERSON
11 WHO WORKED IN THE BUSINESS OFFICE AT THAT TIME, AND GET A
12 NOTE DRAWN UP AND SIGN IT FOR ALL THE MONEY LOANED UP TO
13 THAT DATE, THEN WE WOULD GIVE HIM HIS LOAN FOR SEPTEMBER.

14 WE ALSO INFORMED HIM THAT THE LOANS COULDN'T
15 KEEP GOING ON FOR A MUCH LONGER PERIOD OF TIME. AND HE WAS
16 VERY CONFIDENT THAT HE WAS GOING TO HAVE HIS PROPERTY SOLD
17 AT THAT TIME ALSO.

18 SO WE TOLD HIM WE WOULD GO ANOTHER MONTH, BUT
19 THAT HE SHOULD START PLANNING ON OPENING HIS PRIVATE
20 PRACTICE AND FINDING CLIENTS AND BEING PREPARED TO SUPPORT
21 HIMSELF.

22 Q DID THERE COME A TIME YOU HAD ANOTHER
23 CONVERSATION WITH MR. MULL ABOUT THE MONEY LOANED TO HIM BY
24 THE CHURCH?

25 A YES. IN OCTOBER OF '79.

26 Q AS BEST YOU CAN RECALL, WHAT WAS SAID AT THAT
27 MEETING?

28 A IT WAS A FAIRLY SHORT MEETING. MYSELF, MR.

1 MULL AND MONROE. I DON'T KNOW IF JIM WAS PRESENT.

2 HE HAD REQUESTED ANOTHER LOAN FOR THAT MONTH,
3 AND WE TOLD HIM THAT WE WOULD GIVE HIM THE LOAN FOR THAT
4 MONTH PROVIDED HE SIGNED A PROMISSORY NOTE AS BEFORE. AND
5 THAT PURSUANT TO THE PREVIOUS DISCUSSION, THAT THIS WOULD BE
6 THE LAST LOAN THAT WE COULD GIVE HIM AND THAT WE THOUGHT HE
7 SHOULD PREPARE TO TAKE WHATEVER STEPS WERE NECESSARY TO
8 SUPPORT HIMSELF.

9 Q WHAT, IF ANYTHING, DID HE SAY? DO YOU RECALL?

10 A HE SAID HE WAS PREPARED TO DO THAT. AND THAT
11 HE ALSO FELT AGAIN THAT HE HAD A VERY SOLID PROSPECT TO SELL
12 HIS HOUSE AND EXPECTED TO CLOSE IT WITHIN A COUPLE OF
13 MONTHS. AND HE DIDN'T FEEL IT WOULD BE A BIG PROBLEM.

14 Q WAS THERE ANY DISCUSSION AS TO HOW MR. MULL
15 WOULD SUPPORT HIMSELF ONCE THE LOANS WERE DISCONTINUED?

16 A YES, THERE WAS.

17 Q WHAT WAS SAID?

18 A HE TALKED ABOUT PUTTING AN AD IN THE NEWSPAPER
19 AND CONTACTING PREVIOUS CLIENTS OF HIS FOR REFERRALS TO GET
20 SOME ARCHITECTURAL JOBS.

21 Q DID YOU HAVE ANY OTHER CONVERSATIONS WITH MR.
22 MULL ABOUT THE MONEY LOANED TO HIM BY THE CHURCH?

23 A YES.

24 Q WHEN WAS THE NEXT ONE?

25 A LATE APRIL OR EARLY MAY, 1980.

26 Q WHO WAS PRESENT?

27 A MYSELF, MR. MULL, MONROE SHEARER AND I BELIEVE
28 JIM MC CAFFREY.

1 Q AS BEST YOU CAN RECALL, WHAT WAS SAID AT THAT
2 MEETING?

3 A MR. MULL HAD WRITTEN US A LETTER IN APRIL, LATE
4 IN APRIL, AND HAD ASKED THAT WE ACCEPT A \$10,000 PAYMENT AS
5 FULL PAYMENT OF THE ENTIRE LOANS THAT HAD BEEN GIVEN HIM AND
6 THAT WE WAIVE THE BALANCE OF THE LOANS, WHICH AT THAT TIME I
7 THINK TOTALED OVER \$37,000.

8 HE SAID THAT HE HAD SOLD HIS HOUSE IN SAN
9 FRANCISCO FOR I BELIEVE 199,000, AND THAT HE HADN'T CLEARED
10 ENOUGH MONEY TO BE ABLE TO PAY THE FULL AMOUNT OF THE LOAN
11 AND THAT THIS WAS ALL THAT HE COULD PAY.

12 Q THIS BEING \$10,000?

13 A YES. 10,000. WE CALLED HIM TO A MEETING, AND
14 INQUIRED ABOUT THE CIRCUMSTANCES OF THE SALE AND TRIED TO
15 REVIEW WITH HIM VARIOUS POSSIBILITIES FOR BEING ABLE TO
16 FULFILL WHAT WE FELT HIS COMMITMENT WAS.

17 THE LETTER I THINK MENTIONED A DOWN PAYMENT OF
18 \$45,000 OR SO AND WE ASKED HIM -- HE RECEIVED 45,000, YOU
19 KNOW. WHAT HAD HAPPENED TO THE MONEY IF HE COULDN'T AFFORD
20 TO PAY PART OF THE LOAN.

21 AND HE MENTIONED OTHER BILLS THAT HE HAD HAD.
22 I THINK BILLS TO THE GOVERNMENT, HIS EX-WIFE WERE MENTIONED.
23 AND IT ALSO CAME OUT IN THE CONVERSATION THAT HE HAD USED
24 PART OF THE MONEY TO BUY A NEW CAR FOR HIMSELF, PAYING FOR
25 IT IN FULL WITH NO LOAN OR ANYTHING.

26 WE ASKED HIM WHY DID HE HAVE TO BUY A NEW CAR
27 AT THIS POINT IN TIME IN CASH AND NOT BE ABLE TO PAY THE
28 CHURCH PART OF WHAT HE OWED IT? AND HE SAID HE JUST

1 COULDN'T HAVE ANY PAYMENTS HANGING OVER HIS HEAD FOR THE
2 FUTURE.

3 THERE WAS ALSO DISCUSSION OF THE BALANCE OF THE
4 PURCHASE PRICE, WHICH HE MENTIONED WAS 65- OR \$70,000, THAT
5 HE WOULD RECEIVE IN TWO YEARS. SO I ASKED HIM, "IF YOU
6 COULD PAY PART OF IT NOW, SAY THE 10,000 NOW, COULD YOU
7 AFFORD TO PAY THE BALANCE OF IT WHEN THIS NOTE COMES DUE IN
8 TWO YEARS?"

9 AND HE SAID THAT HE FELT THAT HE WAS TOO OLD AT
10 THIS POINT IN TIME TO BE ABLE TO CONTINUE TO MAKE A LIVING
11 FOR HIMSELF AND HE WANTED TO SAVE THAT MONEY TO PAY HIS
12 CONDOMINIUM IN WESTLAKE OFF IN FULL WHEN THE -- WHEN THAT
13 PAYMENT CAME THROUGH. AND THEREFORE HE DIDN'T -- HE JUST
14 COULDN'T AGREE TO THAT.

15 SO THE RESULT OF THE MEETING WAS THAT WE TOLD
16 HIM THAT WE WOULD LIKE TO TALK TO ELIZABETH ABOUT IT, WHO
17 WAS OUT OF TOWN AT THE TIME, AND THAT WE WOULD GET BACK WITH
18 HIM. AND THAT WAS PRETTY MUCH THE END OF THAT MEETING.

19 Q WAS THERE ANOTHER CONVERSATION BETWEEN YOURSELF
20 AND MR. MULL WITH RESPECT TO THE MONEY THAT HAD BEEN LOANED
21 TO MR. MULL BY THE CHURCH?

22 A YES.

23 Q WHEN WAS THAT CONVERSATION?

24 A ABOUT TWO WEEKS OR SO LATER.

25 Q WHO WAS PRESENT?

26 A MYSELF, MONROE, MR. MULL AND POSSIBLY JIM MC
27 CAFFREY. I AM NOT REALLY SURE.

28 Q AS BEST YOU CAN RECALL, WHAT WAS SAID AT THAT

1 MEETING?

2 A WE TOLD HIM THAT WE HAD DISCUSSED THE CONTENTS
3 OF THE LAST MEETING WITH ELIZABETH OVER THE PHONE, WHO WAS
4 OUT OF TOWN STILL FOR AN EXTENDED TIME, AND THAT SHE AGREED
5 WITH US THAT SHE FELT THAT HE HAD A MORAL COMMITMENT TO THE
6 CHURCH TO FULFILL HIS WORD, WHICH WAS THE LOAN AGREEMENT
7 THAT WE HAD HAD.

8 AND SHE THOUGHT THAT WE SHOULD HAVE ANOTHER
9 MEETING WITH HIM AND PURSUE POSSIBILITIES FOR TRYING TO WORK
10 SOMETHING OUT.

11 FROM THAT POINT ON, THE CONVERSATION PRETTY
12 MUCH FOLLOWED THE SAME LINES AS THE MEETING BEFORE. MR.
13 MULL JUST DIDN'T FEEL THAT HE COULD AFFORD TO COMMIT HIMSELF
14 TO ANY MORE THAN THE 10,000 THAT HE HAD OFFERED AND THAT HE
15 WANTED US TO WAIVE THE BALANCE OF IT.

16 HE DID SAY THAT HE FELT THAT WE WERE NOT BEING
17 CONSIDERATE ENOUGH OF HIM AND THAT HE RAISED THE SUBJECT OF
18 US BEING MORE INTERESTED IN MONEY THAN BEING INTERESTED IN
19 HIS SOUL. WE ASSURED HIM THAT THAT WAS NOT THE CASE, THAT
20 WE WOULD LIKE TO WORK THE SITUATION OUT IN ANY WAY THAT WE
21 COULD TO GIVE HIM WHATEVER LATITUDE WAS POSSIBLE.

22 BUT HE REPEATED AGAIN THAT THE 10,000 WAS ALL
23 HE COULD DO AT THIS POINT AND HE JUST WASN'T PREPARED TO
24 DISCUSS OR NEGOTIATE ANY FURTHER THAN THAT. SO WE SAID THAT
25 UNDER THOSE CIRCUMSTANCES, WE FELT THAT THE BEST THING AT
26 THAT POINT IN TIME WAS WE JUST DIDN'T FEEL THAT IT WOULD BE
27 APPROPRIATE FOR HIM TO CONTINUE TO RECEIVE FREE ROOM AND
28 BOARD AT CAMELOT. AND WE ASKED THAT HE MAKE ARRANGEMENTS TO

1 MOVE HIMSELF OFF THE PROPERTY.

2 HE AGREED TO AND SAID HE PLANNED TO MOVE TO HIS
3 CONDOMINIUM IN WESTLAKE. AND WE AGREED THAT WE WOULD TRY TO
4 TALK ABOUT IT FURTHER WHEN ELIZABETH CAME BACK IN TOWN,
5 WITHIN THE NEXT SEVERAL WEEKS SHE WAS EXPECTED. THAT WAS
6 THE SUM AND SUBSTANCE OF THAT MEETING.

7 Q DID YOU HAVE ANY OTHER MEETINGS WITH MR. MULL
8 WITH RESPECT TO THE MONEY THAT THE CHURCH HAD LOANED HIM?

9 A YES. ONE MORE.

10 Q WHO WAS PRESENT AT THAT MEETING?

11 A MYSELF, MR. MULL, MONROE SHEARER AND ELIZABETH.

12 Q WHAT WAS THE DATE OF THAT MEETING?

13 A JUNE 6, 1980.

14 Q IS THAT THE MEETING WHICH WE HEARD THE TAPE
15 PLAYED OF?

16 A THIS IS CORRECT.

17 Q PRIOR TO THAT MEETING, HAD THERE BEEN ANY
18 DISCUSSION WITH THE BOARD OR EXECUTIVE COMMITTEE ABOUT MR.
19 MULL'S OFFER TO PAY \$10,000?

20 A YES, THERE WAS A DISCUSSION.

21 Q WHAT WAS THAT DISCUSSION?

22 A WE DISCUSSED WITH ELIZABETH BEFORE THE MEETING
23 TOOK PLACE THE VARIOUS THINGS THAT WE HAD TALKED ABOUT WITH
24 MR. MULL BEFORE AS WELL AS THE LETTER, THE APRIL LETTER THAT
25 HE HAD SENT OFFERING THE \$10,000.

26 AND WE AGREED THAT THE CHURCH WOULD BE WILLING
27 TO ACCEPT THE \$10,000 SETTLEMENT OFFERED AND WOULD IN
28 EXCHANGE FOR THAT WOULD PROMISE NOT TO SUE HIM, IN EFFECT WE

1 WOULD WAIVE THE BALANCE OF THE AMOUNTS THAT WERE DUE, AND WE
2 WOULD AGREE TO JUST PART AND GO OUR SEPARATE WAYS.

3 Q AT THE JUNE 6TH MEETING, DID MR. MULL PAY THE
4 \$10,000?

5 A NO, HE DIDN'T.

6 Q WITH RESPECT TO ALL OF THE MEETINGS THAT YOU
7 HAVE DESCRIBED, DID YOU OR ANYONE ELSE AT THOSE MEETINGS
8 EVER RAISE THEIR VOICE TO MR. MULL?

9 A NEVER.

10 Q DID YOU OR ANYONE AT ANY OF THOSE MEETINGS EVER
11 SHOUT IN ANY WAY AT MR. MULL?

12 A NOT IN ANY WAY.

13 Q YOU WERE A BOARD MEMBER IN 1978, 1979 AND 1980?

14 A YES.

15 Q WERE YOU A MEMBER OF THE EXECUTIVE COMMITTEE OF
16 THE BOARD IN THOSE YEARS?

17 A YES, I WAS.

18 Q DID THERE COME A TIME WHEN THE BOARD OR
19 EXECUTIVE COMMITTEE DISCUSSED INVITING MR. MULL TO LIVE AND
20 WORK AT CAMELOT?

21 A YES, WE DID.

22 Q WHEN WAS THAT DISCUSSED?

23 A DECEMBER, 1978.

24 Q TO THE BEST OF YOUR RECOLLECTION, WAS THIS THE
25 BOARD OR THE EXECUTIVE COMMITTEE THAT FIRST DISCUSSED THIS?

26 A IT WAS THE EXECUTIVE COMMITTEE.

27 Q WHO WAS PRESENT?

28 A WELL, THE EXECUTIVE COMMITTEE WAS COMPOSED OF

1 MYSELF, MONROE SHEARER AND JAMES MC CAFFREY. AND THAT IS
2 HOW WE ALWAYS MET. WE DIDN'T HAVE EXECUTIVE COMMITTEE
3 MEETINGS UNLESS ALL THREE PEOPLE WERE THERE.

4 Q WHEN YOU MET IN LATE 1978 TO DISCUSS INVITING
5 MR. MULL TO CAMELOT, WAS RANDALL KING PRESENT AT THAT
6 EXECUTIVE COMMITTEE MEETING?

7 A DEFINITELY NOT.

8 Q YOU CERTAIN OF THAT?

9 A POSITIVE.

10 Q IN THE YEARS 1978, '79 AND 1980, WAS RANDALL
11 KING EVER PRESENT AT ANY MEETING OF THE EXECUTIVE COMMITTEE?

12 A YES.

13 Q WHEN WOULD HE BE PRESENT?

14 A MR. KING WOULD BE PRESENT AT SOME MEETINGS OF
15 THE EXECUTIVE COMMITTEE WHEN HE HAD A PARTICULAR PROPOSAL OR
16 SOMETHING TO DISCUSS REGARDING HIS OWN DEPARTMENT, WHICH WAS
17 THE MULTIMEDIA PRODUCTIONS THAT HE WAS ENGAGED IN.

18 Q WOULD HE EVER BE PRESENT DURING '78, '79 OR '80
19 AT A BOARD MEETING?

20 A POSSIBLY, YES.

21 Q WHEN WOULD HE BE PRESENT AT A BOARD MEETING?

22 A HE WOULD BE PRESENT AT BOARD MEETINGS FOR THE
23 SAME PURPOSE. EITHER FOR THINGS RELATED TO HIS OWN
24 DEPARTMENT OR THINGS THAT HE WAS INVOLVED IN SPECIFICALLY IN
25 THE CHURCH, PARTICULAR PROJECTS OR ACTIVITIES.

26 Q WAS THAT A -- SOMETHING JUST FOR MR. KING OR
27 WERE OTHER CHURCH OFFICIALS ALLOWED TO BOARD MEETINGS AND
28 EXECUTIVE COMMITTEE MEETINGS IF THEY HAD A PARTICULAR REASON

1 TO BE THERE?

2 A THE BOARD WOULD ALWAYS HAVE PEOPLE FROM THE
3 STAFF ATTEND MEETINGS THAT CONCERNED THEIR PARTICULAR AREA.
4 IF IT WAS MAKING A DECISION ON A SUBJECT, IT WOULD HAVE THEM
5 COME IN AND DISCUSS THAT ITEM. SO IN THAT RESPECT, IT WAS
6 OTHER PEOPLE WERE PRESENT AT TIMES.

7 Q AND WHEN PEOPLE WERE PRESENT FROM THE STAFF TO
8 DISCUSS SOMETHING THAT RELATED TO THEM OR THEIR DEPARTMENT,
9 WOULD THEY STAY FOR THE WHOLE MEETING OF EITHER THE BOARD OR
10 THE EXECUTIVE COMMITTEE OR WOULD THEY LEAVE AT A CERTAIN
11 POINT?

12 A NO. THEY WOULD LEAVE. ONCE THE DISCUSSION
13 CONCERNING THEIR PRESENTATION WAS OVER, THEN THEY WOULD
14 LEAVE.

15 Q WAS THE POLICY ANY DIFFERENT FOR MR. KING AS
16 FAR AS LEAVING AS IT WAS FOR EVERYBODY ELSE?

17 A NO, IT WASN'T. NOT DURING THOSE YEARS.

18 Q WITH RESPECT TO THAT EXECUTIVE COMMITTEE
19 MEETING IN LATE 1978 WHEN MR. MULL WAS DISCUSSED, AS BEST
20 YOU CAN RECALL, WHAT WAS SAID?

21 A MONROE CAME TO THE MEETING AND TOLD JIM AND
22 MYSELF THAT HE WANTED TO PROPOSE TO INVITE GREGORY MULL TO
23 COME TO CAMELOT TO DO ARCHITECTURAL WORK. AND HE SAID THAT
24 HE WOULD LIKE TO BE ABLE TO OFFER HIM FREE ROOM AND BOARD
25 AND ANY TRAVEL EXPENSES THAT HE MIGHT HAVE TRAVELING FROM
26 SAN FRANCISCO.

27 AND THAT HE WANTED TO -- OUR PERMISSION TO BE
28 ABLE TO CALL HIM ON THE PHONE AND TO MAKE THIS PROPOSAL TO

1 HIM AND SEE HOW HE FELT ABOUT IT.

2 Q AT THAT TIME, DID THE BOARD DISCUSS WHAT
3 PROJECTS MR. MULL WOULD WORK ON IF HE CAME TO CAMELOT?

4 A I THINK THAT THERE WAS A GENERAL DISCUSSION OF
5 VARIOUS RENOVATIONS THAT NEEDED TO BE DONE ON THE CAMPUS AS
6 WELL AS THE POSSIBILITY OF THE EXPANSION OF SOME OF THE
7 FACILITIES THAT WE NEEDED.

8 Q WAS THERE EVER A TIME WHEN THE BOARD DECIDED
9 THAT MR. MULL WOULD WORK ON THE TEN-YEAR CAMELOT PLAN THAT
10 IS DISCUSSED IN THAT BOOKLET THAT WE'VE SEEN, I THINK IT IS
11 NUMBER 1 IN EVIDENCE.

12 MR. LEVY: I AM GOING TO OBJECT, YOUR HONOR, AS TO
13 AMBIGUITY IN THE QUESTION. WE ARE TALKING ABOUT THE BOARD.
14 I DON'T KNOW WHICH BOARD HE IS TALKING ABOUT.

15 THE COURT: PLEASE REPHRASE IT.

16 MR. KLEIN: YES.

17 Q WAS THERE EVER A TIME THAT THE EXECUTIVE
18 COMMITTEE DISCUSSED MR. MULL WORKING ON THE PROJECTS LISTED
19 IN THE CAMELOT TEN-YEAR PLAN?

20 A YES.

21 Q WHAT WAS THAT DISCUSSION?

22 A THE DISCUSSION THAT WE HAD WAS IN A SUBSEQUENT
23 MEETING IN LATE DECEMBER, EARLY JANUARY, LATE DECEMBER OR
24 EARLY JANUARY ABOUT THE POSSIBILITY OF HIM WORKING ON THE
25 MONTESSORI INTERNATIONAL PROJECT.

26 Q WAS THERE EVER ANY DISCUSSION IN THE EXECUTIVE
27 COMMITTEE OR THE BOARD ABOUT MR. MULL WORKING ON ANY OTHER
28 PROJECTS IN THAT TEN-YEAR PLAN?

1 A NO, THERE WASN'T.

2 Q YOU MENTIONED THAT OTHER MEETING BY THE BOARD.
3 WHEN DID THAT OCCUR?

4 A LATE DECEMBER OR EARLY JANUARY, '78, '79.

5 Q AS BEST YOU CAN RECALL, WHAT ELSE, IF ANYTHING,
6 WAS SAID AT THAT MEETING OTHER THAN WHAT YOU HAVE JUST TOLD
7 US?

8 A WELL, MONROE CAME BACK TO THE EXECUTIVE
9 COMMITTEE, AND SAID THAT HE HAD CONTACTED MR. MULL BY
10 TELEPHONE, AND HAD MADE THIS PROPOSAL TO HIM AND THAT MR.
11 MULL WAS VERY EXCITED ABOUT IT, REALLY WANTED TO DO IT.

12 THAT IN ADDITION TO THE ROOM AND BOARD AND
13 TRAVEL EXPENSES, HE HAD OTHER PERSONAL EXPENSES THAT HE
14 NEEDED TO HAVE COVERED SOMEHOW. AND THAT MONROE HAD
15 DISCUSSED CERTAIN VARIOUS POSSIBILITIES OF DEALING WITH
16 THIS, OF A METHOD OF MEETING THESE EXPENSES THAT WERE OVER
17 AND ABOVE MR. MULL'S INCOME, HIS ABILITY TO HANDLE THEM.

18 THERE WERE SEVERAL DIFFERENT POSSIBILITIES
19 DISCUSSED. ONE WAS GETTING A LOAN ON HIS HOUSE FROM A BANK
20 IN SAN FRANCISCO AND THE OTHER POSSIBILITY WAS THAT OF
21 BORROWING SOME OF THE MONEY FROM THE CHURCH WHICH HE COULD
22 REPAY WHEN HE SOLD HIS HOUSE. HE HAD MENTIONED THAT HE HAD
23 BEEN PLANNING TO SELL HIS HOUSE AT SOME POINT IN THE FUTURE.

24 SO THE CONCLUSION OF IT WAS THAT IT SOUNDED
25 LIKE IT WOULD BE OKAY TO LET HIM COME DOWN AND GIVE HIM A
26 TRY FOR A WHILE. AND THAT MONROE WOULD CONTINUE TO DISCUSS
27 THESE MATTERS WITH HIM, AND TRY TO COME TO A RESOLUTION OF
28 WHAT MR. MULL'S NEEDS WERE ONCE MR. MULL, YOU KNOW,

1 QUANTIFIED THAT, AND GAVE HIM SPECIFIC AMOUNTS, AND HOW MUCH
2 FUNDS HE WOULD NEED AND WHETHER HE COULD MEET THEM FROM HIS
3 OWN INCOME AND THAT -- THAT KIND OF THING.

4 Q DID THERE COME A TIME WHEN THE BOARD OR THE
5 EXECUTIVE COMMITTEE MET AGAIN AND DISCUSSED MR. MULL AND THE
6 FINANCIAL ARRANGEMENTS WITH HIM?

7 A YES, WE DID.

8 Q WHEN WAS THAT?

9 A MID-MARCH, 1979.

10 Q WAS IT THE BOARD OR THE EXECUTIVE COMMITTEE?

11 A EXECUTIVE COMMITTEE.

12 Q AS BEST YOU CAN RECALL, WHAT WAS SAID AT THAT
13 TIME?

14 A THE EXECUTIVE COMMITTEE HAD RECEIVED A LETTER
15 FROM MR. MULL IN FEBRUARY, I THINK IT WAS THE LATTER PART OF
16 FEBRUARY, MAKING A PROPOSAL ON HOW HIS EXPENSES COULD BE
17 HANDLED. AND WE HAD GOTTEN A REQUEST FROM HIM ASKING THAT
18 THE AGREEMENT BE FINALIZED.

19 AND SO WE MET AND DISCUSSED IT AND WENT
20 THROUGH, YOU KNOW, VARIOUS POSSIBILITIES OF WHAT WE THOUGHT
21 WE COULD DO, AND MADE THE DECISION THAT TO INFORM HIM THAT
22 WE WOULD BE WILLING TO CONTINUE LOANING HIM MONEY TO MEET
23 HIS MONTHLY EXPENSES WHILE HE WAS WORKING ON THE MI PROJECT
24 THAT HAD STARTED AND ANY OTHER PROJECTS THAT WOULD COME UP
25 IN THE IMMEDIATE FUTURE.

26 AND THAT THESE FUNDS SHOULD BE REPAID FROM THE
27 SALE OF HIS HOUSE, THAT HE SHOULD PROCEED TO PUT HIS HOUSE
28 ON THE MARKET AND GET IT SOLD SO THAT HE COULD REDUCE

1 THIS -- THIS NEED FOR FUNDS AND REPAY THE LOANS.

2 AND THAT HE SHOULD BE PREPARED IN THE FUTURE
3 BEYOND THE CURRENT PROJECTS, THIS MI AND THE OTHER CURRENT
4 RENOVATIONS AND THINGS THAT WERE HAPPENING, TO SUPPORT
5 HIMSELF IN THE FUTURE, EITHER LOCALLY OR BACK IN SAN
6 FRANCISCO.

7 Q YOU MENTIONED THE MI PROJECT. WHAT IS THE MI
8 PROJECT?

9 A MONTESSORI INTERNATIONAL. THAT IS THE PRIMARY
10 AND HIGH SCHOOL.

11 Q NOW, WHEN MR. MULL CAME TO CAMELOT IN JANUARY
12 OF 1979, DID THE BOARD AT THAT TIME BELIEVE THAT THE
13 TEN-YEAR CAMELOT PLAN WAS STILL FEASIBLE?

14 A DEFINITELY.

15 Q AT THIS POINT, HAVE YOU TOLD US ABOUT ALL OF
16 THE MEETINGS OF EITHER THE BOARD OR THE EXECUTIVE COMMITTEE
17 THAT YOU RECALL THAT DEALT WITH FINALIZING THE FINANCIAL
18 ARRANGEMENTS WITH MR. MULL?

19 A YES.

20 Q TO YOUR KNOWLEDGE, OF ALL THE MEETINGS YOU HAVE
21 DISCUSSED, WAS RANDALL KING PRESENT AT ANY OF THEM?

22 A NO. HE DEFINITELY WAS NOT PRESENT.

23 Q DID THERE COME A TIME WHEN GREGORY MULL STOPPED
24 WORKING ON THE MONTESSORI INTERNATIONAL -- LET ME WITHDRAW
25 THAT.

26 WHEN MR. MULL CAME TO CAMELOT, TO YOUR
27 KNOWLEDGE DID HE WORK ON THE MONTESSORI INTERNATIONAL
28 PROJECT?

1 A YES, HE DID.

2 Q DID THERE COME A TIME WHEN HE STOPPED WORKING
3 ON THAT PROJECT?

4 A YES.

5 Q WHEN WAS THAT?

6 A EARLY JULY, 1979.

7 Q DO YOU KNOW WHY HE STOPPED AT THAT TIME?

8 A YES. THERE WAS A CONFERENCE -- A CHURCH
9 CONFERENCE TO BE HELD, WHICH IS HELD EVERY YEAR OVER THE 4TH
10 OF JULY HOLIDAY. AND HE HAD MORE OR LESS COMPLETED A SET OF
11 PRELIMINARY DRAWINGS FOR HOW HE CONCEIVED THE MONTESSORI
12 INTERNATIONAL PROJECT TO LOOK, HOW IT WOULD BE DESIGNED.

13 AND HE MADE A PRESENTATION OF THESE PLANS TO
14 THE BOARD PRIOR TO THAT CONFERENCE WITH THE EXPECTATION THAT
15 IF IT WAS APPROVED, IT COULD BE PRESENTED TO THE MEMBERSHIP
16 AND SHOWN TO THEM AS THE FIRST BUILDING PROJECT THAT WE
17 WOULD LIKE TO ENGAGE IN.

18 THE BOARD MET WITH HIM, AND REVIEWED THOSE
19 PLANS AND DID NOT APPROVE THEM. AND DECIDED THAT IN THAT
20 THEY BASICALLY JUST WEREN'T PRESENTABLE TO THE MEMBERS -- WE
21 DIDN'T FEEL THAT THIS WAS A PROJECT THAT WE COULD PRESENT TO
22 THE MEMBERSHIP FOR SUPPORT. WE JUST WEREN'T COMPLETELY
23 HAPPY WITH IT.

24 AND SO WE DECIDED AT THAT POINT IN TIME TO NOT
25 PURSUE THAT PARTICULAR PROJECT ANY FURTHER, NOT IN THE WAY
26 THAT IT WAS BEING LOOKED AT.

27 Q TO YOUR KNOWLEDGE, DID MR. MULL WORK ON THE
28 MONTESSORI PROJECT SUBSEQUENT TO THAT DECISION BY THE BOARD?

1 A NO. THERE WAS NO FURTHER WORK ON THAT PROJECT
2 BY THE ARCHITECTURE DEPARTMENT.

3 Q WAS THERE EVER A TIME WHEN THE BOARD, EITHER
4 THE EXECUTIVE COMMITTEE OR THE BOARD OF DIRECTORS, DECIDED
5 TO PAY MR. MULL'S EXPENSES WITHOUT THE EXPECTATION THAT HE
6 WOULD EVENTUALLY REPAY THAT MONEY WHEN HE SOLD HIS HOUSE?

7 A NO, NEVER.

8 Q AT THIS POINT, I WILL SHOW THE WITNESS WHAT HAS
9 BEEN MARKED EXHIBIT 10 IN EVIDENCE.

10 LOOKING AT EXHIBIT 10 IN EVIDENCE, ARE YOU
11 FAMILIAR WITH WHAT THAT IS?

12 A YES. IT IS THE CHECK STUBS FROM THE LOANS TO
13 MR. MULL.

14 Q NOW, WERE YOU THE BUSINESS MANAGER OF THE
15 CHURCH IN 1979?

16 A YES.

17 Q IN ORDER TO FULFILL YOUR DUTIES AS BUSINESS
18 MANAGER, WERE YOU KNOWLEDGEABLE ON THE ACCOUNTING PROCEDURES
19 USED BY THE CHURCH AT THAT TIME?

20 A YES, I WAS.

21 Q NOW, LOOKING AT THE FIRST FOUR CHECK STUBS
22 WHICH WOULD BE 1-26-79, 2-26-79, 3-17-79 AND 4-18-79, THE
23 FIRST THREE WHERE IT SAYS DESCRIPTION SAY NUMBER "135." THE
24 FOURTH ONE SAYS UNDER DESCRIPTION "ARCHITECTURAL
25 RENDERINGS," AND THEN THE NUMBER "135." DO YOU SEE THAT?

26 A YES.

27 Q NOW, IS THERE OR WAS THERE IN 1979 SOME KIND OF
28 A DOCUMENT THAT WOULD EXPLAIN WHAT NUMBER 135 REFERRED TO?

1 A YES, THERE WAS.

2 Q DO YOU KNOW WHAT THAT DOCUMENT WOULD BE?

3 A THE CHART OF ACCOUNTS.

4 MR. KLEIN: YOUR HONOR, AT THIS TIME I WOULD ASK THAT
5 THIS DOCUMENT CALLED THE CHART OF ACCOUNTS FEBRUARY 13TH,
6 1979, BE MARKED FOR IDENTIFICATION AND SHOWN TO THE WITNESS.
7 IT WOULD BE NUMBER 112 I BELIEVE.

8 THE COURT: SO MARKED FOR IDENTIFICATION.

9 (MARKED FOR ID: ^ EXHIBIT 112, CHART OF
10 - - - - - ^ ACCOUNTS, 2-13-79)

11 Q BY MR. KLEIN: LOOKING AT WHAT WE HAVE MARKED
12 NUMBER 112 FOR IDENTIFICATION, DO YOU RECOGNIZE THAT
13 DOCUMENT?

14 A YES, I DO.

15 Q WHAT IS THAT?

16 A IT IS THE CHART OF ACCOUNTS USED BY THE CHURCH
17 ACCOUNTING DEPARTMENT IN 1979 FOR CODING CHECKS AND
18 FINANCIAL TRANSACTIONS TO BE ENTERED ON THE ACCOUNTING BOOKS
19 OF THE CHURCH.

20 MR. KLEIN: YOUR HONOR, AT THIS TIME I WOULD ASK THAT
21 DOCUMENT 112 FOR IDENTIFICATION BE RECEIVED IN EVIDENCE.

22 MR. LEVY: NO OBJECTION, YOUR HONOR.

23 THE COURT: IT'S RECEIVED.

24 (RECEIVED EVID: ^ EXHIBIT 112)

25 MR. KLEIN: THANK YOU.

26 Q LOOKING AT THAT CHART OF ACCOUNTS, CAN YOU TELL
27 US WHAT NUMBER 135 IS?

28 A NUMBER 135 IS THE TRANSFER CLEARING ACCOUNT.

1 Q IN 1979, WHAT IS OR WAS A TRANSFER CLEARING
2 ACCOUNT AT CHURCH UNIVERSAL AND TRIUMPHANT?

3 A TRANSFER CLEARING ACCOUNT WAS BASICALLY THE
4 SUSPENSE ACCOUNT THAT WAS USED FOR THE CODING OF
5 TRANSACTIONS THAT THE -- THAT WERE CURRENTLY UNDESIGNATED AS
6 TO ANY OTHER ACCOUNTING.

7 Q SO IT MERELY MEANT UNDESIGNATED AT THAT POINT?

8 A THAT'S CORRECT. IT WOULD BE WHAT WOULD
9 NORMALLY BE REFERRED TO AS A SUSPENSE ACCOUNT. IT IS USED
10 WHERE THE PERSON CODING THE CHECKS OR MAKING THE BOOKKEEPING
11 ENTRY IS NOT AWARE OF OR DOES NOT CURRENTLY KNOW WHAT THE
12 NATURE OF THE -- EXACT NATURE OF THE TRANSACTION IS.

13 Q LOOKING ON THAT CHART OF ACCOUNTS, IS THERE AN
14 ACCOUNT NUMBER FOR LOANS?

15 A NO, THERE IS NO ACCOUNT NUMBER FOR LOANS.

16 Q NOW, GOING BACK TO WHAT WE HAVE MARKED EXHIBIT
17 10 IN EVIDENCE, AFTER APRIL OF 1979, THE CHECK STUBS NO
18 LONGER HAVE A NUMBER 135 ON THEM.

19 BEGINNING WITH 5-15-79, IT SAYS, "ARCHITECTURAL
20 RENDERINGS," AND THEN IT SAYS "C9 AG3 VF." 6-7-79 SAYS,
21 "ARCHITECTURAL RENDERINGS C9 AG3 VF." 7-10-79 SAYS JUST,
22 "C9 AG3 VF." 8-16-79 SAYS, "ARCHITECTURAL C9 AG3 VF."
23 9-25-79 JUST SAYS, "C9 AG3 GF." AND THEN 10-27-79 SAYS,
24 "PROMISSORY NOTE DATED 10-27-79," AND THERE IS NO CODE
25 THERE.

26 NOW, DIRECTING YOUR ATTENTION TO MAY OF 1979,
27 WAS THERE A CHANGE IN YOUR CHART OF ACCOUNTS OR LISTINGS?

28 A YES, THERE WAS.

1 Q AND WHAT BROUGHT ABOUT THAT CHANGE?

2 A WHAT BROUGHT ABOUT THE CHANGE WAS THAT THE
3 ACCOUNTING SYSTEM WAS COMPUTERIZED IN THE SPRING OF 1979.
4 AND WHEN IT WAS COMPUTERIZED, THE CHART OF ACCOUNTS WAS
5 CHANGED OVER TO A MUCH MORE ELABORATE COMPUTERIZED
6 ACCOUNTING SYSTEM.

7 Q WOULD I BE CORRECT THAT THE C9 AG3 VF, WHICH
8 BEGINS ON THE MAY 15TH CHECK STUB, YOU WOULDN'T BE ABLE TO
9 FIND THE LISTING FOR THAT ON WHAT WE HAVE MARKED 112 IN
10 EVIDENCE?

11 A YES, THAT'S CORRECT.

12 Q DID THEY COME OUT WITH A NEW CHART OF ACCOUNTS
13 SUBSEQUENT TO MAY 1ST, 1979, THAT WOULD TELL US WHAT C9 AG3
14 VF MEANS?

15 A YES. THERE WAS A COMPLETELY NEW AND DIFFERENT
16 CHART OF ACCOUNTS.

17 MR. KLEIN: YOUR HONOR, AT THIS TIME I WOULD ASK THAT
18 THIS DOCUMENT ENTITLED CHART OF ACCOUNTS DATED 5-1-79 BE
19 MARKED 113 FOR IDENTIFICATION.

20 THE COURT: SO MARKED FOR IDENTIFICATION.

21 (MARKED FOR ID: ^ EXHIBIT 113, CHART OF

22 - - - - - ^ ACCOUNTS, 5-1-79)

23 Q BY MR. KLEIN: LOOKING AT WHAT WE'VE MARKED
24 NUMBER 113 FOR IDENTIFICATION, DO YOU RECOGNIZE THAT?

25 A YES, I DO.

26 Q WHAT IS IT?

27 A IT IS THE CHART OF ACCOUNTS THAT WAS ADOPTED
28 FOR THE COMPUTERIZED SYSTEM THAT IS EFFECTIVE HERE AS OF MAY

1 1, '79.

2 MR. KLEIN: YOUR HONOR, AT THIS POINT I WOULD ASK
3 THAT WHAT'S BEEN MARKED AS 113 FOR IDENTIFICATION BE
4 RECEIVED IN EVIDENCE.

5 MR. LEVY: NO OBJECTION, YOUR HONOR.

6 THE COURT: RECEIVED.

7 (RECEIVED EVID: ^ EXHIBIT 113)

8 Q BY MR. KLEIN: LOOKING AT THE CHART OF ACCOUNTS
9 SUBSEQUENT TO OR DATED 5-1-79, CAN YOU TELL WHETHER THAT
10 DESIGNATION OF C9 AG3 VF, WHETHER ALL THOSE NUMBERS REFER TO
11 ONE PARTICULAR LISTING IN THAT CHART OF ACCOUNTS?

12 A YES. THEY DO NOT. THEY REFER TO THREE
13 DIFFERENT LISTINGS.

14 Q AND CAN YOU TELL US, USING THAT CHART OF
15 ACCOUNTS, WHAT C9 AG3 VF WOULD MEAN?

16 A WELL, THE C9 MEANS ONE THING, THE AG3 MEANS
17 ANOTHER THING AND THE VF MEANS ANOTHER THING. IT REFERS TO
18 THREE DIFFERENT SECTIONS OF THE CHART OF ACCOUNTS.

19 Q WHY DON'T YOU START WITH THE C9. WHAT DOES
20 THAT MEAN PURSUANT TO THE CHART OF ACCOUNTS?

21 A THE FIRST TWO DIGITS OF THE CODE REFER TO THE
22 DIVISION WITHIN THE CHURCH AND THE LOCATION APPLICABLE. C9
23 IS THE CHURCH, LOCATION NOT APPLICABLE.

24 Q CAN YOU GIVE US AN EXAMPLE OF WHEN A LOCATION
25 WOULD BE APPLICABLE?

26 A WELL, LOCATIONS WERE APPLICABLE WHEN THINGS
27 WERE -- WHEN TRANSACTIONS WERE ENTERED INTO THAT WERE SITES
28 SPECIFIC LIKE AN IMPROVEMENT TO A PIECE OF PROPERTY. YOU

1 WOULD SPECIFICALLY CODE IT WITH THAT LOCATION. IF IT WAS
2 GENERAL, MORE GENERAL IN NATURE, AND DIDN'T ACTUALLY AFFECT
3 THE ACCOUNTING FOR THAT PIECE OF PROPERTY, THEN THE SITE DID
4 NOT GO INTO THE PICTURE.

5 Q WHAT DOES AG3 MEAN?

6 A THE MIDDLE THREE DIGITS OF THE CODE REFER TO
7 THE ACTUAL ACCOUNT ON THE BOOKS THAT A TRANSACTION WOULD BE
8 ASSIGNED TO. THE FIRST DIGIT REFERS TO THE MAJOR ACCOUNT
9 GROUPING, THE SECOND DIGIT IS A DEFINITION OF THAT MAJOR
10 ACCOUNT GROUPING.

11 THERE IS A DEFINITION IN THE CHART OF ACCOUNTS
12 ON PAGE 14 WHERE THE MAJOR ACCOUNT GROUPINGS ARE GIVEN. FOR
13 EXAMPLE A IS CURRENT ASSETS, B IS LONG-TERM ASSETS, C IS
14 LIABILITIES, ET CETERA.

15 THE DEFINITION OF THE SECOND DIGIT --

16 MR. LEVY: EXCUSE ME, YOUR HONOR, AT THIS TIME I WILL
17 OBJECT. WE WILL STIPULATE THAT MR. FRANCIS HAS A VERY
18 COMPLICATED ACCOUNTING SYSTEM IF THAT WILL SAVE THE COURT'S
19 TIME.

20 MR. KLEIN: YOUR HONOR, I THINK IT IS PROPER FOR MR.
21 FRANCIS TO GO THROUGH THE CHARTS AND EXPLAIN WHAT AG3 MEANS.
22 WE HAVE HAD A LOT OF TESTIMONY ABOUT IT.

23 MR. LEVY: IT APPEARS WE ARE GETTING --

24 THE COURT: IT IS NOT INAPPROPRIATE SO LONG AS IT IS
25 NOT OVERLY LONG.

26 MR. KLEIN: IT WILL NOT BE OVERLY LONG.

27 THE COURT: ALL RIGHT.

28 Q BY MR. KLEIN: MR. FRANCIS, WITH RESPECT TO THE

1 A, WHAT DOES IT MEAN PURSUANT TO THE CHART OF ACCOUNTS?

2 A A MEANS CURRENT ASSETS.

3 Q AND WITH RESPECT TO THE G3, WHAT DOES THAT
4 MEAN?

5 A THE G IN THE SECOND DIGIT WHEN FOLLOWING THE A
6 REFERS TO OTHER RECEIVABLES.

7 Q AND WHAT DOES THE 3 MEAN?

8 A THE 3 MERELY IS TAKEN AS A -- HAS TO BE TAKEN
9 TOGETHER WITH THE A AND THE G TO ASSIGN IT TO AN ACCOUNT.
10 AND THE AG3 ACCOUNT IS TRANSFERRING CLEARING SUSPENSE.

11 Q BY THE WAY, WHAT YOU ARE TELLING US, IS THAT
12 COMING STRAIGHT FROM WHAT THE CHART OF ACCOUNTS SAYS?

13 A YES. IT IS ALL INCLUDED WITHIN THE CHART OF
14 ACCOUNTS.

15 Q WHEN YOU PUT IT ALTOGETHER, WHAT DOES AG3 MEAN?

16 A AG3 MEANS THE SUSPENSE ACCOUNT WITHIN THE
17 CURRENT ASSETS PORTION OF THE CHART OF ACCOUNTS.

18 Q NOW, AT CHURCH UNIVERSAL IN 1979, HOW DID YOU
19 DEFINE CURRENT ASSETS?

20 A THE CHURCH USED CURRENT ASSETS TO REFER TO
21 MONEY OR CASH, THINGS THAT WERE IMMEDIATELY CONVERTIBLE INTO
22 CASH AS WELL AS OTHER KINDS OF PROPERTY, THE VALUE OF WHICH
23 WE EXPECTED TO RECEIVE WITHIN ONE YEAR.

24 Q AND FROM WHERE DID THE CHURCH GET THAT
25 DEFINITION OF CURRENT ASSETS?

26 A GENERALLY ACCEPTED ACCOUNTING PRINCIPLES AS
27 COMMUNICATED TO US BY OUR AUDITOR.

28 Q NOW, THE LAST PART OF THE DESIGNATION IS VF.

1 DOES THE CHART OF ACCOUNTS TELL YOU WHAT VF MEANS?

2 A YES, IT DOES.

3 Q WHAT DOES IT MEAN?

4 A THE LAST TWO DIGITS OF THE ACCOUNTING CODE
5 REFER TO THE CASH FUND THAT IS APPLICABLE TO A PARTICULAR
6 TRANSACTION. IN THIS CASE, VF REFERS TO VICTORY IN THE HOLY
7 CITY FUND, WHICH IS THE FUND RAISING CAMPAIGN THAT WAS
8 APPLICABLE TO THE PURCHASE OF CAMELOT.

9 Q THANK YOU.

10 PUTTING ASIDE THE CHART OF ACCOUNTS AND THE
11 CHECK STUBS FOR A MOMENT, DURING THE TIME THAT YOU HAVE BEEN
12 ASSOCIATED WITH CHURCH UNIVERSAL AND TRIUMPHANT, WERE THERE
13 EVER ANY RESTRICTIONS PLACED ON CHURCH MEMBERS WITH RESPECT
14 TO THEIR CONTACTS WITH NONCHURCH MEMBERS, BE IT FAMILY OR
15 FRIENDS WHO WERE NOT CHURCH MEMBERS?

16 A NO, THERE WERE NOT.

17 Q DURING THE TIME YOU HAVE BEEN ASSOCIATED WITH
18 THE CHURCH, WERE CHURCH MEMBERS EVER TAUGHT, EITHER SUMMIT
19 UNIVERSITY STUDENTS OR CHURCH MEMBERS, EVER TAUGHT TO FEAR
20 PEOPLE WHO WERE NONMEMBERS OF THE CHURCH?

21 A NO. THAT IS COMPLETELY OPPOSITE OF WHAT THE
22 CHURCH TEACHES.

23 Q DURING THE TIME THAT YOU HAVE BEEN AFFILIATED
24 WITH THE CHURCH, WERE THERE EVER ANY RESTRICTIONS ON CHURCH
25 MEMBERS WATCHING TV, LISTENING TO THE RADIO, GOING TO
26 MOVIES, READING BOOKS?

27 A NO, THERE WERE NOT.

28 Q DURING THE YEARS THAT YOU WERE ON THE BOARD OF

1 DIRECTORS, DID ELIZABETH CLARE PROPHET EVER GIVE A DICTATION
2 FROM THE ASCENDED MASTERS CONCERNING AN ISSUE AND THEN HAVE
3 THE BOARD VOTE ON THAT ISSUE? DID ANYTHING LIKE THAT EVER
4 HAPPEN?

5 A NO. THAT IS JUST NOT HOW THINGS WERE DECIDED
6 IN THE BOARD. I HAVE NEVER EVER EXPERIENCED THAT IN A BOARD
7 MEETING OR CONCERNING A BOARD ISSUE.

8 Q DID BOARD MEMBERS MERELY FOLLOW THE DICTATES OF
9 ELIZABETH CLARE PROPHET DURING THESE BOARD MEETINGS THAT YOU
10 WERE AT?

11 A NO. THAT WAS NOT THE WAY THE DECISION-MAKING
12 PROCESS WORKED.

13 Q WHAT WAS THE DECISION-MAKING PROCESS IN THE
14 BOARD MEETINGS?

15 A PRIMARILY WE HAVE ALWAYS TRIED TO DECIDE THINGS
16 ON THE BOARD BY CONSENSUS, MEANING THAT THE BOARD LIKES TO
17 BE ABLE TO REACH EITHER UNANIMOUS OR NEAR UNANIMOUS
18 AGREEMENT ON A PARTICULAR SUBJECT OR A THING THAT IS BEING
19 DISCUSSED.

20 THERE ARE MANY OCCASIONS WHEN A CONSENSUS COULD
21 NOT BE REACHED THAT WE EITHER SIMPLY DID NOT MAKE A DECISION
22 OR POSTPONED IT THEREAFTER, OR THAT IT WAS DISCUSSED MORE
23 AND ONE PERSON OR THE OTHER CHANGED THEIR MIND AFTER
24 DISCUSSING IT.

25 BUT I -- I'VE SEEN ANY NUMBER OF SITUATIONS
26 WHERE PEOPLE CAME INTO THE MEETING, INCLUDING ELIZABETH,
27 INCLUDING ANY OTHER BOARD MEMBERS, THAT THOUGHT ONE WAY WHEN
28 THEY FIRST CAME INTO THE MEETING, AND WE TALKED ABOUT IT AND

1 WE REACHED A CONSENSUS THAT WAS EITHER OTHERWISE OR MAYBE
2 EVEN SOMETHING THAT HADN'T BEEN CONSIDERED.

3 SO I WOULD JUST SAY CONSENSUS DECISION MAKING
4 IS HOW WE HAVE ALWAYS TRIED TO RUN THE BOARD.

5 Q WERE THERE TIMES WHEN ELIZABETH CLARE PROPHET
6 FELT VERY STRONGLY ABOUT SOMETHING AND CONVINCED THE BOARD
7 TO DO WHAT SHE WANTED?

8 A YES, THERE WERE TIMES.

9 Q WERE THERE OTHER TIMES WHEN OTHER BOARD MEMBERS
10 FELT VERY STRONGLY ABOUT SOMETHING AND CONVINCED THE OTHER
11 BOARD MEMBERS TO DO WHAT THEY WANTED?

12 A THERE CERTAINLY WAS.

13 Q DURING THE YEARS THAT YOU WERE ON THE BOARD,
14 WERE CLEARANCE LETTERS EVER BROUGHT INTO A BOARD MEETING?

15 A NO. I HAVE NEVER SEEN A CLEARANCE LETTER.

16 Q DURING THE YEARS YOU WERE ON THE BOARD, WERE
17 THERE EVER DISCUSSIONS AT A BOARD MEETING ABOUT A CLEARANCE
18 LETTER?

19 A YES.

20 Q HOW MANY TIMES?

21 A ONCE AT A BOARD MEETING THAT I KNOW OF AND ONCE
22 WITH ME PRIVATELY THAT I KNOW OF.

23 Q THE ONE AT THE BOARD MEETING WHERE CLEARANCE
24 LETTERS CONTENTS WERE DISCUSSED, WHAT WAS THAT ABOUT?

25 A THE ONE AT A BOARD MEETING THAT I REMEMBER IS
26 THE ONE CONCERNING THE CHILD MOLESTING INCIDENT OF A PERSON
27 IN THE CHURCH COMMUNITY WITH A CHILD THAT WAS IN THE CHURCH
28 COMMUNITY. AND ELIZABETH BROUGHT IT TO THE BOARD'S

1 ATTENTION TO SEE WHAT -- HOW TO HANDLE IT, TO GET OUR ADVICE
2 ON WHAT SHE THOUGHT SHOULD BE DONE ABOUT IT.

3 Q YOU SAID THERE WAS ONE OTHER OCCASION WHERE YOU
4 WERE TOLD BY ELIZABETH THE CONTENTS OF A CLEARANCE LETTER.
5 WHAT WAS THAT SECOND OCCASION?

6 A ON THAT OCCASION ELIZABETH TALKED TO ME
7 PERSONALLY IN PROBABLY 1975 OR MAYBE EVEN '74 ABOUT A
8 SITUATION INVOLVING A CLEARANCE LETTER IN WHICH THE PERSON
9 SAID SOMETHING ABOUT HAVING AN URGE TO HARM HER OR KILL HER.
10 AND SHE WANTED TO KNOW MY OPINION ON WHAT SHE OUGHT TO DO
11 ABOUT IT.

12 Q DID SHE ACTUALLY SHOW YOU THE LETTER?

13 A NO.

14 Q DURING THE YEARS THAT YOU HAVE BEEN ON THE
15 BOARD, WAS THERE EVER AN OCCASION WHERE DR. YANEY SPOKE TO
16 THE BOARD AND REVEALED INFORMATION THAT HE HAD LEARNED IN
17 COUNSELING SESSIONS WITH CHURCH MEMBERS?

18 A NO. THIS NEVER OCCURRED.

19 Q WHAT DOES IT MEAN TO BE ON THE PERMANENT STAFF
20 OF THE CHURCH?

21 A PERMANENT STAFF IS TO ME ANALOGOUS TO TAKING
22 VOWS TO JOIN A HOLY ORDER. IT IS ANALOGOUS TO BECOMING A
23 MONK OR A NUN.

24 AND IN OUR CHURCH, IT INVOLVES, SIMPLY PUT, FOR
25 A PERSON WHO WANTS TO MAKE A LIFETIME OR BELIEVES THEY WOULD
26 LIKE TO MAKE A LIFETIME COMMITMENT IN THE CHURCH WHEREBY THE
27 PERSON GIVES THEIR ALL TO THE CHURCH AND THE CHURCH GIVES
28 THEIR ALL TO THE PERSON.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Q ARE PEOPLE, AS FAR AS YOU KNOW, EVER PRESSURED TO BECOME PERMANENT STAFF MEMBERS?

A NO, THEY ARE NOT. IN FACT THEY HAVE TO APPLY IN WRITING TO BECOME A PERMANENT STAFF MEMBER.

Q HAVE PEOPLE EVER BEEN TURNED DOWN WHO APPLIED IN WRITING TO BECOME PERMANENT STAFF MEMBERS?

A MANY.

Q AFTER MR. MULL WAS ASKED TO LEAVE CAMELOT, DID THERE COME A TIME WHEN YOU HAD A CONVERSATION WITH HIS DAUGHTER, LINDA MULL?

A YES.

Q WHO WAS PRESENT?

A MYSELF, MONROE AND LINDA MULL.

Q AS BEST YOU CAN RECALL, WHAT WAS SAID?

A WELL, IT WAS SHORTLY AFTER THE MEETING, THE LAST -- THE SECOND MEETING THAT WE HAD WITH MR. MULL IN MAY WHERE WE TOLD HIM THAT WE FELT HE SHOULD MOVE OFF CAMPUS.

WE CALLED HER IN TO LET HER KNOW THAT -- SHE WAS ATTENDING SUMMIT UNIVERSITY AT THE TIME, AND WE CALLED HER IN TO LET HER KNOW THAT THE CHURCH HAD A FINANCIAL DISAGREEMENT WITH HER FATHER AND THAT WE HAD ASKED HIM TO MOVE OFF CAMPUS.

WE MERELY DID THIS TO LET HER KNOW THAT, FIRST OF ALL, WE HOPED THAT WE COULD RESOLVE THIS DISPUTE AND, SECONDLY, THAT SHE DIDN'T NEED TO FEEL THAT IT AFFECTED HER RIGHT AND HER ABILITY TO CONTINUE FINISHING HER QUARTER AT SUMMIT UNIVERSITY.

WE DID NOT CONSIDER IT TO BE A DISPUTE OF THE

1 NATURE -- OF SUCH A DRASTIC NATURE THAT IT SHOULD AFFECT
2 ANYTHING.

3 Q DURING THE LOANS -- DURING THE PERIOD THAT THE
4 CHURCH WAS LOANING MR. MULL MONEY, WHAT WAS THE TOTAL AMOUNT
5 THAT WAS LOANED TO HIM?

6 A ABOUT 37,400.

7 Q HOW MUCH DID HE REPAY?

8 A \$5,000.

9 Q WAS THAT THE JUNE 6TH, 1980, MEETING THAT HE
10 REPAID THAT?

11 A YES.

12 Q HAVE YOU HAD OCCASION TO DETERMINE HOW MUCH MR.
13 MULL WOULD OWE THE CHURCH TODAY WHEN YOU SUBTRACT THE \$5,000
14 HE REPAID AND YOU ADD THE INTEREST AT 7 PERCENT FROM THE
15 TIME THE MONEY WAS LOANED UP UNTIL TODAY?

16 A YES, I HAVE HAD OCCASION TO CALCULATE THAT.

17 Q AND WHAT DOES IT COME OUT TO?

18 A WITH INTEREST ADDED AT 7 PERCENT, THE TOTAL
19 BALANCE DUE AS OF THIS DATE IS \$47,503.69.

20 Q DURING THE YEARS THAT GREGORY MULL WAS
21 ASSOCIATED WITH THE CHURCH, HOW MUCH MONEY DID HE ACTUALLY
22 DONATE TO THE CHURCH?

23 A ACTUALLY DONATED TO THE CHURCH WAS \$1,306.

24 Q THAT WOULDN'T INCLUDE MONEY HE PAID FOR ROOM
25 AND BOARD AND TUITION AT SUMMIT UNIVERSITY, WOULD IT?

26 A NO. IT DOESN'T INCLUDE ANYTHING ELSE BESIDES
27 JUST STRICTLY CONTRIBUTIONS.

28 Q IN MARCH OF 1981, THE CHURCH SUED MR. MULL FOR

1 THE MONEY THAT IT HAD LOANED HIM.

2 WHY DID THE CHURCH DO THAT? WHY DID THEY SUE
3 HIM?

4 A OKAY. THE -- THE REASON THAT THE CHURCH SUED
5 MR. MULL WAS BECAUSE OF THE CULMINATION OF A SERIES OF
6 INCIDENTS AND THINGS THAT OCCURRED SUBSEQUENT TO THE JUNE 6,
7 1980, MEETING.

8 THE MAIN PRECIPITATING FACTORS WERE MR. MULL'S
9 CONTACT OF CHURCH MEMBERS AND RELATING TO THEM UNTRUE AND
10 FALSE ALLEGATIONS ABOUT THE CHURCH, ABOUT DEROGATORY
11 COMMENTS ABOUT ELIZABETH AND ATTEMPTING TO CONVINCING THEM TO
12 LEAVE THE CHURCH, FIRSTLY.

13 SECONDLY, THE NOVEMBER, 1980, LETTER WHICH WE
14 RECEIVED FROM MR. MULL WHICH IN ESSENCE SAID THAT HE WANTED
15 US TO PAY HIM THE \$5,000 BACK THAT HE HAD ALREADY PAID. AND
16 IF WE DID NOT DO SO, THAT HE WOULD SUE US, THAT HE WOULD
17 BECOME THE WORST ENEMY THAT THE CHURCH HAD EVER HAD, THAT HE
18 WAS GOING TO WORK TO EXPOSE THE CHURCH, REFER TO ELIZABETH
19 AS THE FALSE PROPHET AND THE GREAT WHORE.

20 SUBSEQUENT TO THAT, THIRDLY, MR. MULL'S CONTACT
21 OF NEWSPAPERS AND THE PRESS WITH FALSE ALLEGATIONS OF
22 SUPPOSED MISCONDUCT BY THE CHURCH, ILLEGALITIES AND VARIOUS
23 CONDITIONS AT CAMELOT WHICH WERE UNTRUE AND WHICH
24 PRECIPITATED ON AN ONGOING BASIS A WHOLE SERIES OF NEWSPAPER
25 ARTICLES IN COOPERATION WITH SEVERAL NEWSPAPER REPORTERS
26 FROM SEVERAL LOCAL NEWSPAPERS.

27 IN VIEW OF THOSE OCCURRENCES, WE FELT THAT
28 THERE WAS NO REASON WHY WE SHOULD NOT ATTEMPT TO MAKE MR.

1 MULL RESPONSIBLE FOR THE FUNDS THAT THE CHURCH HAD IN GOOD
2 FAITH GIVEN TO HIM, HAD LOANED TO HIM WHICH IT HAD EXPECTED
3 HIM TO REPAY.

4 Q DID THE CHURCH FEEL BOUND BY THE FACT THAT
5 ELIZABETH CLARE PROPHET HAD SAID AT THE JUNE 6, 1980,
6 MEETING THAT SHE WAS NOT GOING TO SUE GREGORY MULL?

7 A NO.

8 Q WHY DID THE CHURCH DID NOT FEEL BOUND BY THOSE
9 STATEMENTS?

10 A BECAUSE MR. MULL WITHDREW HIS OFFER IN THAT
11 MEETING TO PAY THE \$10,000 AS A SETTLEMENT WHICH HE HAD
12 OFFERED.

13 MR. KLEIN: YOUR HONOR, IF WE ARE GOING TO TAKE A
14 MORNING BREAK, THIS MIGHT BE A GOOD SPOT TO TAKE IT.

15 MR. LEVY: MAY I INQUIRE, YOUR HONOR, ABOUT HOW MUCH
16 LONGER MR. KLEIN --

17 THE COURT: YOU CAN DISCUSS IT DURING THE RECESS. WE
18 WILL TAKE OUR MORNING RECESS AT THIS TIME.

19 (RECESS.)

20 THE COURT: PROCEED.

21 Q BY MR. KLEIN: MR. FRANCIS, DID YOU KNOW MARK
22 PROPHET?

23 A YES, I DID.

24 Q HOW MANY YEARS DID YOU KNOW HIM?

25 MR. LEVY: I AM GOING TO OBJECT, YOUR HONOR.
26 RELEVANCE.

27 THE COURT: HE CAN ANSWER.

28 THE WITNESS: ABOUT THREE YEARS.

1 Q BY MR. KLEIN: DID YOU KNOW HIM WELL?

2 A I KNEW HIM PRETTY WELL, YES.

3 Q DURING THE TIME THAT YOU KNEW HIM, DID YOU EVER
4 HEAR HIM SAY ANYTHING ABOUT TRYING TO MANIPULATE OR CONTROL
5 CHURCH MEMBERS IN ANY WAY?

6 THE COURT: THAT CAN BE ANSWERED YES OR NO.

7 THE WITNESS: NO.

8 Q BY MR. KLEIN: DURING THE TIME THAT YOU KNEW
9 HIM, DID YOU EVER HEAR HIM SAY ANYTHING ABOUT KEEPING PEOPLE
10 BUSY ALL THE TIME IF THEY WERE CHURCH MEMBERS?

11 A NEVER.

12 Q DURING THE YEARS THAT YOU HAVE BEEN AFFILIATED
13 WITH THE CHURCH, HAVE YOU EVER HEARD ANY DISCUSSIONS AMONG
14 CHURCH OFFICIALS, THE BOARD, ABOUT MANIPULATING AND
15 CONTROLLING CHURCH MEMBERS THROUGH SLEEP, DIET, DECREERING OR
16 ANYTHING ELSE?

17 A NO, NEVER.

18 Q I WOULD LIKE TO DIRECT YOUR ATTENTION TO APRIL
19 12TH, 1981, THE DAY OF THE SQUARE DANCE.

20 WERE YOU PRESENT AT CAMELOT ON THAT DATE?

21 A YES, I WAS.

22 Q AND DID THERE COME A TIME WHEN YOU ARRIVED IN
23 THE VICINITY OF WHAT'S CALLED THE GUARDHOUSE?

24 A YES, I DID.

25 Q WHY DID YOU GO TO THAT AREA?

26 A I HAD BEEN CALLED ON THE TELEPHONE BY EUGENE
27 GARCIA WHO TOLD ME THAT GREGORY MULL AND A GROUP OF PEOPLE
28 WERE CONGREGATING AROUND THE FRONT GATE AND IT LOOKED LIKE

1 THEY WERE GOING TO BE WALKING IN.

2 Q UPON RECEIVING THAT CALL, WHAT, IF ANYTHING,
3 DID YOU DO?

4 A I LEFT MY OFFICE AND WALKED DOWN TO THE AREA
5 AROUND THE GUARDHOUSE.

6 Q WHEN YOU ARRIVED AT THE GUARDHOUSE, WAS MR.
7 MULL THERE?

8 A YES, HE WAS.

9 Q DID YOU SPEAK WITH HIM?

10 A YES, I DID.

11 Q AS BEST YOU CAN RECALL, WHAT DID YOU SAY AND
12 WHAT DID HE SAY?

13 A HE SAID THAT -- WHEN I FIRST GOT THERE, HE SAID
14 HE WANTED TO COME SQUARE DANCE. AND I TOLD HIM THAT I
15 DIDN'T REALLY BELIEVE THAT.

16 Q WHY DIDN'T YOU BELIEVE THAT?

17 A I DIDN'T BELIEVE IT BECAUSE OF THE EVENTS THAT
18 HAD TRANSPIRED PRIOR TO THIS DATE, AS WELL AS JUST THE LOOK
19 ON HIS FACE AND THE DEMEANOR OF NOT ONLY HIM, BUT HIS WHOLE
20 PARTY. THEY JUST DIDN'T LOOK LIKE PEOPLE THAT WERE COMING
21 TO ATTEND A SQUARE DANCE.

22 Q DID THE REPORTERS WHO WERE WITH HIM HAVE
23 ANYTHING WITH THEM, ANY EQUIPMENT OR ANYTHING?

24 A YES. THEY HAD CAMERA AND A TAPE RECORDER TO MY
25 RECOLLECTION.

26 MR. KLEIN: YOUR HONOR, WITH THE COURT'S PERMISSION,
27 COULD MISS MC GUIRE, WHO JUST FINISHED TESTIFYING, BE
28 PRESENT IN THE COURTROOM?

1 THE COURT: ALL RIGHT.

2 Q BY MR. KLEIN: CAN YOU GO ON WITH WHAT THE
3 CONVERSATION WAS BETWEEN YOURSELF AND MR. MULL, PLEASE?

4 A AFTER I TOLD HIM THAT I DOUBTED THAT HE WAS
5 THERE TO ATTEND THE SQUARE DANCE, HE SAID THAT THE REASON HE
6 HAD CAME -- HE HAD COME WAS TO -- HE WANTED TO TALK TO
7 ELIZABETH PROPHET AND THAT THE MALEKS WANTED TO TALK TO
8 WILLIAM MALEK.

9 Q WAS ELIZABETH CLARE PROPHET PRESENT ON THE
10 CAMELOT PROPERTY AT THAT TIME?

11 A NO, SHE WAS NOT THERE THAT DAY.

12 Q PLEASE CONTINUE.

13 A AFTER HE SAID THAT, I TOLD HIM THAT ELIZABETH
14 WAS NOT THERE AND I SAID THAT IT LOOKED LIKE TO ME LIKE THEY
15 HAD COME THERE TO PRECIPITATE A CONFRONTATION. I TOLD HIM
16 THAT I DIDN'T FEEL IT WAS APPROPRIATE FOR HIM TO BE
17 ATTEMPTING TO COME ONTO THE PROPERTY AND TALK TO PEOPLE
18 SINCE WE WERE ALREADY ENGAGED IN LITIGATION WITH HIM, THE
19 LAWSUIT HAD ALREADY BEEN FILED.

20 Q THIS LAWSUIT?

21 A THIS IS CORRECT. AND I TOLD HIM THAT IN MY
22 OPINION, IT WAS INAPPROPRIATE THAT HE SHOULD -- HE SHOULD BE
23 IN TOUCH WITH US THROUGH LEGAL COUNSEL AT THAT POINT, AND
24 THAT IT DIDN'T SEEM RIGHT, AND I DIDN'T THINK OUR ATTORNEY
25 WOULD APPROVE THAT HE HAD COME IN AND STARTED TALKING TO
26 CHURCH MEMBERS AND SO ON.

27 AT THAT, HE GOT FAIRLY ANGRY AND STARTED MAKING
28 ALL SORTS OF ACCUSATIONS AGAINST THE CHURCH, AGAINST MYSELF,

1 AGAINST ELIZABETH AND OTHER PEOPLE THAT WERE PRESENT AT THAT
2 TIME.

3 Q DO YOU RECALL ANYTHING ELSE THAT WAS SAID?

4 A WELL, HE SAID THAT -- HE SAID THE LEADERSHIP OF
5 THE CHURCH WAS EVIL, HE SAID THAT ELIZABETH WAS A FALSE
6 PROPHET, HE SAID THAT THE CHURCH BREAKS UP FAMILIES AND
7 DESTROYS MARRIAGES.

8 AND THERE WAS A NUMBER OF OTHER ALLEGATIONS
9 MADE, THAT THERE WAS -- TIME WAS SPENT DISCUSSING IT,
10 RESPONDING TO IT. THE REPORTERS AND OTHER PEOPLE PRESENT
11 WITH HIM JOINED IN THESE DISCUSSIONS.

12 HE ALSO TURNED HIS ATTENTION AT ONE POINT TO
13 GRACE MC GUIRE AND CRITICIZED HER IN HER OWN FAMILY
14 SITUATION. AND SHE SAID THAT SHE'D APPRECIATE IT IF HE
15 DIDN'T BUTT INTO HER FAMILY AFFAIRS. AND THE DISCUSSION
16 WENT ON IN THAT VEIN FOR PROBABLY A HALF AN HOUR OR MORE.

17 Q NOW, AT THE TIME YOU ARRIVED IN THE VICINITY OF
18 THE GUARDHOUSE, WHO WAS PRESENT IN THAT AREA WHO WAS
19 AFFILIATED WITH THE CHURCH?

20 A WELL, EUGENE GARCIA WAS THERE IN THE
21 GUARDHOUSE. DOUG KENYON WAS THERE. GRACE MC GUIRE AND
22 SUSAN MC ADAMS WERE THERE. PAULA ZARZYCKI WAS THERE.

23 Q DURING THE COURSE OF THE TIME THAT MR. MULL WAS
24 PRESENT IN THE VICINITY OF THE GUARDHOUSE, DID ANY OTHER
25 PEOPLE AFFILIATED WITH THE CHURCH COME INTO THAT AREA?

26 A YES.

27 Q WHO WAS THAT?

28 A TOM MILLER.

1 Q AND DID THERE COME A TIME WHEN MONROE SHEARER
2 WAS ANYWHERE IN THAT VICINITY?

3 A IF HE WAS, I DIDN'T NOTICE HIM.

4 Q NOW, OTHER THAN THE PEOPLE YOU HAVE MENTIONED,
5 DID THERE EVER COME A TIME WHEN SOME GROUP OF MEN CAME FROM
6 THE AREA FROM THE SIDE OF THE ROAD WHERE THE TREES ARE AND
7 BLOCKED THE ROAD?

8 A NO, THIS DID NOT OCCUR.

9 Q DID THERE EVER COME A TIME WHEN A GROUP OF MEN
10 CAME FROM ANYWHERE, FORGET THE SIDE OF THE ROAD OR THE
11 TREES, DID THEY COME FROM ANYWHERE AND BLOCK THE ROAD WHERE
12 YOU AND MR. MULL WERE TALKING?

13 A NO. AS A MATTER OF FACT, WE KIND OF MOVED OFF
14 TO THE SIDE OF THE ROAD BECAUSE THERE WAS TRAFFIC COMING IN
15 AND OUT.

16 Q DID YOU AT ANY TIME DURING THE PERIOD WHEN YOU
17 AND MR. MULL WERE SPEAKING THAT YOU EVER TOUCHED HIM?

18 A NO, NEVER.

19 Q DID YOU AT ANY TIME EVER THREATEN HIM IN ANY
20 WAY?

21 A NO, I DID NOT THREATEN HIM.

22 Q DID YOU AT ANY TIME EVER MAKE ANY KIND OF
23 THREATENING GESTURE TOWARDS HIM?

24 A I DID NOT MAKE ANY THREATENING GESTURES.

25 Q DID YOU EVER MAKE ANY GESTURE TOWARDS HIM?

26 A YES, I DID. I POINTED MY FINGER IN MAKING A
27 POINT ABOUT THINGS THAT WE WERE DISCUSSING.

28 Q DID THE CHURCH THEN OR DOES IT NOW HAVE SOME

1 KIND OF SQUAD OR GROUP OF 8 TO 20 JUDO EXPERTS AS THEIR
2 SECURITY OFFICERS?

3 A NO, WE DON'T HAVE A SQUAD OF 8 TO 20 JUDO
4 EXPERTS.

5 Q DO YOU HAVE ANY JUDO EXPERTS AS YOUR SECURITY
6 OFFICERS?

7 A NOT JUDO EXPERTS.

8 Q ANY KARATE EXPERTS?

9 A THERE WERE SOME PEOPLE THERE THAT KNEW SOME
10 FORM OF MARTIAL ARTS. THERE WERE SEVERAL PEOPLE THAT I KNOW
11 OF.

12 Q WHAT IS THE --

13 A INCIDENTALLY, WHEN I SAY, "THERE," I MEAN AT
14 CAMELOT ON CAMPUS, NOT AT THE INCIDENT AT THE GUARDHOUSE.

15 Q WHY DOES THE CHURCH HAVE SECURITY PEOPLE?

16 A WELL, WE HAD A SECURITY DEPARTMENT THAT WAS --
17 THE FUNCTION OF IT WAS SEVERAL THINGS. FIRST OF ALL, WE
18 ALWAYS HAD A NIGHT WATCHMAN WHO WOULD WALK AROUND A COUPLE
19 OF HOURS AT NIGHT AND MAKE SURE ALL THE DOORS WERE LOCKED,
20 CHECK THE PLACE TO MAKE SURE IT WAS SECURE.

21 WE HAD CROWD CONTROL THAT WENT ON DURING
22 CONFERENCES, PEOPLE WOULD DIRECT TRAFFIC, THEY WOULD JUST
23 KIND OF GENERALLY KEEP AN EYE ON THINGS AND, YOU KNOW, MAKE
24 SURE THAT IF ANY INCIDENTS OCCURRED OR ANYTHING LIKE THAT,
25 THAT THERE WAS SOMEBODY THERE TO HANDLE IT AND KEEP AN EYE
26 ON IT.

27 THAT WAS REALLY -- THERE WAS ONE OTHER THING
28 AND THAT WAS PERSONAL PROTECTION, PRIMARILY OFF CAMPUS, BUT

1 MAYBE ON CAMPUS ON A FEW OCCASIONS FOR ELIZABETH.

2 THERE WAS A TIME WHEN WE HAD RECEIVED SOME
3 DEATH THREATS AND THERE WAS PERSONAL PROTECTION THAT WE HAD
4 FOR HER. MAYBE ONE PERSON WOULD ACCOMPANY HER FROM ONE PART
5 OF THE CAMPUS TO ANOTHER. THAT IS BASICALLY THE REASON FOR
6 THE SECURITY DEPARTMENT.

7 Q DURING THE TIME THAT THE INCIDENT WITH MR. MULL
8 OCCURRED, DID ANYONE MAKE ANY KIND OF GESTURES TOWARDS HIM
9 OTHER THAN WHAT YOU JUST SAID THAT YOU DID WITH YOUR HAND
10 WHEN YOU MADE A POINT?

11 A I NEVER SAW ANYBODY MAKE ANY GESTURES TOWARD
12 HIM OTHER THAN THE ONE THAT I MENTIONED.

13 Q DURING THE TIME THAT YOU WERE IN THE VICINITY
14 OF THE GUARDHOUSE, DID YOU ALWAYS HAVE MR. MULL IN YOUR
15 SIGHT, IN YOUR VIEW?

16 A YES.

17 Q I TAKE IT THERE CAME A POINT WHEN MR. MULL
18 LEFT?

19 A THIS IS TRUE.

20 Q WHAT HAPPENED?

21 A WELL, THE DISCUSSION HAD JUST GONE ON FOR A
22 LONG TIME AND I FINALLY JUST SAID, "I AM CALLING TIME. THIS
23 DISCUSSION IS NOW ENDING AND I AM ASKING YOU ALL TO LEAVE
24 THE PROPERTY."

25 AND VERY SHORTLY AFTER THAT, WITHIN 30 SECONDS,
26 THEY AGREED. THEY SAID, "OKAY." AND THEY TURNED AROUND AND
27 STARTED WALKING OUT.

28 Q DID HE THEN LEAVE THE PROPERTY?

1 A YES, HE LEFT THE PROPERTY. BUT AS HE WAS
2 WALKING DOWN THE ROAD ON THE WAY OUT, HE WOULD TURN AROUND
3 PERIODICALLY AND THROW HIS ARMS UP IN THE AIR AND YELLED,
4 "GOD WILL JUDGE YOU, GOD WILL JUDGE YOU." AND THIS HAPPENED
5 SEVERAL TIMES ON THE WAY OUT.

6 MR. KLEIN: THANK YOU.

7 I HAVE NO FURTHER QUESTIONS, YOUR HONOR.

8 THE COURT: ALL RIGHT.

9 MR. LEVY: THANK YOU, YOUR HONOR.

10 MR. KLEIN: OH, I AM SORRY. JUST ONE MORE. IF THE
11 COURT WILL PERMIT, I HAVE JUST ONE SHORT LITTLE QUESTION.

12 THE COURT: ALL RIGHT.

13 Q BY MR. KLEIN: I AM SHOWING YOU WHAT HAS BEEN
14 MARKED NUMBER 94 FOR IDENTIFICATION. I WILL PUT IT UP HERE.

15 DO YOU RECOGNIZE THAT?

16 A YES. IT IS AN AERIAL SHOT OF CAMELOT.

17 Q DOES IT FAIRLY AND ACCURATELY DEPICT THE AREA
18 THAT IS CALLED CAMELOT THAT YOU HAVE BEEN TESTIFYING ABOUT
19 HERE?

20 A YES, IT DOES.

21 MR. KLEIN: YOUR HONOR, I WOULD ASK THAT NUMBER 94
22 FOR IDENTIFICATION BE RECEIVED IN EVIDENCE.

23 MR. LEVY: NO OBJECTION, YOUR HONOR.

24 THE COURT: IT'S RECEIVED.

25 (RECEIVED EVID: ^ EXHIBIT 94, AERIAL PHOTO

26 - - - - - ^ OF CAMELOT)

27 MR. KLEIN: THANK YOU.

28 NO FURTHER QUESTIONS.

CROSS-EXAMINATION +

1
2 BY MR. LEVY:

3 Q MR. FRANCIS, I NOTICE YOU HAVE A VERY
4 WELL-MODULATED VOICE. DO YOU EVER RAISE YOUR VOICE?

5 A I HAVE DONE IT ON OCCASION.

6 Q DO YOU EVER SHOUT?

7 A I HAVE DONE IT ON OCCASION.

8 Q DO ANY OF THE PEOPLE IN THE BOARD MEETINGS EVER
9 BECOME INTENSE AND RAISE THEIR VOICES?

10 A I CAN THINK OF SOMETIMES BACK IN THE
11 MIDSEVENTIES WHERE THAT MAY HAVE HAPPENED.

12 Q AND AS EVERYBODY GOT OLDER, THEY STOPPED
13 RAISING THEIR VOICES QUITE SO MUCH?

14 A NO. I WOULD SAY THE PEOPLE THAT WERE RAISING
15 THEIR VOICES WERE NO LONGER ON THE BOARD.

16 Q WAS MR. RANDALL KING ONE OF THOSE PEOPLE WHO
17 RAISED HIS VOICE?

18 A YES.

19 Q WAS HE A PROBLEM WITH THE CHURCH?

20 MR. KLEIN: I AM GOING TO OBJECT AS TO VAGUE AND
21 AMBIGUOUS, YOUR HONOR.

22 MR. LEVY: WELL, ASIDE FROM --

23 THE COURT: WHY DON'T YOU REPHRASE IT.

24 Q BY MR. LEVY: WOULD YOU SAY THAT HIS CONDUCT
25 CREATED PROBLEMS AT THE BOARD MEETINGS?

26 A ON SOME OCCASIONS, YES.

27 Q WOULD IT BE, BASED ON YOUR TESTIMONY AND THE
28 TESTIMONY OF OTHER PEOPLE THAT YOU'VE HEARD, WOULD YOU SAY

1 THAT IT WOULD BE A FAIR REPRESENTATION THAT HE IS A LITTLE
2 BIT OF A TROUBLEMAKER?

3 A HE COULD BE.

4 Q YOU DON'T WANT TO COMMIT YOURSELF ONE WAY OR
5 ANOTHER?

6 A NO. THERE ARE TIMES WHEN HE COULD BE A
7 TROUBLEMAKER. HE WASN'T ALWAYS A TROUBLEMAKER.

8 Q IN YOUR OPINION, SINCE YOU WERE THERE FOR A
9 NUMBER OF YEARS, WAS RANDALL KING AN ACTIVE, INTERESTED,
10 KNOWLEDGEABLE, WONDERFUL PARTICIPANT AT THE CHURCH?

11 MR. KLEIN: I AM GOING TO OBJECT. THAT IS A COMPOUND
12 QUESTION. THERE IS A WHOLE BUNCH OF DIFFERENT THINGS THERE.

13 THE COURT: SUSTAINED.

14 Q BY MR. LEVY: HOW WOULD YOU BEST DESCRIBE
15 RANDALL KING AND HIS PARTICIPATION AT THE CHURCH?

16 A OVER THE WHOLE TEN YEARS?

17 Q SURE. ALL THE TIME THAT YOU KNEW HIM.

18 A WELL, DIFFERENT FOR DIFFERENT YEARS. I MEAN I
19 WOULD HAVE TO TELL YOU HOW I SAW HIM AT FIRST AND THEN WHAT
20 IT DEVELOPED TO BE.

21 Q WHY DON'T YOU TELL ME HOW YOU SAW HIM AT LAST.

22 A AT LAST?

23 Q YES. THE END.

24 A 1980?

25 Q YES.

26 A I DIDN'T HAVE MUCH INTERACTION WITH HIM THEN.
27 I PROBABLY SAW HIM A LITTLE BIT, BUT HE DID NOT WORK ON
28 CAMPUS AND --

1 Q NO, NO, NO. I DON'T MEAN WHERE HE WORKED.
2 WITH YOU, MR. FRANCIS, WHAT YOU THOUGHT OF HIS PERFORMANCE
3 AND JUST HIS GENERAL Demeanor AND EVERYTHING ELSE.

4 A MR. KING COULD BE A VERY DIFFICULT PERSON TO
5 GET ALONG WITH AND HE HAD A BAD TEMPER. AND IF THINGS
6 DIDN'T GO QUITE RIGHT, QUITE THE WAY HE WANTED THEM, HE
7 COULD -- HE WAS SUBJECT TO TEMPER TANTRUMS OR WHATEVER YOU'D
8 LIKE TO CALL IT. HE COULD BLOW UP. AND IT MADE THINGS
9 DIFFICULT TO DEAL WITH HIM.

10 Q YOU CERTAINLY WOULDN'T HAVE RECOMMENDED HIM TO
11 ANYONE ELSE OR ANY OTHER GROUP, WOULD YOU?

12 A WELL, DEPENDS ON THE SITUATION. THERE ARE SOME
13 SITUATIONS IN WHICH HE COULD FUNCTION OKAY. I WOULD NOT PUT
14 HIM IN AN INTENSE DECISION-MAKING SITUATION BECAUSE HE HAD
15 PROBLEMS IN THAT. HE WOULD GET INTO CONFLICTS WITH PEOPLE
16 AND LOSE HIS TEMPER.

17 IN OTHER SITUATIONS LIKE, FOR EXAMPLE, WHEN HE
18 USED TO WORK IN THE KITCHEN BACK IN 1970 TO '73, HE WAS
19 FINE.

20 Q WHAT ABOUT AROUND 1980 WHEN HE WAS PARTING
21 COMPANY WITH THE CHURCH? AT THAT PERIOD OF TIME, WOULD I BE
22 CORRECT IN ASSUMING THAT HE LOST HIS TEMPER, HE WAS A
23 TROUBLEMAKER, HE COULDN'T MAKE DECISIONS?

24 A NOT IN 1980. THIS WAS MORE DURING THE PERIOD
25 THAT HE WAS ON THE BOARD THAT I HAD THAT KIND OF INTERACTION
26 WITH HIM. I DIDN'T HAVE INTERACTIONS WITH HIM IN 1980 WHERE
27 HE LOST HIS TEMPER WITH ME OR THAT I OBSERVED.

28 Q WELL, WHAT DID YOU KNOW ABOUT HIM IN 1980?

1 A WELL, HE WORKED OVER AT THE OFFICE WE HAD IN
2 WESTLAKE. I DIDN'T SEE HIM VERY OFTEN. AND --

3 Q DIDN'T KNOW VERY MUCH ABOUT HIM?

4 A WELL, NOT IN THAT SPECIFIC YEAR. I HAD VERY
5 LITTLE INTERACTION WITH HIM IN 1980.

6 Q DIDN'T KNOW HIM, DIDN'T HAVE VERY MUCH
7 INTERACTION WITH HIM, HE WAS JUST A REGULAR OLD BLOW-HARD
8 AND REGULAR GUY WHO JUST GOT UPSET, AND COULDN'T MAKE
9 DECISIONS, AND LOST HIS TEMPER AND THAT KIND OF THING?

10 A I DIDN'T SAY THAT. I DIDN'T SAY HE COULDN'T
11 MAKE DECISIONS. I SAID THAT IN INTENSE DECISION-MAKING
12 SITUATIONS, HE COULD GET INTO CONFLICTS WITH PEOPLE AND LOSE
13 HIS TEMPER.

14 Q CERTAINLY NOT THE KIND OF PERSON YOU'D
15 RECOMMEND LIKE YOU DID IN THIS LETTER IN MARCH OF 1980.

16 WE'D LIKE TO MARK THIS AS EXHIBIT NUMBER 114.

17 DID YOU WRITE A LETTER --

18 THE COURT: SO MARKED FOR IDENTIFICATION.

19 (MARKED FOR ID: ^ EXHIBIT 114, LETTER
20 - - - - - ^ OF RECOMMENDATION)

21 MR. LEVY: THANK YOU, YOUR HONOR.

22 Q DID YOU WRITE A LETTER OF RECOMMENDATION FOR
23 RANDALL KING IN MARCH OF 1980 WHERE YOU EXTOLLED HIS
24 VIRTUES?

25 A YOU MIND IF I TAKE AN OPPORTUNITY TO LOOK AT
26 THIS BRIEFLY?

27 Q AND AFTER YOU LOOK AT IT BRIEFLY, WHY DON'T YOU
28 READ IT FOR THE COURT.

1 A ALL RIGHT.

2 THE COURT: DO YOU HAVE AN EXTRA COPY FOR ME?

3 MR. LEVY: I JUST GOT AHOLD OF A COPY, YOUR HONOR. I
4 DO NOT.

5 THE WITNESS: SHALL I GO AHEAD?

6 THE COURT: GO AHEAD, PLEASE.

7 THE WITNESS: ALL RIGHT. (READING.)

8 "TO WHOM IT MAY CONCERN.

9 "CARE OF MR. RANDALL C. KING.

10 "LOS ANGELES, CALIFORNIA.

11 "REGARDING: LETTER OF

12 REFERENCE FOR EMPLOYERS.

13 "TO WHOM IT MAY CONCERN:

14 "MR. RANDALL C. KING HAS BEEN
15 IN THE CONTINUOUS EMPLOYMENT OF THE SUMMIT
16 LIGHTHOUSE SINCE 1970. DURING THAT TIME HE
17 HAS HELD MANY POSITIONS AND HAS ADVANCED
18 RAPIDLY IN THE ORGANIZATION. HE SERVED AS
19 THE MANAGER OF THE FOUR WINDS ORGANIC CENTER
20 IN COLORADO SPRINGS, COLORADO, A SPECIALTY
21 RESTAURANT AND HEALTH FOOD STORE; AND LATER
22 AS THE MANAGER OF THE FOUR WINDS WHOLESALE
23 DISTRIBUTORS. THESE ENTERPRISES WERE VERY
24 SUCCESSFUL PROJECTS CONDUCTED BY OUR
25 ORGANIZATION FROM 1971 TO '74, AND
26 CULMINATED IN THE ESTABLISHMENT OF LANELLO
27 RESERVES, INCORPORATED, IN LATE 1973. MR.
28 KING SERVED AS PRESIDENT OF THIS COMPANY,

1 DIRECTING ITS ACTIVITIES WHICH INCLUDED
2 MYRIAD INVESTMENT AND PURCHASING
3 OPPORTUNITIES.

4 "MORE RECENTLY, HE HAS BEEN THE
5 DIRECTOR OF MARKETING AND PUBLIC RELATIONS
6 FOR THE ENTIRE ORGANIZATION AND ITS
7 AFFILIATES. THESE RESPONSIBILITIES HAVE
8 BEEN VERY BROAD AND HE HAS EXECUTED THEM
9 WELL. THIS POSITION HAS INCLUDED THE
10 MANAGEMENT OF THE ADVERTISING AND DESIGN
11 STAFF OF THE ORGANIZATION, THE PUBLIC
12 RELATIONS DEPARTMENT AND THE WHOLESALE
13 DISTRIBUTION ACTIVITIES OF THE BOOKS AND
14 PUBLICATIONS OF THE SUMMIT LIGHTHOUSE.
15 ALSO, AS AN ADDITIONAL PROJECT SINCE 1975,
16 MR. KING HAS SERVED AS THE DIRECTOR OF
17 MULTIMEDIA PRODUCTIONS OF THE ORGANIZATION,
18 PRODUCING QUITE AN IMPRESSIVE NUMBER OF
19 QUALITY SLIDE SHOWS IN MULTIMEDIA.

20 "DURING THE PERIOD OF OUR
21 ASSOCIATION, MR. KING HAS ALWAYS
22 ACCOMPLISHED EXCELLENCE AT WHATEVER HE SET
23 HIS MIND TO DO. HE HAS BOUNDLESS ENERGY, AN
24 AMAZING CAPACITY TO LEARN, AND THE ABILITY
25 TO DEVELOP A TOTAL GRASP OF ALL ASPECTS OF
26 ANY PROJECT WHICH HE UNDERTAKES. HE COULD
27 BE RELIED UPON TO PROVIDE SATISFACTORY
28 SERVICES IN EVERY WAY IN ANY OF THE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

POSITIONS MENTIONED ABOVE. WE ARE NOT DISSATISFIED WITH THE PERFORMANCE OF HIS PROFESSIONAL SERVICES IN ANY WAY.

"FOR YOUR INFORMATION, THE SUMMIT LIGHTHOUSE IS A NATIONALLY ORIENTED RELIGIOUS AND EDUCATIONAL ORGANIZATION, AND HAS BEEN IN CONTINUOUS OPERATION SINCE 1958. WE SERVE A LARGE NATIONAL MEMBERSHIP AND THE GENERAL PUBLIC WITH BOOKS, PUBLICATIONS, AND LITERATURE, WHICH HAVE ALWAYS BEEN MAINTAINED AT A STRICT LEVEL OF QUALITY. IN ADDITION, WE OPERATE TWO SCHOOLS AND SPONSOR NUMEROUS CONFERENCES AND SEMINARS THROUGHOUT THE U.S.A. EACH YEAR.

"VERY TRULY YOURS,
"EDWARD L. FRANCIS,
"VICE PRESIDENT AND BUSINESS
MANAGER."

Q BY MR. LEVY: SAME RANDALL KING YOU WERE TALKING ABOUT BEFORE?

A THAT IS WHO IT REFERS TO.

Q WOULD IT BE A FAIR STATEMENT THAT WHATEVER THE NEEDS OF THE CHURCH WERE AT A PARTICULAR TIME, YOU'D WRITE OR SAY OR DO WHATEVER YOU NEEDED TO DO TO SATISFY WHATEVER THE PURPOSE WAS AT THAT PARTICULAR MOMENT?

A NO, I DON'T THINK THAT IS A FAIR STATEMENT.

Q SO THIS GUY WHO BLEW UP, WHO COULDN'T MAKE DECISIONS, WHO WAS DIFFICULT GOT THAT KIND OF LETTER OF

1 RECOMMENDATION?

2 A WELL, WE WANTED TO HAVE A PEACEFUL PARTING OF
3 THE WAYS, FIRST OF ALL. SECOND OF ALL, MY RECOLLECTION IS I
4 BELIEVE HE DICTATED THIS LETTER AND, THIRDLY, THE THINGS
5 THAT I HAVE REFERRED TO IN HERE DON'T REFER TO HIS ACTIVITY
6 ON THE BOARD.

7 IT REFERS TO HIS ACTIVITY IN THE FOUR WINDS
8 ORGANIC CENTER, THE KITCHEN TYPE SITUATION I TOLD YOU ABOUT.
9 AND IT REFERS TO THE TIME THAT HE WORKED IN THE MULTIMEDIA
10 PRODUCTIONS AREA.

11 Q DID HE HOLD A GUN TO YOUR HEAD TO MAKE YOU SIGN
12 IT, MR. FRANCIS?

13 A NO. I AGREED TO DO IT.

14 Q THAT WAS GOOD OF YOU.

15 YOU TOLD US THAT YOU KNEW MARK PROPHET.

16 A YES.

17 Q NOW, EVERYBODY KNOWS MARK PROPHET WAS FAMOUS
18 FOR ONE OF HIS LITTLE STORIES. LET ME TELL YOU THE STORY.
19 IT IS VERY SHORT. IT SAYS -- IT GOES THIS WAU.

20 YOU ARE WALKING DOWN THE STREET ON A SUN --
21 SUNNY AFTERNOON, AND ALL OF A SUDDEN YOU SAW A NICE FAMILY
22 WITH TWO SWEET CHILDREN AND THEY RAN BY YOU SCREAMING
23 BECAUSE THEY WERE SCARED TO DEATH. YOU SAW THEM CLIMB UP A
24 TREE AND HIDE, AND THEN TWO THUGS CAME RUNNING AFTER THEM
25 SHOOTING GUNS AND ASKED YOU WHERE THE FAMILY WENT.

26 AND THEN HE WOULD TELL YOU YOU COULD TELL THE
27 TRUTH THAT THEY WERE IN THE TREE AND THEN YOU COULD WATCH
28 SOME NICE LITTLE INNOCENT CHILDREN GET SHOT, OR YOU COULD

1 TELL A LITTLE WHITE LIE AND SEND THE THUGS ON DOWN THE
2 STREET.

3 IF I REMEMBER CORRECTLY FROM WHAT I'VE HEARD,
4 MARK WOULD THEN SAY, "WHAT WOULD YOU DO?"

5 DOES THAT SOUND FAMILIAR TO YOU, THAT LITTLE --

6 A I HAVE NEVER HEARD THAT.

7 Q NEVER HEARD THAT STORY?

8 A THAT STORY, NO.

9 Q WOULD IT SURPRISE YOU IF I TOLD YOU I HEARD IT
10 FROM ABOUT 15 PEOPLE WHO WERE IN THE CHURCH FOR SOME 14 OR
11 15 YEARS AND KNEW MARK PROPHET VERY WELL?

12 A WELL, I HAVE NEVER HEARD IT MYSELF.

13 Q WASN'T THAT THE LITTLE STORY HE TOLD WHEN HE
14 SAID THE END JUSTIFIES THE MEANS; YOU CAN TELL A LITTLE LIE
15 AND SAVE THE LIVES OF THE CHILDREN, OR YOU CAN JUST THROW UP
16 YOUR HANDS AND ABDICATE YOUR RESPONSIBILITY AND YOU CAN LET
17 THE KIDS DIE?

18 A WELL, I HAVE NEVER HEARD MARK PROPHET PREACH A
19 SERMON SAYING THAT THE END JUSTIFIES THE MEANS.

20 Q I DIDN'T SAY PREACH A SERMON. I SAID --

21 A I NEVER HEARD HIM SAY IT.

22 Q LET'S GO TO THE SQUARE DANCE.

23 NOW, EUGENE GARCIA WAS THE GATE GUARD. BY THE
24 WAY, DO YOU KEEP MR. GARCIA ON A CHAIN OR ANYTHING IN THE
25 GATE -- LITTLE GATEHOUSE, OR IS HE ALLOWED TO LEAVE THERE
26 PERIODICALLY?

27 A HE DOESN'T WORK THERE ANYMORE.

28 Q NOW, MR. GARCIA TESTIFIED HERE THAT AFTER HE

1 SAW MR. MULL AND A GROUP OF PEOPLE WALK THROUGH THE OUTSIDE
2 GATE AND START DOWN THE ROAD TOWARD THE GUARDHOUSE, HE THEN
3 CALLED YOU.

4 HE FURTHER TESTIFIED THAT WHERE YOU WERE OUT
5 SOME 1,500 FEET AWAY, AND MR. KLEIN WAS KIND ENOUGH TO
6 PROVIDE US WITH A SCALE DRAWING WHICH SAID THE OUTSIDE GATE
7 WAS 705 FEET AWAY, AND THAT HE MADE THE CALL AFTER MR. MULL
8 STARTED WALKING DOWN THE ROAD.

9 WAS MR. GARCIA ACCURATE AS TO THE DISTANCES AND
10 WAS THE CHART ACCURATE AS TO THE DISTANCES?

11 A I THINK THE CHART IS ACCURATE, BUT I THINK
12 1,500 FEET TO MY OFFICE IS PROBABLY A BIT MUCH. IT IS MORE
13 LIKE 1,000, 1,200 MAYBE.

14 Q THE ONLY REASON FOR THIS QUESTION IS I AM
15 REALLY PUZZLED. IF MR. GARCIA WAS NOT LYING TO US, HE SAID
16 YOU WERE WALKING, AND GREGORY WAS WALKING, AND YOU HAD TWICE
17 AS FAR TO WALK AND YOU BOTH GOT THERE AT THE SAME TIME.

18 DO YOU HAVE SOME KIND OF ASSISTANCE FROM UP
19 ABOVE THAT GETS YOU THERE QUICKER THAN OTHER PEOPLE?

20 A WELL, WHAT I WAS TOLD THAT -- WHEN I WAS CALLED
21 ON THE PHONE WAS THAT THEY WERE CONGREGATING AROUND THE
22 GATE, FIRST OF ALL. SECOND OF ALL, I DIDN'T GET THERE, TO
23 MY RECOLLECTION, AT THE SAME TIME.

24 WHEN I GOT THERE, THEY WERE -- WHEN I COULD SEE
25 THEM FROM WHEN I WAS WALKING DOWN THERE, THEY WERE JUST
26 ARRIVING. SO I PROBABLY GOT THERE WITHIN 30 SECONDS TO A
27 MINUTE OF THE TIME THAT THEY GOT THERE.

28 Q ARE YOU CHANGING YOUR TESTIMONY FROM A LITTLE

1 WHILE AGO WHERE YOU SAID YOU WERE CALLED, AND YOU LEFT WHEN
2 YOU WERE CALLED AND YOU MET THEM WHEN THEY ARRIVED AT THE
3 GUARDHOUSE? DO YOU MEAN THEY WERE THERE AND THEN YOU CAME
4 JOGGING UP A FEW MOMENTS LATER?

5 A I DIDN'T SAY I MET THEM SIMULTANEOUSLY. I SAID
6 WHEN I GOT THERE, I MET THEM.

7 Q OH, I SEE.

8 JUST OUT OF CURIOSITY, MR. FRANCIS, HOW OLD ARE
9 YOU?

10 A THIRTY-FIVE.

11 Q AND YOU GOT INVOLVED IN THE CHURCH IN WHAT
12 YEAR?

13 A 1970.

14 Q SIXTEEN YEARS AGO?

15 A FIFTEEN. FIFTEEN AND A HALF LET'S SAY.

16 Q SO YOU WERE ROUGHLY ABOUT 20 YEARS OF AGE?

17 A TWENTY YEARS OLD, RIGHT.

18 Q HAD YOU ALREADY COMPLETED YOUR THREE AND A HALF
19 YEARS OF LAW SCHOOL WHEN YOU GOT TO THE CHURCH?

20 A NO.

21 Q WAS THERE A REASON YOU DIDN'T COMPLETE THE
22 OTHER HALF YEAR AND GET YOUR DEGREE?

23 A LAW SCHOOL OR UNDERGRADUATE YOU TALKING ABOUT?

24 Q WELL, YOU TESTIFIED THAT YOU DIDN'T QUITE
25 COMPLETE UNDERGRADUATE SCHOOL AND YOU DIDN'T QUITE COMPLETE
26 LAW SCHOOL.

27 A WHICH ARE YOU REFERRING TO?

28 Q LAW SCHOOL.

1 A AS FAR AS LAW SCHOOL IS CONCERNED, I PROBABLY
2 HAD ANOTHER YEAR TO GO TO COMPLETE MY DEGREE. AND AT THE
3 TIME THAT I DECIDED TO DISCONTINUE, I HAD MADE A DECISION
4 THAT I WAS NOT GOING TO GO AHEAD AND TAKE THE BAR EXAM AND
5 TRY TO BECOME A PRACTICING ATTORNEY.

6 AND I FELT THAT I HAD LEARNED WHAT I -- THE
7 MAIN THINGS THAT I WANTED TO LEARN THERE. MOST OF THE
8 COURSES THAT I HAD LEFT WOULD HAVE BEEN PREREQUISITES AND
9 THAT KIND OF THING. SO I DECIDED TO DISCONTINUE.

10 Q WELL, IN THE COURSE OF LEARNING ALL THE THINGS
11 THAT YOU DID THERE -- LET'S JUMP TO THAT TWO AND A HALF HOUR
12 CONVERSATION THAT YOU AND MONROE SHEARER AND ELIZABETH CLARE
13 PROPHET HAD WITH GREGORY MULL.

14 DO YOU RECALL YOUR PARTICIPATION IN THAT WITH
15 REGARD TO STATEMENTS THAT WERE MADE BY BOTH YOURSELF AND
16 ELIZABETH CLARE PROPHET THAT A TAPE RECORDING COULD NOT BE
17 USED IN EVIDENCE?

18 A SHE SAID SOMETHING ABOUT A TAPE RECORDING. I
19 AM NOT -- I DON'T RECALL IF SHE SAID SPECIFICALLY THAT OR
20 NOT.

21 Q BUT YOU WITH ALL YOUR LAW TRAINING, YOU
22 EXPLAINED WHAT THAT MEANT, THAT YOU COULD NOT USE TAPE
23 RECORDINGS IN THE COURSE OF A LEGAL PROCEEDING?

24 MR. KLEIN: I AM GOING TO OBJECT, YOUR HONOR. THE
25 TRANSCRIPT IS IN EVIDENCE. HE IS ASKING HIM WHAT HE SAID.

26 THE COURT: SUSTAINED.

27 MR. KLEIN: BEST EVIDENCE.

28 Q BY MR. LEVY: AT THAT TIME, DID YOU KNOW

1 WHETHER OR NOT THE TAPE RECORDING COULD OR COULD NOT BE USED
2 IN A COURT OF LAW?

3 A I KNEW THAT TAPE RECORDINGS CAN BE USED UNDER
4 CERTAIN SITUATIONS, SURE.

5 Q IS THERE ANY REASON WHY YOU TOLD GREGORY MULL
6 THAT THE TAPE RECORDING COULDN'T BE USED?

7 A I DON'T RECALL THE CONTEXT OF EXACTLY WHAT WAS
8 SAID THERE.

9 Q YOU WERE RATHER SPECIFIC ABOUT ALL THE OTHER
10 CONTEXT.

11 DO YOU REMEMBER DURING THE COURSE OF THAT
12 CONVERSATION ELIZABETH SAID TO GREGORY, "FORGET THE BOARD.
13 YOU ARE TALKING TO ME"? YOU REMEMBER THAT?

14 A YEAH, I REMEMBER THAT.

15 Q IN YOUR OPINION, DID THAT SUGGEST THAT
16 ELIZABETH HAD THE AUTHORITY TO MAKE DECISIONS WITHOUT THE
17 BOARD?

18 MR. KLEIN: I AM GOING TO OBJECT. THAT ASKS FOR A
19 CONCLUSION, YOUR HONOR.

20 THE COURT: HE CAN ANSWER.

21 THE WITNESS: NO, THAT IS NOT WHAT IT MEANT AT ALL.
22 SHE SAID THAT BECAUSE SHE HAD ALREADY DISCUSSED THE
23 SITUATION WITH THE BOARD AND WE HAD AGREED UPON WHICH OFFER
24 SHE WAS GOING TO BE ABLE TO NEGOTIATE WITH HIM.

25 Q BY MR. LEVY: LET ME READ TO YOU FROM THAT
26 TRANSCRIPT IF I MAY.

27 MR. KLEIN: WHAT PAGE ARE YOU READING FROM?

28 MR. LEVY: PAGE 18 IN THE ORIGINAL COPY YOU GAVE ME.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(READING.)

"MOTHER: FORGET THE BOARD.
YOU ARE DEALING WITH ME.

"GREGORY: THERE IS SOMETHING
WRONG BECAUSE YOU ARE NOT LOOKING AT THE
ENTIRE SITUATION.

"MOTHER: FORGET THE BOARD.
YOU ARE DEALING WITH ME.

"GREGORY: YOU ARE RESPONSIBLE
FOR THE BOARD -- TOTALLY RESPONSIBLE. IS
THAT WHAT YOU ARE SAYING?

"GREGORY, I AM DEALING
WITH YOU NOW. WHATEVER THE BOARD HAS SAID
BEFORE THIS, YOU DON'T HAVE TO CONCERN
YOURSELF WITH BECAUSE I AM SAYING IT. I AM
SAYING IT TO YOU AND, BELIEVE IT OR NOT, EL
MORYA IS SAYING IT THROUGH ME."

Q NOW, WAS ELIZABETH IN SUFFICIENT CONTROL OF THE
BOARD AND WAS SHE IN CHARGE ENOUGH THAT SHE COULD MAKE A
DECISION AS SHE WAS SUGGESTING TO MR. MULL SO THAT SHE
DIDN'T HAVE TO WORRY ABOUT WHAT THE BOARD WOULD DECIDE OR
NOT DECIDE?

A WELL, I WOULDN'T SAY SO IN THAT SPECIFIC
SITUATION, NO, BECAUSE, AS I SAID, IT HAD BEEN PREVIOUSLY
DISCUSSED. AND SHE WAS THE PRESIDENT OF THE CHURCH. AS THE
PRESIDENT, SHE HAS THE AUTHORITY TO NEGOTIATE IN SUCH
SITUATIONS.

Q SO WHAT YOU ARE SAYING IN A SOMEWHAT A

1 ROUNDABOUT WAY IS IF SHE DECIDES TO INTERCEDES AND SHE IS
2 THE PRESIDENT, SHE CAN DO PRETTY MUCH WHAT SHE PLEASES?

3 A NO, THAT IS NOT WHAT I AM SAYING. I AM SAYING
4 SHE ALREADY HAD THE AUTHORITY OF THE BOARD TO NEGOTIATE IN
5 THIS SITUATION. WE HAD ALREADY AGREED THAT WE WOULD ACCEPT
6 HIS \$10,000 OFFER AND AGREE NOT TO SUE HIM.

7 Q WELL, YOU DID LEARN SOMETHING IN LAW SCHOOL.
8 YOU GO AROUND IN CIRCLES. NOW LET'S GO BACK AROUND THE
9 CIRCLE.

10 THERE WAS A TIME WHEN ELIZABETH SAID TO GREGORY
11 MULL, "WE ARE NOT GOING TO SUE YOU. I AM NOT GOING TO SUE
12 YOU." AND SHE SAID THAT SIX OR SEVEN TIMES.

13 AND NOWHERE IN THAT ENTIRE TRANSCRIPT IS THERE
14 ONE STATEMENT BY HER WHICH SAYS, "IF YOU GIVE ME THE
15 \$10,000, I WILL NOT SUE YOU." THERE IS NOT ONE PLACE IN THE
16 ENTIRE TRANSCRIPT THAT THEY ARE SAID TOGETHER. WHAT SHE
17 SAYS SEPARATE AND APART IS, "I AM NOT GOING TO SUE YOU. I
18 DON'T WANT TO BE TIED UP WITH YOU."

19 CAN YOU EXPLAIN TO ME, WITH YOUR LEGAL
20 BACKGROUND OF COURSE, WHY NOWHERE IN THE TRANSCRIPT DOES IT
21 SAY THAT, "IF YOU PAY \$10,000, I WILL NOT SUE YOU"?

22 A I DON'T KNOW HOW LONG THAT TRANSCRIPT IS. I AM
23 NOT FAMILIAR WITH EVERY SINGLE THING THAT IS STATED IN
24 THERE.

25 AS FAR AS THE STATEMENT BY HER, THAT SHE WAS
26 NOT GOING TO SUE HIM OR THAT THE CHURCH WAS NOT GOING TO SUE
27 HIM, THOSE WERE ALL STATED BEFORE HE SAID THAT HE WAS
28 WITHDRAWING HIS OFFER FOR THE \$10,000.

1 WHAT SHE SAID IN THERE, AS A MATTER OF FACT TO
2 MY RECOLLECTION, WAS THAT SHE WOULD PUT IT IN WRITING THAT
3 SHE WAS NOT GOING TO SUE HIM. AND THEN THERE WAS DISCUSSION
4 IMMEDIATELY AFTER THAT OF THE \$10,000 OFFER. AND IT WAS NOT
5 IN FACT PUT IN WRITING.

6 Q WELL, I HAVE NEWS FOR YOU, MR. FRANCIS. YOU
7 HAVE GOT IT A LITTLE BIT OUT OF ORDER.

8 MISS FRANCIS TOLD GREGORY MULL AFTER SHE HAD
9 INQUIRED AS TO WHETHER OR NOT HE WAS WITHDRAWING HIS OFFER,
10 SHE EVEN TOLD HIM AFTER THAT SHE DID NOT INTEND TO SUE HIM.
11 LET ME QUOTE TO YOU SOME OF HER WORDS.

12 MR. KLEIN: WHAT PAGE?

13 MR. LEVY: 41. (READING.)

14 "I HAVE CHOSEN NOT TO DO IT
15 BECAUSE I SERVE A HIGHER COURT."

16 Q DO YOU KNOW WHICH COURT SHE IS TALKING ABOUT,
17 MR. FRANCIS?

18 A COURTS OF HEAVEN, I WOULD IMAGINE.

19 Q AND SHE MADE A SPIRITUAL BOND WITH MR. MULL SHE
20 WAS NOT GOING TO SUE HIM.

21 WAS IT YOUR DETERMINATION OR HERS THEREAFTER TO
22 SUE HIM?

23 A IT WAS THE BOARD'S DETERMINATION. IT WASN'T
24 MINE OR HERS ALONE.

25 Q NOW TALKING ABOUT THE BOARD, WHEN YOU SAY, "THE
26 BOARD," ARE YOU TALKING ABOUT THE EXECUTIVE BOARD OR THE
27 BOARD OF DIRECTORS?

28 A IN THAT SITUATION? YOU MEAN THE ONE I JUST —

1 Q I AM TALKING ABOUT RIGHT NOW. YOU SAID THE
2 BOARD DECIDED.

3 A OKAY. THE EXECUTIVE COMMITTEE WAS MYSELF AND
4 JIM AND MONROE. IF SHE WAS INVOLVED IN A --

5 Q EXCUSE ME JUST A MINUTE.

6 A I AM SORRY.

7 Q LET'S GO BACK. THAT IS THE EXECUTIVE
8 COMMITTEE?

9 A YES.

10 Q WHO IS ON THE BOARD OF DIRECTORS AT THAT SAME
11 TIME, '78 AND '79? YOURSELF?

12 A YOU MEAN '80? WHICH YEAR DO YOU WANT BECAUSE
13 IT DID CHANGE.

14 Q LET'S GO TO 1980.

15 A OKAY. MYSELF, JAMES MC CAFFREY, MONROE
16 SHEARER, ELIZABETH AND TOM MILLER.

17 Q THREE MEMBERS OF THE BOARD OF DIRECTORS OUT OF
18 FIVE IS THE EXECUTIVE COMMITTEE?

19 A THIS IS CORRECT.

20 Q SO THE EXECUTIVE COMMITTEE HAD THE MAJORITY
21 VOTE AND THEY COULD DECIDE WHATEVER THEY WANTED TO?

22 A NO, THAT IS NOT TRUE.

23 Q WHO ACTUALLY DECIDED TO SUE GREGORY MULL?

24 A THE BOARD DID.

25 Q WHICH BOARD?

26 A THE BOARD OF DIRECTORS OF CHURCH UNIVERSAL AND
27 TRIUMPHANT.

28 Q THEY HAD A FORMAL MEETING, THEY SAT DOWN, THEY

1 TOOK MINUTES, THEY SENT NOTICE THAT THERE WOULD BE A BOARD
2 OF DIRECTORS MEETING HELD?

3 A WE DIDN'T USUALLY CONDUCT BOARD MEETINGS THAT
4 WAY WITH FORMAL NOTICE.

5 Q YOU USUALLY CONDUCTED THEM MAYBE ONCE OR TWICE
6 A YEAR ON A FORMAL BASIS, WOULD THAT BE ACCURATE?

7 A YOU MEAN WITH NOTICE AND ALL THAT?

8 Q YES, SIR.

9 A THAT IS PROBABLY TRUE.

10 Q THE REST OF THE TIME IS LIKE A LITTLE COFFEE
11 CLUB, YOU ALL GOT TOGETHER AND TALKED?

12 A IT WASN'T THAT INFORMAL.

13 Q YOU WORE SHOES?

14 A WE HAD A BOARD MEETING, WE GAVE EVERYBODY
15 NOTICE -- MAYBE NOT WRITTEN TYPE NOTICE, BUT WE LET THEM
16 KNOW THAT WE WANTED TO HAVE A BOARD MEETING -- AND WE
17 ARRANGED IT AT A TIME MUTUALLY SATISFACTORY TO THE MEMBERS
18 OF THE BOARD.

19 Q AND THE BOARD IN ITS ENTIRETY -- WAS THAT A
20 UNANIMOUS DECISION, BY THE WAY?

21 A I DON'T RECALL.

22 Q DO YOU REMEMBER MR. MONROE SHEARER WASN'T
23 NECESSARILY HAPPY ABOUT THE IDEA OF SUING GREGORY MULL?
24 DOES THAT RING A BELL?

25 A NO. I FRANKLY DON'T REMEMBER THE EXACT MEETING
26 THAT THIS HAPPENED. BUT IT IS THE TYPE OF DECISION THAT
27 WOULD NOT HAVE BEEN MADE JUST BY THE EXECUTIVE COMMITTEE.
28 IT WOULD HAVE INVOLVED THE WHOLE BOARD.

1 Q REMEMBER ANYTHING ABOUT MONROE SHEARER WHERE HE
2 DIDN'T FEEL THAT -- EVEN THOUGH HE WAS SUPPORTIVE OF
3 ELIZABETH, THAT MAYBE EQUITY WOULDN'T BE DONE IF YOU WENT
4 AHEAD AND SUED HIM, SUED GREGORY MULL?

5 A WHAT DO YOU MEAN?

6 Q DO YOU REMEMBER ANY DISCUSSION AT ANY OF THOSE
7 MEETINGS THAT YOU HAD WHERE MONROE SHEARER VOICED THE
8 OPINION THAT ALTHOUGH HE WANTED TO BE SUPPORTIVE OF
9 ELIZABETH, THAT IT MIGHT NOT BE THE MOST EQUITABLE THING TO
10 DO, TO SUE GREGORY MULL?

11 A NO, I DON'T REMEMBER THAT.

12 Q YOU DON'T REMEMBER THAT?

13 A NO.

14 Q YOU DON'T REMEMBER ANYTHING FAVORABLE ABOUT MR.
15 MULL, DO YOU?

16 A NO. I REMEMBER SOME THINGS THAT ARE FAVORABLE
17 ABOUT HIM.

18 Q TELL US ABOUT IT.

19 A HE DID SOME PLANS AND DRAWINGS THAT WERE USED
20 BY THE CHURCH.

21 Q WHICH ONES WERE THOSE?

22 A THE WILL OF GOD FOCUS.

23 Q ANYTHING ELSE?

24 A WELL, THERE WERE SOME REMODEL PROJECTS THAT
25 WERE DONE BY HIM.

26 Q ANYTHING ELSE?

27 A I CAN'T REMEMBER ANYTHING ELSE THAT WAS
28 ACTUALLY DONE.

1 Q WEREN'T YOU HIS BOSS?

2 A NOT REALLY. I -- MONROE WAS REALLY THE PERSON
3 WHO RAN THE ARCHITECTURE DEPARTMENT. I DID CONSULT WITH HIM
4 ON SOME OCCASIONS, BUT NOT VERY OFTEN.

5 Q DID YOU ACTUALLY HAVE AN ARCHITECTURAL
6 DEPARTMENT, OR A BUILDING AND DESIGNER, OR PLANNING
7 DEPARTMENT? WHAT WAS IT ACTUALLY CALLED IN THOSE DAYS?

8 A ARCHITECTURE.

9 Q WOULD IT SURPRISE YOU IF I TOLD YOU THAT
10 ELIZABETH CLARE PROPHET AT HER DEPOSITION DETERMINED THAT
11 THERE WAS NO ARCHITECTURAL DEPARTMENT, IT WAS A PLANNING AND
12 DESIGN?

13 A WELL, THERE WAS A DEPARTMENT CALLED PLANNING
14 AND DEVELOPMENT.

15 Q AH.

16 A ARCHITECTURE WOULD REALLY BE A SUBDEPARTMENT I
17 THINK UNDER THAT BECAUSE MONROE WAS PRIMARILY THE PERSON WHO
18 OVERSAW IT.

19 Q YOU DIDN'T HAVE ANYTHING TO DO WITH IT?

20 A WELL, I HAD A LITTLE BIT TO DO WITH IT, BUT
21 NOT -- I WAS NOT -- I DIDN'T WORK IN PLANNING AND
22 DEVELOPMENT. AND I DID SPEND SOME TIME WITH MONROE AND
23 GREGORY ON A FEW OCCASIONS TALKING ABOUT THE WORK HE WAS
24 GOING TO DO, BUT I DID NOT HAVE AN ACTIVE ROLE IN OVERSEEING
25 THE ACTIVITIES OF THE ARCHITECTURAL WORK.

26 Q IF I LOOK SURPRISED, I WANT TO APOLOGIZE
27 BECAUSE I RECALL -- AND I WONDER IF MY RECOLLECTION WILL
28 SURPRISE YOU -- THAT ELIZABETH CLARE PROPHET TESTIFIED AT

1 HER DEPOSITION THAT YOU WERE RESPONSIBLE FOR WHATEVER
2 PROJECTS MR. MULL WOULD WORK ON, YOU AS ONE OF THE
3 AUTHORITIES IN THE CHURCH WOULD CONFER WITH MR. SHEARER AND
4 YOU WOULD MAKE THE DETERMINATION AS TO WHAT IT WAS GOING TO
5 BE THAT MR. MULL WOULD WORK ON.

6 IS YOUR RECOLLECTION DIFFERENT FROM HERS?

7 A YEAH, I THINK IT IS BECAUSE I AM AWARE THAT
8 THAT WAS SAID. I WAS AT THE DEPOSITION SESSION. AND THAT
9 IS NOT EXACTLY THE WAY IT WAS. MONROE WAS THE PERSON WHO
10 PRIMARILY OVERSAW THE WORK THAT GREGORY DID AS A SUPERVISOR
11 AND I HAD A MUCH LESS ACTIVE ROLE IN IT.

12 Q AND TO THE BEST OF YOUR KNOWLEDGE, WITH THIS
13 LAWSUIT PENDING AND ALL OF THE DISCUSSION THAT HAS BEEN HAD,
14 IN THE 17 MONTHS THAT MR. MULL LIVED AT CAMELOT AND WORKED
15 AT CAMELOT, SOMETIMES FOR LONG HOURS DURING THE COURSE OF
16 THE DAY, YOUR TOTAL RECOLLECTION IS THAT HE WORKED ON THE
17 WILL OF GOD FOCUS AND HE DID A FEW REMODELING JOBS?

18 A NO. I SAID THAT THOSE WERE THE ONES THAT WERE
19 ACTUALLY BUILT. THOSE WERE THE JOBS THAT HE WORKED ON THAT
20 WERE ACTUALLY CARRIED THROUGH TO EXECUTION.

21 Q TELL ME WHAT WAS THE PURPOSE OF BRINGING MR.
22 MULL ALL THE WAY TO CAMELOT IF HE WAS GOING TO DO A LITTLE
23 REMODELING AND MAYBE WORK ON THE WILL OF GOD FOCUS AND
24 ACTUALLY COMPLETE THAT JOB?

25 A HE WAS GOING TO WORK ON THE MI, THE MONTESSORI
26 INTERNATIONAL SCHOOL PROJECT.

27 Q BUT YOU TOLD US YOU DIDN'T FINISH THAT, YOU
28 CANCELED THAT PROJECT?

1 A THAT IS TRUE.

2 Q WHEN DID YOU CANCEL IT?

3 A JULY, 1979.

4 Q WHY DIDN'T YOU SEND MR. MULL HOME AT THAT TIME
5 IN JULY OF 1979 IF YOU CANCELED THE MAIN PROJECT THAT YOU
6 BROUGHT HIM TO CAMELOT TO DO? WHEN YOU CANCELED IT, WHY DID
7 YOU KEEP HIM THERE?

8 A THERE WERE OTHER JOBS THAT HE WAS WORKING ON AT
9 THAT TIME.

10 Q PICKING UP PAPER? WHAT OTHER JOBS WAS HE
11 WORKING ON?

12 A HE WAS STILL WORKING ON THE WILL OF GOD FOCUS.
13 HE STARTED AFTER THAT DESIGNING AN EQUESTRIAN SCHOOL THAT
14 UTILIZED THE SAME SURPLUS BUILDINGS THAT HE HAD DESIGNED
15 INTO THE MONTESSORI INTERNATIONAL COMPLEX. AND I THINK THE
16 BOUTIQUE THAT ENCLOSED THE PATIO, TO CONVERT IT TO THE
17 SUMMIT UNIVERSITY BOOKSTORE, HE WAS ALSO WORKING ON AT THE
18 TIME.

19 Q WERE THERE ANY PROJECTS THAT YOU WERE
20 DISCUSSING WITH HIM AND THE BOARD OF DIRECTORS WERE
21 DISCUSSING WITH HIM A YEAR OR MORE BEFORE HE ACTUALLY CAME
22 TO CAMELOT?

23 A YES.

24 Q AND WHAT WERE THOSE PROJECTS?

25 A HE SENT US A PROPOSAL IN, I THINK, JANUARY AND
26 THEN AGAIN IN MAY OF '78 PROPOSING FOR HIM AND AN ASSOCIATE
27 OF HIS, GIOVANNI DINI, TO -- THEY WANTED TO DESIGN AN
28 AUDITORIUM OR CATHEDRAL OF SOME KIND.

1 THERE WAS ALSO AN OCCASION THAT I RECALL IN '78
2 WHERE HE CAME DOWN TO LOS ANGELES AND WE MET WITH THEM AT
3 THE ASHRAM IN LOS ANGELES. AND THEY PRESENTED SOME KIND OF
4 PROPOSAL THAT THEY HAD. THEY WANTED TO DESIGN AN AUDITORIUM
5 FOR THE CHURCH.

6 Q THEY WERE SOLICITING YOUR BUSINESS, AND THEY
7 SAID, "HERE, WE HAVE SOME WONDERFUL DESIGNS WE SPENT HOURS
8 AND DAYS AND WEEKS AND MONTHS ON. WE WOULD LIKE YOU TO LOOK
9 AT IT. WE HAVE DONE ALL THIS WORK BECAUSE WE ARE SO
10 RELIGIOUS AND WE WASTED ALL THESE HOURS SO YOU COULD MAKE A
11 DECISION AS TO WHETHER OR NOT YOU WANT TO BUILD IT LIKE
12 WE'VE DESIGNED IT"?

13 A I DON'T KNOW WHY THEY DID IT, BUT THEY WERE
14 SOLICITING OUR BUSINESS. AND THE PROPOSAL THAT THEY CAME
15 DOWN WITH CAME OUT OF THE BLUE. IT WAS REALLY THE FIRST
16 TIME THAT WE HAD EVER HEARD OF IT. THE LETTERS THAT HE SENT
17 AND THIS OCCASION WHEN HE CAME DOWN TO LOS ANGELES, THEY
18 WERE DEFINITELY WANTING TO DO THIS PROJECT FOR THE CHURCH.

19 Q IN THE BROCHURE THAT IS CALLED THE TEN-YEAR
20 PLAN THAT TALKS ABOUT THE DEVELOPMENT OF CAMELOT, IF I
21 REMEMBER CORRECTLY, IT TALKS ABOUT A 3,300 SEAT AUDITORIUM.
22 NOW, IN THE LETTER THAT MR. MULL WROTE YOU IN JANUARY OF
23 1979, IT INCLUDES A 3,300 SEAT AUDITORIUM.

24 DO YOU THINK IT WAS JUST SHEER LUCK THAT THEY
25 DESIGNED A 3,300 SEAT CATHEDRAL AS PART OF YOUR TOTAL
26 PACKAGE, OR DO YOU THINK THERE MIGHT HAVE BEEN SOME
27 CONNECTION BETWEEN YOUR TEN-YEAR PLAN AND THE 3,300 SEAT
28 PROJECT?

1 A THE TEN-YEAR PLAN AND THE CAMELOT BOOKLET WAS
2 NOT COMPLETED UNTIL JANUARY OF 1978. THAT IS WHEN IT WAS
3 PUBLISHED. THE CONCEPT OF THE 3,300 SEAT AUDITORIUM I AM
4 SURE HAD BEEN TALKED ABOUT BEFORE THAT AS SOMETHING THAT
5 WOULD BE IDEAL TO HAVE.

6 AS FAR AS THEIR PARTICIPATION IN IT IS
7 CONCERNED, I HAVE NO SURPRISE THAT THEY WOULD HAVE HEARD
8 ABOUT IT OR FOUND OUT ABOUT IT AND BE VERY EAGER TO WORK ON
9 IT, TO GET THAT JOB.

10 Q DID THEY SEND YOU THE FULL PLANS FOR THE
11 COMPLETE BUILDING, THE CATHEDRAL?

12 A DEFINITELY NOT.

13 Q THEY WERE JUST NEGOTIATING AT THE OUTSET?

14 A THERE WAS SOME KIND OF A ROUGH SKETCH THAT THEY
15 HAD THAT I RECALL WHEN THEY -- WHEN HE CAME DOWN WITH
16 GIOVANNI DINI. IT WAS A ONE-PAGE HAND-DRAWN SKETCH THAT WAS
17 A -- SOME KIND OF A ROUGH DESIGN CONCEPT OF WHAT THEY WANTED
18 TO DO.

19 AND THEY WANTED TO GET THE GO AHEAD FROM US TO
20 HIRE THEM AND TO GO AHEAD AND DO THIS BUILDING.

21 Q WERE THERE NOT DISCUSSIONS WITH PEOPLE IN THE
22 CHURCH ABOUT ALL THE THINGS THE CHURCH WOULD HAVE TO DO IF
23 THEY WENT AHEAD WITH THE PROJECT; AND IN THE LETTER OF
24 JANUARY, 1978, DID THEY NOT SAY, "IF WE ARE TO GO AHEAD WITH
25 THE PROJECT, WE ARE GOING TO REQUIRE SO MUCH MONEY AND WE
26 NEED A DECISION BEFORE WE CAN PROCEED"? IS THAT WHAT THE
27 LETTER SAID?

28 A AS TO THE LAST PART OF -- THE FIRST PART OF

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

YOUR QUESTION, I HAVE FORGOTTEN.

BUT THE LAST PART OF YOUR QUESTION ABOUT THE LETTER IN JANUARY, IT DEFINITELY TALKS ABOUT FINANCIAL ASPECTS OF WHAT IT WOULD TAKE FOR THEM TO DESIGN THIS BUILDING, YES.

Q THERE WAS A DIALOGUE THAT IS DESCRIBED IN THIS LETTER THAT IS MARKED EXHIBIT NUMBER 21, A DIALOGUE THAT IS NOT A ONE-SIDED DIALOGUE. THEY TALK ABOUT WHAT THE CHURCH WILL HAVE TO DO, WHAT THEY WILL HAVE TO DO, WHAT WILL HAVE TO BE COMPLETED BEFORE THEY CAN PROCEED.

LET ME SHOW THE LETTER TO YOU. IT IS DATED JANUARY THE 12TH, 1978. "BELOVED MOTHER AND BOARD OF DIRECTORS, REVEREND MONROE SHEARER."

THEY JUST INVENT ALL THE TECHNICAL DETAILS IN THE LETTER WITHOUT ANY CONVERSATION WITH ANYBODY AT THE CHURCH?

A OKAY. THIS IS NOT THE FIRST LETTER THAT WE EVER GOT FROM GREGORY WANTING TO DO ARCHITECTURE. THERE WAS A PRIOR LETTER FROM --

Q EXCUSE ME, SIR. WASN'T MY QUESTION.

A WELL, YOU WERE ASKING ABOUT WHETHER THERE WERE NEGOTIATIONS.

Q NO. WHAT I WAS ASKING YOU ABOUT WAS WHETHER OR NOT THEY JUST MADE UP ALL THE INFORMATION IN THE LETTER ON SHEER TOTAL SPECULATION, OR WHETHER OR NOT THEY HAD BEEN DISCUSSING WITH YOU THE POSSIBILITY OF THE CHURCH'S PARTICIPATION IN THE CONSTRUCTION OF A CATHEDRAL?

A WELL, THAT IS WHAT I WAS REFERRING BACK TO THE

1 LETTER PREVIOUS TO THIS. THAT IS WHEN HE FIRST DISCUSSED
2 DOING ARCHITECTURE AT CAMELOT. IT WAS RIGHT AFTER WE
3 PURCHASED CAMELOT IN 1977 THAT HE WROTE AND SAID HE HAD
4 HEARD ABOUT IT AND HE WANTED TO BE INVOLVED IN IT.

5 THEN THIS LETTER CAME AND IT IS A MORE SPECIFIC
6 PROPOSAL SAYING THAT HE'D LIKE TO DESIGN THIS -- A CATHEDRAL
7 WITH A SEATING CAPACITY OF 3,300 PEOPLE, 65,000 SQUARE FEET
8 AND HOW MUCH IT WOULD COST.

9 Q HOW MUCH WOULD IT COST?

10 A WELL, ACCORDING TO HIM, IT WOULD COST \$60 PER
11 SQUARE FOOT, WHICH EQUALS \$3,900,000.

12 Q NOW, DOES HE GIVE DETAILS AND REQUIREMENTS AS
13 TO WHAT THE CHURCH WILL NEED TO DO IF THEY GO AHEAD WITH THE
14 PROJECT? THEY WILL HAVE TO CONTACT SOME OF THE BUILDING
15 DEPARTMENT AND GET SOME TOPOGRAPHICAL SURVEYS AND DO SOME
16 OTHER THINGS? WAS THAT JUST TOTAL SPECULATION ON HIS PART?

17 A I AM SURE IT WASN'T.

18 Q SO THERE WAS AN ONGOING DIALOGUE BETWEEN THE
19 CHURCH AND GREGORY MULL WITH REGARD TO WHAT HIS
20 ARCHITECTURAL PARTICIPATION MIGHT BE FOR THE CHURCH, WAS
21 THERE NOT?

22 A AS FAR AS HIS ARCHITECTURAL PARTICIPATION IS
23 CONCERNED, THAT BEGAN, AS I SAID A LITTLE BIT BEFORE THIS,
24 IN '77. AS FAR AS THE CATHEDRAL IS CONCERNED, THIS IS THE
25 FIRST TIME THAT WE EVER RECEIVED ANY KIND OF PROPOSAL FROM
26 HIM THAT HE WOULD LIKE TO DO IT.

27 Q ONE LAST QUESTION BEFORE LUNCH.

28 WAS IT A REASONABLE ASSUMPTION ON MR. MULL'S

1 PART THAT WHEN HE WAS ASKED TO COME DOWN AND DESIGN THE NEW
2 JERUSALEM, BECAUSE OF THE PRIOR DISCUSSIONS ABOUT
3 CONSTRUCTION, INCLUDING THE CATHEDRAL PROJECT, HE HAD A
4 REASONABLE ANTICIPATION THAT HE COULD EXPECT THERE WOULD BE
5 DESIGN WORK AND MAJOR WORK AT CAMELOT FOR HIM TO DO?

6 A NO, I DON'T THINK THAT WAS A REASONABLE
7 EXPECTATION BECAUSE THE -- FIRST OF ALL, WE DIDN'T CALL IT
8 THE NEW JERUSALEM. IT WAS JUST CALLED CAMELOT.

9 AND SECONDLY, THE CATHEDRAL PROJECT WAS NOT
10 ACCEPTED AND THIS WAS COMMUNICATED TO HIM THAT WE WERE NOT
11 WILLING TO ACCEPT HIS PROPOSAL FOR THIS DESIGN OF THE
12 CATHEDRAL.

13 MR. LEVY: MR. FRANCIS, HAVE A NICE LUNCH.

14 THE WITNESS: I WILL TRY.

15 THE COURT: WE WILL RESUME AT 1:30.

16 (AT 12:05 P.M., A RECESS WAS TAKEN UNTIL
17 1:30 P.M. OF THE SAME DAY.)
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

LOS ANGELES, CALIFORNIA; WEDNESDAY, MARCH 12, 1986 *

1:41 P.M.

DEPARTMENT 50 HON. ALFRED L. MARGOLIS, JUDGE
(APPEARANCES AS HERETOFORE NOTED.)

EDWARD L. FRANCIS, +

THE WITNESS ON THE STAND AT THE TIME OF THE RECESS, RESUMES
THE STAND AND TESTIFIES FURTHER AS FOLLOWS:

THE CLERK: SIR, YOU PREVIOUSLY HAVE BEEN SWORN AND
ARE STILL UNDER OATH. PLEASE STATE YOUR NAME AGAIN FOR THE
RECORD.

THE WITNESS: EDWARD L. FRANCIS.

THE CLERK: THANK YOU.

THE COURT: PLEASE PROCEED.

MR. LEVY: THANK YOU, YOUR HONOR.

AT THIS TIME, YOUR HONOR, I'D LIKE TO OFFER
EXHIBIT NUMBER 114, THE LETTER OF RECOMMENDATION ABOUT MR.
KING THAT WAS SIGNED BY MR. FRANCIS, INTO EVIDENCE.

THE COURT: IT'S RECEIVED.

(RECEIVED EVID: ^ EXHIBIT 114)

MR. LEVY: THANK YOU, YOUR HONOR.

CROSS-EXAMINATION + (RESUMED)

BY MR. LEVY:

Q MR. FRANCIS, YOU TOLD US AS A MEMBER OF THE
BOARD OF DIRECTORS, IT WAS ONE OF YOUR TASKS TO OVERSEE
MAJOR EXPENDITURES; IS THAT CORRECT?

A YES, THAT'S CORRECT.

1 Q DID YOU CONSIDER THE MONEY THAT WAS PAID TO THE
2 ARCHITECTURAL FIRM WHO DID THE GENERAL LAYOUT FOR YOUR
3 BROCHURES A MAJOR EXPENDITURE?

4 A YES, I WOULD SAY SO.

5 Q IF I RECALL CORRECT, I HEARD TESTIMONY THAT
6 THAT EXPENDITURE FOR THE OVERALL LAYOUT WAS SOME \$50,000?

7 A I THINK MUCH -- IT PROBABLY WAS ABOUT THAT,
8 INCLUDING THE RENDERINGS, WHICH WAS DONE BY ANOTHER SUBFIRM
9 KIND OF.

10 Q AT THE TIME ALL THE RENDERINGS WERE DONE AND AT
11 THE TIME THE ORIGINAL LAYOUT WAS DONE, WHAT YEAR WAS THAT?

12 A 1978.

13 Q NOW, WHEN WAS IT THAT THE CHURCH HEARD FROM THE
14 COASTAL COMMISSION AND THE GOVERNMENT WITH REGARD TO THEIR
15 INTEREST IN THE PROPERTY?

16 A NEVER HEARD FROM THE COASTAL COMMISSION WITH
17 REGARD TO THEIR INTEREST IN THE PROPERTY.

18 Q WHICH GOVERNMENTAL DEPARTMENT DID YOU HEAR FROM
19 WITH REGARD TO SOME RESTRICTIONS ON DEVELOPMENT OF THE
20 PROPERTY?

21 A WELL, AS FAR AS RESTRICTIONS ON DEVELOPMENT, WE
22 NEVER HEARD FROM ANY GOVERNMENT AGENCY.

23 Q WHAT -- WAS IT SOME PRIVATE AGENCY THAT DIDN'T
24 WANT YOU TO DEVELOP CAMELOT?

25 A WELL, FIRST OF ALL, WE NEVER PUT IN AN
26 APPLICATION FOR A DEVELOPMENT PERMIT UNTIL PROBABLY ABOUT
27 1983. AND THAT WAS WITH THE LOS ANGELES COUNTY PLANNING
28 COMMISSION I THINK THEY CALL IT.

1 AND UNLESS YOU PUT IN AN APPLICATION FOR A
2 DEVELOPMENT PERMIT, YOU DON'T HEAR FROM A GOVERNMENTAL
3 AGENCY AS FAR AS POTENTIAL RESTRICTIONS ON DEVELOPING YOUR
4 PROPERTY.

5 Q NOW I AM REALLY CONFUSED BECAUSE MISS FRANCIS
6 TESTIFIED THAT THEY WERE NOTIFIED -- THE CHURCH WAS NOTIFIED
7 AND SHE WAS NOTIFIED THAT THERE WOULD BE SOME RESTRICTIONS
8 ON THE DEVELOPMENT OF THE PROPERTY AS EARLY AS 1978.

9 IS SHE CONFUSED OR MAYBE --

10 A SHE COULD BE CONFUSED BETWEEN THE CONCEPT OF
11 RESTRICTIONS ON DEVELOPMENT AND GOVERNMENT INTEREST IN
12 PURCHASING CAMELOT. WE HAD HEARD FROM GOVERNMENT AGENCIES
13 ON AN INTEREST IN PURCHASING OR ACQUIRING THE PROPERTY FOR
14 PARK PURPOSES.

15 Q DO I UNDERSTAND CORRECTLY THAT YOU FIRST PUT IN
16 APPLICATIONS TO DEVELOP THE PROPERTY IN 1983, WHILE IN 1978
17 YOU PUBLISHED THIS BROCHURE AND WERE ATTEMPTING TO RAISE
18 FUNDS FOR THE DEVELOPMENT OF THE PROJECT?

19 MR. KLEIN: YOUR HONOR, THAT IS A COMPOUND QUESTION.
20 THERE IS AT LEAST TWO THERE.

21 THE COURT: HE CAN ANSWER.

22 THE WITNESS: WE DID FIRST PUT IN A DEVELOPMENT
23 APPLICATION IN 1983. AS FAR AS THE TEN-YEAR MASTER PLAN IS
24 CONCERNED, MAJOR PART OF THE FUND RAISING WAS TO PAY THE
25 PURCHASE PRICE OF THE PROPERTY. AND THE PURCHASE PRICE AND
26 RENOVATIONS THAT WE WANTED TO CONDUCT THERE TOOK PRIORITY
27 AND THAT WAS ALWAYS EXPLAINED TO THE MEMBERSHIP.

28 Q BY MR. LEVY: DO I UNDERSTAND CORRECTLY THAT

1 THE TEN-YEAR PROGRAM THAT YOU WERE RAISING FUNDS FOR THAT
2 STARTED IN 1978, THE PROGRAM TO RAISE FUNDS BACK IN 1978 WAS
3 JUST TO ACQUIRE THE PROPERTY AND NOT TO DEVELOP THE
4 PROPERTY?

5 A IT WAS FOR BOTH.

6 Q SO THE PEOPLE THAT YOU WOULD HAVE BEEN TRYING
7 TO RAISE FUNDS FROM WHEN THOSE BROCHURES WERE SENT OUT AND
8 SOLICITATIONS WERE SENT OUT WOULD HAVE HAD TO MADE FURTHER
9 INQUIRY THAN JUST THE BROCHURE BECAUSE NOWHERE IN THE
10 BROCHURE DOES IT SAY WE ARE RAISING FUNDS SOLELY FOR THE
11 ACQUISITION OF THE PROPERTY?

12 A FIRST OF ALL, THE BROCHURES WERE NOT SENT OUT.
13 THEY WERE GIVEN TO PEOPLE PERSONALLY. AND SECONDLY, WHEN
14 THE BROCHURES WERE GIVEN TO PEOPLE, THEY WERE ALWAYS GIVEN
15 CONCURRENTLY WITH PRESENTATIONS IN PERSON OR AT MEETINGS ON
16 WHAT THE IMMEDIATE PLANS FOR CAMELOT WERE.

17 AND THE IMMEDIATE PLANS FOR CAMELOT WAS MADE
18 QUITE CLEAR, WAS TO FINISH FUND RAISING FOR THE DOWN PAYMENT
19 AND SUBSTANTIAL SUM THAT NEEDED TO BE EXPENDED TO RENOVATE
20 THE PROPERTY FOR OUR USES. AND THAT WAS CERTAINLY THE
21 EXPECTATION FOR THE FIRST TWO OR THREE YEARS.

22 Q MR. FRANCIS, NOW WITH REGARD TO YOU AS THE
23 OVERSEER OF MAJOR EXPENDITURES, YOU TESTIFIED EARLIER TODAY
24 THAT YOU NEVER TALKED TO GREGORY MULL DURING THAT EARLY
25 PART, AND IT WAS SOMETIME INTO MIDSRING WHEN YOU TALKED TO
26 GREGORY MULL IN THE YEAR 1979.

27 THAT MEANS THAT MR. MULL CAME TO CAMELOT IN
28 JANUARY, YOU DIDN'T BOTHER TO TALK TO HIM IN JANUARY,

1 FEBRUARY, MARCH OR UNTIL THE LATTER PART OF APRIL.

2 IS THERE ANY PARTICULAR REASON WHY YOU WAITED
3 FOUR MONTHS WHEN YOU KNEW THAT THERE WAS AN ONGOING
4 NEGOTIATION AND/OR DISPUTE WITH REGARD TO TERMS OF PAYMENT
5 TO MR. MULL?

6 A FIRST OF ALL, THAT IS NOT WHAT MY TESTIMONY
7 WAS. I SAID THAT I DID NOT TALK WITH MR. MULL ABOUT THE
8 LOANS UNTIL MID-MARCH, 1979. I CERTAINLY HAD OCCASION TO
9 TALK WITH HIM, GREET HIM, ABOUT MANY DIFFERENT THINGS UP
10 UNTIL THAT TIME. I KNEW HE WAS ON CAMPUS AND I AM SURE
11 THERE IS MANY OCCASIONS THAT WE TALKED TO ONE ANOTHER.

12 AS FAR AS THE LOANS ARE CONCERNED, I COULDN'T
13 CHARACTERIZE IT AS A DISPUTE THAT WE HAD GOING AS FAR AS THE
14 AGREEMENT WAS CONCERNED. WE HAD TO WAIT UNTIL WE HAD
15 SUFFICIENT INFORMATION FROM HIM AS TO WHAT HIS NEEDS WERE.

16 AND WE REALLY NEVER KNEW THAT UNTIL HE PROVIDED
17 US WITH THAT INFORMATION AND HENCE WE TRIED TO ACT AS
18 QUICKLY AS WE COULD, WHICH TOOK PLACE IN MID-MARCH.

19 Q LET'S SEE. HE GAVE YOU AN ITEMIZED STATEMENT
20 FOR HIS NEEDS IN JANUARY AND A CHECK WAS CUT FOR SOME
21 \$1,400. AND THEN IN FEBRUARY HE GAVE YOU ANOTHER ITEMIZED
22 STATEMENT AND ABOUT \$3,000 WENT TO GREGORY. THEN IN MARCH,
23 ANOTHER \$3,000 OR MORE WENT TO GREGORY.

24 AND IT WAS IN FEBRUARY THAT HE WROTE YOU A
25 THREE OR FOUR-PAGE LETTER SETTING OUT NOT ONLY HIS TERMS AND
26 CONDITIONS AND THE FACT THAT HE WOULD NOT MAKE A COMMITMENT
27 NOR COULD HE MAKE A COMMITMENT UNTIL CERTAIN THINGS WERE
28 AGREED UPON BY THE CHURCH.

1 NOW, IF THE LETTER WAS SENT TO YOU AS A MEMBER
2 OF THE BOARD OF DIRECTORS IN FEBRUARY, WOULDN'T YOU THINK IT
3 WOULD HAVE BEEN INCUMBENT UPON YOURSELF TO DO SOMETHING
4 BEFORE THE END OF APRIL?

5 A WHO SAID THE END OF APRIL? I SAID MID-MARCH IS
6 WHEN WE MET AND DISCUSSED THIS.

7 Q THIS MORNING YOU SAID APRIL. SO FROM THIS
8 MORNING WHEN YOU SAID THE LATTER PART OF SPRING TILL NOW
9 WHEN YOU ARE CHANGING IT CHANGING IT TO MARCH -- LET'S GO
10 WITH MARCH THEN. YOU LIKE MARCH BETTER?

11 MR. KLEIN: I AM GOING TO OBJECT, YOUR HONOR. THAT
12 MISCHARACTERIZES THE TESTIMONY.

13 THE COURT: OVERRULED.

14 Q BY MR. LEVY: YOU PREFER MARCH?

15 A MARCH IS WHAT I SAID.

16 Q THE MAN WROTE A LETTER TO YOU IN FEBRUARY,
17 FEBRUARY THE 22ND. AND WHEN HE WROTE IT, HE WAS AT CAMELOT
18 AND SO WERE YOU, WHICH MEANS YOU GOT THE LETTER IN A MATTER
19 OF DAYS.

20 WAS THERE SOME REASON TO WAIT UNTIL MID OR THE
21 LATTER PART OF MARCH FOR YOU PEOPLE TO CONFRONT MR. MULL AND
22 TELL HIM YOU WERE NOT GOING TO MAKE AN AGREEMENT ACCORDING
23 TO HIS TERMS?

24 A FIRSTLY, I DON'T KNOW SITTING RIGHT HERE TODAY
25 THAT I WAS AT CAMELOT AT THAT TIME. BETWEEN MYSELF, MR.
26 MC CAFFREY AND MR. SHEARER, ALL OF US HAVE HAD OCCASION TO
27 TRAVEL QUITE A BIT FOR VARIOUS REASONS.

28 IT DOESN'T SEEM ODD AT ALL TO ME THAT IT MIGHT

1 HAVE TAKEN US TWO TO THREE WEEKS TO GET TOGETHER AND TO
2 DISCUSS THAT LETTER TO BE ABLE TO SET ASIDE THAT TIME IN
3 ORDER TO RESPOND TO MR. MULL.

4 AND SECONDLY, I KNOW FOR A FACT IT IS NOT THE
5 END OF MARCH. IT IS TOWARD ABOUT MARCH 15TH OR 16TH WE
6 FINALLY DID GET BACK TO HIM.

7 Q YOU TOLD THE COURT EARLIER TODAY THAT YOU
8 COULDN'T ADVANCE DOLLARS WITHOUT DOCUMENTS, I.R.S. POLICY,
9 IMPOSSIBLE TO ADVANCE FUNDS WITHOUT DOCUMENTS. YET YOU
10 ADVANCED THE MAN FUNDS IN JANUARY, IN FEBRUARY, IN MARCH, IN
11 APRIL, IN MAY, IN JUNE, IN JULY, IN AUGUST.

12 WHAT WAS SO DIFFERENT ABOUT THOSE MONTHS AND
13 SEPTEMBER? IN SEPTEMBER YOU CAME TO THE CONCLUSION YOU
14 COULD NOT ADVANCE FUNDS WITHOUT DOCUMENTS. DID YOU GET A
15 MESSAGE FROM UP ABOVE OR BOLT FROM THE BLUE OR WHAT
16 HAPPENED?

17 A WELL, I DON'T RECALL TESTIFYING ABOUT ANY
18 POLICY THAT SAYS FUNDS COULDN'T BE ADVANCED WITHOUT
19 DOCUMENTS. WHAT I SAID WAS THAT THE AMOUNTS HAD GOTTEN SO
20 LARGE THAT WE DIDN'T FEEL THAT WE COULD ADVANCE ADDITIONAL
21 MONIES UNDOCUMENTED.

22 THERE IS ALSO THE PROBLEM OF THE AMOUNTS OF
23 MONEY THAT WERE BEING ADVANCED. WE NEVER EXPECTED IT TO GET
24 THAT LARGE. THERE IS ALSO THE FACT THAT MR. MULL ADVISED
25 MYSELF, AND I BELIEVE HE ADVISED US BY LETTER ALSO, THAT HE
26 WAS SELLING HIS PROPERTY.

27 MR. LEVY: EXCUSE ME. I AM GOING TO OBJECT. IT HAS
28 BECOME A RATHER OF A NARRATIVE AND IT IS NOT RESPONSIVE TO

1 THE QUESTION.

2 THE COURT: I THINK HE WAS ANSWERING.

3 JUST STICK WITH THE QUESTION AND GO AHEAD.

4 THE WITNESS: I WILL.

5 WHAT I WAS SAYING WAS HE WROTE US IN THE
6 SUMMER, PROBABLY JUNE I BELIEVE, STATING THAT HE THOUGHT HE
7 HAD HIS PROPERTY SOLD. WE JUST DIDN'T THINK IT WAS GOING TO
8 GO ON ANY LONGER.

9 Q BY MR. LEVY: LET'S EXAMINE THE ISSUE OF HIS
10 PROPERTY BEING SOLD.

11 YOU ARE NOT GOING TO BUILD ANY MAJOR
12 STRUCTURES, YOU ARE NOT GOING TO DO WHAT IS IN THE BROCHURE.
13 YOU ARE GOING TO WORK ON THE WILL OF GOD FOCUS AND YOU MIGHT
14 DO SOME REFURBISHING OF OTHER BUILDINGS. YOU MAY EVEN WORK
15 ON THE MONTESSORI SCHOOL.

16 FOR THOSE PURPOSES, WAS MR. SHEARER CORRECT
17 WHEN HE TESTIFIED YOU AGREED TO PAY HIS TRANSPORTATION BACK
18 AND FORTH AND SUPPLY HIM ROOM AND BOARD AND THE REST OF THE
19 THINGS WOULD BE WORKED OUT LATER? WAS THAT ACCURATE
20 TESTIMONY?

21 A WELL, I DIDN'T HAVE THE CONVERSATION BETWEEN
22 MR. MULL AND MR. SHEARER. BUT AS FAR AS THE BOARD'S
23 UNDERSTANDING OR THE EXECUTIVE COMMITTEE'S UNDERSTANDING,
24 THE ARRANGEMENT WITH MR. MULL WAS GOING TO BE -- THE DETAILS
25 WERE GOING TO BE WORKED OUT LATER AS TO THE EXACT AMOUNTS OF
26 HIS NEEDS, THAT IS CORRECT.

27 Q WHY DIDN'T YOU EXPECT THE AMOUNT OF MONEY THAT
28 WAS BEING PAID TO MR. MULL TO GET AS LARGE AS IT WAS?

1 A BECAUSE HE TOLD US IT WAS ONLY GOING TO BE
2 2,000 A MONTH.

3 Q OH.

4 A AND HE PUT IT IN WRITING, TOO.

5 Q NOW WHAT YOU ARE SAYING IS THAT THERE WAS
6 ADVANCE KNOWLEDGE ON THE PART OF THE CHURCH THAT HIS
7 EXPENSES WOULD AT LEAST BE \$2,000 A MONTH?

8 A WELL, ALONG ABOUT FEBRUARY AND MARCH, YEAH.

9 Q HE DIDN'T SAY THAT TO MONROE WHEN MONROE CALLED
10 HIM WHEN HE WAS STILL IN SAN FRANCISCO AND SAY, "I CAN'T
11 COME BECAUSE I HAVE TO GET MY EXPENSES COVERED AND THEY
12 COULD RUN AS MUCH AS 2- OR \$3,000"?

13 A THIS I DON'T KNOW BECAUSE, OF COURSE, I WASN'T
14 A PARTY TO THAT CONVERSATION. BUT I CAN'T RECALL HAVING
15 HEARD IT UNTIL PROBABLY AROUND FEBRUARY.

16 Q SO IF I UNDERSTAND CORRECTLY, YOU WEREN'T A
17 PARTY TO ALL THESE CONVERSATIONS, AND YOU JUST HEARD WHAT
18 YOU HEARD, AND AT THIS POINT YOU JUST REMEMBER WHAT YOU
19 REMEMBER. NOW I CAN UNDERSTAND THAT BECAUSE YOU WEREN'T ON
20 THE TELEPHONE WITH MONROE SHEARER.

21 WAS THERE EVER A TIME BEFORE MID-MARCH OR APRIL
22 WHEN YOU ACTUALLY KNEW EXACTLY WHAT WAS GOING ON WITH REGARD
23 TO THE ARRANGEMENTS WITH MR. MULL?

24 A AS FAR AS THE -- THE FINAL AGREEMENT OR FINAL
25 TERMS IS CONCERNED --

26 Q MR. FRANCIS, WOULD YOU JUST -- JUST ANSWER MY
27 QUESTION.

28 A I DON'T KNOW WHAT YOU MEAN BY "WHAT WAS GOING

1 ON."

2 Q I WANT TO KNOW IF PRIOR TO MID-MARCH, THE DATE
3 YOU HAVE CHOSEN, YOU EVER HAD ANY CONVERSATIONS WITH ANYBODY
4 THAT GAVE YOU A COMPLETE AND TOTAL KNOWLEDGE ABOUT WHAT WAS
5 GOING TO BE REQUIRED FOR MR. MULL TO BE AT CAMELOT?

6 A NO, I DIDN'T.

7 Q PRIOR TO MID-MARCH?

8 A NO, I DID NOT.

9 Q SO YOU DON'T KNOW WHAT THE ARRANGEMENTS OR THE
10 TERMS OR ANYTHING ELSE WAS THAT BROUGHT HIM ORIGINALLY TO
11 CAMELOT, DO YOU?

12 A I KNOW WHAT MR. SHEARER TOLD THE EXECUTIVE
13 COMMITTEE.

14 Q DO YOU HAVE ANY IDEA WHAT MR. MULL NEGOTIATED
15 WITH MR. SHEARER?

16 A ALL I KNOW IS FROM HIS WRITINGS AND WHAT MR.
17 SHEARER SAYS.

18 Q BUT YOU HAVE NO PERSONAL KNOWLEDGE BECAUSE YOU
19 DIDN'T DO THE NEGOTIATING YOURSELF?

20 A THAT'S CORRECT. I WAS NOT PARTY TO THOSE
21 NEGOTIATIONS.

22 Q NOW, FOR THE PAGE AND SOME OF THE RENDERINGS
23 THAT THE ARCHITECTURAL FIRM DID FOR YOU BEFORE, WHETHER
24 THERE WAS A SUBSIDIARY OF THEIRS OR FIRST COUSINS, THE
25 CHURCH PAID \$50,000, DID THEY NOT?

26 A FOR THE PAGE? WHAT DO YOU MEAN?

27 Q LET ME HELP YOU.

28 A OKAY.

1 Q I KNOW IT GETS SO CONFUSING.

2 THE CENTER PAGE IN YOUR BROCHURE, IT GIVES AN
3 OVERALL PICTURE OF CAMELOT, WHICH TELLS YOU APPROXIMATELY
4 WHAT THE DEVELOPMENT IS GOING TO BE. THE BROCHURE THAT YOU
5 USED TO RAISE FUNDS.

6 A THAT IS NOT WHAT \$50,000 WAS PAID FOR.

7 Q FOR THAT AND SOME RENDERINGS WITH REGARD TO THE
8 OVERALL LAYOUT?

9 A MORE THAN THAT.

10 Q OH, WHAT ELSE?

11 A A MASTER PLAN.

12 Q OH, A MASTER PLAN.

13 A THAT'S CORRECT. THERE IS 30 SOME PAGES IN THIS
14 BROCHURE. THERE ARE LAYOUTS OF A MASTER PLAN, THERE IS
15 NUMBERS OF PEOPLE. THEY WENT THROUGH A WHOLE PROCESS OF
16 INTERVIEWING ALL THE CHURCH'S DEPARTMENTS AND FIGURING OUT
17 HOW MUCH SPACE WE NEEDED, HOW MANY PEOPLE EACH BUILDING HAD
18 TO SERVE.

19 THEY LAID IT OUT ON A TOPO PAGE THAT IS ON
20 PAGES 18 AND 19 THAT SHOWS EACH OF THE INDIVIDUAL BUILDINGS
21 AND THEN THEY DID LARGER DRAWINGS OF EACH ONE THAT ARE SHOWN
22 IN DETAIL ON THE FOLLOWING PAGES.

23 THE RENDERINGS THAT IS ON THE CENTER PIECE HERE
24 WAS DONE BY CARLOS DENIZ WHO HAS NOTHING TO DO WITH SMITH
25 AND WILLIAMS. HE IS AN INDEPENDENT THEY TOOK A MASTER PLAN
26 TO AND SAID, "WE WANT YOU TO PUT IT IN A RENDERING, AN
27 ARTIST CONCEPTION OF WHAT IT WOULD LOOK LIKE." THE
28 RENDERING IS TOTALLY SEPARATE AND IN ADDITION TO THE MASTER

1 PLAN.

2 Q SO YOU PAID SOMEBODY ELSE ADDITIONALLY FOR THE
3 RENDERING THAT IS IN YOUR FUND RAISING BROCHURE?

4 A THAT'S CORRECT, BUT IT WAS \$50,000 IN THE
5 AGGREGATE.

6 Q OKAY. AND FOR THE ARCHITECTURAL FIRM THAT
7 INTERVIEWED YOUR PEOPLE AND PUT THEIR PICTURES ON THE PAGES,
8 THE AGGREGATE WAS \$50,000?

9 A PLUS -- IN OTHER WORDS, THE 50,000 INCLUDES THE
10 SMITH AND WILLIAMS WORK ON THE MASTER PLAN AS WELL AS THE
11 RENDERINGS BY CARLOS DENIZ.

12 Q WHEN YOU TALK ABOUT THE RENDERINGS, YOU ARE
13 TALKING ABOUT THE ACTUAL PICTURE IN THE CENTER PAGE?

14 A YES. BUT THERE ARE OTHER RENDERINGS, TOO. NOT
15 ONLY THE CENTERFOLD PAGE, BUT THERE IS RENDERINGS IN
16 DIFFERENT LIKE PERSPECTIVES. LIKE 24 AND 25, THAT IS A
17 WHOLE SEPARATE RENDERING THAT WAS DONE. AND THERE IS A
18 NUMBER OF THOSE, MAYBE HALF A DOZEN.

19 Q WOULD IT BE FAIR TO SAY THAT WHAT THE CHURCH
20 SPENT \$50,000 FOR, THE COMPOSITE OF WHAT WAS DONE IS IN THAT
21 BROCHURE?

22 A THAT IS TRUE.

23 Q NOW, DID YOU REALLY ANTICIPATE YOU WERE GOING
24 TO GET AN ARCHITECT ON PREMISES TO DO THE ARCHITECTURAL
25 DRAWINGS, TO DO THE ACTUAL WORKING PLANS, TO DO THE
26 REMODELING AND GET THE PERMITS FOR YOU, TO WORK ON YOUR WILL
27 OF GOD FOCUS AND YOUR MONTESSORI INTERNATIONAL, AND ALL THE
28 OTHER PROJECTS, THE BOUTIQUE, THE RIDING ACADEMY, THE

1 ASHRAM, THE WILL OF GOD FOCUS, WHATEVER ELSE WAS GOING TO BE
2 DONE AND YOU WERE GOING TO GET ALL THAT DONE FOR AS A
3 FREEBIE?

4 A NO.

5 Q IS THAT WHAT YOU REALLY EXPECTED, MR. FRANCIS?

6 A NO. BECAUSE THE TEN-YEAR PLAN WAS NOT INCLUDED
7 IN THAT LIST OF THINGS THAT YOU SAID. THAT WAS NOT OUR
8 INTENT, TO HAVE THE TEN-YEAR PLAN DONE BY MR. MULL.

9 Q WHY THEN WAS HE INFORMED THAT HE WAS GOING TO
10 CAMELOT TO DESIGN THE NEW JERUSALEM?

11 A HE WASN'T INFORMED. HE WAS INVITED.

12 Q OH, HE WAS INVITED TO PARTICIPATE?

13 A THAT'S CORRECT.

14 Q HE WAS INVITED TO GIVE UP HIS BUSINESS, AND TO
15 SELL HIS HOME, AND TO COME TO CAMELOT AND TO DO THAT WORK
16 FOR AS LONG AS YOU REQUIRED FOR NOTHING?

17 A NOBODY INVITED HIM TO GIVE UP HIS BUSINESS AND
18 SELL HIS HOME. HE WAS INVITED TO COME AND WORK AT CAMELOT
19 IF HE WANTED TO. HE EXPRESSED A GREAT DEAL OF INTEREST IN
20 IT. AND IT WOULD HAVE HAD TO HAVE BEEN HIS DECISION TO SELL
21 HIS HOME, TO GIVE UP HIS BUSINESS, ET CETERA.

22 Q I HAVE HEARD AN AWFUL LOT OF TESTIMONY BY YOU
23 TODAY THAT EVERYTHING WAS PREDICATED ON MR. MULL SELLING HIS
24 HOME.

25 I ASSUME SINCE YOU WERE ONE OF THE BOARD OF
26 DIRECTORS, THIS IS EXHIBIT NUMBER 28, I AM SURE BY NOW YOU
27 HAVE HAD AN OPPORTUNITY TO READ THAT EXHIBIT. ON THE SECOND
28 PAGE OF THE EXHIBIT IT SAYS, "I CANNOT MAKE AN ARRANGEMENT

1 WITH YOU UNLESS YOU AGREE TO DO CERTAIN THINGS." THAT WAS
2 IN FEBRUARY.

3 A RIGHT.

4 Q "I CAN'T MAKE AN ARRANGEMENT UNLESS YOU AGREE
5 TO DO CERTAIN THINGS."

6 DID THERE EVER COME A TIME YOU AGREED TO DO THE
7 THINGS THAT MR. MULL REQUESTED?

8 A WE DID NOT AGREE TO THIS PROPOSAL, NO.

9 Q WHAT YOU DID IS YOU CONTINUED TALKING TO HIM TO
10 TRY TO GET HIM TO AGREE TO WHAT WAS SATISFACTORY TO YOU, DID
11 YOU NOT?

12 A NO. WE RESPONDED TO THIS PROPOSAL AND TOLD HIM
13 THAT WE WOULD AGREE TO CONTINUE LOANING HIM MONEY WHILE HE
14 WAS WORKING ON THE CURRENT PROJECTS THAT HE WAS THEN WORKING
15 ON.

16 Q IS THERE ONE DOCUMENT THAT SAYS THAT THE MONEY
17 ADVANCED TO HIM OR PAID TO HIM WAS A LOAN?

18 DO YOU HAVE ONE FORMAL DOCUMENT WITH YOUR THREE
19 AND A HALF YEARS OF LEGAL EDUCATION PRIOR TO MR. MULL
20 SIGNING A PROMISSORY NOTE THAT SAYS, "THE MONEY GOING TO
21 YOU," THAT IS ALSO SIGNED BY MR. MULL AND YOURSELF, "THE
22 MONEY BEING PAID TO YOU IS A LOAN"?

23 A WELL, THE LOAN DOCUMENT IS THE PROMISSORY
24 NOTES.

25 Q THAT IS EXACTLY WHAT I ASKED YOU, SIR. ASIDE
26 FROM THE PROMISSORY NOTE, DO YOU HAVE ONE SINGLE DOCUMENT
27 THAT SAYS, "OUR AGREEMENT IS THAT ANY MONEY PAID TO YOU IS A
28 LOAN"?

1 A ONLY MR. MULL'S LETTERS. ONLY THE DOCUMENTS
2 WRITTEN BY MR. MULL.

3 Q WHO PREPARED THE PROMISSORY NOTES?

4 A MICHAEL ERLICH.

5 Q A CHURCH-AFFILIATED ATTORNEY?

6 A YES.

7 Q AND WERE YOU PRESENT WHEN THE DOCUMENTS WERE
8 ACTUALLY SIGNED, THE PROMISSORY NOTE DOCUMENTS WERE ACTUALLY
9 SIGNED?

10 A NO, I WAS NOT.

11 Q MR. MULL HAS TESTIFIED HERE THAT WHEN HE
12 INQUIRED ABOUT SOME OF THE TERMINOLOGY IN THE PROMISSORY
13 NOTE, HE WAS ADVISED THAT IT WAS JUST LEGAL INFORMATION THAT
14 HE REALLY DIDN'T NEED TO BOTHER WITH. I KNOW WHEN I READ
15 IT, THERE ARE A NUMBER OF CODE SECTIONS.

16 DID YOU THINK IT ADVISABLE FOR ANYONE TO
17 EXPLAIN TO MR. MULL WHAT IT WAS THAT HE WAS SIGNING?

18 A WELL, I DIDN'T DRAFT THE NOTE AND I DIDN'T SEE
19 THE NOTE BEFORE HE SIGNED IT.

20 Q IT IS AMAZING TO ME THAT YOU REALLY DIDN'T HAVE
21 TOO MUCH TO DO WITH -- SOMEBODY ELSE ALWAYS HAD SOMETHING TO
22 DO WITH IT.

23 BACK TO MY ORIGINAL QUESTION.

24 DOES THE CHURCH HAVE ONE SINGLE SOLITARY
25 DOCUMENT THAT PURPORTS TO BE AN AGREEMENT BETWEEN MR. MULL
26 AND THE CHURCH THAT THE MONIES THAT WERE PAID TO HIM BY
27 CHECK WHEREIN THE CHECK SAID THE MONEY WAS FOR ARCHITECTURAL
28 SERVICES, DO YOU HAVE ONE DOCUMENT THAT SAYS THE MONEY WAS A

1 LOAN?

2 A DOCUMENTS FROM MR. MULL.

3 Q COME ON, MR. FRANCIS. THREE AND A HALF YEARS
4 OF LAW SCHOOL, YOU CAN UNDERSTAND MY QUESTION.

5 I AM ASKING IF THERE IS A SIGNED DOCUMENT FROM
6 A REPRESENTATIVE OF THE CHURCH AND MR. MULL OTHER THAN A LOT
7 OF EMOTIONAL CORRESPONDENCE BETWEEN MR. MULL AND YOURSELF
8 THAT ACTUALLY SAYS THAT THE MONEY PAID TO MR. MULL IS A
9 LOAN?

10 A I WOULD SAY UP UNTIL SEPTEMBER OF 1979, NO. IT
11 WAS A VERBAL AGREEMENT.

12 Q YOU WERE ABLE TO MAKE A VERBAL AGREEMENT WITH
13 HIM UP UNTIL SEPTEMBER OF 1979, AND ALL OF A SUDDEN THE
14 I.R.S. BECAME A QUESTION?

15 A WELL, THE AMOUNTS BECAME SO LARGE.

16 Q IS IT POSSIBLE THAT YOU HAD DEALINGS WITH THE
17 I.R.S. BEFORE AND THE I.R.S. WAS A REAL CONCERN OF YOURS?

18 A I --

19 MR. KLEIN: I AM GOING TO OBJECT, YOUR HONOR. 787 OF
20 THE EVIDENCE CODE AND THE RELEVANCE TO THIS CASE.

21 THE COURT: SUSTAINED.

22 Q BY MR. LEVY: THERE WAS A TIME IN SANTA BARBARA
23 WHEN THE CHURCH GOT INVOLVED WITH CLAYTON BROKERAGE AND THE
24 I.R.S. AT THE SAME TIME, DID THEY NOT?

25 A NOT AT THE SAME TIME, NO. IT WAS PROBABLY AT
26 LEAST A YEAR'S DIFFERENCE.

27 Q AND IN THE COURSE OF NEGOTIATING A SETTLEMENT
28 IN THOSE CASES, YOUR ATTORNEY ADVISED YOU TO SETTLE THE

1 CLAYTON BROKERAGE CASE BECAUSE IF YOU DIDN'T, YOU'D HAVE TO
2 PERJURE YOURSELF WITH THE I.R.S.; IS THAT NOT CORRECT?

3 MR. KLEIN: YOUR HONOR, I AM GOING TO OBJECT. 787 OF
4 THE EVIDENCE CODE AND THE RELEVANCE TO THIS CASE.

5 THE COURT: SUSTAINED.

6 Q BY MR. LEVY: OF THE \$37,000 THAT WAS PAID TO
7 MR. MULL FOR HIS SERVICES, WHAT PORTION OF THAT WAS FOR HIS
8 TRANSPORTATION BACK AND FORTH TO SAN FRANCISCO TO CLOSE OUT
9 HIS BUSINESS?

10 A I DON'T KNOW.

11 Q DO YOU KNOW HOW OFTEN HE WENT BACK AND FORTH TO
12 SAN FRANCISCO TO CLOSE OUT HIS BUSINESS?

13 A I THINK CLOSE TO EVERY OTHER WEEKEND.

14 Q FOR ABOUT HOW LONG?

15 A AT LEAST A COUPLE OF TIMES A MONTH PROBABLY.

16 Q FOR ABOUT HOW LONG?

17 A I GUESS EIGHT OR NINE MONTHS.

18 Q DID YOU DEDUCT THOSE EXPENSES WHEN YOU COMPUTED
19 WHAT MR. MULL OWED YOU?

20 A NO. THAT IS CORRECT, I DIDN'T. BUT WE HAVEN'T
21 BEEN GIVEN AN ITEMIZATION OF IT. THERE IS SOME INDICATION
22 IN SOME OF HIS CORRESPONDENCE -- SOME OF HIS LISTINGS OF
23 EXPENSES OF SOME THINGS THAT ARE A PART OF TRAVEL EXPENSES,
24 BUT IT IS NEVER BROKEN OUT SO THAT YOU KNOW SO THAT IT IS
25 CLEAR.

26 Q YOU HAD TIME TO FIGURE OUT WHAT THE COMPOUND
27 INTEREST AND EVERYTHING ELSE WAS, BUT YOU NEVER HAD TIME IN
28 THESE LAST FIVE AND A HALF YEARS TO FIGURE OUT THE

1 DIFFERENCE IN THOSE THINGS THAT WERE NOT RETURNABLE OR
2 DEDUCTIBLE EXPENSES, DID YOU?

3 A WELL, WE HAVE NEVER BEEN GIVEN AN ITEMIZATION
4 OF IT. IT COULD BE DONE, BUT WE DON'T HAVE THE INFORMATION
5 WITHIN OUR CONTROL TO BE ABLE TO SAY WHAT MR. MULL'S TRAVEL
6 EXPENSES WERE.

7 Q YOU HAVE GIVEN US A LIST OF -- YOU TOLD US WHAT
8 NUMBER 135 WAS?

9 A YES.

10 Q EXPENSE ACCOUNT?

11 A YES.

12 Q DURING THE TWO AND A HALF HOUR CONVERSATION
13 THAT YOU HAD WITH MR. MULL BEFORE YOU GOT HIS LAST \$5,500,
14 ELIZABETH CLARE FRANCIS TOLD HIM IF HE DIDN'T PAY THE MONEY,
15 THAT LITTLE CHILDREN WOULD HAVE TO PAY THE MONEY; IS THAT
16 RIGHT? IT WAS TAKING THE MONEY AWAY FROM THE LITTLE
17 CHILDREN?

18 MR. KLEIN: I WOULD OBJECT, YOUR HONOR. THE BEST
19 EVIDENCE RULE, THE DOCUMENT IS IN EVIDENCE.

20 THE COURT: THIS IS PRELIMINARY TO THE QUESTION I
21 ASSUME.

22 MR. LEVY: THAT'S CORRECT YOUR HONOR.

23 THE COURT: OVERRULED.

24 THE WITNESS: I DON'T RECALL EXACTLY WHAT THE
25 STATEMENT WAS.

26 Q BY MR. LEVY: (READING.)

27 "GREGORY, IF YOU DON'T PAY THE
28 MONEY, THE LITTLE CHILDREN WILL HAVE TO PAY

1 THE MONEY."

2 THAT IS WHAT THE STATEMENT WAS. DO YOU
3 REMEMBER IT NOW?

4 A NO, I DON'T REMEMBER IT EXACTLY LIKE THAT.

5 Q I AM LOOKING AT THIS LIST THAT SEGREGATES ALL
6 THE DIFFERENT DEPARTMENTS. I AM LOOKING AT THE FIRST PAGE.

7 THE COURT: WHICH EXHIBIT DO YOU HAVE?

8 MR. LEVY: NUMBER 112, YOUR HONOR. 102-01, CASH ON
9 HAND, IT GOES ALL THE WAY DOWN TO CASH ON HAND FOR 25
10 DIFFERENT SECTIONS AND THEN IT STARTS A SECTION BY CASH IN
11 THE BANK.

12 CASH IN THE BANK, CROCKER NATIONAL BANK. CASH
13 IN THE BANK, SECURITY PACIFIC NATIONAL BANK. CASH IN THE
14 BANK, BANK OF COLORADO. CASH IN THE BANK, SANTA BARBARA
15 NATIONAL BANK. CASH IN THE BANK, INDUSTRIAL BANK OF
16 WASHINGTON, D.C. CASH IN THE BANK, SANTA BARBARA NATIONAL
17 BANK. CASH IN THE BANK, WESTERN MONTANA. CASH IN THE BANK,
18 CROCKER NATIONAL, WESTLAKE. CASH IN THE BANK, SECURITY
19 PACIFIC NATIONAL. CASH IN THE BANK, WELLS FARGO. CASH IN
20 THE BANK, BANK OF AMERICA. CASH IN THE BANK, BANK OF
21 AMERICA, SEPARATE ACCOUNTS.

22 LITTLE CHILDREN WERE REALLY IN DANGER, WERE
23 THEY NOT, MR. FRANCIS?

24 A WELL, IT DOESN'T SAY HOW MUCH MONEY IS IN THOSE
25 ACCOUNTS.

26 Q WHY DON'T YOU HELP ME GUESSTIMATE. WHAT IS THE
27 VALUE OF THE PROPERTY AT CAMELOT IN 1979?

28 MR. KLEIN: I AM GOING TO OBJECT, YOUR HONOR, TO THE

1 RELEVANCY OF THAT QUESTION.

2 THE COURT: SUSTAINED.

3 Q BY MR. LEVY: WE TALKED ABOUT THE WONDERFUL
4 ACCOMMODATIONS THAT WERE OFFERED TO THE PEOPLE WHO WENT TO
5 SUMMIT UNIVERSITY. I NOTE ON PAGE FIVE WHERE IT LISTS YOUR
6 BUILDINGS, THERE IS A BUILDING CALLED BARRACKS. BARRACKS
7 USUALLY ARE ASSOCIATED WITH SOLDIERS AND THE MILITARY.

8 DID YOU HAVE SOLDIERS OR THE MILITARY IN YOUR
9 BARRACKS, MR. FRANCIS?

10 A COULD I LOOK AT THAT --

11 Q SURE.

12 A -- SO I CAN SEE WHAT IT IS.

13 Q IT IS NUMBER 163.

14 A OKAY. THANK YOU.

15 THOSE ARE THE SURPLUS BUILDINGS FROM THE STATE
16 SURPLUS AGENCY THAT WERE BEING USED OR PROPOSED TO BE
17 UTILIZED BY MR. MULL TO CONSTRUCT THE MONTESSORI
18 INTERNATIONAL BUILDINGS OUT OF. WE DON'T HAVE ANY BARRACKS
19 ON CAMPUS, BUT THEY WERE SURPLUS BUILDINGS THAT WE HAD
20 ACQUIRED. THEY WERE NOT SET UP.

21 Q YOU TOLD US EARLIER THAT MR. MULL ATTACKED THE
22 CHURCH, THAT PART OF THE REASON YOU SUED HIM WAS BECAUSE HE
23 WROTE LETTERS TO THE NEWSPAPER; IS THAT CORRECT?

24 A WROTE LETTERS THAT HAD FALSE ALLEGATIONS IN
25 THEM. THAT WAS THE REASON.

26 Q FALSE ALLEGATIONS WITH REGARD TO WHAT, MR.
27 FRANCIS?

28 A WELL, ONE OF THE THINGS CLAIMED IN HIS LETTER

1 TO THE NEWSPAPER WAS THAT THE TENTS THAT WE ERECT ON THE
2 PROPERTY FOR OUR QUARTERLY CONFERENCES ARE ILLEGAL, THAT
3 THEY DON'T HAVE REQUIRED PERMITS. THAT IS A FALSE
4 ALLEGATIONS.

5 WE ARE NOT REQUIRED TO HAVE A PERMIT FOR THAT
6 AND IT'S BEEN CONCLUSIVELY DETERMINED BY THE DEPARTMENT OF
7 REGIONAL PLANNING THAT THAT IS IN THE — A REQUIREMENT AND
8 HAD ALREADY BEEN DETERMINED.

9 Q THAT TERRIFIED YOU SO MUCH THAT YOU WENT AHEAD
10 TO SUE THIS MAN THAT ELIZABETH PROMISED SIX TIMES THAT SHE
11 WAS NOT GOING TO SUE?

12 A NOT THAT INDIVIDUAL INCIDENT ALONE. IT WAS AN
13 ADDING UP OF ALL THE VARIOUS THINGS.

14 Q HE WROTE TO THE BUILDING AND SAFETY DEPARTMENT
15 BECAUSE HE WAS CONCERNED ABOUT THE TENTS BEING IMPROPER,
16 SOME BUILDINGS MAY BE IMPROPER, SOME WIRING MAY BE IMPROPER?

17 A I DON'T THINK HE WROTE BECAUSE HE WAS CONCERNED
18 ABOUT THAT. WHAT HIS LETTER SAID CLEARLY WAS THAT HE WANTED
19 THEM TO CLOSE US DOWN. HE WANTED THEM TO COME DOWN AND
20 CLOSE OUR CLASSROOM, HE WANTED THEM TO CLOSE DOWN OUR
21 CONFERENCE AND HE TRIED TO COME UP WITH ANY EXCUSE HE COULD
22 TO TRY TO GET THE OFFICIALS TO COME AND CLOSE THESE
23 BUILDINGS.

24 Q WITH YOUR THREE AND A HALF YEARS OF LAW SCHOOL,
25 YOU KNEW FULL WELL IF THE BUILDING AND SAFETY DEPARTMENT
26 CAME OUT AND MADE AN EXAMINATION, THEY DETERMINED WHETHER IT
27 WAS SAFE OR NOT REGARDLESS OF WHAT MR. MULL WANTED.

28 YOU KNEW THAT, DIDN'T YOU?

1 A THAT IS CORRECT. IF -- PROVIDED THAT THEY --
2 THAT THEY ARE PERFORMING THEIR JOB THE WAY THEY ARE SUPPOSED
3 TO, THAT'S CORRECT.

4 Q WERE YOU REALLY AFRAID THAT THE DEPARTMENT OF
5 BUILDING AND SAFETY MAY COME OUT AND THEY, TOO, MAY HAVE A
6 VENDETTA AGAINST YOU?

7 A I CAN'T SAY THAT I WAS AFRAID OF THAT.

8 Q IF YOU WEREN'T AFRAID OF IT, HAVING HAD THREE
9 AND A HALF YEARS OF LAW SCHOOL AND KNOWING WHAT THEY CAN DO
10 LEGALLY AND NOT DO LEGALLY, WHAT WAS IT OTHER THAN HIS
11 LETTER TO THE DEPARTMENT OF BUILDING AND SAFETY THAT SO
12 TERRIFIED YOU THAT YOU WENT AGAINST WHAT WAS PROMISED TO MR.
13 MULL NOT ONLY BY MISS FRANCIS, BUT BY THE ATTORNEY THAT YOU
14 HAD EMPLOYED AT THAT TIME WHO WROTE TO MR. MULL AND HE SAID,
15 "IF YOU CLOSE YOUR MOUTH AND YOU DON'T TALK ANYMORE, WE
16 WON'T SUE YOU"?

17 WHAT ELSE WAS THERE THAT FRIGHTENED YOU SO MUCH
18 THAT YOU SUED HIM?

19 MR. KLEIN: YOUR HONOR, I HAVE AN OBJECTION. IN
20 ORDER TO ANSWER THE QUESTION, HE HAS TO ASSUME CERTAIN FACTS
21 THAT MR. LEVY HAS SAID ARE TRUE TO ANSWER THAT QUESTION.
22 THAT IS MY OBJECTION. ONE, ASSUMPTION AND, TWO, A QUESTION.

23 MR. LEVY: MAYBE MR. KLEIN CAN SIT UP THERE AND HELP
24 HIM.

25 MR. KLEIN: I CAN HELP YOU FORM THE QUESTION.

26 THE COURT: GENTLEMEN.

27 WHY DON'T YOU REPHRASE YOUR QUESTION.

28 MR. LEVY: YES, YOUR HONOR.

1 Q ASIDE FROM THE LETTER TO THE BUILDING AND
2 SAFETY DEPARTMENT THAT APPARENTLY TERRIFIED YOU SO MUCH,
3 WHAT ELSE DID MR. MULL DO THAT CAUSED YOU TO SUE HIM?

4 A FIRST OF ALL, THE LETTER DIDN'T TERRIFY US.
5 BUT AS FAR AS WHAT ELSE HE DID, HE WAS
6 CONTACTING THE CHURCH MEMBERS WITH UNTRUE ALLEGATIONS AND
7 STATEMENTS ABOUT THE CHURCH AND TRYING TO GET THEM TO QUIT
8 THE ORGANIZATION.

9 SECONDLY, HE WROTE A LETTER IN NOVEMBER, 1980,
10 DEMANDING THE \$5,000 BACK THAT HE HAD PAID IN JUNE AND SAID
11 THAT, "IF YOU DON'T PAY IT BACK TO ME, THEN I AM GOING TO
12 SUE YOU AND I WILL BE THE BIGGEST ENEMY THAT THE CHURCH HAS
13 EVER HAD."

14 HE CALLED ELIZABETH A FALSE PROPHET. IN FACT,
15 THE FALSE PROPHET AND THE GREAT WHORE.

16 HE WROTE A LETTER TO THE NEWSPAPERS WHICH WE
17 HAVE DISCUSSED HERE WHICH CONTAINED FALSE ALLEGATIONS ABOUT
18 CAMELOT AS WELL AS THE ASHRAM IN LOS ANGELES, CLAIMING THAT
19 A BUILDING PERMIT AT THE ASHRAM IN LOS ANGELES WAS NOT
20 FULFILLED AS IT SHOULD HAVE BEEN, WHEN IN FACT THAT WAS NOT
21 THE CASE.

22 BUT FINALLY WE DIDN'T SUE HIM BECAUSE WE WERE
23 TERRIFIED OF HIM. WE SUED HIM BECAUSE HE OWED US \$37,000.

24 Q NOW YOU DID IT AGAIN. YOU GOT ME CONFUSED
25 AGAIN BECAUSE YOU TOLD ME A LITTLE WHILE AGO THAT WHAT YOU
26 THOUGHT IT WAS NEGOTIATED DOWN TO WAS \$10,000.

27 A NO. I SAID WHAT HE HAD DONE WAS OFFERED
28 10,000, WHICH WE WOULD HAVE BEEN WILLING TO ACCEPT, BUT THEN

1 HE WITHDREW THE OFFER. WHAT HE OWED US WAS THE 37,000 MINUS
2 THE 5,000 WHICH HE EVENTUALLY PAID.

3 Q YOU CONTINUE TO SAY WHEN HE MADE AN OFFER, YOU
4 REJECTED IT; WHEN YOU MADE AN OFFER, HE REJECTED IT. AND IN
5 FACT THERE WAS NO CONTRACT AT ANY TIME BETWEEN YOURSELF AND
6 MR. MULL, WAS THERE?

7 MR. KLEIN: I AM GOING TO OBJECT. THAT IS A LEGAL
8 QUESTION, YOUR HONOR. THIS WITNESS DOES NOT HAVE THE
9 EXPERTISE TO ANSWER IT.

10 THE COURT: SUSTAINED.

11 Q BY MR. LEVY: WITH YOUR THREE AND A HALF YEARS
12 OF LAW SCHOOL KNOWLEDGE, WHEN HE CALLED ELIZABETH A FALSE
13 PROPHET AND A GREAT WHORE, WHY DIDN'T YOU SUE HIM FOR LIBEL
14 OR SLANDER?

15 A THAT CAME DOWN TO A QUESTION OF LEGAL ADVICE
16 BETWEEN US AND OUR ATTORNEYS.

17 Q AND THEY SUGGESTED YOU MIGHT LOSE?

18 A NO, I DIDN'T SAY THAT. THEY ADVISED US TO SUE
19 ON THE NOTE. THEY DID NOT ADVISE US TO SUE HIM FOR LIBEL.

20 Q WHILE ALL THIS LETTER WRITING WAS GOING BACK
21 AND FORTH, YOU MENTIONED A LETTER THAT MR. MULL WROTE IN
22 NOVEMBER OF 1980?

23 A YES.

24 Q HAD YOU NOT CALLED HIM IMMEDIATELY PRIOR TO HIM
25 WRITING HIS LETTER? WHEN I SAY "IMMEDIATELY," I MEAN A WEEK
26 TO TEN DAYS PRIOR TO HIS WRITING THAT LETTER TO YOU.

27 DO YOU REMEMBER YOUR CALL TO MR. MULL WHERE YOU
28 WANTED TO KNOW WHETHER OR NOT HE HAD CONTACTED THE

1 DEPARTMENT OF BUILDING AND SAFETY?

2 A I THINK I DID CALL HIM.

3 Q AND DIDN'T YOU DURING THE COURSE OF THE
4 TELEPHONE CONVERSATION TELL HIM IF HE DIDN'T KEEP HIS DAMN
5 MOUTH SHUT, YOU WERE GOING TO SUE HIM?

6 A NO. DEFINITELY NOT.

7 Q OH. AND THEN HE WROTE A LETTER SAYING HE FELT
8 HE HAD BEEN TREATED UNFAIRLY, CONNED OUT OF HIS LAST \$5,500,
9 AND TREATED UNFAIRLY, AND IF HE WASN'T LEFT ALONE, HE'D SUE
10 YOU TO GET BACK HIS \$5,500.

11 WAS THAT WHAT FRIGHTENED YOU INTO SUING MR.
12 MULL?

13 A WE WEREN'T FRIGHTENED INTO SUING MR. MULL.

14 Q WHY AFTER ALL OF THE PROMISES BY THE SPIRITUAL
15 LEADER -- THE ONE PERSON WHO HAD THE AUTHORITY TO RESOLVE
16 ALL DISPUTES BY HER OWN TERMS, THE ONE PERSON WHO COULD
17 RESOLVE ALL DISPUTES -- WHY AFTER SHE GAVE HER WORD TO THIS
18 MAN SIX DIFFERENT TIMES THE BOARD OF DIRECTORS DECIDED TO
19 OVERRULE HER, AND BREAK HER PROMISE TO HIM AND SUE HIM
20 ANYWAY?

21 A I THINK IT IS VERY CLEAR FROM THE STATEMENTS
22 THAT ELIZABETH MADE TO MR. MULL THAT THE OFFER NOT TO SUE
23 HIM -- THE STATEMENT THAT SHE DIDN'T INTEND TO SUE HIM WAS
24 VERY CLOSELY TIED TO TRYING TO RESOLVE THE MATTER COMPLETELY
25 WITH HIS \$10,000 OFFER OF SETTLEMENT.

26 AND HE WITHDREW THE OFFER OF SETTLEMENT. THERE
27 WAS NEVER AN AGREEMENT REACHED NOT TO SUE HIM BECAUSE HE
28 WITHDREW HIS OFFER TO SETTLE THE MATTER.

1 Q AT THE SQUARE DANCE, YOU TESTIFIED THAT MR.
2 MULL YELLED OUT THAT YOU GUYS BREAK UP MARRIAGES AND YOU
3 BREAK UP FAMILIES. WAS THE CHURCH INVOLVED IN THE BREAKUP
4 OF MR. MULL'S MARRIAGE?

5 A NOT TO MY KNOWLEDGE.

6 Q WEREN'T YOU PRESENT WHEN ELIZABETH ORDERED
7 KATHLEEN MUELLER TO LEAVE THE PREMISES THE NEXT DAY?

8 A I WASN'T PRESENT AT ANY SUCH MEETING.

9 Q YOU ARE JUST LUCKY YOU MISS ALL OF THOSE
10 MEETINGS, DON'T YOU?

11 DOES THE CHURCH BREAK UP FAMILIES?

12 A NO.

13 Q GRACE MC GUIRE TESTIFIED THAT HER DAUGHTER WENT
14 TO LIVE WITH HER HUSBAND; THAT HER SON, AFTER AN INCIDENT,
15 WENT TO LIVE WITH HIS FATHER. MR. AND MRS. MALEK CAME TO
16 SEE YOU AT THE SQUARE DANCE TO SEE THEIR SON. THEY WEREN'T
17 ALLOWED EITHER.

18 IS THERE SOME REASON THAT PEOPLE HAVE SO MUCH
19 DIFFICULTY WHEN MEMBERS OF THEIR FAMILIES GET INVOLVED WITH
20 THE CHURCH IN SEEING THEM OR BEING ABLE TO LIVE WITH THEM?

21 A WELL, AS TO -- TO GRACE MC GUIRE, I THINK SHE
22 MADE IT QUITE CLEAR THAT THE DECISION OF HER DAUGHTER TO GO
23 LIVE WITH HER FATHER WAS HER DAUGHTER'S DECISION. AND SHE
24 ALSO STATED THAT THE SON WENT AWAY FOR THE SUMMER AND THEN
25 RETURNED.

26 AS FAR AS THE MALEKS ARE CONCERNED, WILLIAM
27 MALEK WAS NOT ON THE CAMPUS THAT DAY. AND THE MALEKS WERE
28 VERY HOSTILE IN THEIR BEHAVIOR AT THE SAME TIME THAT MR.

1 MULL WAS, THE SQUARE DANCE INCIDENT. THAT IS WHY THEY
2 WEREN'T ALLOWED ON THE PROPERTY.

3 Q DO YOU FIND IT KIND OF STRANGE THAT EVERY TIME
4 A FAMILY IS DIVIDED, WHEN THE PARENTS COME TO SEE THEIR SON
5 OR SOMEBODY WANTS TO SEE SOMEBODY CONNECTED WITH THEIR
6 FAMILY, THAT INDIVIDUAL IS NOT THERE THAT DAY AND THOSE
7 PEOPLE ARE ALWAYS VERY HOSTILE.

8 IF YOUR FAMILY WAS DIVIDED AND YOU COULDN'T SEE
9 YOUR KID AND SOMEBODY SAID HE WASN'T THERE AFTER YOU HAD
10 SPOKEN TO HIM ON THE TELEPHONE, WOULD YOU BE A LITTLE BIT
11 HOSTILE ABOUT IT?

12 MR. KLEIN: YOUR HONOR, THAT SEEMS LIKE A STATEMENT
13 RATHER THAN A QUESTION.

14 THE COURT: SUSTAINED.

15 Q BY MR. LEVY: WHILE MR. MULL WAS WRITING HIS
16 LETTER TO THE BUILDING AND SAFETY DEPARTMENT AND TALKING TO
17 THE NEWSPAPER, YOU WROTE A LETTER TO THE NEWSPAPER ALSO,
18 DIDN'T YOU?

19 A AT WHAT TIME WAS THIS?

20 Q ON FEBRUARY THE 2ND, 1981.

21 A I COULD HAVE.

22 Q IT IS ADDRESSED, "DEAR MRS. MALEK AND READERS
23 OF THE LAS VIRGENES ENTERPRISE." DOES THIS LOOK FAMILIAR TO
24 YOU?

25 A THAT LOOKS LIKE MY LETTER.

26 Q THIS IS THE LETTER YOU WROTE TO THE LAS
27 VIRGENES ENTERPRISE. YOU ACCUSED MISS MALEK OF KIDNAPPING
28 HER SON, DO YOU, IN THIS LETTER?

1 A THAT IS MY UNDERSTANDING OF WHAT OCCURRED.

2 Q AND HER AGENT WAS STANLEY PIETROWSKI?

3 A THAT IS WHAT WILLIAM MALEK SAID.

4 Q WASN'T STANLEY PETROWSKI A MEMBER OF YOUR
5 CHURCH?

6 A A FORMER MEMBER.

7 Q ANOTHER ONE THAT WAS -- HAD A VENDETTA AGAINST
8 THE CHURCH?

9 A WELL, I DIDN'T SAY THAT. BUT WILLIAM MALEK IS
10 THE ONE WHO IDENTIFIED STANLEY PETROWSKI AS HAVING BEEN
11 INVOLVED IN THIS KIDNAPPING AND DEPROGRAMMING ATTEMPT.

12 Q WASN'T THAT THE SAME STANLEY PETROWSKI WHO GOT
13 \$20,000 OUT OF CLARE DU BOIS UP IN COLORADO SPRINGS?

14 MR. KLEIN: YOUR HONOR, I AM GOING TO OBJECT. I AM
15 GOING TO OBJECT ON GROUNDS OF RELEVANCE AND I WOULD LIKE --

16 THE COURT: SUSTAINED.

17 MR. KLEIN: I WOULD LIKE TO PUT SOMETHING ON THE
18 RECORD, YOUR HONOR. I WOULD ASK TO BE ABLE TO DO THAT.

19 THE COURT: PROCEED.

20 Q BY MR. LEVY: DO YOU DECREE, TOO, ALSO, MR.
21 FRANCIS?

22 A YES.

23 Q NOW CERTAINLY IN YOUR ELEVATED POSITION WITH
24 THE CHURCH, YOU WOULD KNOW ABOUT ADDENDUMS TO HOUSE RULES,
25 WOULD YOU NOT?

26 A WHICH ADDENDUM TO WHICH HOUSE RULES?

27 Q HOW ABOUT THE ONE WITH THE SAN FRANCISCO
28 TEACHING CENTER DATED 1980 AND IT IS MARKED AS EXHIBIT

1 NUMBER 5.

2 ARE YOU FAMILIAR WITH THAT ONE?

3 A NO, I AM NOT. ONLY IN THE CONTEXT OF YOU
4 HAVING BROUGHT IT TO THIS LAWSUIT IS THE FIRST TIME I EVER
5 SAW IT.

6 Q LOT OF STUFF GETS BY YOU, DOESN'T IT?

7 A WELL, THE TEACHING CENTERS ARE AUTONOMOUS.
8 THEY ARE SEPARATE ORGANIZATIONS. THEY HAVE THEIR OWN BOARD
9 OF TRUSTEES AND OFFICERS. THEY CAN MAKE THEIR OWN HOUSE
10 RULES.

11 Q LIKE RORY INGALLS WAS HEAD OF THE SAN FRANCISCO
12 TEACHING CENTER THAT GOT FIRED BY ELIZABETH?

13 A I DON'T BELIEVE IT WAS A TEACHING CENTER WHEN
14 HE WAS IN SAN FRANCISCO. I BELIEVE IT WAS JUST A STUDY
15 GROUP.

16 Q WE HAVE HAD FIVE WITNESSES AT LEAST WHO
17 TESTIFIED FOR THE CHURCH THAT THEY ATTENDED CHURCH UNIVERSAL
18 AND TRIUMPHANT'S TEACHING CENTER IN SAN FRANCISCO.

19 WERE ALL OF THOSE PEOPLE INCORRECT IN ASSUMING
20 THAT IT HAD SOMETHING TO DO WITH CHURCH UNIVERSAL AND
21 TRIUMPHANT?

22 A IT BECAME A TEACHING CENTER AT A CERTAIN POINT.
23 A TEACHING CENTER IS AN ORGANIZATION THAT GETS A CHARTER
24 FROM US. THEY HAVE A BOARD -- AS I SAID, THEY HAVE A BOARD
25 OF TRUSTEES, OFFICERS, AND THEY -- THE TEACHING CENTER
26 ITSELF COMES INTO BEING WHEN THAT CHARTER IS GIVEN.

27 AND THERE IS A CERTAIN POINT IN TIME WHEN IT
28 DID BECOME A TEACHING CENTER AND I AM NOT SURE IF THAT WAS

1 AT A TIME WHEN RORY INGALLS WAS THERE OR NOT. PRIOR TO THAT
2 TIME, IT WAS A VERY INFORMALLY ORGANIZED STUDY GROUP.

3 Q SO THE TEACHING CENTERS ARE ONLY YOUR TEACHING
4 CENTERS WHEN YOU WANT THEM TO BE YOUR TEACHING CENTERS,
5 OTHERWISE THEY ARE INFORMAL STUDY GROUPS?

6 A NO. THEY ARE TEACHING CENTERS WHEN THEY COME
7 INTO BEING.

8 Q WHEN MR. MULL ATTENDED THE TEACHING CENTER IN
9 SAN FRANCISCO IN 1974, WAS IT AFFILIATED WITH CHURCH
10 UNIVERSAL AND TRIUMPHANT OR SUMMIT LIGHTHOUSE AS IT MAY HAVE
11 BEEN KNOWN THEN?

12 A I AM SURE IT WASN'T A TEACHING CENTER IN 1974,
13 BUT THE STUDY GROUP THAT THEN EXISTED CERTAINLY WAS
14 AFFILIATED.

15 Q THE TEACHING CENTER THAT DIDN'T EXIST AT THAT
16 TIME HAD RULES AND REGULATIONS FOR A TEACHING CENTER, BUT IT
17 WASN'T A TEACHING CENTER?

18 A NO, I DIDN'T SAY THAT.

19 Q LET'S GO TO SOMETHING THAT MAY BE A LITTLE BIT
20 CLEARER THEN.

21 A OKAY.

22 Q YOU MET WITH MR. MULL'S DAUGHTER AFTER MR. MULL
23 HAD BEEN ASKED TO LEAVE CAMELOT?

24 A YES.

25 Q YOU RECALL HOW OLD SHE WAS AT THAT TIME?

26 A PROBABLY AROUND 18 OR 20. NINETEEN MAYBE.

27 Q AND IF I RECALL YOUR TESTIMONY RIGHT, "WE HAVE
28 ASKED YOUR FATHER TO LEAVE, BUT WE DON'T WANT YOU TO BE

1 AFRAID. YOU CAN STAY HERE BECAUSE GOD LOVED YOU," OR
2 SOMETHING LIKE THAT?

3 A NO, THAT IS NOT WHAT I SAID.

4 Q WOULD YOU TELL ME WHAT THE CONVERSATION WAS?

5 A YES. WHAT WE TOLD HER IS THAT THE CHURCH HAD A
6 FINANCIAL DISAGREEMENT WITH HER FATHER AND THAT WE HAD ASKED
7 HIM TO MOVE OUT OF CAMELOT TO THE CONDOMINIUM IN WESTLAKE.
8 AND THAT WE HOPED THAT THIS CONFLICT COULD BE RESOLVED, THIS
9 DISAGREEMENT COULD BE RESOLVED IN THE NEAR FUTURE. AND IN
10 THE MEANTIME, IT WOULDN'T HAVE ANY EFFECT ON HER STATUS AT
11 SUMMIT UNIVERSITY.

12 Q YOU KNOW WHETHER OR NOT SHE TALKED TO HER
13 FATHER AFTER YOUR MEETING WITH HER WITH REGARD TO HER
14 STAYING IN THE QUARTER AT SUMMIT UNIVERSITY?

15 A NO, I DON'T KNOW THAT.

16 Q SHE DID COMPLETE THE QUARTER AT SUMMIT
17 UNIVERSITY, DID SHE NOT?

18 A I BELIEVE SHE DID.

19 Q DOES THAT SUGGEST TO YOU THAT HER FATHER WAS
20 STILL SO INVOLVED EMOTIONALLY IN THE TEACHINGS THAT HE
21 CONVINCED HIS DAUGHTER TO STAY AND COMPLETE HER QUARTER?

22 MR. KLEIN: I AM GOING TO OBJECT. THAT JUST CALLS
23 FOR SPECULATION, YOUR HONOR.

24 THE COURT: SUSTAINED.

25 Q BY MR. LEVY: WHEN WE WERE TALKING ABOUT BILL
26 MALEK, YOU USED THE TERM "DEPROGRAMMING." THEY WERE
27 ATTEMPTING TO DEPROGRAM BILL MALEK?

28 A THAT IS MY UNDERSTANDING.

1 Q WAS HE PROGRAMMED AT CHURCH UNIVERSAL AND
2 TRIUMPHANT?

3 A DEPROGRAMMING IS A TERM THAT IS USED WHERE
4 PEOPLE ARE KIDNAPPED AND HELD IN CONFINEMENT AND THEY
5 ATTEMPT TO MAKE THEM RENOUNCE PARTICULAR RELIGIOUS VIEWS
6 THAT PEOPLE HAVE. IT IS A PHRASE THAT IS COINED FOR THAT.

7 IT DOESN'T NECESSARILY MEAN THAT THE PERSON IS
8 PROGRAMMED. IT MEANS THAT MAYBE THE PEOPLE WHO ARE DOING
9 THE DEPROGRAMMING THINK THAT HE IS PROGRAMMED.

10 Q NOW YOU TOLD LINDA MULL THAT THERE WAS A
11 DISPUTE, A FINANCIAL DISPUTE BETWEEN HER FATHER AND THE
12 CHURCH AND THAT YOU WERE ATTEMPTING TO RESOLVE IT.

13 WHAT DID YOU DO BETWEEN THE TIME YOU GOT HIS
14 LAST \$5,500 AND THE TIME YOU SUED HIM TO RESOLVE THE
15 DISPUTE?

16 A FIRST OF ALL, I DON'T THINK IT WAS HIS LAST
17 \$5,500. I THINK THAT IS --

18 Q LET'S SAY HIS NEXT TO LAST \$5,500.

19 WHAT DID YOU DO TO RESOLVE THE FINANCIAL
20 DISPUTE IF ANYTHING?

21 A WELL, FIRST OF ALL, FOR A LONG PERIOD OF TIME
22 WE DID NOTHING, AND WE PROBABLY WOULDN'T HAVE DONE ANYTHING,
23 UNTIL THE NOVEMBER, 1980, LETTER CAME UP.

24 WHEN THAT CAME UP, WE ASKED OUR ATTORNEY TO
25 WRITE MR. MULL TO MAKE AN OFFER OF SETTLEMENT WHEREBY IF HE
26 SIMPLY AGREED NOT TO LIBEL THE CHURCH AND ELIZABETH AND ANY
27 OF THE OTHER LEADERS OF THE CHURCH, THAT WE WOULD FORGIVE
28 THE DEBT ENTIRELY AT THAT POINT. THAT IS WHAT WAS OFFERED

1 TO TRY TO RESOLVE THE DISPUTE.

2 Q AND THEN WHEN MR. MULL MAINTAINED HIS SILENCE,
3 YOU SUED HIM ANYWAY, DIDN'T YOU?

4 A HE DIDN'T MAINTAIN HIS SILENCE.

5 Q DID HE CALL YOU AND LIBEL ELIZABETH?

6 A NO. BUT HE WROTE TO NEWSPAPERS AND LIBELED
7 ELIZABETH.

8 Q WE HAVEN'T SEEN ONE NEWSPAPER HERE DURING THAT
9 PERIOD OF TIME WHERE HE DID ANYTHING OTHER THAN MAINTAIN HIS
10 SILENCE AFTER HE GOT THE LETTER FROM THAT ATTORNEY UP UNTIL
11 THE TIME YOU SUED HIM.

12 WAS THAT A LIE THAT YOU TOLD TO LINDA MULL,
13 THAT YOU WERE GOING TO ATTEMPT TO RESOLVE THE DISPUTE
14 BETWEEN THE CHURCH AND MR. MULL?

15 A WAS THE FORMER THING A QUESTION ABOUT NOT
16 SAYING A NEWSPAPER? BECAUSE WHAT I AM SAYING IS I TESTIFIED
17 THAT HE DID WRITE TO THE NEWSPAPERS.

18 COULD YOU REPEAT THE QUESTION ABOUT LINDA AGAIN
19 BECAUSE I LOST IT.

20 Q LET ME TRY TO HELP YOU FIND IT AGAIN.

21 A OKAY.

22 Q YOU TOLD HER YOU WERE GOING TO SEE IF YOU COULD
23 RESOLVE THE DISPUTE BETWEEN HER FATHER AND THE CHURCH ABOUT
24 A FINANCIAL MATTER?

25 A I TOLD HER WE HOPED WE COULD RESOLVE THE
26 FINANCIAL DISAGREEMENT.

27 Q EACH TIME I ASK THE QUESTION, YOU TURN IT
28 SLIGHTLY. YOU HOPED YOU COULD RESOLVE THE FINANCIAL

1 DISPUTE.

2 WAS THERE ANY TIME THAT YOU YOURSELF EVER DID
3 ANYTHING TO GET THE FINANCIAL DISPUTE RESOLVED?

4 A YES.

5 Q WHAT WAS IT YOU, ED FRANCIS, DID?

6 A I TALKED WITH OUR ATTORNEY, MARV GROSS, TO ASK
7 HIM TO WRITE GREGORY MULL A LETTER TO ATTEMPT TO OFFER A
8 SETTLEMENT.

9 Q AND THE SETTLEMENT WAS SHUT UP AND WE WON'T SUE
10 YOU; IS THAT HOW YOU INTENDED TO RESOLVE THE FINANCIAL
11 DISPUTE?

12 A THERE IS A DIFFERENCE BETWEEN SHUTTING UP AND
13 NOT LIBELING.

14 Q WAS NOT THE GIST OF THE LETTER THAT GREGORY
15 MULL NOT TALK ABOUT HIS EXPERIENCE WITH THE CHURCH, HE WOULD
16 NOT BE SUED?

17 A NO, I DON'T THINK THAT IS.

18 Q WELL, LET ME JUST FIND THE LETTER THEN.

19 A OKAY.

20 MR. KLEIN: WHAT IS THE DATE OF THE LETTER YOU ARE
21 REFERRING TO?

22 MR. LEVY: I THINK THE DATE OF THE LETTER IS IN 1980.

23 33. THE DATE OF THE LETTER IS DECEMBER 4TH,
24 1980. IT IS EXHIBIT NUMBER 33.

25 LET ME READ THE EXACT TERMS OF THE LETTER. THE
26 FIRST TWO PAGES ARE AN INTRODUCTION WHERE MR. GRAYSON TELLS
27 MR. MULL THAT HE PERSONALLY IS OFFENDED BY MR. MULL. THEN
28 THE TERMS OF THE AGREEMENT THAT IS OFFERED BEGIN ON PAGE

1 THREE.

2 MR. KLEIN: YOUR HONOR, I WOULD ASK THAT WE READ THE
3 ENTIRE LETTER IF WE ARE GOING TO READ PART OF IT.

4 MR. LEVY: I HAVE NO OBJECTION TO THAT, YOUR HONOR.

5 THE COURT: GO AHEAD.

6 MR. LEVY: (READING.)

7 "DEAR MR. MULL:

8 "I HAVE RECEIVED A COPY OF YOUR

9 NOVEMBER 7TH LETTER TO ELIZABETH CLARE

10 PROPHET" —

11 THE COURT: JUST A SECOND.

12 TO MAKE IT EASIER, WHY DON'T YOU JUST INSERT
13 EXHIBIT 33.

14 MR. LEVY: I WILL START OVER.

15 (AS DIRECTED, EXHIBIT 33 IS COPIED

16 INTO THE RECORD AS FOLLOWS:)

17 DEAR MR. MULL:

18 I HAVE REVIEWED A COPY OF YOUR

19 NOVEMBER 7 LETTER TO ELIZABETH CLARE

20 PROPHET, A CHORE WHICH I FOUND TO BE MOST

21 DISTASTEFUL.

22 IT IS INCREDIBLE TO ME THAT AN

23 ADULT MEMBER OF A RESPECTED PROFESSION COULD

24 WRITE SUCH A VICIOUS AND VINDICTIVE LETTER.

25 WERE I AS AN ATTORNEY TO PUT FORTH SUCH A

26 DIATRIBE, I WOULD RIGHTFULLY BE SUBJECT TO

27 DISCIPLINARY PROCEEDINGS BY THE BAR.

28 THE SHEER LENGTH AND

1 REPETITIVENESS OF THE COMMUNICATION CLEARLY
2 REFLECTS YOUR TRUE FEELINGS OF REVENGE AND
3 MALICE TOWARD A GROUP OF PEOPLE YOU ONCE
4 CALLED YOUR "FRIENDS" BUT WHICH YOU NOW USE
5 AS A SCAPEGOAT FOR YOUR OWN PERSONAL
6 PROBLEMS AND FAILURES.

7 IN ALL MY YEARS AS AN ATTORNEY,
8 I HAVE NEVER SEEN SUCH AN ABUSIVE AND
9 THREATENING LETTER DIRECTED EITHER TO A
10 WOMAN OR TO A MINISTER, AND SUCH A COMPLETE
11 LACK OF WILLINGNESS FOR A GROWN MAN TO TAKE
12 RESPONSIBILITY FOR HIS OWN CIRCUMSTANCES IN
13 LIFE. THE ONLY THING I CAN SAY TO YOU, MR.
14 MULL, IS THAT YOU SHOULD BE PROFOUNDLY
15 ASHAMED OF YOURSELF AND HOPE THAT THIS
16 LETTER NOT BE PUBLICLY REVEALED FOR ALL TO
17 SEE. OF COURSE, IF THERE IS LEGAL ACTION,
18 THIS LETTER WILL BE OUR EXHIBIT A.

19 YOUR LETTER OF NOVEMBER 7,
20 1980, IS REplete WITH FALSEHOODS AND
21 MISSTATEMENTS WHICH SERIOUSLY IMPUGN THE
22 INTEGRITY, HONESTY AND GOOD REPUTATION OF MY
23 CLIENTS. IF YOU ARE ACTUALLY SEEKING A
24 RESOLUTION OF THE DISPUTE, YOU HAVE A MOST
25 UNORTHODOX APPROACH. NEVERTHELESS, I WILL
26 ATTEMPT TO SUPPRESS MY INDIGNATION AND DEAL
27 WITH YOU AS OBJECTIVELY AS POSSIBLE.

28 IF, ON THE OTHER HAND, YOU ARE

1 ATTEMPTING TO HARASS THE CHURCH AND ITS
2 LEADERS AND TO EXTORT MONEY THROUGH YOUR USE
3 OF VEILED AND EXPRESS THREATS, WHICH
4 CERTAINLY APPEARS TO BE THE CASE, THEN
5 PLEASE ADVISE ME SO THAT I MAY PREPARE A
6 LAWSUIT.

7 BEFORE YOU MAKE YOUR DECISION,
8 HOWEVER, LET ME FIRST WARN YOU OF THE
9 EXTREME GRAVITY OF YOUR PRESENT COURSE OF
10 ACTION. YOU MUST CAREFULLY CONSIDER YOUR
11 ABILITY TO PROVE THE TRUTH OF EACH AND EVERY
12 DEFAMATORY STATEMENT AND ALLEGATION, FOR IF
13 YOU CANNOT, YOU COULD BE FOUND GUILTY OF A
14 VERY SERIOUS LIBEL AGAINST THE GOOD
15 REPUTATION OF THE CHURCH AND ITS LEADERS.
16 THE LAW VIEWS THIS TYPE OF CONDUCT WITH
17 PARTICULAR CONTEMPT AND AWARDS PUNITIVE
18 DAMAGES ACCORDINGLY SOLELY FOR THE PURPOSE
19 OF PUNISHING AND DETERRING SUCH CONDUCT.

20 FURTHERMORE, PLEASE BE ADVISED
21 THAT SECTION 527.6 OF THE CALIFORNIA CODE OF
22 CIVIL PROCEDURE PROHIBITS ACTS OF
23 "HARASSMENT" AND PROVIDES THAT AN INJUNCTION
24 MAY BE ISSUED BY A COURT TO PREVENT
25 THREATENED FURTHER ACTS OF HARASSMENT. IN
26 MY OPINION, THE INTENT EXPRESSED IN YOUR
27 RECENT LETTER FALLS WITHIN THE DEFINITION OF
28 THE TYPE OF CONDUCT PROSCRIBED BY THIS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STATUTE.

ON THE OTHER HAND, I KNOW OF NO LEGITIMATE CAUSE OF ACTION THAT YOU HAVE AGAINST THE CHURCH OR ITS LEADERS. THEY HAVE DONE NOTHING TO YOU AND DESIRE TO HAVE NO FURTHER DEALINGS WITH YOU IN THE FUTURE.

I HAVE PERSONALLY KNOWN ELIZABETH AND THE MEMBERS OF THE BOARD OF THIS CHURCH FOR A LONGER PERIOD THAN YOU, MR. MULL, AND I UNEQUIVOCALLY VOUCH FOR THEIR INTEGRITY. I WILL NOT HESITATE TO BRING YOU BEFORE A COURT OF LAW FOR REDRESS FOR YOUR ACTIONS IF YOU PERSIST IN HARASSING MY CLIENTS IN THIS MANNER. BOTH I AND MY FIRM WILL UNRESERVEDLY PROVIDE ANY AND ALL LEGAL ASSISTANCE NECESSARY TO FULLY AND COMPLETELY PURSUE THIS MATTER, TOTALLY DISPROVING YOUR UNSUBSTANTIATED CHARGES AND ACCUSATIONS.

IT IS PARTICULARLY DIFFICULT FOR ME TO WRITE A LETTER OF CONCILIATION WHEN MY INITIAL REACTION IS TO ADVISE MY CLIENTS TO IMMEDIATELY SUE YOU FOR LIBEL AND SLANDER AS WELL AS FOR THE COLLECTION OF ALL AMOUNTS LOANED TO YOU WHICH HAVE NOT BEEN REPAYED. HOWEVER, ASSUMING THAT YOUR FIRST PRIORITY IS TO PEACEFULLY RESOLVE THE DIFFERENCES HERE, I MAKE THE FOLLOWING

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROPOSAL FOR A FINAL SETTLEMENT AGREEMENT:

1. OF THE \$38,000 ADVANCED TO YOU AND FOR WHICH YOU HAVE SIGNED PROMISORY NOTES TO THE CHURCH, WE WILL CREDIT THE \$5,000 AS PAYMENT THEREON, LEAVING A BALANCE OF \$33,000.

2. I HAVE TAKEN NOTE THAT ELIZABETH TOLD YOU IN JUNE THAT SHE DID NOT INTEND TO SUE YOU. ALTHOUGH MY OPINION IS THAT SHE AND THE CHURCH SHOULD DO SO IMMEDIATELY, PARTICULARLY IN LIGHT OF YOUR RECENT LETTER, SHE HAS TOLD ME THAT SHE INTENDS TO HOLD FIRM TO HER PREVIOUS INTENT. THEREFORE, WE WILL AGREE TO BRING NO ACTION FOR LIBEL OR SLANDER, AND WE WILL COVENANT NOT TO SUE ON THE \$33,000 OUTSTANDING BALANCE AND WILL TAKE NO STEPS TO COLLECT OR RECOVER THE SAME SO LONG AS YOU, IN KEEPING WITH A HIGH STANDARD OF PROFESSIONALISM AND COMMON COURTESY, REFRAIN FROM DISCUSSING TO ANY THIRD PERSON ANY OF YOUR EXPERIENCES OR TRANSACTIONS WITH AND YOUR KNOWLEDGE ABOUT CHURCH UNIVERSAL AND TRIUMPHANT OR ANY OF THE IDIVIDUALS CONNECTED THEREWITH, OR MALIGNING THE CHURCH OR ANY SUCH PERSONS WHICH COULD IN ANY WAY BE CONSIDERED BY A REASONABLE PERSON TO BE HARMFUL TO THE NAME OR REPUTATION OF THE CHURCH OR SUCH

1 INDIVIDUALS.

2 3. YOU WILL AGREE NOT TO
3 ATTEMPT TO COMMUNICATE OR CORRESPOND UNDER
4 ANY CIRCUMSTANCES WITH ELIZABETH CLARE
5 PROPHET OR ANY PERSON WHO IS CONNECTED WITH
6 CHURCH UNIVERSAL AND TRIUMPHANT, INCLUDING
7 STAFF MEMBERS AT CAMELOT AND OTHER MEMBERS
8 OF THE CHURCH. ANY FUTURE COMMUNICATION
9 WHICH YOU FIND NECESSARY MUST BE MADE
10 DIRECTLY WITH ME AS THE CHURCH'S LEGAL
11 REPRESENTATIVE IN THIS MATTER.

12 4. OF COURSE, YOU MUST ALSO
13 RELEASE AND WAIVE ANY AND ALL CLAIMS,
14 DEMANDS OR CAUSES OF ACTION WHICH YOU MAY
15 HAVE AGAINST THE CHURCH OR SUCH INDIVIDUALS
16 ARISING OUT OF ANY TRANSACTIONS OR CAUSES
17 WHATSOEVER UP TO THE PRESENT DATE.

18 IF THESE TERMS ARE ACCEPTABLE
19 TO YOU, PLEASE SIGN AND RETURN A COPY OF
20 THIS LETTER AND WE WILL CONSIDER IT A
21 BINDING CONTRACT AND A FINAL RESOLUTION OF
22 THE DIFFERENCES BETWEEN US.

23 I DO REQUEST THAT YOU REFRAIN
24 IN THE FUTURE FROM CONTACTING MY CLIENTS IN
25 ANY WAY, IN KEEPING WITH THE SAME DEMAND
26 CONTAINED IN YOUR LETTER, WHETHER OR NOT YOU
27 AGREE TO THE ABOVE TERMS. IF YOU HAVE
28 ANYTHING TO SAY, YOU MAY CONTACT ME

1 DIRECTLY.

2 MY CLIENTS HAVE TOLD ME THAT
3 THEY SIMPLY WISH TO HAVE A PEACEFUL PARTING
4 OF THE WAYS WITH YOU AND HAVE EXPRESSED THIS
5 TO YOU ON SEVERAL OCCASIONS. NEVERTHELESS,
6 THEY HAVE NO INTENTION OF BEING BLACKMAILED
7 OR EXTORTED OUT OF CHURCH FUNDS UNDER THE
8 THREAT OF A LIBELOUS EXPOSURE AND WILL TAKE
9 WHATEVER STEPS ARE NECESSARY TO PROTECT THEIR
10 GOOD NAME AND REPUTATION.

11 (THE COPYING OF THE EXHIBIT IS CONCLUDED.)
12 AND IT IS SIGNED BY MARVIN GROSS.

13 Q DO YOU RECALL THAT LETTER?

14 A YES.

15 Q DID YOU READ IT AT THE TIME IT WAS PREPARED AND
16 SENT TO GREGORY MULL?

17 A YES.

18 Q ESSENTIALLY DOES THE LETTER TELL MR. MULL NOT
19 TO TALK ABOUT HIS EXPERIENCES AT THE CHURCH OR TO TALK ABOUT
20 ANYONE ELSE OR TO MAKE ANY STATEMENT IN ANY REGARD WITH THE
21 CHURCH OR THE CHURCH MEMBERS; AND IF HE AGREES TO DO THAT,
22 HE WON'T BE SUED?

23 MR. KLEIN: YOUR HONOR, I AM GOING TO OBJECT. THE
24 LETTER IS HERE. IT SPEAKS FOR ITSELF AS TO WHAT IT SAYS.

25 THE COURT: SUSTAINED.

26 Q BY MR. LEVY: WHAT PARTICULARLY AFTER HE GOT
27 THIS LETTER FROM YOUR ATTORNEY DID HE DO THAT FRIGHTENED YOU
28 INTO SUING HIM?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

A WE WEREN'T FRIGHTENED INTO SUING HIM.

Q THE LETTER IS DATED DECEMBER THE 4TH, 1980, AND THE COMPLAINT WAS FILED MARCH THE 3RD, 1981. WHAT DID HE DO BETWEEN DECEMBER THE 4TH, 1980, AND MARCH THE 3RD, 1981, THAT CAUSED YOU TO SUE HIM?

A FIRST OF ALL, WE WAITED FOR A TIME TO SEE IF A RESPONSE WOULD BE RECEIVED TO THIS. AND TO MY RECOLLECTION --

Q MR. FRANCIS, MY QUESTION WAS WHAT DID MR. MULL DO THAT CAUSED YOU TO SUE HIM?

A WELL, I WAS ABOUT TO EXPLAIN THAT.

WE WAITED FOR A TIME FOR A RESPONSE. AND THE CAUSE OF SUING HIM WAS NOT ONLY WHAT WENT ON BETWEEN THE TIME OF THIS LETTER AND THE TIME THE LAWSUIT WAS FILED, BUT ALSO THE THINGS THAT HAD GONE ON BEFORE.

BUT THE SPECIFIC THING THAT HAPPENED IN BETWEEN THIS AND THE TIME THAT WE SUED HIM WAS HIS LETTER TO THE NEWSPAPERS. IT IS A LETTER THAT HE WROTE AND PASSED AROUND TO AT LEAST HALF A DOZEN DIFFERENT NEWSPAPERS THAT MADE FALSE ALLEGATIONS ABOUT THINGS THAT WERE GOING ON ON OUR PROPERTY AND IN OUR ORGANIZATION.

Q WE HAVE BEEN HERE ALMOST SIX WEEKS AND I FOR ONE HAVEN'T SEEN THIS LETTER HE WROTE TO THE NEWSPAPER THAT MAKES FALSE ALLEGATIONS.

CAN YOU TELL US SPECIFICALLY WHAT FALSE ALLEGATIONS HE MADE AGAINST THE CHURCH AND WHATEVER PAPER THIS WAS SUPPOSEDLY PUT IN?

A THE FALSE ALLEGATIONS THAT I RECALL SITTING

1 RIGHT HERE, NOT HAVING IT IN FRONT OF ME, ARE, FIRST OF ALL,
 2 THE TENT ALLEGATION THAT I MENTIONED TO YOU. HE ALLEGED
 3 THAT WE WERE ERECTING TENTS ILLEGALLY AT CAMELOT, WHICH
 4 SIMPLY WAS NOT THE CASE. WE DIDN'T HAVE TO HAVE A PERMIT TO
 5 ERECT THOSE TENTS AT CAMELOT FOR OUR CONFERENCES.

6 SECONDLY, HE CLAIMED THAT STRUCTURAL WALLS HAD
 7 BEEN REMOVED FROM THE SUMMIT UNIVERSITY CLASSROOM WHICH MADE
 8 THE BUILDING UNSAFE AND MADE IT SO THAT IT WOULD COLLAPSE IN
 9 AN EARTHQUAKE. THAT SIMPLY IS NOT THE CASE.

10 ONE OF THE WALLS THAT WAS REMOVED WAS A FOLDING
 11 ACCORDION WALL, THE TYPE THAT SLIDES OPEN AND SHUT IN THE
 12 MIDDLE OF A ROOM, AND THE OTHER WALL WAS A NONBEARING
 13 PETITION. IT WAS ACTUALLY SUPPORTED FROM THE CEILING. IT
 14 WAS NOT — HAD NO WEIGHT RESTING ON IT.

15 ANOTHER FALSE ALLEGATION THAT WAS MADE WAS THAT
 16 CONDITIONS OF OVERCROWDING WITH 40 TO 60 PEOPLE LIVING IN
 17 ONE ROOM AND SOME PEOPLE SLEEPING WITH GOATS. THAT IS NOT
 18 TRUE. I HAVE NEVER SEEN ANYTHING LIKE THAT. IT'S NEVER
 19 OCCURRED.

20 ANOTHER FALSE ALLEGATION THAT HE MADE WAS THAT
 21 THE WILL OF GOD FOCUS AT THE ASHRAM IN DOWNTOWN LOS ANGELES
 22 VIOLATED THE BUILDING CODE, AND WAS NOT BUILT ACCORDING TO
 23 PERMIT AND SUPPOSEDLY THERE WAS NOT A POST PUT UNDER A BEAM.
 24 IN RESPONSE TO THAT, A BUILDING INSPECTOR CAME OUT AND
 25 DETERMINED THAT THAT WAS NOT THE CASE. SIMPLY WAS NOT THE
 26 CASE.

27 Q SO FAR EVERYTHING YOU HAVE TOLD ME HAS GOT TO
 28 DO WITH HIS LETTER TO THE BUILDING DEPARTMENT WHICH

1 PRECEDED --

2 A I AM TALKING ABOUT HIS LETTER TO THE
3 NEWSPAPERS. THESE ARE ALL INCLUDED IN HIS LETTER TO THE
4 NEWSPAPERS.

5 Q DO YOU HAVE A COPY OF HIS LETTER TO THE
6 NEWSPAPERS TODAY?

7 A THERE IS A COPY OF IT. I DON'T KNOW WHERE IT
8 IS RIGHT NOW. I DON'T KNOW IF IT IS HERE RIGHT NOW, BUT I
9 HAVE SEEN A COPY OF IT.

10 Q ISN'T IT A FACT THAT THE NEWSPAPERS GOT
11 INTERESTED WHEN THE BUILDING AND SAFETY DEPARTMENT WENT OUT
12 TO LOOK OVER THE CAMPUS AT CAMELOT?

13 A THIS I DON'T KNOW HOW THE NEWSPAPERS GOT
14 INTERESTED.

15 Q BUT YOU KNOW EXACTLY WHAT MR. MULL WROTE TO THE
16 NEWSPAPERS AND YOU GOT ALL THE INSIDE INFORMATION ON WHAT HE
17 DID, BUT YOU DON'T KNOW ANYTHING ABOUT WHAT THEY DID OR HOW
18 THEY GOT INTERESTED?

19 A YOU MEAN THE NEWSPAPERS?

20 Q YES. THE NEWSPAPERS.

21 A I THINK THE NEWSPAPERS GOT INTERESTED BECAUSE
22 HE SENT THE LETTER TO THEM.

23 Q THEY COULDN'T HAVE GOT INTERESTED, YOU THINK
24 THEY GOT INTERESTED. SO WHAT YOU ARE DOING IS CONJECTURE?

25 A WELL, I DO HAVE KNOWLEDGE OF WHY THAT WAS --
26 WHY I BELIEVE THAT. BECAUSE A NEWSPAPER REPORTER FROM THE
27 THOUSAND OAKS CHRONICLE BY THE NAME OF BOB POOL CALLED ME ON
28 THE PHONE AND READ ME MR. MULL'S LETTER THAT HE HAD

1 RECEIVED.

2 Q THE LETTER TO THE BUILDING AND SAFETY
3 DEPARTMENT?

4 A WELL, IT WAS SENT TO THE NEWSPAPERS, THAT IS
5 ALL I KNOW. I DON'T KNOW IF IT WAS THE LETTER TO THE
6 BUILDING AND SAFETY. THEY HAVE BEEN ONE AND THE SAME.

7 Q DID THE BUILDING AND SAFETY DEPARTMENT EVER
8 RESPOND TO A LETTER TO COME OUT TO CAMELOT AND TAKE A LOOK
9 AROUND?

10 A IN RESPONSE TO A LETTER FROM MR. MULL YOU MEAN?

11 Q IN RESPONSE TO ANY LETTER.

12 A I THINK THEY DID. I MEAN I THINK IT WAS IN
13 RESPONSE TO MR. MULL'S LETTER. THE BUILDING DEPARTMENT DID
14 COME OUT AND LOOK AROUND, YES.

15 Q AFTER THEY LOOKED AROUND AND WHATEVER HAD TO BE
16 SATISFIED WAS SATISFIED, YOU STILL WENT AHEAD AND SUED MR.
17 MULL?

18 A IT TOOK A LONG TIME FOR THAT TO BE SATISFIED.
19 IT WENT WELL BEYOND THE TIME WE FILED OUR LAWSUIT IN OTHER
20 WORDS.

21 Q YOU MEAN THE BUILDING AND SAFETY DEPARTMENT
22 ACTUALLY HAD TO COME OUT THERE A NUMBER OF TIMES TO
23 DETERMINE WHETHER OR NOT THERE WERE VIOLATIONS?

24 A YES, THIS IS CORRECT.

25 Q YOU FIND IT OFFENSIVE THAT THE DEPARTMENT OF
26 BUILDING AND SAFETY MIGHT COME OUT TO EXAMINE WHETHER YOU
27 HAVE SAFE PREMISES OR NOT?

28 A NO.

1 Q AND THIS OCCURRED AFTER THE LAWSUIT WAS FILED?

2 A WELL, BOTH BEFORE AND AFTER I BELIEVE.

3 Q NOW, I KNOW YOU DIDN'T FINISH LAW SCHOOL AND
4 YOU DIDN'T FINISH UNDERGRADUATE WORK. DID YOU ALSO NOT
5 FINISH ARCHITECTURAL SCHOOLING?

6 A I DIDN'T GO TO ANY ARCHITECTURAL SCHOOL.

7 Q BUT YOU ARE SITTING HERE TESTIFYING ABOUT WHAT
8 IS A NONBEARING AND WHAT IS A BEARING WALL AND WALLS THAT
9 ARE SUSPENDED FROM THE CEILING.

10 DO YOU HAVE ANY PERSONAL ARCHITECTURAL
11 KNOWLEDGE BASED ON ANY PROFESSIONAL TRAINING AS TO WHETHER
12 OR NOT ANY STRUCTURE IS SAFE OR UNSAFE?

13 A NO. JUST LAY KNOWLEDGE.

14 Q JUST KIND OF GUESS AT IT?

15 A NO. I WORKED CONSTRUCTION FOR SEVERAL YEARS
16 WHEN I WAS IN HIGH SCHOOL AND COLLEGE AND I KNOW THE
17 DIFFERENCE BETWEEN A BEARING WALL AND A NONBEARING WALL. A
18 BEARING WALL HAS WEIGHT RESTING ON IT AND A NONBEARING WALL
19 DOESN'T.

20 Q DIDN'T YOU EMPLOY MR. MULL TO COME TO CAMELOT
21 BECAUSE OF HIS ARCHITECTURAL EXPERTISE? WASN'T CAMELOT
22 PLANNING TO RELY UPON HIS KNOWLEDGE AND HIS EXPERTISE?

23 A FOR THE PROJECTS THAT WERE ENUMERATED, YES.

24 Q AND IF MR. MULL IN HIS PROFESSIONAL CAPACITY
25 FELT THERE MIGHT BE SOMETHING THAT WAS UNSAFE AND HE
26 REPORTED THOSE UNSAFE THINGS TO THE DEPARTMENT OF BUILDING
27 AND SAFETY SO THAT THEY COULD SATISFY THEMSELVES AS TO
28 WHETHER OR NOT THEY WERE VIOLATIONS, IN YOUR OPINION HE WAS

1 DOING SOMETHING SO TERRIBLE THAT YOU SUED HIM?

2 A THAT IS NOT REALLY THE WAY IT WAS REPORTED.
3 FIRST OF ALL, HE COULD HAVE BROUGHT IT TO OUR ATTENTION
4 DURING THE YEARS THAT HE WAS THERE, WHICH I NEVER HEARD.
5 AND SECONDLY, THE WAY IT WAS BROUGHT TO THE ATTENTION OF THE
6 BUILDING AND SAFETY WAS, "I WANT YOU TO GO OUT THERE AND
7 CLOSE DOWN THEIR CONFERENCE AND CLOSE DOWN THEIR SUMMIT
8 UNIVERSITY CLASSROOM."

9 Q WERE YOU THERE WHEN THEY GOT THE LETTER, THE
10 BUILDING AND SAFETY DEPARTMENT?

11 A WHEN BUILDING AND SAFETY GOT THE LETTER?

12 Q YES.

13 A NO.

14 Q HOW DO YOU KNOW IT WAS BROUGHT TO THEIR
15 ATTENTION WITH A DEMAND THAT THEY CLOSE YOU DOWN?

16 A I HAVE SEEN THE LETTER.

17 Q AND THE LETTER SAYS WHAT? IT SAYS THERE ARE A
18 LOT OF VIOLATIONS OUT THERE THAT MERIT LOOKING INTO AND
19 BECAUSE IF THERE IS AN EARTHQUAKE, THERE MIGHT BE SOME
20 STRUCTURAL DAMAGE THAT MIGHT ENDANGER SOME OF THE CHILDREN
21 IN THE MONTESSORI SCHOOL AND THE OTHER PEOPLE THERE?

22 A IT DOESN'T SAY IT EXACTLY THAT WAY.

23 Q IT DOESN'T SAY IT EXACTLY THE WAY YOU ARE
24 SAYING IT EITHER BECAUSE I HAVE READ IT, TOO.

25 A IT COMES CLOSE TO IT. IT DOES SAY THAT HE
26 WANTS THEM TO CLOSE THE SUMMIT UNIVERSITY CLASSROOM BECAUSE
27 OF THESE GROSS ILLEGALITIES AND HE WANTS THEM TO PREVENT US
28 FROM BEING ABLE TO ERECT ANOTHER TENT BECAUSE OF THE GROSS

1 ILLEGALITY OF NOT GETTING A PERMIT.

2 Q JUST A FEW LAST QUESTIONS, MR. FRANCIS.

3 MR. MULL HAD GIVEN UP --

4 THE COURT: LET'S TAKE A RECESS AT THIS TIME AND THEN
5 WE WILL RESUME.

6 MR. MIDDLETON: WHILE WE HAVE A RECESS, YOUR HONOR,
7 IS IT POSSIBLE FOR COUNSEL TO MEET WITH YOU?

8 THE COURT: ALL RIGHT.

9 (A CONFERENCE WAS HELD IN CHAMBERS
10 WHICH WAS NOT REPORTED.)

11 (RECESS.)

12 THE COURT: PLEASE PROCEED.

13 MR. LEVY: THANK YOU, YOUR HONOR.

14 Q BY MR. LEVY: MR. FRANCIS, ARE YOU A SON OF
15 DOMINION?

16 A ARE YOU TALKING ABOUT IN THE SENSE OF THE ORDER
17 OF THE SONS AND DAUGHTERS OF DOMINION?

18 Q THAT'S CORRECT, SIR.

19 A I BELIEVE -- YES, I AM.

20 Q WHAT IS A SON OF DOMINION? WHAT DOES A PERSON
21 HAVE TO DO OR BE TO BE A SON OF DOMINION?

22 A ORDER OF THE SONS AND DAUGHTERS OF DOMINION WAS
23 A HOLY ORDER THAT WAS FOUNDED MAYBE ABOUT 1971 OR '72 THAT
24 WAS A PARTICULAR LEVEL OF DEDICATION TO THE CHURCH'S
25 TEACHINGS AND THEN IT WAS LATER INCORPORATED INTO THE
26 STRUCTURE OF THE CHURCH WHEN IT WAS INCORPORATED IN 1975 AS
27 A SPECIFIC CATEGORY OF INVOLVEMENT OR MEMBERSHIP IN THE
28 CHURCH.

1 Q IS IT NECESSARY AS A SON OF DOMINION TO PLEDGE
2 YOUR TOTAL DEDICATION TO THE MESSENGER, ELIZABETH CLARE
3 PROPHET?

4 A I DON'T RECALL WHAT THE SPECIFIC TERMS OF THAT
5 ARE.

6 Q AREN'T THERE 33 SPECIFIC REQUIREMENTS AND ONE
7 OF THEM IS THAT YOU PLEDGE YOURSELF TO TOTAL DEDICATION TO
8 ELIZABETH CLARE PROPHET?

9 A IT'S BEEN SINCE ABOUT 1971 OR '2 THAT I BECAME
10 INVOLVED IN THAT AND I HAVE NOT REALLY REVIEWED THE TERMS OF
11 THAT SINCE THAT TIME.

12 Q YOU ARE A MINISTER OF THE CHURCH, ARE YOU?

13 A YES.

14 Q AND THAT IS A HOLY DEDICATION AND YOU DON'T
15 KNOW WHAT THE TERMS OF THE HOLY DEDICATION ARE?

16 A NO.

17 Q ASIDE FROM PLEDGING YOUR TOTAL DEDICATION TO
18 ELIZABETH CLARE PROPHET, YOU ALSO PLEDGE YOUR TOTAL
19 DEDICATION TO THE LITTLE MOTHER, ELIZABETH'S DAUGHTER, AND
20 THE LITTLE FATHER, ELIZABETH'S SON?

21 MR. KLEIN: YOUR HONOR, I AM GOING TO OBJECT AS TO
22 THE RELEVANCY OF THIS LINE OF QUESTIONING AND ALSO OBJECT ON
23 FIRST AMENDMENT GROUNDS.

24 THE COURT: HE CAN ANSWER.

25 THE WITNESS: I DON'T RECALL WHAT THE TERMS OF THAT
26 WERE BECAUSE IT WAS SOMETHING THAT I WAS INVOLVED IN IN
27 TERMS OF TAKING THAT DEDICATION, AS I SAY, IT WAS LIKE 1971
28 OR '2, MAYBE 1972.

1 Q BY MR. LEVY: LET ME SEE IF I CAN HELP REFRESH
2 YOUR RECOLLECTION.

3 WHEN YOU PLEDGED YOUR TOTAL OBEDIENCE AND YOUR
4 TOTAL DEDICATION TO ELIZABETH CLARE PROPHET, DOES THAT MEAN
5 YOU DO WHATEVER SHE WOULD TELL YOU?

6 A NO. THAT IS -- WELL, FROM THE STANDPOINT OF MY
7 RELATIONSHIP AS I KNOW IT TO BE, THAT IS NOT WHAT I BELIEVE
8 IT TO BE.

9 Q WHAT KIND OF DEDICATION DID YOU PLEDGE TO THE
10 CHILDREN?

11 A WHICH CHILDREN?

12 Q TATIANA, SEAN, THE OTHER TWO KIDS?

13 A I AM THEIR STEPFATHER.

14 Q WELL, YOU PLEDGED THAT DEDICATION BECAUSE THAT
15 IS ONE OF THE 33 VOWS YOU TAKE WHEN YOU BECOME A SON OF
16 DOMINION, IS IT NOT?

17 A WELL, AS I SAID, I DON'T KNOW BECAUSE IT'S
18 BEEN --

19 Q WELL, LET ME --

20 A -- FOURTEEN YEARS AGO.

21 Q HERE IS A COPY OF THE 33 VOWS OF THE SONS AND
22 DAUGHTERS OF DOMINION. I CALL YOUR ATTENTION TO THE SECOND
23 PAGE -- WHOOPS, MR. KLEIN, I FORGOT YOU.

24 LET ME SHOW IT TO YOU FIRST.

25 EXCUSE ME, MR. FRANCIS.

26 I AM LOOKING AT PAGE 2, SECTION 7 AND SECTION
27 8. WHY DON'T YOU TAKE YOUR TIME AND READ THOSE, SECTION 7
28 AND SECTION 8.

1 A OKAY.

2 Q DOES THAT REFRESH YOUR RECOLLECTION, SIR?

3 A NO, IT REALLY DOESN'T. I CAN'T SAY THAT I
4 RECALL EVER READING THAT.

5 Q WHEN YOU BECAME A SON OF DOMINION, DID YOU JUST
6 AGREE TO PLEDGE YOURSELF TO CERTAIN THINGS WITHOUT KNOWING
7 WHAT THE THINGS WERE?

8 A WELL, I SUPPOSE I KNEW AT THE TIME. BUT IT'S
9 NOT -- I JUST DON'T REMEMBER READING THOSE SPECIFIC WORDS.

10 Q DID YOU READ ANYTHING AT THE TIME?

11 A I THINK I DID. I MEAN I REMEMBER READING
12 SOMETHING.

13 Q AS PART OF YOUR AFFILIATION WITH THE CHURCH AND
14 WITH ELIZABETH CLARE PROPHET, DO YOU CONSIDER YOURSELF TO
15 STILL BE UNDER THAT VOW OF TOTAL DEDICATION?

16 A I CONSIDER MYSELF TO BE UNDER THE VOW OF ANY
17 VOWS OF DEDICATION THAT I MAY HAVE TAKEN, BUT I DON'T RECALL
18 READING THAT SPECIFIC LIST OF VOWS. IT REALLY DOESN'T LOOK
19 THAT FAMILIAR TO ME.

20 Q DO YOU CONSIDER YOURSELF AT THIS TIME TO BE
21 UNDER A VOW OF TOTAL DEDICATION TO ELIZABETH CLARE PROPHET
22 AND HER CHILDREN?

23 MR. KLEIN: YOUR HONOR, I AM GOING TO OBJECT AS TO
24 VAGUE AND AMBIGUOUS AS TO WHAT "TOTAL DEDICATION" MEANS.

25 THE COURT: HE CAN ANSWER.

26 THE WITNESS: I CONSIDER MYSELF TO BE DEDICATED TO
27 THEM, YES.

28 Q BY MR. LEVY: DO YOU UNDERSTAND WHAT A VOW OF

1 TOTAL DEDICATION TO A MINISTER OF THE CHURCH IN YOUR
2 PARTICULAR FAITH MEANS?

3 A YES, I THINK I COULD -- I COULD GIVE YOU AN
4 UNDERSTANDING OF THAT.

5 Q I AM JUST CURIOUS WHETHER YOU HAVE AN
6 UNDERSTANDING. YOU HAVE A DIFFICULT TIME IN KNOWING WHETHER
7 OR NOT YOU TOOK VOWS, AND WHAT THE VOWS WERE AND WHAT THEY
8 MEAN.

9 A I THINK THE WORDS SPEAK FOR THEMSELVES IN TERMS
10 OF THE, YOU KNOW, WHAT THEY MEAN TO ANYBODY WHO MIGHT READ
11 THEM.

12 Q I AGREE WITH YOU. LET ME READ THEM TO YOU AND
13 SEE IF IT HELPS REFRESH YOUR RECOLLECTION.

14 MR. KLEIN: AT THIS POINT I WOULD OBJECT. I WOULD
15 LIKE TO AT LEAST READ WHAT HE IS GOING TO READ SINCE IT IS
16 NOT IN EVIDENCE AT THIS POINT. IF HE READS IT, IT IS GOING
17 TO COME IN EVIDENCE. I WOULD LIKE TO SEE WHAT HE IS TALKING
18 ABOUT.

19 THE COURT: WELL, IT IS NOT IN EVIDENCE YET.
20 SUSTAINED.

21 MR. LEVY: WE WOULD OFFER THIS AS THE DOCUMENT NEXT,
22 WE WOULD OFFER IT TO BE MARKED IN EVIDENCE AS DOCUMENT FOR
23 IDENTIFICATION PURPOSES AS -- I BELIEVE WE ARE UP TO NUMBER
24 115 NOW.

25 THE COURT: FOR IDENTIFICATION. SO MARKED.

26 (MARKED FOR ID: ^ EXHIBIT 115, VOWS)

27 MR. LEVY: NUMBER 7 AND NUMBER 8: (READING.)

28 "I SHALL TAKE THE VOW OF TOTAL

1 DEDICATION TO THE OUTPICTURING OF THE MOTHER
2 FLAME IN ITS ORIGINAL PRISTINE PURITY IN THE
3 FOUR QUADRANTS OF THE PLANE OF MATTER AND IN
4 THE QUADRANT ASSIGNED TO ME IN THE MANDALA
5 AND THE UPHOLDING OF THAT FLAME AS IT IS
6 ENSHRINED IN THE MESSENGER ELIZABETH CLARE
7 PROPHET, MOTHER OF THE FLAME, AND IN THE
8 LITTLE MOTHER, TATIANA MARIE PROPHET, OR IN
9 ANY OTHER WHO IS ANOINTED BY SAINT GERMAIN
10 TO ASSIST AND SUCCEED HER IN THAT OFFICE.

11 "I SHALL TAKE THE VOW TO EXPAND
12 THE PRECEPTS OF THE FATHER PRINCIPLE OF THE
13 FOUR QUADRANTS OF THE PLANE OF MATTER AND TO
14 UPHOLD THE MESSENGER MARK L. PROPHET, THE
15 ASCENDED MASTER LANELLO, AS HE REPRESENTS
16 THE FATHER PRINCIPLE FOR THE GREAT WHITE
17 BROTHERHOOD AND THE LITTLE FATHER, SEAN
18 CHRISTOPHER PROPHET, OR IN ANY OTHER WHO IS
19 APPOINTED TO ASSIST AND SUCCEED HIM IN THAT
20 OFFICE."

21 Q IS THAT THE VOW YOU TOOK?

22 A I DON'T RECALL THAT.

23 MR. LEVY: YOUR HONOR, AT THIS POINT I'D ASK THAT
24 THIS BE ENTERED INTO EVIDENCE.

25 MR. KLEIN: I WOULD OBJECT, YOUR HONOR. LACK OF
26 FOUNDATION, LACK OF RELEVANCE.

27 THE COURT: WE WILL JUST LEAVE IT MARKED FOR
28 IDENTIFICATION AT THIS TIME.

1 MR. LEVY: YES, YOUR HONOR.

2 Q IN YOUR TEACHINGS, ARE YOU KNOWN AS THE
3 REEMBODIMENT OF CAPTAIN COOK?

4 A THAT HAS BEEN REFERRED TO.

5 Q LET ME ASK YOU ONE LAST QUESTION.

6 DO YOU CONSIDER YOURSELF TO BE THE
7 REINCARNATION OF CAPTAIN COOK?

8 MR. KLEIN: YOUR HONOR, I AM GOING TO OBJECT ON FIRST
9 AMENDMENT GROUNDS AND RELEVANCY GROUNDS.

10 THE COURT: HE CAN ANSWER.

11 THE WITNESS: YES, I DO.

12 Q BY MR. LEVY: LET ME ASK YOU THIS ONE AS MR.
13 FRANCIS INSTEAD OF CAPTAIN COOK.

14 RIGHT BEFORE MR. MULL WAS ASKED TO LEAVE THE
15 CHURCH, CONSIDERING HE HAD BEEN THERE FOR 17 MONTHS AND
16 CONSIDERING THE FACT THAT YOU HAD RECEIVED A TELEPHONE CALL
17 FROM ELIZABETH CLARE PROPHET, WOULD IT HAVE NOT BEEN MORE
18 CHARITABLE TO ALLOW HIM TO STAY THERE FOR THE SEVERAL DAYS
19 IT WOULD TAKE FOR HER TO GET BACK SO THAT ALL THE MATTERS
20 COULD BE DECIDED INSTEAD OF JUST KICKING HIM OUT?

21 A WE DIDN'T KICK HIM OUT.

22 Q JUST TOLD HIM TO LEAVE?

23 A WE ASKED HIM -- WE TOLD HIM WE FELT IT WOULD BE
24 INAPPROPRIATE FOR HIM TO CONTINUE RECEIVING FREE ROOM AND
25 BOARD SINCE HE WAS NOT WANTING TO FULFILL HIS COMMITMENT,
26 AND WE THOUGHT IT WOULD BE A BETTER IDEA FOR HIM TO MOVE
27 INTO HIS CONDOMINIUM IN WESTLAKE AND HE DIDN'T ARGUE ABOUT
28 IT. HE THOUGHT THAT THAT WAS OKAY.

1 Q HAD HE NOT BEEN WORKING WITH YOU FOR -- WITHOUT
2 ANY PAYMENT SINCE OCTOBER OF 1979 UNTIL THE DATE HE HAD BEEN
3 ASKED TO LEAVE IN MAY OF 1980?

4 A HE RECEIVED FREE ROOM AND BOARD ALL THAT TIME.

5 Q AND HE HAD DONE APPROXIMATELY 20 OR MORE HOURS
6 PER WEEK ARCHITECTURAL WORK?

7 A THAT IS WHAT I UNDERSTAND HE SAYS HE WORKED. I
8 DON'T KNOW FOR A FACT THAT HE WORKED 20 HOURS A WEEK, BUT HE
9 WORKED -- HE DID WORK, YOU KNOW, CERTAIN NUMBER OF HOURS PER
10 WEEK AFTER OCTOBER OF '79.

11 Q MR. MONROE SHEARER ACKNOWLEDGED THAT HE WORKED
12 ABOUT 20 HOURS A WEEK DOING ARCHITECTURAL WORK FOR THE
13 CHURCH.

14 SINCE MR. MONROE SHEARER WAS YOUR CO-DEPARTMENT
15 HEAD IN THE PLANNING AND DEVELOPMENT, WOULD YOU RELY UPON
16 MR. MONROE SHEARER'S STATEMENT THAT HE WORKED ABOUT 20 HOURS
17 A WEEK?

18 A MONROE KNEW MORE ABOUT HIS DAY-TO-DAY WORK THAN
19 I DID. THAT IS CERTAINLY TRUE.

20 Q WOULD YOU RELY UPON MR. SHEARER'S STATEMENT
21 THAT HE WORKED 20 HOURS A WEEK IN ARCHITECTURAL WORK?

22 A YOU MEAN WOULD I RELY UPON IT RIGHT NOW? I
23 THINK IF MONROE SAID IT, HE MUST KNOW WHAT HE IS TALKING
24 ABOUT.

25 Q SO IF THE MAN WAS WORKING 20 HOURS A WEEK FOR
26 YOU DOING ARCHITECTURAL WORK, EVEN GETTING A MINIMAL HOURLY
27 WAGE, WASN'T HE COVERING THE COST OF HIS ROOM AND HIS BOARD,
28 MR. FRANCIS?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

A WHAT DO YOU MEAN, "COVERING THE COST OF"?

Q WELL, IF YOU HAVE A PROFESSIONAL WORK FOR YOU FOR 20 HOURS A WEEK AND YOU PAY HIM ROUGHLY \$50 AN HOUR, THAT IS \$1,000 A WEEK.

WAS HIS ROOM AND THE VEGETABLES WORTH MORE THAN \$1,000 A WEEK?

A I DON'T THINK -- NO, I DON'T THINK IT WAS WORTH MORE THAN 1,000 A WEEK.

Q THEN BACK TO MY QUESTION, MR. FRANCIS. WHAT WAS THE RUSH IN GETTING HIM OUT OF CAMELOT? COULDN'T HE HAVE STAYED THERE A FEW MORE DAYS UNTIL ELIZABETH GOT BACK?

A HE DIDN'T REQUEST TO. I DON'T KNOW THAT THERE WAS ANY RUSH TO DO SO. WE ASKED HIM TO AND HE DIDN'T SAY, "CAN I STAY HERE FOR TWO OR THREE MORE WEEKS UNTIL ELIZABETH GETS BACK?"

Q ISN'T IT A FACT YOU TOLD HIM TO GET OUT BEFORE SUNDOWN ON SATURDAY WHEN YOU WERE GOING TO HAVE ANOTHER SERVICE AT THE CHURCH?

A NO, I DON'T RECALL. NO, I DON'T RECALL THAT. I RECALL SAYING --

Q YOU JUST RECALL CERTAIN THINGS?

A I RECALL SAYING HE COULD TAKE A FEW DAYS TO MOVE HIS THINGS OUT.

MR. LEVY: YOUR HONOR, WE WOULD ASK THAT THIS WITNESS REMAIN ON-CALL. AT THIS TIME WE ARE THROUGH WITH OUR CROSS-EXAMINATION.

THE COURT: ALL RIGHT. GO AHEAD.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

REDIRECT EXAMINATION +

BY MR. KLEIN:

Q ARE YOU DEDICATED IN ANY WAY TO ELIZABETH CLARE
PROPHET?

A YES.

Q IN WHAT WAY? EXPLAIN.

A I AM DEDICATED TO HER AS MY WIFE, AND I AM
DEDICATED TO THE FULFILLING OF WHAT I PERCEIVE TO BE HER
SPIRITUAL MISSION IN THAT I BELIEVE IN THE TEACHINGS AND THE
SPIRITUAL PRINCIPLES THAT SHE TEACHES. AND TO THE EXTENT
THAT SHE CONTINUES TO BE FAITHFUL TO THOSE TEACHINGS AND
PRINCIPLES, THAT IS WHAT I AM DEDICATED TO.

Q DO YOU HAVE EXHIBIT 1 THERE, THE CAMELOT
TEN-YEAR PLAN?

A YES.

Q COULD YOU DIRECT YOUR ATTENTION TO PAGE 33,
PLEASE.

A ALL RIGHT.

Q ON PAGE 33, DOES IT HAVE A SUMMARY OF NEEDS FOR
1978 THROUGH 1980?

A YES, IT DOES.

Q AND AMONG THOSE NEEDS, IS THERE ANYTHING ABOUT
GETTING MONEY FOR THE DOWN PAYMENT AND MORTGAGE FOR THE
CAMELOT PURCHASE?

A YES.

Q WAS THE DISCUSSION THAT YOU HAD WITH LINDA
MULL, WAS THAT BEFORE OR AFTER THE MEETING OF JUNE 6, 1980,

1 THE TAPED MEETING THAT WE HEARD?

2 A IT WAS BEFORE.

3 Q WHEN YOU TESTIFIED THAT YOU WERE GOING TO --
4 THAT YOU TOLD LINDA MULL THAT YOU WERE GOING TO TRY TO
5 RESOLVE THE DISPUTE WITH HER FATHER, DID YOU KNOW AT THAT
6 TIME THAT THERE WOULD BE A MEETING ON OR ABOUT JUNE 6, 1980?

7 LET ME JUST BACK UP.

8 AT THE MEETING WITH LINDA MULL, DID YOU KNOW
9 WHEN YOU HAD THAT MEETING THAT THERE WOULD BE A MEETING AT
10 SOME LATER DATE BETWEEN ELIZABETH, YOURSELF, MONROE AND MR.
11 MULL?

12 A I KNEW THAT WE HAD PLANNED TO DO THAT, YES.

13 Q BY THE WAY, WHAT IS THE EXTENSION -- THE EXTENT
14 OF YOUR DEDICATION TO THE CHILDREN OF ELIZABETH CLARE
15 PROPHET?

16 A I AM DEDICATED TO THEM AS THEIR STEPFATHER.
17 MR. KLEIN: THANK YOU.

18 I HAVE NO FURTHER QUESTIONS.

19 MR. LEVY: NOTHING FURTHER AT THIS TIME, YOUR HONOR.

20 THE COURT: ALL RIGHT. YOU CAN STEP DOWN. HOWEVER,
21 YOU ARE NOT EXCUSED.

22 YOU HAVE BEEN HERE THROUGHOUT THE TRIAL UP
23 UNTIL NOW AND YOU ARE OBVIOUSLY WELCOME TO BE HERE
24 THROUGHOUT THE TRIAL. BUT IN THE EVENT YOU ARE NOT HERE,
25 WHICH IS YOUR DECISION, LET MR. KLEIN KNOW HOW YOU CAN BE
26 REACHED AND BE PREPARED TO BE BACK HERE ON 24 HOURS' NOTICE
27 IF NEED BE.

28 THE WITNESS: YES, YOUR HONOR.

1 THE COURT: ALL RIGHT. PLEASE PROCEED.

2 MR. KLEIN: MR. FRANKLIN EASTMAN, YOUR HONOR.

3

4

FRANKLIN EASTMAN, +

5

A PLAINTIFF'S WITNESS, HAVING BEEN FIRST DULY SWORN,

6

TESTIFIES AS FOLLOWS:

7

THE CLERK: PLEASE BE SEATED. PLEASE STATE YOUR NAME

8

FOR THE RECORD AND PLEASE SPELL YOUR NAME.

9

THE WITNESS: FRANKLIN EASTMAN. THE SPELLING OF THE

10

LAST NAME IS E-A-S-T-M-A-N.

11

THE CLERK: FIRST NAME, ALSO.

12

THE WITNESS: F-R-A-N-K-L-I-N.

13

THE CLERK: THANK YOU.

14

15

DIRECT EXAMINATION +

16

BY MR. KLEIN:

17

Q MR. EASTMAN, ARE YOU CURRENTLY EMPLOYED?

18

A YES.

19

Q WHERE ARE YOU EMPLOYED?

20

A I WORK FOR CONTINENTAL DEVELOPMENT IN EL

21

SEGUNDO.

22

Q WHAT IS YOUR POSITION?

23

A I AM A FACILITIES MANAGER ASSISTANT. IT IS A

24

63-ACRE OFFICE COMPLEX COMPRISED OF 23 BUILDINGS AND OUR

25

OFFICE IS IN CHARGE OF THE MAINTENANCE.

26

Q ARE YOU CURRENTLY AFFILIATED IN ANY WAY WITH

27

CHURCH UNIVERSAL AND TRIUMPHANT?

28

A NO.

1 Q WAS THERE A TIME WHEN YOU WERE A STAFF MEMBER?

2 A YES.

3 Q WHEN WAS THAT?

4 A FROM 1975 UNTIL 1981.

5 Q AFTER YOU CEASED BEING A STAFF MEMBER IN 1981,
6 DID YOU CONTINUE AS A CHURCH MEMBER?

7 A NO.

8 Q YOU LEFT BOTH THE STAFF AND THE CHURCH IN 1981?

9 A YES.

10 Q WHY DID YOU LEAVE?

11 A I NEEDED SOME SPACE AND I WANTED TO PURSUE
12 OTHER THINGS.

13 Q WHEN YOU DECIDED TO LEAVE IN 1981, DID ANYONE
14 DO OR SAY ANYTHING TO PREVENT YOU FROM LEAVING?

15 A NO.

16 Q ANYBODY HARASS OR THREATEN YOU AFTER YOU LEFT
17 THE CHURCH?

18 A NO.

19 Q DO YOU HAVE ANY FRIENDS OR FAMILY MEMBERS WHO
20 ARE STILL CHURCH MEMBERS?

21 A YES. MY MOTHER, BROTHER AND SISTER.

22 Q DO YOU HAVE CONTACT WITH THEM SINCE YOU LEFT
23 THE CHURCH?

24 A YES.

25 Q HAVE YOU BEEN SHUNNED IN ANY WAY BY CHURCH
26 MEMBERS SINCE YOU LEFT?

27 A NO.

28 Q WHEN YOU LEFT, DID ANYONE SUGGEST TO YOU THAT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

YOU WOULD NOT MAKE YOUR ASCENSION IF YOU LEFT THE CHURCH?

A NO.

Q DID YOU DECREE WHEN YOU WERE WITH THE CHURCH?

A YES.

Q WHAT EFFECT, IF ANY, DID DECREERING HAVE ON YOU?

A A POSITIVE EFFECT. I MEAN IT WAS A FORM OF MEDITATION. YOU COULD CONTEMPLATE YOUR DAILY ACTIVITIES, THINGS IN YOUR LIFE.

Q DID YOU EVER FEEL THAT DECREERING IN ANY WAY LESSENERED YOUR ABILITY TO CONTROL YOUR OWN THOUGHTS AND ACTIONS?

A NO.

Q DURING THE TIME -- WITHDRAWN. DID YOU GO TO SUMMIT UNIVERSITY?

A YES, I DID.

Q WHEN DID YOU GO?

A I WENT IN THE FALL OF 1973 AND THE SPRING OF 1974.

Q DURING THE YEARS THAT YOU WERE AT SUMMIT UNIVERSITY AS WELL AS THE YEARS YOU WERE ON STAFF, WERE YOU EVER TAUGHT THAT YOU SHOULDN'T HAVE ANY COMMUNICATION WITH NONCHURCH MEMBERS?

A NO.

Q WERE YOU EVER TAUGHT THAT YOU SHOULD FEAR NONCHURCH MEMBERS?

A NO.

Q DURING THE YEARS THAT YOU WERE AT SUMMIT UNIVERSITY OR A MEMBER OF THE STAFF, WERE YOU EVER

1 RESTRICTED IN ANY WAY FROM HAVING CONTACT WITH PEOPLE WHO
2 ARE NOT CHURCH MEMBERS?

3 A NO.

4 Q WERE YOU EVER RESTRICTED IN ANY WAY AS TO
5 MOVIES, TV, RADIO, BOOKS THAT YOU COULD READ OR WATCH?

6 A NO.

7 Q HOW WOULD YOU CHARACTERIZE THE YEARS THAT YOU
8 LIVED AT CAMELOT?

9 A I ENJOYED IT. I MEAN IT WAS A WAY OF LIFE THAT
10 WAS -- THAT I LIKED. I MEAN THE LIFESTYLE OF LIVING WITH
11 THE FELLOWSHIP, THE CAMARADERIE OF LIVING WITH PEOPLE THAT
12 BELIEVED THE SAME THINGS THAT YOU BELIEVE WAS, YOU KNOW,
13 GREAT, ENJOYABLE. AND THE STUDYING OF THE TEACHINGS OF THE
14 CHURCH WAS THE PRIMARY REASON WHY I WAS THERE.

15 Q DO YOU REGRET IN ANY WAY YOUR AFFILIATION WITH
16 THE CHURCH?

17 A NOT AT ALL.

18 MR. KLEIN: THANK YOU.

19 I HAVE NO FURTHER QUESTIONS.

20 MR. LEVY: THANK YOU, YOUR HONOR.

21

22 CROSS-EXAMINATION +

23 BY MR. LEVY:

24 Q FRANKLIN EASTMAN?

25 A THAT'S CORRECT.

26 Q DID YOU WORK WITH MONROE SHEARER?

27 A YES.

28 Q DID HE LEAVE THE CHURCH ABOUT THE SAME TIME YOU

1 DID?

2 A WHEN DID HE LEAVE?

3 Q 1981.

4 A I LEFT IN MAY OF 1981. I REALLY DON'T RECALL
5 WHEN MONROE LEFT.

6 Q THAT IS WHEN HE LEFT. HE LEFT ABOUT THE SAME
7 TIME. SO I GUESS YOU LEFT FAIRLY CLOSE TOGETHER?

8 A MUST HAVE.

9 Q DECREES ARE LIKE MEDITATION, ARE THEY?

10 A I THINK SO.

11 Q DO YOU EVER HAVE TO BOTHER TO READ WHAT IT IS
12 YOU ARE DECREEING?

13 A YOU READ IT TO DECREE.

14 Q SO YOU HAVE TO CONCENTRATE ON WHAT YOU ARE
15 READING?

16 A SURE.

17 Q SO WHILE YOU ARE CONCENTRATING ON WHAT IT IS
18 YOU ARE READING AND DECREEING ABOUT, DURING THE SAME PERIOD
19 OF TIME YOU CAN LET YOUR MIND DRIFT AND USE IT FOR
20 CONTEMPLATION?

21 A I WOULDN'T SAY DRIFT.

22 Q WELL, HOW DO YOU DO THOSE SEVERAL THINGS AT THE
23 SAME TIME?

24 A WELL, WHEN YOU READ, DOESN'T SOMETHING, YOU
25 KNOW, CAUSE YOU TO CONTEMPLATE OR REFLECT ON SOMETHING?
26 AND -- WELL, THAT IS WHAT I FEEL IT DOES. YOU KNOW, IT IS
27 LIKE WHEN YOU READ A BOOK OR READ ANYTHING, IT IS A SOURCE
28 OF THOUGHT.

1 Q ENJOYED THE LIFESTYLE OUT AT CAMELOT?

2 A YES.

3 Q WHEN DID YOU LIVE AT CAMELOT?

4 A 1978 THROUGH 1981.

5 Q ENJOYED THE CAMARADERIE?

6 A YES, SIR.

7 Q ALL THE GOOD VEGETABLES?

8 A YES, SIR.

9 Q DID YOU REALLY LIKE IT OR DID YOU JUST KIND OF
10 LIKE IT?

11 A I THINK I CAN SAFELY SAY I REALLY LIKED IT.

12 Q AND YET YOU LEFT IN 1981 BECAUSE YOU NEEDED
13 MORE SPACE?

14 A WELL, THERE WERE OTHER THINGS THAT I WANTED TO
15 DO.

16 Q COULDN'T YOU DO THEM WHILE YOU WERE STILL A
17 MEMBER OF THE CHURCH?

18 A I FELT THAT I COULDN'T.

19 Q YOU WANTED TO GO INTO THE MAINTENANCE BUSINESS
20 SO YOU GAVE UP YOUR RELIGION?

21 A WELL, I WORK AT A COMPANY NOW. I HOPE TO OPEN
22 MY OWN BUSINESS. I HOPE TO OPEN MY OWN TRAVEL AGENCY OR
23 TRAVEL-RELATED BUSINESS.

24 Q CAN YOU WORK AND BE A PART OF THIS CHURCH?

25 A ACTUALLY, I MEAN I AM STILL STUDYING. AND AS A
26 MATTER OF FACT, I JUST FINISHED A BOOK BY MRS. PROPHET, "THE
27 LOST YEARS." AND I AM STILL READING, RESEARCHING AND
28 STUDYING, BUT I AM NOT EXTREMELY ACTIVE.

1 Q YOU LIKED THE LIFESTYLE, YOU LOVED THE
2 CAMARADERIE, IT WAS REALLY A GREAT LIFE, YOU ARE INVOLVED IN
3 THE TEACHINGS. THE NATURE OF THE WORK I THINK YOU DESCRIBED
4 WAS MAINTENANCE?

5 A WHERE I AM AT NOW?

6 Q YES.

7 A YES.

8 Q SO YOU LEFT THE CHURCH AND THAT WONDERFUL
9 LIFESTYLE AND ALL THE CAMARADERIE TO DO MAINTENANCE WORK?

10 A WELL, I MEAN THAT IS WHAT I DO FOR A LIVING.
11 THERE ARE OTHER THINGS THAT I DO BESIDES, YOU KNOW, WORK AT
12 CONTINENTAL DEVELOPMENT.

13 Q DID YOU KNOW MONROE SHEARER WELL WHEN YOU WERE
14 AT CAMELOT?

15 A COULD YOU DEFINE "WELL"?

16 Q SEVERAL WAYS. A WELL IS A DEEP HOLE IN THE
17 GROUND.

18 AND IN THE CONTEXT I AM USING IT, WAS HE PART
19 OF THAT WONDERFUL CAMARADERIE? DID YOU KNOW HIM AS A FRIEND
20 WHILE YOU WERE THERE?

21 A NOT REALLY.

22 Q NOT REALLY. WEREN'T YOU HIS ASSISTANT?

23 A NO.

24 Q NEVER WORKED AS AN ASSISTANT TO MONROE SHEARER?

25 A NO.

26 Q NOT WHEN YOU WERE ON PERMANENT STAFF?

27 A NO.

28 Q NEVER HAD ANYTHING TO DO WITH HIM?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

A WELL, I SPOKE TO HIM.

Q THAT IS ABOUT THE EXTENT OF IT?

A YES.

Q IN 1973, WERE YOU FAMILIAR WITH THE LANELLO RESERVES?

A YES.

Q DID YOU WORK AT THEIR L.A. WAREHOUSE?

A NO.

Q DID YOU HAVE ANYTHING TO DO WITH THEM?

A I PURCHASED A SUPPLY OF DEHYDRATED FOOD FROM THEM.

Q WHAT DID YOU DO THAT FOR?

A I WANTED A SUPPLY OF FOOD FOR CAMPING PURPOSES AND FOR JUST TO HAVE AS AN EMERGENCY SUPPLY OF FOOD.

Q DURING THAT TIME, WEREN'T YOU LIVING IN IDAHO, IN MONTANA IN ONE OF THE SURVIVAL UNITS THAT THE CHURCH HAD?

A NO. I LIVED IN MICHIGAN FOR THE FIRST PART OF THE YEAR AND THEN I MOVED OUT TO SANTA BARBARA TO ATTEND SUMMIT UNIVERSITY.

Q YOU KNOW DONALD TROWBRIDGE?

A YES, I DO.

Q HE SOMETIMES TRAVELED WITH YOU WHEN YOU ARE GOING TO THE SURVIVAL UNITS IN IDAHO AND MONTANA, DIDN'T HE?

MR. KLEIN: YOUR HONOR, I AM GOING TO MAKE AN OBJECTION AND ASK FOR AN OFFER OF PROOF AT THIS TIME. MY OBJECTION IS AS TO RELEVANCY.

THE COURT: ALL RIGHT.

(THE FOLLOWING PROCEEDINGS WERE HELD

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

AT THE BENCH:)

THE COURT: WHAT IS THE RELEVANCY OF THIS?

MR. LEVY: GIVE ME ONE SECOND. I WILL TRY TO THINK OF AN IDEA.

I THINK THE GUY IS A BLATANT LIAR. I HAVE DOCUMENTS FROM DONALD TROWBRIDGE WHO TESTIFIED HERE WHO HAS PARTICIPATED WITH HIM IN THESE ACTIVITIES. DONALD TROWBRIDGE WAS A BOARD MEMBER.

A DOCUMENT I HAVE FROM DONALD TROWBRIDGE INDICATES THAT HE WAS INVOLVED IN THESE THINGS, THAT HE WAS THE ASSISTANT TO MONROE SHEARER. I THINK WHAT HE IS DOING IS PERJURING HIMSELF ON THE STAND.

THE COURT: WHAT IS THE RELEVANCY OF THIS, THOUGH, TO THE ISSUES INVOLVING YOUR CLIENT?

MR. LEVY: THEY ARE PROBABLY PERIPHERAL IF AT ALL. IF IT IS THE COURT'S SUGGESTION, I WILL MOVE ON.

THERE IS ONE FUND RAISING ISSUE. WHAT HE TESTIFIED TO, HE BOUGHT THE DRIED FOOD FOR HUNTING. THE CHURCH WAS IN THE BUSINESS OF PACKAGING THE STUFF AND SELLING THIS STUFF NOT ONLY TO ITS MEMBERS, BUT TO THE GENERAL PUBLIC BECAUSE WHAT THEY WERE DOING AFTER MARK PROPHET DIED, THEY ANTICIPATED THAT THE WORLD WAS COMING TO AN END.

THE COURT: HOW IS THIS GOING TO HELP ME DECIDE OR HELP THE JURY DECIDE ANY OF THE ISSUES RELATIVE TO GREGORY MULL?

MR. KLEIN: BECAUSE IT WILL PREJUDICE THEM BECAUSE --

THE COURT: I AM ALMOST RULING IN YOUR FAVOR. WHY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DON'T YOU LEAVE ME ALONE.

MR. KLEIN: I AM SORRY, YOUR HONOR.

THE COURT: I HAVE NEVER PREVENTED YOU FROM SPEAKING WHEN YOU HAVE HAD A LEGITIMATE NEED TO DO SO.

MR. KLEIN: I AM SORRY, YOUR HONOR.

THE COURT: THIS ISN'T GOING -- THIS DOESN'T AFFECT MULL REALLY, DOES IT?

MR. LEVY: IT IS PERIPHERAL AT BEST, I AGREE.

THE COURT: LET'S GET ON WITH SOMETHING.

(THE PROCEEDINGS WERE RESUMED IN OPEN COURT IN THE PRESENCE OF THE JURY:)

Q BY MR. LEVY: WHILE YOU LIVED AT CAMELOT, DID YOU KNOW MR. MULL?

A YES.

Q AND HOW WELL DID YOU KNOW MR. MULL?

A VAGUELY. I ACTUALLY KNEW MR. MULL BEFORE CAMELOT. I -- MYSELF AND SEVERAL STAFF MEMBERS STAYED OVERNIGHT AT HIS HOME IN SAN FRANCISCO DURING ONE OF OUR SEMINARS UP THERE.

Q DID YOU CONSIDER HIM A DEDICATED FOLLOWER OF THE CHURCH WHEN YOU STAYED OVERNIGHT AT HIS HOME?

A YES. I MEAN HE OFFERED HIS HOME TO US. I'D SAY YES.

Q DID YOU HAVE ANY COMMUNICATION WITH MR. MULL WHILE DURING THE YEAR '79 AND '80 AT CAMELOT?

A YES, I BELIEVE SO. MR. MULL PREPARED A MAP FOR ONE OF OUR CONFERENCES. I WAS THE CONFERENCE COORDINATOR THERE AND PROVIDED HIM WITH THE INFORMATION FOR THE LAYOUT

1 OF THE FACILITIES AND HE DREW UP A MAP.

2 Q DID HE PARTICIPATE IN ANY CONFERENCES WHILE YOU
3 WERE AT CAMELOT OR WHILE YOU WERE A MEMBER OF THE CHURCH?

4 A YES.

5 Q AND WHAT WAS THE NATURE OF HIS PARTICIPATION?

6 A HE ATTENDED THEM. I MEAN HE WAS THERE IN
7 ATTENDANCE.

8 Q TO YOUR KNOWLEDGE, DID MR. MULL EVER DISPLAY
9 ANY PLANS THAT HE HAD DRAWN FOR MONTESSORI INTERNATIONAL?

10 A HE MAY HAVE. I DON'T KNOW.

11 Q DID YOU HAVE ANY DAILY CONTACT WITH MR. MULL
12 DURING '79 AND '80 WHEN YOU WERE BOTH LIVING AT CAMELOT?

13 A YES. I SAW HIM AT MEALS AND WE WORKED IN THE
14 SAME BUILDING ON DIFFERENT FLOORS.

15 Q DID YOU EVER HAVE OCCASION TO NOTICE WHETHER HE
16 WORKED FULL DAYS?

17 A NO, I WOULDN'T REALLY KNOW. I NEVER PAID ANY
18 ATTENTION.

19 Q WHAT OFFICE WERE YOU WORKING AT?

20 A I WAS ON THE SECOND FLOOR. WELL, I WAS IN A
21 NUMBER OF LOCATIONS. BUT I BELIEVE AT THE TIME WHEN MR.
22 MULL WAS THERE, I WAS ON THE SECOND FLOOR.

23 Q DOING WHAT?

24 A I WAS -- MY TITLE THEN WAS A CONFERENCE
25 COORDINATOR.

26 Q CONFERENCES ARE HELD THREE TIMES A YEAR?

27 A FOUR TIMES A YEAR.

28 Q FOUR TIMES A YEAR?

1 A YES.

2 Q WHAT DID YOU DO IN BETWEEN THE TIME THAT
3 CONFERENCES WERE HELD?

4 A WE HAD SEMINARS BETWEEN THE CONFERENCES.

5 Q DID YOU HAVE ANY KIND OF CONTACT OTHER THAN
6 JUST TO SEE MR. MULL AND TO SAY HELLO?

7 A OTHER THAN PREPARING THE MAP FOR ONE OF THE
8 CONFERENCES, THAT IS ABOUT IT.

9 Q IN YOUR OPINION, WAS MR. MULL A PARTICIPANT IN
10 THE GOOD FELLOWSHIP AND CAMARADERIE AT CAMELOT WHILE YOU
11 WERE THERE?

12 A YES.

13 Q IN YOUR OPINION, WAS HE DEDICATED TO CHURCH
14 UNIVERSAL AND TRIUMPHANT WHILE YOU WERE THERE?

15 A YES.

16 Q WAS MR. MULL A TROUBLEMAKER OF ANY KIND WHEN
17 YOU WERE THERE?

18 A NOT WHILE HE WAS ON STAFF. AFTERWARDS, I KNOW
19 HE WAS DISGRUNTLED WITH THE ORGANIZATION. BUT WHILE HE WAS
20 THERE, AS FAR AS I KNOW HE GOT ALONG FINE.

21 Q TRIED HIS BEST, DID HE?

22 A WELL, THAT I COULDN'T ANSWER.

23 Q HOW IS IT YOU KNOW THAT AFTER HE WAS NO LONGER
24 THERE, HE WAS DISGRUNTLED?

25 A I BELIEVE HE WAS IN SOME OF THE NEWSPAPERS.

26 Q AS PART OF YOUR CHURCH ACTIVITY, DID YOU HEAR A
27 TWO AND A HALF HOUR PLAYING OF TAPE THAT DEPICTED A
28 CONVERSATION THAT WAS HAD BETWEEN MR. MULL AND MR. AND MRS.

1 FRANCIS AND MONROE SHEARER?

2 A NO.

3 Q NEVER HEARD ANYTHING ABOUT THAT?

4 A WELL, I HAD HEARD IN A STAFF MEETING THAT MR.
5 MULL HAD -- WAS DISGRUNTLED WITH THE ORGANIZATION AND THAT
6 IS ABOUT ALL I HAD HEARD. I NEVER HEARD, YOU KNOW, ANY TAPE
7 ON A MEETING.

8 Q WHEN YOU SAY HE WAS DISGRUNTLED WITH THE
9 ORGANIZATION, WHAT DO YOU MEAN HE WAS DISGRUNTLED WITH THE
10 ORGANIZATION?

11 A HE WAS OPPOSED TO THE TEACHINGS AND BELIEFS OF
12 THE ORGANIZATION.

13 Q WHO TOLD YOU THAT?

14 A WELL, I READ IT IN A NEWSPAPER AND HEARD IT
15 FROM -- IN THE STAFF MEETING AND OTHER PEOPLE, OTHER
16 INDIVIDUALS.

17 Q WHAT NEWSPAPER DID YOU READ IT IN?

18 A WELL, I DON'T KNOW. IT'S BEEN ABOUT FOUR YEARS
19 I THINK, THREE OR FOUR YEARS.

20 Q WOULD IT SURPRISE YOU TO KNOW THAT MR. MULL HAS
21 NEVER ONCE CHALLENGED THE TEACHINGS OF CHURCH UNIVERSAL AND
22 TRIUMPHANT?

23 MR. KLEIN: YOUR HONOR, I AM GOING TO OBJECT. THAT
24 IS TESTIMONY FROM COUNSEL.

25 MR. LEVY: NO, IT IS NOT. IT IS A QUESTION.

26 THE COURT: PLEASE REPHRASE IT.

27 Q BY MR. LEVY: TELL ME WHO YOU HEARD IT FROM ON
28 STAFF, PLEASE.

1 A I DON'T BELIEVE I CAN -- I RECALL. I REALLY
2 DIDN'T PAY MUCH ATTENTION AND I CAN'T REMEMBER.

3 Q YOU WERE JUST ENJOYING THE LIFESTYLE SO MUCH
4 YOU NEVER REALLY PAID ATTENTION?

5 A WELL, NO. THERE WERE OTHER, WHAT I FIGURED,
6 MORE IMPORTANT THINGS, COVERING THE STAFF MEETINGS. AND THE
7 DISPOSITION OF ONE INDIVIDUAL REALLY, YOU KNOW, DIDN'T MAKE
8 THAT MUCH DIFFERENCE TO ME.

9 Q THAT IS A GOOD RELIGIOUS ATTITUDE.

10 A LET ME ASK YOU THIS QUESTION: DID YOU EVER
11 DECREE AGAINST GREGORY MULL OR HIS ENERGY?

12 A AGAINST GREGORY MULL, NO.

13 Q OR HIS ENERGY?

14 A FOR THE SITUATION, YES.

15 Q FOR THE SITUATION?

16 A YES. THE WHOLE SITUATION AROUND HIS OPPOSITION
17 TO THE BELIEFS OR TEACHINGS AS I HAD STATED EARLIER.

18 Q AS YOU ARE A FAIR AND EQUITABLE MAN?

19 A I BELIEVE SO.

20 Q DID YOU EVER TALK TO GREGORY MULL ABOUT HIS
21 DISAGREEMENT WITH THE CHURCH?

22 A AFTER HE LEFT THE CHURCH, I NEVER SAW HIM.

23 Q TO YOUR KNOWLEDGE, DID ANYBODY FROM THE CHURCH,
24 WHO IS AN ACTIVE MEMBER OF THE CHURCH NOW, AFTER HE LEFT THE
25 CHURCH EVER BOTHER TO SEEK HIM OUT AND DISCUSS WITH HIM HIS
26 SIDE OF THE STORY?

27 A I THINK HE SEEKED OUT MEMBERS OF THE CHURCH
28 HIMSELF AND DISCUSSED IT WITH THEM.

1 Q THAT IS NOT MY QUESTION.

2 A WELL, THAT WOULD BE MY ANSWER. I DON'T KNOW OF
3 ANYBODY GOING TO HIM TO DISCUSS IT. I MEAN HE HAD BEEN TO
4 SEVERAL OF OUR EVENTS AND HAD, YOU KNOW, BROUGHT IT TO OUR
5 ATTENTION OR THEIR ATTENTION, THE PEOPLE THAT HE SPOKE WITH.

6 Q WHAT EVENTS DID HE ATTEND WHERE HE BROUGHT IT
7 TO YOUR ATTENTION?

8 A CONFERENCES AND SEMINARS.

9 Q AFTER HE LEFT?

10 A I BELIEVE SO, YES. I AM NOT SAYING HE ATTENDED
11 THE CONFERENCES, BUT HE WOULD BE THERE TO TALK TO PEOPLE
12 THAT WERE GOING INTO THE CONFERENCES.

13 Q TO YOUR KNOWLEDGE, DID ANYBODY WITH ANY
14 AUTHORITY WITHIN THE CHURCH EVER EXTEND THEMSELVES TO TALK
15 TO GREGORY MULL ABOUT WHATEVER DIFFERENCES HE MIGHT HAVE HAD
16 WITH THE CHURCH AFTER HE WAS ASKED TO LEAVE THE CHURCH?

17 A I DON'T KNOW. I -- I AM NOT AWARE OF ANY. I
18 REALLY AT THE TIME DID NOT PAY THAT MUCH ATTENTION TO THE
19 SITUATION.

20 Q DID YOU HAVE A LOT OF ARCHITECTS WORKING FOR
21 THE CHURCH AT THAT TIME?

22 A NOT THAT I AM AWARE OF.

23 Q DO YOU HAVE ANY KNOWLEDGE OF WHAT IT WAS THAT
24 MR. MULL WAS SUPPOSED TO BE DOING AT THE CHURCH?

25 A HE WAS AN ARCHITECT.

26 Q DO YOU HAVE ANY KNOWLEDGE ABOUT ANYTHING AT THE
27 CHURCH OTHER THAN THE CONFERENCES?

28 MR. KLEIN: OBJECT. THAT IS JUST VAGUE AND

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

AMBIGUOUS, YOUR HONOR.

THE COURT: SUSTAINED.

MR. LEVY: IN THE SPIRIT OF CAMARADERIE, I HAVE NO FURTHER QUESTIONS, YOUR HONOR.

MR. KLEIN: I HAVE NO FURTHER QUESTIONS, YOUR HONOR.

THE COURT: ALL RIGHT. YOU ARE EXCUSED.

IN THE SPIRIT OF THE HOUR, WE ARE GOING TO STOP FOR THE DAY. WE ARE GOING TO RESUME TOMORROW MORNING AT 9:15. HAVE A VERY PLEASANT EVENING. I LOOK FORWARD TO SEEING ALL OF YOU AT 9:15 TOMORROW.

(AT 4:10 P.M., AN ADJOURNMENT WAS TAKEN UNTIL THURSDAY, MARCH 13, 1986, AT 9:15 A.M.)