

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

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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; TUESDAY, MARCH 18, 1986 *

2 9:30 A.M.

3 DEPARTMENT 50 HON. ALFRED L. MARGOLIS, JUDGE

4 (APPEARANCES AS HERETOFORE NOTED

5 EXCEPT LYLE FRANCIS MIDDLETON

6 IS NOT PRESENT.)

7
8 (THE FOLLOWING PROCEEDINGS WERE HELD IN
9 CHAMBERS:)

10 MR. KLEIN: YOUR HONOR, I KNOW MR. RANDALL KING IS
11 SCHEDULED TO TAKE THE STAND AGAIN TODAY. WHEN HE WAS ON THE
12 STAND THE FIRST TIME DURING MR. LEVY'S DIRECT CASE, I ASKED
13 HIM A QUESTION IS HE WRITING A BOOK ABOUT HIS EXPERIENCES AT
14 THE CHURCH.

15 AND THE COURT RULED THAT I COULDN'T ASK THAT
16 QUESTION. I HAD ARGUED AT THAT TIME THAT I FELT IT WAS
17 EVIDENCE OF BIAS AND I'D JUST LIKE TO MAKE AN OFFER OF PROOF
18 AT THIS TIME BECAUSE HE IS GOING TO TAKE THE STAND AGAIN.

19 HE, IN MY UNDERSTANDING, AND THIS IS IN THE
20 DEPOSITION THAT I TOOK OF HIM, HE IS TRYING TO WRITE A BOOK,
21 HE IS TRYING TO GET A TV SHOW OR A MOVIE ABOUT HIS LIFE
22 EXPERIENCES IN THE CHURCH.

23 IT IS MY POSITION THAT I SHOULD BE ALLOWED TO
24 ASK HIM QUESTIONS ABOUT WHETHER HE THINKS THAT BY SAYING HOW
25 TERRIBLE HIS EXPERIENCES ARE IN THE CHURCH, WHETHER THAT
26 WOULD HELP HIM.

27 THE COURT: ASSUME -- YOU ARE ASSUMING THE WORST.

28 MR. KLEIN: THAT IS EXACTLY RIGHT AND I WILL SAY WHY.

1 FIRST OF ALL, HE HAS TESTIFIED AS TO HOW BAD HIS EXPERIENCES
2 ARE IN THE CHURCH. THIS IS NOT A GUESS. I HAVE HEARD WHAT
3 HIS TESTIMONY IS. BUT EVEN MORE SO, THE CASES THAT I HAVE,
4 AND I CAN SHOW THEM TO YOUR HONOR --

5 THE COURT: HIS APPROACH, WHILE IT MAY NOT BE
6 ENTIRELY FAVORABLE TO THE CHURCH UNIVERSAL, FOR ALL I KNOW,
7 IT MIGHT BE A VERY BALANCED APPROACH.

8 MR. KLEIN: IT MIGHT BE.

9 MR. LEVY: MAY I COMMENT, YOUR HONOR?

10 MR. KLEIN: IF I CAN JUST FINISH.

11 THE COURT: IN A MINUTE.

12 MR. KLEIN: THE CASES. I CAN GET THEM, TALK ABOUT THE
13 WIDE LATITUDE COUNSEL SHOULD HAVE ABOUT QUESTIONING ON BIAS.

14 SECONDLY, IT MAY BE -- IN FACT, IT REALLY IS
15 WRONG, THE WITNESS IS WRONG IF HE THINKS THAT BY MAKING THE
16 CHURCH SOUND TERRIBLE, THAT THAT WILL HELP SELL HIS BOOK OR
17 HELP SELL HIS MOVIE OR HELP SELL HIS TV SHOW, THAT I AM
18 STILL ENTITLED TO QUESTION HIM ABOUT IT BECAUSE IT DOESN'T
19 MATTER IF IT IS RIGHT OR WRONG.

20 WHAT MATTERS IS IF HE HAS SOME IDEA THAT THAT
21 MIGHT IN FACT HAPPEN, THAT THE WORSE THE CHURCH COMES OUT,
22 THE BETTER IT WILL BE A CHANCE FOR HIM TO SELL HIS BOOK OR
23 HIS MOVIE OR HIS TV SHOW. HE EVEN HAS A COVER OF --

24 THE COURT: THAT IS REALLY SPECULATING.

25 MR. LEVY: MAY I COMMENT NOW?

26 THE COURT: THAT IS REALLY SPECULATING BECAUSE -- IN
27 A MOMENT.

28 MR. LEVY: I AM JUST EXERCISING.

1 THE COURT: HE MIGHT EVEN CONCLUDE, RIGHTLY OR
2 WRONGLY, THAT FOR HIM TO WRITE A FAVORABLE REPORT OF HIS
3 PERSONAL EXPERIENCES MIGHT MAKE THE BOOK VERY SALABLE.

4 MR. KLEIN: BUT AREN'T I ALLOWED TO ASK HIM TO FIND
5 OUT WHETHER HE THINKS ONE WAY OR THE OTHER? BECAUSE IF IN
6 FACT HE DOES THINK THAT BY WRITING A BAD VERSION, BY SAYING
7 BAD THINGS ABOUT THE CHURCH AND THEN WRITING A BOOK THAT
8 CORRESPONDS TO THAT IT WOULD SELL MORE BOOKS, HE WOULD HAVE
9 A BIAS.

10 THE COURT: YES, SIR.

11 MR. LEVY: I HAVE TO APOLOGIZE TO MR. KLEIN, BUT I AM
12 GOING TO ACCUSE HIM OF MISCHARACTERIZING WHAT IT SAYS IN THE
13 DEPOSITIONS. I WAS THERE FOR THE FIVE DAYS OF THE
14 DEPOSITIONS.

15 AND WHAT MR. KING TESTIFIED TO WAS THAT THERE
16 HAD BEEN SOME NEGOTIATIONS WITH SOME OF THE MEDIA AND SOME
17 PUBLISHERS BECAUSE THEY HAD HEARD ABOUT HIS LAWSUIT AGAINST
18 THE CHURCH AND THERE WERE SOME VERY PRELIMINARY NEGOTIATIONS
19 TO SEE WHETHER OR NOT HIS STORY WAS SALABLE.

20 THERE WAS A TIME WHEN HE DID A MOCK-UP FOR A
21 COVER FOR A BOOK WHEN HE WAS TRYING TO MAKE COMMUNICATION
22 WITH ELIZABETH, HIS EX-WIFE. SINCE THAT TIME, AND THAT HAS
23 BEEN YEARS AGO, HE HAS CHOSEN NOT TO GO AHEAD WITH ANY OF
24 THOSE PROJECTS.

25 HE MAY BE WRITING OUT NOTES, HE MAY PLAN TO
26 WRITE HIS MEMOIRS. BUT IF YOU RECALL, HIS TESTIMONY WAS NOT
27 ALL ONE WAY OR THE OTHER BECAUSE WHEN YOU ASKED HIM SPECIFIC
28 QUESTIONS, HE ANSWERED THAT THERE WERE SOME THINGS THAT WERE

1 VERY GOOD WHILE HE WAS THERE. THERE WERE A LOT OF PEOPLE
2 WHO WERE ON THE FRINGES OF THE CHURCH WHO WERE NOT DAMAGED
3 AND WHO DID BENEFIT.

4 THE COURT: IF I UNDERSTAND YOU CORRECTLY, HE HAS
5 DONE NOTHING RELATIVE TO THE BOOK PROJECT.

6 MR. LEVY: OR ANY OTHER PROJECT.

7 THE COURT: FOR SOME YEARS.

8 MR. LEVY: OR ANY OTHER PROJECT FOR SOME YEARS. AT
9 ONE POINT, WE WERE CONTACTED BY THE MEDIA. THEY DID TALK TO
10 US PRELIMINARILY. NOTHING HAS BEEN PURSUED. I REPRESENT
11 HIM IN THAT MATTER. NOTHING HAS BEEN PURSUED IN THE LAST
12 TWO YEARS.

13 THE COURT: I TELL YOU WHAT. YOU WANT TO ASK HIM
14 ABOUT IT.

15 MR. KLEIN: I DO.

16 THE COURT: I SUGGEST YOU THINK IT THROUGH, BUT YOU
17 CAN DO IT.

18 MR. KLEIN: FINE.

19 (LYLE FRANCIS MIDDLETON IS NOW PRESENT.)

20 THE COURT: LET'S LINE THEM UP AND GET TO WORK.

21 (THE PROCEEDINGS WERE RESUMED IN OPEN

22 COURT IN THE PRESENCE OF THE JURY:)

23 THE COURT: GOOD MORNING, EVERYBODY.

24

25 ELIZABETH CLARE PROPHET FRANCIS, +

26 THE WITNESS ON THE STAND AT THE TIME OF ADJOURNMENT, RESUMED
27 THE STAND AND TESTIFIED FURTHER AS FOLLOWS:

28 THE CLERK: MA'AM, YOU PREVIOUSLY HAVE BEEN SWORN AND

1 ARE STILL UNDER OATH. PLEASE STATE YOUR NAME AGAIN FOR THE
2 RECORD.

3 THE WITNESS: ELIZABETH CLARE PROPHET FRANCIS.

4 THE CLERK: THANK YOU.

5 THE COURT: PROCEED.

6 MR. LEVY: THANK YOU, YOUR HONOR.

7 GOOD MORNING, LADIES AND GENTLEMEN.

8

9 DIRECT EXAMINATION + (RESUMED)

10 BY MR. LEVY:

11 Q MISS FRANCIS, YOU'VE TOLD US ABOUT YOUR
12 PERSONAL HONESTY AND YOU'VE TOLD US ABOUT THE CHURCH'S
13 TEACHINGS WITH REGARD TO HONESTY.

14 HAVE YOU PERSONALLY TAUGHT YOUR FOLLOWERS THAT
15 IT IS OKAY TO STRETCH THE TRUTH TO PROTECT THE GREATL R GOOD
16 OF THE CHURCH AND YOUR PERSONAL MISSION?

17 A NO.

18 Q DID YOU AND THE MEMBERS OF THE CHURCH BOARD LIE
19 TO PROTECT THE NONPROFIT EXEMPTION STATUS OF SUMMIT
20 LIGHTHOUSE?

21 MR. KLEIN: YOUR HONOR, I AM GOING TO OBJECT AGAIN AS
22 TO THE RELEVANCE, AS TO 787 AND 786 OF THE EVIDENCE CODE.

23 THE COURT: SUSTAINED.

24 Q BY MR. LEVY: DID YOU HAVE TIMOTHY O'CONNOR
25 (SIC) FROM YOUR CHURCH CALL LAURA-LEA CANNON AND TELL HER
26 THAT THE CHURCH WAS IN TROUBLE, THAT YOU NEEDED HER
27 TESTIMONY AND THAT A \$30,000,000 VERDICT AGAINST YOU AND THE
28 CHURCH COULD SERIOUSLY SLOW THE CHURCH DOWN?

1 A NO.

2 Q YOU HEARD HER TESTIMONY YESTERDAY?

3 A YES.

4 Q YOU DISAGREE WITH HER TESTIMONY?

5 A WHAT POINT OF IT ARE YOU REFERRING TO?

6 Q THE FACT THAT SHE WAS CONTACTED BY TIMOTHY

7 O'CONNOR (SIC).

8 A I KNOW THAT SHE WAS CONTACTED BY TIMOTHY. I

9 DID NOT GIVE HIM ANY DIRECTION TO CALL HER.

10 Q IN YOUR CHURCH, IS IT YOUR PRACTICE WHEN YOU

11 GET SOMEONE ON PERMANENT STAFF, TO PRESSURE THEM INTO

12 TURNING OVER THEIR PROPERTY TO THE CHURCH?

13 A NO, IT IS NOT.

14 Q ELIZABETH, ISN'T IT A FACT THAT YOU ATTEMPTED

15 TO GET YOUR OWN PARENTS' PROPERTY FOR YOURSELF AND THE

16 CHURCH?

17 A NO, IT IS NOT A FACT.

18 Q AS A MATTER OF FACT, ISN'T THAT THE REASON THAT

19 EVEN THEY LEFT YOU AND LEFT THE CHURCH?

20 A MY PARENTS HAVE NEVER BEEN MEMBERS OF MY

21 CHURCH. THEY LIVED WITH ME IN WESTLAKE. AND WE HAVE BEEN

22 FRIENDS AND MUTUALLY SUPPORTIVE UNTIL THEIR PASSING.

23 Q IS THAT WHY THEY TOOK YOU OUT OF THE WILL?

24 A THEY DIDN'T TAKE ME OUT OF THEIR WILL.

25 MR. LEVY: NOTHING FURTHER FOR THIS WITNESS. YOUR

26 HONOR.

27 THE COURT: GO AHEAD.

28 MR. KLEIN: THANK YOU, YOUR HONOR.

CROSS-EXAMINATION +

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BY MR. KLEIN:

Q WHAT WAS THE FIRST PROPERTY OWNED BY THE CHURCH? AND WHEN I SAY "THE CHURCH," I AM ALSO REFERRING TO SUMMIT LIGHTHOUSE, WHICH WAS THE PREDECESSOR OF CHURCH UNIVERSAL.

A IT WAS HOLY TREE HOUSE IN FAIRFAX, VIRGINIA.

Q AND WHAT YEAR WAS THE CHURCH LOCATED IN FAIRFAX, VIRGINIA?

A WE BOUGHT THAT PROPERTY IN 1962.

Q AND DID THERE COME A TIME WHEN THE CHURCH LEFT FAIRFAX, VIRGINIA?

A YES.

Q WHAT YEAR WAS THAT?

A 1966.

Q WHERE DID THE CHURCH GO WHEN IT LEFT FAIRFAX, VIRGINIA?

A WENT TO COLORADO SPRINGS.

Q WAS THERE ANY KIND OF FUND RAISING WHEN THE CHURCH LEFT FAIRFAX, VIRGINIA, AND WENT TO COLORADO SPRINGS?

A YES.

Q WHAT WAS THE FUND RAISING USED FOR, THE MONEY RAISED?

A IT WAS RAISED FOR TRANSPORTING OUR HEADQUARTERS IN TWO 40-FOOT VANS TO OUR NEW HEADQUARTERS IN COLORADO SPRINGS.

Q AND WHAT YEAR --

A AND FOR THE PURCHASE OF THAT PROPERTY.

1 Q WHAT YEAR DID THE CHURCH MOVE TO COLORADO
2 SPRINGS?

3 A 1966.

4 Q AND WHEN THE CHURCH MOVED TO COLORADO SPRINGS,
5 WHERE WAS THE HEADQUARTERS OF THE CHURCH?

6 A IN COLORADO SPRINGS.

7 Q HOW MANY YEARS DID THE CHURCH STAY WITH ITS
8 HEADQUARTERS IN COLORADO SPRINGS?

9 A TEN YEARS.

10 Q NOW, DID THERE COME A TIME WHEN THE CHURCH WAS
11 IN COLORADO SPRINGS WITH ITS HEADQUARTERS THAT IT RAISED
12 MONEY WITH RESPECT TO A SANTA BARBARA FACILITY?

13 A YES.

14 MR. LEVY: YOUR HONOR, I AM GOING TO OBJECT TO THIS
15 LINE AT THIS TIME. WE ARE TALKING ABOUT SUMMIT LIGHTHOUSE,
16 I BELIEVE, AS OPPOSED TO CHURCH UNIVERSAL AND TRIUMPHANT.
17 IF WE ARE TALKING ABOUT SUMMIT LIGHTHOUSE, I BELIEVE IT IS
18 NOT RELEVANT. IT IS MUCH PRIOR TO THE TIME BEFORE --

19 THE COURT: SHE CAN ANSWER. THE OBJECTION IS
20 OVERRULED.

21 Q BY MR. KLEIN: THE QUESTION WAS DID THERE COME
22 A TIME WHILE THE CHURCH'S HEADQUARTERS WERE IN COLORADO
23 SPRINGS THAT THE CHURCH RAISED MONEY FOR A FACILITY IN SANTA
24 BARBARA, CALIFORNIA?

25 A YES, WE DID.

26 Q WHAT YEAR WAS THAT?

27 A 1969.

28 Q WHAT WAS THE PURPOSE FOR WHICH MONEY WAS RAISED

1 TO -- FOR THAT FACILITY IN SANTA BARBARA?

2 A TO PURCHASE A CHURCH FACILITY TO MINISTER TO
3 THE NEEDS OF OUR LARGE CONGREGATION IN CALIFORNIA.

4 Q AND WHEN THE FACILITY WAS PURCHASED IN SANTA
5 BARBARA, WHERE WAS THE HEADQUARTERS OF THE CHURCH?

6 A IN COLORADO SPRINGS.

7 Q AND WAS A FACILITY PURCHASED IN SANTA BARBARA?

8 A YES, IT WAS.

9 Q FOR WHAT PURPOSE WAS THE FACILITY IN SANTA
10 BARBARA USED?

11 A IT WAS USED AS OUR CHURCH CENTER ON THE WEST
12 COAST AND IT BECAME USED FOR SUMMIT UNIVERSITY IN 1973 TO
13 1975.

14 Q AND FOR HOW MANY YEARS DID THE CHURCH USE THE
15 FACILITY THAT HAD BEEN PURCHASED IN SANTA BARBARA?

16 A UNTIL 1983.

17 Q AND WHEN WAS IT FIRST PURCHASED?

18 A 1969.

19 Q SO IT IS 14 YEARS?

20 A THAT'S CORRECT.

21 Q AND WHAT YEARS WAS SUMMIT UNIVERSITY LOCATED AT
22 THE SANTA BARBARA FACILITY?

23 A '73 TO '75.

24 Q DID THERE COME A TIME WHEN THE SUMMIT
25 UNIVERSITY WAS MOVED AWAY FROM THE SANTA BARBARA FACILITY?

26 A YES. WE MOVED SUMMIT UNIVERSITY OUT OF SANTA
27 BARBARA IN 1975.

28 Q WHERE DID YOU MOVE TO?

1 A WE MOVED IT BACK TO COLORADO SPRINGS.

2 Q WHY?

3 A BECAUSE THE FACILITY HAD BEEN OUTGROWN.

4 Q NOW, DID YOU DO ANY FUND RAISING TO MOVE SUMMIT
5 UNIVERSITY FROM SANTA BARBARA TO COLORADO SPRINGS?

6 A NO.

7 Q DID THERE COME A TIME WHEN THE CHURCH
8 HEADQUARTERS WAS MOVED TO COLORADO SPRINGS?

9 A YES.

10 Q WHEN WAS THAT?

11 A THAT WAS IN THE SUMMER OF 1976.

12 Q WHY DID THE CHURCH MOVE ITS HEADQUARTERS AWAY
13 FROM COLORADO SPRINGS?

14 A IT HAD OUTGROWN THE PROPERTY AS A HEADQUARTERS
15 AND AS SUMMIT UNIVERSITY, AND TO MEET THE NEEDS OF THE
16 GREATLY EXPANDED MEMBERSHIP.

17 Q WHERE DID YOU MOVE FROM COLORADO SPRINGS?

18 A WE MOVED TO THE PASADENA CAMPUS.

19 Q AND AFTER YOU MOVED THE HEADQUARTERS FROM
20 COLORADO SPRINGS TO PASADENA, WHAT HAPPENED TO THE COLORADO
21 SPRINGS FACILITY?

22 A IT REMAINED A CHURCH FACILITY, TEACHING CENTER
23 FOR THE CENTRAL STATES UNTIL 1984.

24 Q DID YOU FUND RAISE IN ORDER TO MOVE THE CHURCH
25 HEADQUARTERS FROM COLORADO SPRINGS TO PASADENA?

26 A YES, WE DID.

27 Q WAS THERE A NAME OF THAT FUND RAISING CAMPAIGN?

28 A YES.

1 Q WHAT WAS THE NAME?

2 A IT WAS CALLED THE MOVE MOTHER TO LOS ANGELES.

3 Q AND THE MONEY THAT WAS RAISED AS A RESULT OF
4 THE MOVE MOTHER TO LOS ANGELES FUND RAISING, WHAT WAS THAT
5 MONEY USED FOR?

6 A IT WAS USED TO MOVE US, BY THIS TIME A VERY
7 LARGE HEADQUARTERS, AND TO COMPLETELY RENOVATE THE LEASED
8 CAMPUS IN PASADENA FOR OUR USE, FOR HEADQUARTERS, AND SUMMIT
9 UNIVERSITY AND MONTESSORI SCHOOL.

10 Q WAS THE PASADENA CAMPUS PURCHASED?

11 A NO. IT WAS LEASED.

12 Q DID THERE COME A TIME WHEN THE LEASE AT THE
13 PASADENA CAMPUS RAN OUT?

14 A YES. '78.

15 Q 1978?

16 A YES.

17 Q AND PRIOR TO THAT LEASE RUNNING OUT, DID THE
18 CHURCH FUND RAISE IN ORDER TO BUY ANOTHER FACILITY IN
19 CALIFORNIA?

20 A YES, IT DID.

21 Q AND DID IT BUY A FACILITY?

22 A YES, IT DID.

23 Q WHAT WAS THE NAME OF THAT FACILITY?

24 A CAMELOT.

25 Q AND WHEN THE CHURCH MOVED TO CAMELOT, WHERE WAS
26 THE CHURCH'S HEADQUARTERS?

27 A AT CAMELOT.

28 Q AND WHEN THE CHURCH MOVED TO CAMELOT, WHERE WAS

1 SUMMIT UNIVERSITY?

2 A AT CAMELOT.

3 Q WHEN WAS CAMELOT PURCHASED?

4 A IT WAS PURCHASED IN 1977.

5 Q IS THE CHURCH HEADQUARTERS STILL AT CAMELOT?

6 A YES, IT IS.

7 Q IS SUMMIT UNIVERSITY STILL AT CAMELOT?

8 A YES, IT IS.

9 Q WAS THERE FUND RAISING IN ORDER TO --
10 ASSOCIATED WITH THE MOVE FROM PASADENA TO CAMELOT?

11 A YES, THERE WAS FUND RAISING.

12 Q AND WHAT WAS THAT MONEY USED FOR?

13 A IT WAS USED TO PAY THE DOWN PAYMENT ON THE
14 PROPERTY, MORTGAGE PAYMENTS AND THE COMPLETE RENOVATION OF
15 THAT CAMPUS FOR OUR USE.

16 Q MR. LEVY, ON HIS EXAMINATION YESTERDAY, ASKED
17 YOU ABOUT THE COMMUNITY OF THE HOLY SPIRIT PROJECT, THE
18 SORENSEN PROPERTY AND THE IDAHO SURVIVAL PROJECT. ARE THOSE
19 PROJECTS REFERRING TO THREE DIFFERENT PIECES OF PROPERTY?

20 A NO.

21 Q HOW MANY PIECES OF PROPERTY?

22 A ONE.

23 Q DO THOSE THREE NAMES REFER TO --

24 A ONE PIECE OF PROPERTY.

25 Q AND DID THERE COME A TIME WHEN THAT PROJECT
26 ENDED?

27 A YES.

28 Q WHY DID IT END?

1 A ABOUT NINE MONTHS AFTER WE ENTERED INTO A
2 PARTNERSHIP WITH REYNOLD SORENSEN, HE DECIDED THAT HE WANTED
3 TO MAKE TOO MUCH MONEY OFF OF OUR CHURCH MEMBERS AND IN THE
4 SALE OF LOTS. AND THE BOARD MADE THE DECISION TO WITHDRAW.

5 Q WHAT WAS TO BE THE PURPOSE OF THE COMMUNITY OF
6 THE HOLY SPIRIT PROJECT?

7 A IT WAS TO BE AN AGRICULTURALLY BASED COMMUNITY
8 FOR OUR MEMBERS IN CONCERN FOR THE PICTURE OF THE ECONOMY IN
9 1973 AND ALSO IN THE DIRECTION OF OUR FOUNDER, MARK PROPHET.
10 THIS COMMUNITY WAS TO BE FOR THOSE WHO WANTED TO PRESERVE
11 THE TEACHINGS OF THE ASCENDED MASTERS AND HAVE OUR
12 MONTESSORI SCHOOL.

13 Q DID THERE COME A TIME WHEN PROPERTY WAS
14 PURCHASED TO DEVELOP THE TYPE OF COMMUNITY THAT YOU REFERRED
15 TO?

16 A YES.

17 Q WHEN WAS THAT PURCHASED?

18 A WE WERE ABLE TO DO THAT IN 1981.

19 Q WAS MONEY FUND RAISED IN ORDER TO PURCHASE THAT
20 PROPERTY?

21 A YES.

22 Q WHAT WAS THE MONEY THAT WAS RAISED USED FOR?

23 A IT WAS USED FOR THE PURCHASE OF THE ROYAL TETON
24 RANCH, IT WAS USED TO DEVELOP THE RANCH FOR OUR USE. WE
25 DEVELOPED A CATTLE RANCH, SHEEP, FARM. WE HAD TO DO
26 IRRIGATION. WE DEVELOPED A 60-ACRE TRUCK FARM.

27 A PORTION OF THE PROPERTY BECAME A COMMUNITY,
28 GLASTONBURY, WHERE MEMBERS COULD BUY PRIVATE LAND. THIS

1 LAND HAD ROADS, ELECTRICITY, TELEPHONE BROUGHT TO IT FOR THE
2 USE OF THOSE WHO PURCHASED IT.

3 Q DO CHURCH MEMBERS CURRENTLY LIVE ON THAT
4 PROPERTY?

5 A YES. THE MONEY WAS USED TO DEVELOP HOUSING FOR
6 CHURCH MEMBERS AND AUXILIARY FACILITIES FOR THOSE LIVING
7 THERE -- RESTAURANT, CABINS. AND THERE ARE MEMBERS LIVING
8 THERE NOW.

9 Q HOW MANY CHURCH MEMBERS LIVE IN THE MONTANA
10 PROPERTY?

11 A TWO HUNDRED FIFTY.

12 Q YOU WERE ALSO ASKED QUESTIONS YESTERDAY ABOUT
13 YOUR FINANCES AND THERE WAS MENTION OF A BEACH HOUSE.

14 WHAT WAS THE NATURE OF YOUR ACTIVITIES IN THIS
15 BEACH HOUSE THAT MR. LEVY WAS REFERRING TO?

16 A IT WAS A RETREAT FOR WRITING, IT WAS MY
17 PERSONAL OFFICES, OFFICES FOR MY SECRETARIES AND EDITORS.

18 THERE I WROTE BOOKS, MY WEEKLY CHAPTERS IN THE
19 PEARLS OF WISDOM VOLUME OF TEACHINGS, KEEPERS OF THE FLAME
20 LESSONS. BOUND BOOKS, WEEKLY SERMONS. MY DAILY LECTURES AT
21 SUMMIT UNIVERSITY, QUARTERLY CONFERENCE LECTURES, LECTURES
22 THAT I WOULD DELIVER ON TOUR AND OTHER TYPES OF MINISTERING
23 THAT I DID.

24 Q WHY COULDN'T YOU WRITE THOSE THINGS IN YOUR OWN
25 HOUSE?

26 A IN MY OWN HOUSE I HAD FOUR CHILDREN AND MY
27 PARENTS LIVING THERE, PHONES RINGING AND I DIDN'T HAVE AN
28 OFFICE IN THE HOUSE.

1 Q DID YOUR FAMILY LIVE AT THE BEACH HOUSE?

2 A NO, THEY DIDN'T.

3 Q WHERE DID YOU LIVE IN 1979? THAT WAS THE YEAR
4 MR. LEVY HAD ASKED YOU ABOUT.

5 A IN A PROPERTY WE CALLED THE GERMAINE HOUSE. IT
6 WAS ON GERMAINE LANE IN WESTLAKE.

7 Q DID YOU ALSO HAVE USE OF ANY APARTMENT AT
8 CAMELOT IN 1979?

9 A NOT AT THAT TIME.

10 Q NOW, YOU SAID YOU LIVED IN THE GERMAINE HOUSE.
11 DID YOU HAVE FURNITURE IN THAT HOUSE?

12 A YES, I DID.

13 Q WHERE DID YOU GET THE FURNITURE FROM?

14 A FURNITURE THAT I HAD BEEN COLLECTING MYSELF
15 SINCE 1960 AS WELL AS PROPERTY, FURNITURE THAT WAS CHURCH
16 PROPERTY.

17 Q WAS IT NEW FURNITURE?

18 A NO.

19 Q WHEN YOU LIVED AT THE GERMAINE HOUSE IN 1979,
20 WAS THE FOOD YOU ATE ANY DIFFERENT FROM THE FOOD THAT THE
21 PEOPLE WHO ATE AT CAMELOT WOULD RECEIVE?

22 A ESSENTIALLY NOT. THEY WOULD BRING THE FOOD
23 FROM THE CAFETERIA FOR OUR MEALS OR MAKE THEM THERE.

24 Q IN 1979, DID YOUR CHILDREN GO TO THE MONTESSORI
25 SCHOOL AT CAMELOT?

26 A YES, THEY DID.

27 Q DID YOU PAY TUITION FOR THEM?

28 A NO, I DIDN'T.

1 Q DID ANY PERMANENT STAFF MEMBER PAY TUITION FOR
2 THEIR CHILDREN ATTENDING THE MONTESSORI SCHOOL?

3 A NO.

4 Q DID ANY CHURCH MEMBERS OR ANYONE ELSE WORK FOR
5 YOU IN 1979, PERSONAL STAFF ON A FULL-TIME BASIS?

6 A NO. THEY WORKED FOR ME PART-TIME AND FOR
7 GENERAL CHURCH WORK.

8 Q DID YOU HAVE A FULL-TIME COOK?

9 A NO.

10 Q IN 1979 DID YOU GO TO EUROPE?

11 A NO.

12 Q IN 1979 DID YOU GO TO HAWAII?

13 A NO.

14 Q DID YOU HAVE USE OF A 35-FOOT MOTOR HOME?

15 A I HAD THE USE OF AN OLD GREYHOUND BUS THAT WAS
16 BOUGHT FOR 13,000 AND FIXED OVER.

17 Q WHAT WAS IT USED FOR?

18 A IT WAS USED FOR MY LECTURE TOURS ACROSS THE
19 COUNTRY, FOR MYSELF AND MY TEAM.

20 Q THERE WAS MENTION OF A 98 OLDSMOBILE. DID YOU
21 OWN -- DID YOU USE A 98 OLDSMOBILE IN 1979?

22 A I USED IT IN 1979 AND I USED IT THIS MORNING TO
23 GET HERE.

24 Q BESIDES USING IT THIS MORNING, HAVE YOU USED IT
25 SINCE 1979?

26 A YES. 75,000 MILES.

27 MR. KLEIN: THANK YOU, YOUR HONOR. I HAVE NO FURTHER
28 QUESTIONS.

1 MR. LEVY: JUST A FEW, YOUR HONOR.

2

3

REDIRECT EXAMINATION +

4

BY MR. LEVY:

5

Q MA'AM, YOU MANAGED TO CONFUSE ME WITH REGARD TO
6 ALL THAT MOVING THAT THE CHURCH DID WHEN YOU WERE ACQUIRING
7 ALL THAT PROPERTY AND GOING BACK AND FORTH.

8

MY RECOLLECTION IS THAT YOU SAID YOU MOVED OUT
9 OF COLORADO SPRINGS BECAUSE YOU WANTED TO SET UP A WEST
10 COAST FACILITY FOR THE PEOPLE IN THE CHURCH.

11

A NO, THAT IS NOT CORRECT.

12

Q OH, I FIGURED I'D GET IT WRONG. WOULD YOU
13 CORRECT IT FOR ME?

14

A OKAY. THE WEST COAST FACILITY WAS SANTA
15 BARBARA. WE DIDN'T MOVE FROM COLORADO SPRINGS TO GET THAT.
16 IT WAS SIMPLY A WEST COAST FACILITY IN ADDITION TO IT.

17

Q FROM SANTA BARBARA YOU MOVED BACK TO COLORADO
18 SPRINGS?

19

A THE CHURCH DIDN'T MOVE. THE SUMMIT UNIVERSITY
20 THAT HAD OCCUPIED THE SANTA BARBARA CHURCH FACILITY FROM '73
21 TO '75 WENT BACK TO COLORADO SPRINGS.

22

Q SOMEWHERE IN YOUR TESTIMONY I GOT THE DISTINCT
23 IMPRESSION YOU SAID YOU OUTGREW A FACILITY.

24

A YES, WE DID.

25

Q WHICH FACILITY DID YOU OUTGROW?

26

A EACH FACILITY WE LEFT WE HAD OUTGROWN. THAT
27 WAS ONE OF THE BASIC REASONS FOR LEAVING.

28

WE OUTGREW THE FACILITY IN VIRGINIA. WE WENT

1 TO COLORADO SPRINGS. THAT FACILITY WAS USED UNTIL WE MOVED
2 TO PASADENA. IT REMAINED THE CHURCH HEADQUARTERS UNTIL
3 PASADENA BECAME THE CHURCH HEADQUARTERS. BUT IN THE
4 INTERIM, WE DID ESTABLISH SANTA BARBARA AS THE CHURCH
5 FACILITY FOR CALIFORNIA.

6 Q AND THEN SUDDENLY THERE WAS NOT ENOUGH ROOM AND
7 YOU MOVED BACK TO COLORADO?

8 A SUMMIT UNIVERSITY ADOPTED THE MOTHERHOUSE FOR
9 ITS USES FOR TWO YEARS. IT EXISTED BEFORE AND IT CONTINUED
10 TO EXIST AFTERWARDS.

11 Q WHEN YOU SAY, "SUMMIT UNIVERSITY ADOPTED,"
12 SINCE YOU OWN AND CONTROL THE CHURCH ALONG WITH THE BOARD,
13 WHICH WAS COMPOSED OF YOURSELF AND YOUR HUSBAND AND YOUR
14 SON. WHEN YOU SAY THE SUMMIT ADOPTED, YOU REALLY MEAN YOU
15 AND YOUR HUSBAND AND YOUR SON ADOPTED, DON'T YOU?

16 MR. KLEIN: YOUR HONOR, I WOULD OBJECT. IT
17 MISCHARACTERIZES THE TESTIMONY WHEN HE SAYS SHE OWNED THE
18 CHURCH AND IT ALSO IS A COMPOUND QUESTION.

19 THE COURT: PLEASE REPHRASE IT.

20 MR. LEVY: I WILL DO MY BEST, YOUR HONOR.

21 Q AGAIN, YOU OUTGREW SOMETHING BECAUSE YOU CAME
22 BACK TO CALIFORNIA; IS THAT CORRECT?

23 A WELL, I WOULD LIKE TO STATE THAT THE BOARD YOU
24 MENTIONED WAS NOT THE BOARD AT THE TIME IT WAS IN SANTA
25 BARBARA.

26 Q EXCUSE ME. WE HAVE A NEW QUESTION NOW. THE
27 JUDGE ASKED ME TO RESTATE IT. DO YOU WANT TO TRY TO KEEP UP
28 WITH ME?

1 WHEN YOU MOVED TO COLORADO SPRINGS, YOU OUTGREW
2 SOMETHING WHEN YOU CAME BACK TO CALIFORNIA. WOULD YOU
3 EXPLAIN THAT OUTGROWING OF THE FACILITY THERE THAT BROUGHT
4 YOU BACK TO CALIFORNIA?

5 A THAT WAS IN 1976. WE HAD AT THAT TIME IN
6 COLORADO SPRINGS OUR MONTESSORI SCHOOL, SUMMIT UNIVERSITY,
7 ALL OF OUR CHURCH HEADQUARTERS. WE HAD BASICALLY A LARGE
8 HOUSE IN BROADMORE, AND WE RENTED AN ENTIRE MOTEL COMPLEX TO
9 HOUSE OURSELVES AND WE WERE SEPARATED.

10 SO BECAUSE WE WERE DIRECTED TO GO TO LOS
11 ANGELES, WE FELT THE CALL TO GO, AND BECAUSE WE NEEDED ONE
12 FACILITY TO HOUSE ALL OF THAT, WE LEFT COLORADO SPRINGS FOR
13 THAT PASADENA CAMPUS IN 1976.

14 Q YOU FELT THE CALL TO GO AND YOU WERE DIRECTED.
15 WHO CALLED YOU AND WHO DIRECTED YOU?

16 A THE CALLING OF THE HOLY SPIRIT THROUGH JESUS
17 CHRIST.

18 Q HE WAS INVOLVED IN THE ACQUISITION AND THE
19 MOVING WITH ALL THE OTHER PROPERTY ALSO?

20 A I DON'T SAY THAT THE MASTERS ARE INVOLVED IN
21 OUR EARTHLY DOINGS. WE TAKE OUR INSPIRATION AND GUIDANCE
22 FROM OUR LORD.

23 Q SEEMS REASONABLE.

24 YESTERDAY WHEN YOU TESTIFIED, YOU TOLD US YOU
25 DIDN'T DO ANYTHING IN PASADENA. YOU MOVED IN THERE ON A
26 TEMPORARY BASIS. NOW TODAY YOU TESTIFIED YOU MOVED IN THERE
27 AND RENOVATED THE PLACE AND YOU HAD IT LEASED.

28 WHICH IS MORE CORRECT; WHAT YOU SAID TODAY OR

1 WHAT YOU SAID YESTERDAY?

2 A I THOUGHT I SAID YESTERDAY THAT WE DIDN'T DO
3 ANY BUILDING THERE.

4 Q OH, I SEE.

5 A AND THAT WE DID NOT OWN THE PROPERTY.

6 Q OH, THE RENOVATION WAS NOT BUILDING. YOU JUST
7 HUNG PICTURES OR WHAT WAS IT THAT YOU DID?

8 A WE HAD TO PAINT THE ENTIRE PROPERTY AND MAKE
9 THE FACILITY USABLE FOR DORMITORIES, MONTESSORI SCHOOLS,
10 SUMMIT UNIVERSITY CLASSROOMS. IT WAS NOT IN GOOD CONDITION.

11 Q THAT DIDN'T REQUIRE ANY BUILDING TYPE WORK?

12 A NO, I DON'T BELIEVE WE MADE ANY -- WE DID ANY
13 BUILDING. WE DIDN'T DO ANY BUILDING IN PASADENA. IT WASN'T
14 OUR PROPERTY.

15 Q DO YOU REMEMBER WHAT YOU SPENT TO RENOVATE THE
16 PROPERTY?

17 A I KNOW THAT WE RAISED \$250,000 FOR THAT MOVE.
18 AND THAT IS WHAT IT COST US TO MOVE OURSELVES FROM COLORADO
19 SPRINGS, AND FIX IT UP AND BE READY TO START SCHOOL IN
20 SEPTEMBER OF '76. THAT IS WHAT WE DID.

21 Q AND FROM 1976 UNTIL YOU TOLD US YOU ACQUIRED
22 CAMELOT IN 1977, THE CHURCH FELT THAT FOR YEARS SEVERAL
23 MILLION DOLLARS FOR THAT MOVE WAS NOT SUFFICIENT?

24 A NO, WE HAD TWO YEARS, MORE THAN TWO YEARS' USE
25 OF THAT PROPERTY.

26 Q I SEE.

27 A IT WAS THE ONLY PROPERTY THAT WE COULD FIND TO
28 LEASE AT THE TIME.

1 Q THE BEACH HOUSE WHERE YOU DID YOUR WRITING
2 BECAUSE OF THE WHOLE FAMILY AND EVERYBODY BEING AT THE
3 WESTLAKE HOUSE, HOW MANY ROOMS WERE THERE IN THAT BEACH
4 HOUSE THAT YOU PAID \$2,500 A MONTH FOR?

5 A WELL, THE FRONT PART OF IT WAS KIND OF WIDE
6 OPEN. IT WAS IN KIND OF A T-SHAPED. IT REALLY WASN'T
7 DIVIDED MUCH INTO ROOMS.

8 Q WERE THERE EIGHT OR TEN ROOMS THAT YOU RENTED
9 AT THE BEACH FOR \$2,500?

10 A NO.

11 Q SIX ROOMS?

12 A NO.

13 Q JUST ONE BIG ROOM?

14 A IT WAS ONE LARGE BIG OPENING WITH WINDOWS.
15 THERE WAS THE KITCHEN AND TWO OR THREE BACK ROOMS, FOUR BACK
16 ROOMS, SMALL ROOMS WHERE THERE WAS EDITORIAL, SECRETARIAL
17 WORK GOING ON.

18 Q YOUR HOME WHERE YOUR CHILDREN, YOUR HUSBAND AND
19 EVEN YOUR PARENTS STAYED FOR A WHILE, YOU RENTED THAT HOME
20 IN WESTLAKE AND YOU ONLY PAID \$1,600 A MONTH FOR THAT HOME.
21 YOU NEEDED A PLACE FOR YOU AND A FEW PEOPLE TO DO YOUR
22 WRITING.

23 DID IT SEEM THAT IT MIGHT HAVE BEEN A MISUSE OF
24 THE CHURCH'S MONEY TO SPEND \$2,500 PER MONTH SO THAT YOU
25 COULD WRITE WHILE YOU WERE ONLY SPENDING \$1,600 A MONTH FOR
26 YOUR ENTIRE FAMILY?

27 MR. KLEIN: I AM GOING TO OBJECT, YOUR HONOR. IT IS
28 A COMPOUND QUESTION. IT'S BECOME VAGUE AND AMBIGUOUS.

1 THE COURT: OVERRULED.

2 THE WITNESS: IT DIDN'T SEEM INORDINATE AT ALL TO ME.
3 I COULD NOT ACCOMPLISH MY WORK ANYWHERE ELSE. I NEEDED TO
4 GET THAT WORK DONE. AND ADDITIONALLY, MEMBERS SAW THE
5 NECESSITY ALSO AND CONTRIBUTED FUNDS FOR ME TO LEASE THAT
6 BEACH HOUSE.

7 Q BY MR. LEVY: THE CHURCH WAS PICKING UP THE TAB
8 ANYWAY, WAS IT NOT?

9 A NO. IT WAS LARGELY CONTRIBUTIONS OF PEOPLE WHO
10 SAID, "WE WANT YOU TO HAVE THIS PLACE TO WRITE."

11 Q LIKE DR. YANEY?

12 A I AM NOT SURE IF HE WAS ONE OF THEM. HE LEASED
13 ME THE PROPERTY.

14 Q YOU TESTIFIED EARLIER THAT THERE WAS NO REAL
15 CONTACT BETWEEN YOURSELF AND DR. YANEY OTHER THAN HE WAS
16 JUST A PSYCHIATRIST WHO HAPPENED TO BE AROUND?

17 A WHAT DO YOU MEAN OTHER "REAL CONTACT"?

18 Q WELL, WHEN YOU TESTIFIED EARLIER, YOU SAID
19 THERE WAS NOT AN ONGOING DIALOGUE BETWEEN THE TWO OF YOU.
20 HE WAS A PSYCHIATRIST, HE HAPPENED TO BE THERE, YOU DID ON
21 OCCASION CHAT WITH HIM?

22 A NO, I DON'T BELIEVE I SAID THAT AT ALL.

23 Q OH, WOULD YOU CORRECT ME THEN AND TELL ME WHAT
24 IT WAS YOU DID SAY?

25 A I BELIEVE YOU ASKED ME IF HE DISCUSSED WITH ME
26 HIS PERSONAL CONSULTATIONS AND PRIVATE TREATMENTS WITH
27 PATIENTS.

28 Q AND YOU SAID?

1 A I TOLD YOU THAT ON RARE OCCASIONS IN ORDER TO
2 HELP THE INDIVIDUAL IN HIS ADJUSTMENT IN OUR COMMUNITY AND
3 TO HELP OUR COMMUNITY DEAL WITH THAT PERSON, BUT THAT IT WAS
4 NOT THE NATURE OF DIVULGING THE PRIVATE COMMUNICATION, BUT
5 GIVING US ADVICE IN OUR INTERACTION WITH SUCH A PERSON.

6 Q YOU HAD CONSIDERABLE MONETARY DEALINGS WITH DR.
7 YANEY, YOU AND YOUR FAMILY, DID YOU NOT?

8 A NO.

9 Q ISN'T IT A FACT THAT YOU SENT YOUR VERY OWN
10 HUSBAND, MR. RANDALL KING, TO SEE DR. RALPH YANEY FOR OVER
11 100 VISITS AND THAT YOU AND THE CHURCH GOT A SPECIAL
12 DISCOUNT BECAUSE HE WAS NUMBER TWO MAN IN THE CHURCH AT THE
13 TIME?

14 A I DIDN'T SEND HIM TO SEE RALPH YANEY. HE WENT
15 THERE BECAUSE HE CHOSE TO. HE PAID FOR HIS SESSIONS OUT OF
16 HIS OWN MONEY AND RALPH YANEY GAVE HIM A DISCOUNT BECAUSE HE
17 DESIRED TO DO THAT.

18 Q ISN'T IT A FACT THAT THE BEACH PROPERTY WAS
19 LEASED IN DR. YANEY'S NAME BECAUSE PEOPLE DIDN'T WANT TO
20 LEASE IT TO THE CHURCH? IN VIOLATION OF THE ASSIGNMENT
21 CLAUSE, THE CHURCH WAS THEN -- THE PROPERTY WAS ASSIGNED TO
22 YOU AND RANDALL?

23 MR. KLEIN: YOUR HONOR, ONCE AGAIN I WILL OBJECT AS
24 TO RELEVANCY, AND 787 AND 352 OF THE EVIDENCE CODE.

25 THE COURT: OVERRULED.

26 THE WITNESS: NO, IT IS NOT TRUE.

27 Q BY MR. LEVY: YOU TALKED ABOUT YOUR EVENTUAL
28 MOVE TO LOS ANGELES. WE HAVE TALKED ABOUT THE NEW

1 JERUSALEM. IN THE TOTAL CONCEPT OF THE CHURCH, IS LOS
2 ANGELES CONSIDERED THE NEW JERUSALEM?

3 A MAY I EXPLAIN?

4 Q PLEASE DO.

5 A THE NEW JERUSALEM COMING DOWN FROM GOD OUT OF
6 HEAVEN IS DESCRIBED BY JOHN THE BELOVED AS HIS VISION IN THE
7 BOOK OF REVELATION. WE HAVE SEEN THE NEW JERUSALEM AS THE
8 ETHERIC BLUEPRINT OF THE HOLY CITY AND WE HAVE APPLIED THAT
9 CONCEPT TO LOS ANGELES.

10 Q THAT IS THE TOTAL EXPLANATION?

11 A I COULD SAY ONE MORE SENTENCE.

12 Q PLEASE DO.

13 A I THINK THAT THERE ARE CITIES ON THE ETHERIC
14 PLANE THAT SAINTS HAVE SEEN AND THAT ON EARTH WE ARE
15 INTENDED TO BRING FORTH THOSE CITIES. AND SO I THINK THAT
16 MANY CITIES HAVE AN ETHERIC BLUEPRINT THAT COULD BE LIKENED
17 UNTO THE CITY FOUR SQUARE.

18 BUT WE DEFINITELY SPOKE OF THE NEW JERUSALEM AS
19 THE HOLY CITY, THE HEAVENLY COUNTERPART, LET'S SAY, TO THE
20 CITY OF LOS ANGELES.

21 Q OH, LOS ANGELES WAS THE NEW JERUSALEM?

22 A IT IS AS I JUST STATED IT JUST NOW.

23 Q LET ME READ TO YOU HOW THE BOOKLET STATES IT.

24 A I KNOW HOW THE BOOKLET STATES IT.

25 Q WELL, THEN I AM GOING TO BE READING IT TO THE
26 COURT.

27 A PLEASE DO.

28 Q THANK YOU.

1 THE COURT: THIS IS EXHIBIT --

2 MR. LEVY: THIS IS EXHIBIT NUMBER 1, YOUR HONOR.

3 MR. KLEIN: WOULD YOU TELL US THE PAGE, PLEASE.

4 MR. LEVY: PAGE NINE. I AM READING THE THIRD
5 PARAGRAPH ON PAGE NINE. (READING.)

6 "SINCE THE ASCENSION OF MARK ON
7 FEBRUARY 26, 1973, ELIZABETH HAS ANSWERED
8 THE CALL OF THE MASTER JESUS TO BE THE VICAR
9 OF CHRIST IN HIS CHURCH UNIVERSAL AND
10 TRIUMPHANT AND TO COME TO LOS ANGELES, THE
11 NEW JERUSALEM."

12 Q IS THAT WHAT IT SAYS IN YOUR BROCHURE, MA'AM?

13 A THAT'S RIGHT.

14 Q DOES THE BYLAWS OF EITHER SUMMIT OR THE CHURCH
15 TALK ABOUT LOS ANGELES AS THE NEW JERUSALEM?

16 A THEY MAY. THE CHURCH BYLAWS MAY. I DON'T
17 RECALL.

18 Q IT WOULDN'T SURPRISE YOU THOUGH IF THEY DID
19 CALL LOS ANGELES THE NEW JERUSALEM?

20 A NO, IT WOULDN'T SURPRISE ME. AND THAT IS IN
21 FACT WHAT WE CALLED IT. I JUST DESIRED YOU TO UNDERSTAND
22 WHAT I MEANT.

23 Q IT WAS SOMETHING ETHEREAL, UP IN THE CLOUDS, IT
24 WASN'T ACTUAL FACT?

25 A IT WAS THE DESCRIPTION OF THE SPIRITUAL GOAL OF
26 LOS ANGELES TO OUR PICTURE OR TO MANIFEST THAT CITY, THAT
27 NEW JERUSALEM.

28 Q IN ALL OF THE WRITING AND THE BYLAWS AND IN ALL

1 OF YOUR ADVERTISING BROCHURE AND EVERYTHING ELSE, WE'VE
2 TALKED ABOUT MR. MULL COMING TO LOS ANGELES TO DESIGN THE
3 NEW JERUSALEM. HOWEVER, WE HAVE HEARD TESTIMONY BY PEOPLE
4 IN THE CHURCH WHO DO NOT EQUATE HIS WORK WITH THE NEW
5 JERUSALEM. POSSIBLY YOU CAN EXPLAIN THAT ALSO?

6 MR. KLEIN: YOUR HONOR, I AM GOING TO OBJECT. THERE
7 IS A COMPOUND QUESTION THERE. IN ORDER TO ANSWER THE SECOND
8 PART, SHE HAS TO ASSUME THE TRUTH OF THE FIRST PART.

9 THE COURT: SHE CAN ANSWER.

10 THE WITNESS: I WAS WONDERING WHAT YOU MEANT BY "IN
11 ALL OF YOUR WRITINGS," ET CETERA, THE INTRODUCTORY CLAUSE TO
12 THE QUESTION.

13 Q BY MR. LEVY: YOU DON'T UNDERSTAND THE
14 QUESTION?

15 A I AM ASKING YOU TO EXPLAIN THE INTRODUCTORY
16 CLAUSE.

17 Q YOU HAVE BEEN HERE THROUGHOUT THE TRIAL, AND
18 YOU HAVE HEARD A NUMBER OF PEOPLE FROM THE CHURCH TESTIFY
19 THAT LOS ANGELES, THAT WHAT MR. MULL WAS INVOLVED WITH,
20 REALLY HAD NOTHING TO DO WITH THE NEW JERUSALEM.

21 MY QUESTION TO YOU IS IF IN YOUR FUND RAISING
22 BROCHURE AND IN YOUR BYLAWS YOU TALK OF LOS ANGELES AS THE
23 NEW JERUSALEM, ARE YOU IN DISAGREEMENT WITH ALL OF THE
24 TESTIMONY WE HEARD BEFORE, MR. MULL WAS TO HAVE NOTHING TO
25 DO WITH THE CONCEPT OF THE NEW JERUSALEM?

26 A THE CONCEPT OF THE NEW JERUSALEM IS FOR LOS
27 ANGELES AND THE ENTIRE GREATER LOS ANGELES AREA. MR. MULL
28 CAME TO DO SPECIFIC WORK AT CAMELOT. WE DO NOT THINK

1 CAMELOT IS THE NEW JERUSALEM.

2 Q YOU THINK THAT THE PEOPLE AND THE CITY AND YOUR
3 FACILITY HERE ABOUT IN TOTAL IS THE NEW JERUSALEM?

4 A OUR FACILITY HAPPENS TO BE GEOGRAPHICALLY
5 LOCATED IN LOS ANGELES. EVERYTHING IN THIS AREA IS THE NEW
6 JERUSALEM AND ALL OF ITS PEOPLE. MR. MULL CAME TO CAMELOT
7 TO SERVE THERE IN THE ARCHITECTURAL FRAMEWORK.

8 BUT THE USE OF THAT TERM IS NOT UNDERSTANDABLE
9 TO ME BECAUSE I DON'T BELIEVE WE EVER CHARACTERIZED HIM
10 COMING TO BE THE ARCHITECT OF THE NEW JERUSALEM, WHICH WOULD
11 BE OF ALL OF LOS ANGELES AND THE ENTIRE HOLY CITY PICTURE,
12 WHICH MAY TAKE CENTURIES TO HAPPEN.

13 Q THANK YOU FOR THAT EXPLANATION.

14 MR. KLEIN ASKED YOU IF YOU ATE THE SAME FOOD AS
15 THE OTHER MEMBERS OF THE CHURCH. I AM JUST CURIOUS ABOUT
16 ONE THING.

17 MOTHER CLARE'S LUNCH, DID YOU EAT THAT ALSO AND
18 USE YOUR TEETH AND YOUR SALIVA TO CHEW ON THAT STUFF UNTIL
19 IT WAS MUSH AS AN EXAMPLE TO YOUR FOLLOWERS SO THAT THERE
20 WOULD BE NO MORE COMPLAINING?

21 A I HAVE EATEN IT EVERY DAY FOR YEARS AND HAVE
22 CONTINUED TO DO SO.

23 MR. LEVY: THANK YOU, MA'AM.

24 I HAVE NOTHING FURTHER.

25 THE WITNESS: THANK YOU.

26 MR. KLEIN: I HAVE NO QUESTIONS, YOUR HONOR.

27 THE COURT: YOU CAN STEP DOWN.

28 THE WITNESS: THANK YOU.

1 MR. LEVY: YOUR HONOR, MAY I HAVE JUST A MOMENT TO
2 GET MY NEXT WITNESS? HE IS JUST OUTSIDE.

3 THE COURT: ALL RIGHT.

4
5 RANDALL CHARLES KING, +

6 A DEFENDANT'S WITNESS, HAVING BEEN PREVIOUSLY SWORN,
7 TESTIFIES AS FOLLOWS:

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

11 THE WITNESS: RANDALL CHARLES KING.

12 THE CLERK: THANK YOU.

13 MR. LEVY: YOUR HONOR, I AM GOING TO PUT TWO CHARTS
14 UP HERE. I HAVE ALREADY SHOWN THE CHARTS TO MR. KLEIN.

15
16 DIRECT EXAMINATION +

17 BY MR. LEVY:

18 Q WE HAVE HEARD A LOT ABOUT THE CHURCH IN THE
19 LAST SEVERAL WEEKS, MR. KING. I AM PUTTING TWO CHARTS UP
20 HERE AND MAYBE YOU CAN HELP US EXPLAIN SOME OF THE ACTUAL
21 STRUCTURE.

22 MR. KING, I WONDER IF YOU'D STEP OVER TO THE
23 CHARTS AND EXPLAIN TO US, STARTING WITH THE CHART ON THE
24 LEFT, WHAT THE ACTUAL STRUCTURE OF CHURCH UNIVERSAL AND
25 TRIUMPHANT IS.

26 THE COURT: LET'S GIVE THAT CHART ON THE LEFT THE
27 NEXT NUMBER.

28 MR. LEVY: THEN LET'S MAKE THAT NUMBER 131, YOUR

1 HONOR. WE HAVE -- SO THAT I DON'T HAVE TO CHANGE THESE THAT
2 I AM GOING TO BRING IN IN JUST A FEW MOMENTS. MAY WE MAKE
3 THE FIRST CHART 131? I HAVE A 129 AND 130 THAT I WILL FILL
4 IN WITH.

5 THE COURT: ALL RIGHT. THAT IS AGREEABLE.

6 MR. LEVY: SO I WILL --

7 THE COURT: THAT IS FOR IDENTIFICATION AS EXHIBIT
8 131.

9 (MARKED FOR ID: ^ EXHIBIT 131, CHART)

10 MR. LEVY: YES, YOUR HONOR.

11 THE COURT: THE OTHER CHART WILL BE 132 FOR
12 IDENTIFICATION.

13 (MARKED FOR ID: ^ EXHIBIT 132, CHART)

14 MR. LEVY: YES, YOUR HONOR.

15 Q WILL YOU START WITH THE CHART ON YOUR LEFT AND
16 EXPLAIN TO THE COURT YOUR INTERPRETATION OF THE SPIRITUAL
17 HIERARCHY OF CHURCH UNIVERSAL AND TRIUMPHANT?

18 A OKAY. THE PYRAMID DOWN HERE ON THE BOTTOM IS
19 MADE UP OF UNASCENDED BEINGS, PHYSICAL PEOPLE LIKE YOU AND
20 I. AND THEY HOLD OFFICERS IN DIFFERENT LEVELS. ALL THE WAY
21 UP TO THE MOTHER OF THE FLAME, THE MESSENGER AND SO ON AND
22 SO FORTH.

23 THE TRIANGLE UP HERE AT THE TOP IS MADE UP OF
24 ASCENDED MASTERS. THESE ARE SPIRITUAL BEINGS. AND IN
25 BETWEEN WHERE THE TWO PYRAMIDS COME TOGETHER IS ELIZABETH
26 CLARE PROPHET IN HER OFFICE AS THE VICAR OF CHRIST.

27 AND ALL THE INFORMATION THAT COMES FROM THE
28 ASCENDED MASTERS HAS TO COME THROUGH ELIZABETH AND FILTER

1 DOWN THROUGH ALL THESE OTHER LEVELS. AND NONE OF THESE
2 PEOPLE CAN GET ANY INFORMATION OR TEACHINGS OR VERIFY THE
3 VALIDITY OF ANY OF THE TEACHINGS WITHOUT GOING THROUGH THE
4 VICAR OF CHRIST, WHICH IS HERE.

5 Q OKAY. IF YOU WOULD BE KIND ENOUGH TO MOVE OVER
6 JUST A LITTLE BIT.

7 THEN THE DOCUMENT THAT HAS BEEN MARKED NUMBER
8 132 FOR IDENTIFICATION, WOULD YOU EXPLAIN TO US WHAT HAS
9 BEEN ENTITLED, FOR WANT OF ANY OTHER TERMINOLOGY, "THE POWER
10 STRUCTURE," WHICH SIMPLY MEANS THE ORDER OF AUTHORITY WITHIN
11 THE CHURCH? WOULD YOU EXPLAIN THAT TO THE COURT?

12 A OKAY. AGAIN, THE BOTTOM TRIANGLE IS MADE UP OF
13 UNASCENDED BEINGS, PEOPLE, AND THEY HOLD DIFFERENT OFFICERS
14 ALL THE WAY FROM COMMUNITY MEMBERS, WHICH ARE PEOPLE THAT
15 ARE INVOLVED WITH THE TEACHINGS BUT NOT ON THE STAFF, UP TO
16 STAFF MEMBERS, DEPARTMENT HEADS, OFFICERS, BOARD OF
17 DIRECTORS AND THE TOP TRIANGLE AGAIN IS THE ASCENDED
18 MASTERS.

19 EL MORYA IS THE SPONSORING ASCENDED MASTER FOR
20 THE ORGANIZATION, AND AGAIN THE GO-BETWEEN IS ELIZABETH
21 CLARE PROPHET HOLDING THE OFFICE OF THE CHAIRMAN OF THE
22 BOARD AND THE CHIEF EXECUTIVE OFFICER. AND IN THE
23 ORGANIZATION, THE CHIEF EXECUTIVE OFFICER IS IN CHARGE AND
24 RESPONSIBLE FOR RUNNING ALL THE BUSINESS AFFAIRS OF THE
25 ORGANIZATION.

26 SO ALL THE -- AT EACH LEVEL. PEOPLE TAKE -- YOU
27 KNOW, THEY HAVE WHAT WE CALL THEIR HIERARCHS. EACH STAFF
28 MEMBER HAS EITHER A DEPARTMENT HEAD OR ASSISTANT DEPARTMENT

1 HEAD OR SOMEBODY THAT THEY WORK FOR, AND THEY REPORT TO AND
2 WE REFER TO THEM AS THEIR HIERARCH.

3 AND AS IT GOES ON UP, ELIZABETH HAS THE
4 ULTIMATE SAY IN EVERYTHING THAT GOES ON BECAUSE IF THERE IS
5 A DISPUTE ON THE BOARD THAT SHE WANTS SOMETHING ONE WAY AND
6 THE BOARD WANTS IT ANOTHER WAY, SHE CALLS IN EL MORYA AND EL
7 MORYA MAKES THE FINAL DECISION BECAUSE, AGAIN, SHE HAS THE
8 ONLY DIRECT ACCESS TO THE ASCENDED MASTERS.

9 Q WOULD IT BE FAIR TO SAY THAT ON BOTH THE
10 SPIRITUAL HIERARCHY SIDE OF THE CHURCH AND ON THE AUTHORITY
11 SIDE OF THE CHURCH, THE ONE WITH THE POWER AND CONTROL IS
12 ELIZABETH CLARE PROPHET?

13 A YES.

14 Q NOW, WE HAVE HEARD -- YOU CAN TAKE YOUR SEAT
15 AGAIN IF YOU WOULD.

16 WE HEARD ABOUT A CODE OF CONDUCT WITH THE
17 CHURCH. IS THERE A DIFFERENCE IN THE WAY THAT THE CODE OF
18 CONDUCT APPLIES, SAY, TO THE COMMUNITY MEMBERS AS OPPOSED TO
19 THE ONE ABOVE THEM, THE STAFF MEMBERS?

20 A YES.

21 Q AND WHAT IS THE DIFFERENCE IN HOW THE CODE OF
22 CONDUCT WOULD APPLY?

23 A WELL, THE CODE OF CONDUCT IS BASICALLY A SET OF
24 BEHAVIORAL RULES AND IT APPLIES TO ACTUALLY EACH LEVEL ALL
25 THE WAY FROM COMMUNITY MEMBERS TO DEPARTMENT HEADS TO BOARD
26 OF DIRECTORS. THE RULES ARE DIFFERENT FOR EACH DIFFERENT
27 LEVEL.

28 WHEN YOU START WITH THE COMMUNITY MEMBERS,

1 BASICALLY THE WAY THAT WORKS, IN THE TEACHINGS WE ARE GIVEN
2 AN EXAMPLE OF WHAT A TRUE CHELA OR GOOD PERSON WOULD BE
3 LIKE. AND YOU ARE EXPECTED TO POLICE YOURSELF IN TRYING TO
4 ASPIRE AND BE LIKE THE EXAMPLE THAT IS GIVEN IN THE
5 TEACHINGS.

6 AS YOU MOVE UP INTO DIFFERENT LEVELS OF STAFF,
7 YOU ARE EXPECTED TO BE MORE DISCIPLINED AND THERE IS MORE
8 STRICT RULES.

9 MR. KLEIN: YOUR HONOR, I WOULD ASK THAT ANOTHER
10 QUESTION BE ASKED. IT'S BECOMING A NARRATIVE.

11 THE COURT: HE IS TELLING US AN ANSWER TO THE
12 QUESTION.

13 THE WITNESS: WHEN YOU GET UP TO THE BOARD OF
14 DIRECTORS, THEN THE RULES CHANGE A LITTLE BIT AND THEY ARE
15 GIVEN MORE FREEDOM INSTEAD OF BEING MORE STRICT. AND THE
16 THEORY IS SINCE THEY HAVE COME UP THROUGH THE RANKS FROM THE
17 BOTTOM ALL THE WAY UP, THAT THEY ARE SOMEWHAT ABOVE THAT AND
18 THEY GET MORE FREEDOM TO DECIDE HOW THEY BEHAVE AND HOW THEY
19 DON'T.

20 UNTIL YOU GET TO ELIZABETH AND IN THE OFFICE OF
21 THE VICAR OF CHRIST AND THE CHAIRMAN OF THE BOARD, IT IS A
22 SPIRITUAL OFFICE. AND SINCE BASICALLY THE TEACHINGS GO THAT
23 SHE IS THE MOST DEVOUT PERSON ON THE PLANET, SHE HAS THE
24 AUTHORITY TO DECIDE WHAT RULES SHE HAS TO LIVE BY. AND
25 THESE ARE GOD'S RULES INSTEAD OF MAN'S RULES.

26 AND SO THERE SEEMS TO BE ON THE STAFF KIND OF A
27 DOUBLE STANDARD TO WHERE YOU HAVE PEOPLE THAT ARE ON THE
28 STAFF, THEY ARE NOT EVEN PERMITTED TO BE IN THE ROOM WITH

1 ANOTHER PERSON OF THE OPPOSITE SEX FOR MORE THAN TEN
2 MINUTES, IT IS OKAY IN THE EYES OF THE ASCENDED MASTERS FOR
3 ELIZABETH, FOR INSTANCE, TO HAVE ILLICIT AFFAIRS OUTSIDE OF
4 HER MARRIAGE.

5 AND BECAUSE THE STAFF HAS A PROBLEM WITH THAT,
6 WE TRY TO KEEP A LOT OF THESE THINGS HIDDEN. BUT IN THE
7 ASCENDED MASTERS' EYES, THAT IS OKAY.

8 Q BY MR. LEVY: NOW, IS THERE A CODE OF CONDUCT
9 FOR CONTACT WITH PEOPLE ON THE OUTSIDE OR PEOPLE WHO HAVE
10 LEFT THE CHURCH?

11 A YES. IT KIND OF DEPENDS ON WHETHER THE PEOPLE
12 THAT HAVE LEFT THE CHURCH ARE ANTAGONISTIC TOWARDS THE
13 CHURCH. IF THEY ARE, NOBODY IS SUPPOSED TO CONTACT THEM OR
14 BE WITH THEM BECAUSE YOU DON'T WANT TO LOOSE YOUR LIGHT TO
15 THAT PERSON TO THE EYES OF DARKNESS.

16 IF THEY ARE AREN'T ANTAGONISTIC, YOU CAN HAVE
17 CONTACT WITH THEM, BUT THEY ARE TO BE KEPT TO A MINIMUM.
18 LIKE IF YOU HAVE PARENTS THAT AREN'T IN THE ACTIVITIES, YOU
19 CAN HAVE CONTACT, BUT KEPT TO A MINIMUM. EVEN IF YOUR
20 PARENTS ARE NICE AND UNDERSTANDING, YOU ARE TOLD TO BEWARE
21 OF THEM BECAUSE THEY MIGHT TRY TO KIDNAP YOU AND DEPROGRAM
22 YOU.

23 Q MR. KLEIN HAS ASKED A NUMBER OF QUESTIONS ABOUT
24 WILL YOU DIE IF YOU LEAVE THE CHURCH OR IF YOU ARE TOLD IF
25 YOU LEAVE THE TEACHINGS, YOU WILL DIE. DID ELIZABETH CLARE
26 PROPHET TEACH YOU WILL DIE IF YOU LEAVE THE TEACHINGS?

27 A NOT EXACTLY.

28 Q WHAT EXACTLY DID SHE TEACH YOU?

1 A WHAT WE ARE TAUGHT IS THE HIGHER WE GO IN
2 HIERARCHY -- IN THE SPIRITUAL HIERARCHY, FIRST OF ALL, WE
3 HAVE EMBODIMENT FOR THOUSANDS AND THOUSANDS OF YEARS WORKING
4 ON OUR EVOLUTION UNTIL WE COME TO THIS EMBODIMENT. NOW WE
5 HAVE COME OUR OPPORTUNITY TO COME AND SERVE THE MASTERS.

6 AS WE GET HIGHER AND HIGHER EVOLVED AND GET
7 HIGHER IN THE STRUCTURE OF THE HIERARCHY, IF WE TURN OUR
8 BACKS ON THE MASTERS AND ON OUR MISSION, WE HAVE A GREAT
9 KARMA FOR DOING THAT. AND THE KARMA CAN BE GREAT ENOUGH
10 THAT KARMIC HAMMER CAN ACTUALLY COME DOWN ON YOUR HEAD AND
11 TAKE YOU OUT OF EMBODIMENT.

12 NOBODY SAYS IF YOU LEAVE, YOU ARE GOING TO DIE.
13 BUT WE UNDERSTAND OUR POSITION. A LOT OF PEOPLE FEAR THAT
14 BECAUSE THEY ARE AFRAID THEIR KARMA WILL COME UPON THEM FOR
15 FAILING THEIR MISSION AND THEY MAY THINK THEY WILL BE TAKEN
16 OUT OF EMBODIMENT.

17 Q IS THERE A TEACHING IN THE CHURCH THAT THERE IS
18 A SECOND DEATH IF YOU REALLY FOUL UP?

19 A THAT IS WHAT THE SECOND DEATH IS. BASICALLY IT
20 IS A TIME WHEN THROUGH THOUSANDS AND THOUSANDS OF
21 EMBODIMENTS AND THOUSANDS OF YEARS OF EVOLUTION, IF YOU JUST
22 BE MISS -- YOU HAVEN'T BEEN DOING WHAT YOU ARE SUPPOSED TO
23 DO AND BALANCE ALL YOUR KARMA. AND GOD FINALLY DECIDES HE
24 HAS HAD ENOUGH OF YOU AND HE IS NOT GOING TO GIVE YOU
25 ANOTHER CHANCE.

26 AND WHAT HAPPENS IS YOU ARE TAKEN TO, I THINK
27 IT IS, THE GREAT CENTRAL SUN OR SOMEPLACE, AND YOU ACTUALLY
28 STEP INTO A FLAME AND YOUR IDENTITY IS EXTINGUISHED. AND

1 THIS MATTER THAT WAS YOUR SOUL OR IDENTITY IS THEN TAKEN
2 BACK IN THE MASSIVE ENERGY AND REPOLARIZED AND NEW SOULS ARE
3 BORN OUT OF THAT.

4 IT IS LIKE THE ULTIMATE FAILURE IF YOU EVER GO
5 THROUGH THE SECOND DEATH.

6 Q IF YOU GO THROUGH THE SECOND DEATH, IS THAT IN
7 EFFECT WHAT WE HAVE HEARD REFERRED TO AS YOUR TWIN FLAME?

8 A NO.

9 Q CAN YOU EXPLAIN TO US WHAT THE TWIN FLAME IS?

10 A A TWIN FLAME IS A COUNTERPART THAT YOU HAVE.
11 IT IS LIKE WHEN YOUR SOUL IS FIRST MADE, THERE IS A MALE AND
12 FEMALE COUNTERPART. AND THAT -- THAT COUNTERPART MAY BE IN
13 EMBODIMENT IN A DIFFERENT EVOLUTIONARY STAGE OR IT MAY BE
14 ASCENDED.

15 A LOT OF TIMES WHEN A STAFF MEMBER OR SOMEBODY
16 COMING INTO THE ACTIVITY HAS AN ASCENDED TWIN FLAME, TO HELP
17 THE PERSON DOWN BELOW ALONG HIS PATH, HE MAY PUT UP HIS
18 JEWELS ATTAINMENT AND SPONSOR THAT ATTAINMENT.

19 IF THE PERSON ON THE STAFF LEAVES THE STAFF OR
20 DOES SOMETHING BAD AND FAILS HIS MISSION, THAT THE PERSON
21 THE ASCENDED MASTER -- THEIR TWIN FLAME WILL LOSE ALL OF HIS
22 ATTAINMENT. SOMETIMES THEY SPEND THOUSANDS OF YEARS TRYING
23 TO REGAIN WHAT THEY LOST.

24 Q WOULD MY ASSUMPTION BE CORRECT THAT IF YOU DID
25 NOT FOLLOW THE DICTATES OF THE SPIRITUAL HIERARCHY OF CHURCH
26 UNIVERSAL WITH REGARD TO THOSE TEACHINGS, IT WOULD BE LIKE
27 COMMITTING SPIRITUAL SUICIDE?

28 A ABSOLUTELY.

1 Q HAVE YOU EVER HEARD OF THE CLOCK OF BETRAYAL?

2 A YES.

3 Q AND WOULD YOU PLEASE TELL US WHAT THE CLOCK OF
4 BETRAYAL ACTUALLY IS?

5 A WELL, IT STEMS FROM A TEACHING THAT WE HAVE.
6 IT IS CALLED THE COSMIC CLOCK. AND WE TAKE GOD'S ATTRIBUTES
7 AND ALSO NEGATIVE QUALITIES AND WE PUT THEM ON DIFFERENT
8 LINES OF THE CLOCK. IT IS SIMILAR TO ASTROLOGY TYPE THING.

9 AND THE CLOCK OF BETRAYAL IS TAKING THIS COSMIC
10 CLOCK. AND ON EACH LINE OF THE CLOCK, WE PUT DIFFERENT
11 PEOPLE THAT HAVE LEFT THE TEACHINGS AND HAVE BEEN
12 ANTAGONISTIC OR SOME REASON ELIZABETH SAID THEIR VIBRATIONS
13 WERE BAD. AND WE PUT THEIR NAMES ON THIS CLOCK, AND IT IS
14 USED IN STAFF DECREE SESSIONS, AND THESE PEOPLE'S NAMES ARE
15 BROUGHT UP IN AND THEY ARE DECREED AGAINST.

16 IN EACH LINE OF THE CLOCK, THERE MAY BE AN AXIS
17 OR YOU MAY BE ON A CERTAIN LINE OF THE CLOCK AND THAT MEANS
18 THAT YOU ARE OUT PICTURING A CERTAIN TYPE OF NEGATIVE
19 ENERGY.

20 Q SO PEOPLE ARE ACTUALLY -- WHETHER IT IS
21 THEMSELVES OR THEIR ENERGY OR SOME NEBULOUS PART OF THEM,
22 PEOPLE'S NAMES ARE ACTUALLY USED IN DECREES AND THEY ARE
23 DECREED AGAINST?

24 A PEOPLE'S NAMES ARE ACTUALLY USED, YES, UH-HUH.

25 Q IN YOUR TEACHINGS, IS THERE A TEACHING WITH
26 REGARD TO THE GREAT WHORE?

27 A THERE PROBABLY WAS. WHAT I REMEMBER BASICALLY
28 THE TERM GREAT WHORE IS ELIZABETH USED IT FOR A LOT OF

1 DIFFERENT PEOPLE THAT WERE MISQUALIFYING ENERGY IN THE
2 FEMININE RAY. AND I MEAN, FOR EXAMPLE, SHE CALLED -- FOR A
3 LONG TIME SHE CALLED ELIZABETH TAYLOR THE GREAT WHORE. SO
4 IT WAS A TERM THAT SHE USED. A PEJORATIVE TERM FOR FEMALE
5 PEOPLE.

6 Q IT WASN'T SOMETHING THAT MR. MULL MADE UP, WAS
7 IT?

8 A NO. I HEARD IT LONG BEFORE I EVER KNEW
9 GREGORY.

10 Q DID ELIZABETH CLARE PROPHET FINE PEOPLE WHILE
11 YOU WERE AT THE CHURCH?

12 A YES.

13 Q WHAT HAPPENED TO THE DOLLARS THAT WERE
14 COLLECTED?

15 A DEPENDING ON WHO DID THE FINING. LOT OF TIME IT
16 WOULD BE COLLECTED BY DEPARTMENT HEADS OR BY JIM MC CAFFREY
17 AND THEY WERE GIVEN TO ELIZABETH.

18 THE REASON THEY WERE GIVEN TO ELIZABETH IS
19 BECAUSE THE TEACHING WAS THAT ALL THE FINES WERE SUPPOSED TO
20 GO TO THE MOTHER FLAME. SINCE SHE HELD THE OFFICE OF THE
21 MOTHER FLAME OR THE MOTHER OF THE FLAME, THE FINES WENT TO
22 HER AND SHE SPENT IT ON PERSONAL, YOU KNOW, WHATEVER
23 PERSONAL THINGS SHE WANTED TO.

24 Q WOULD I BE ACCURATE IN ASSUMING THAT THOSE
25 FINES AMOUNTED TO THOUSANDS AND THOUSANDS OF DOLLARS OVER
26 THE YEARS?

27 MR. KLEIN: I AM GOING TO OBJECT AS TO LEADING. YOUR
28 HONOR.

1 THE COURT: SUSTAINED.

2 Q BY MR. LEVY: COULD YOU GIVE US AN ESTIMATE AS
3 TO WHAT KIND OF POCKET MONEY ELIZABETH COLLECTED BY THE
4 METHOD OF FINING PEOPLE?

5 A IT IS HARD TO SAY. THERE WERE SOME PERIODS OF
6 TIME WHERE FINES WERE MORE IN VOGUE THAN OTHER TIMES. BUT I
7 AM SURE OVER THE YEARS IT WAS DEFINITELY THOUSANDS AND
8 THOUSANDS AND THOUSANDS OF DOLLARS.

9 Q WERE YOU EVER FINED?

10 A YES.

11 Q HOW MUCH WERE YOU FINED?

12 A OH, FINES ANYWHERE FROM \$25 TO \$250.

13 Q WERE THOSE FINES ASSESSED AGAINST YOU IF YOU
14 DISPLEASED ELIZABETH?

15 A YES.

16 Q ARE YOU FAMILIAR WITH THE PROCESS THAT'S CALLED
17 CLEARANCE LETTERS?

18 A YES.

19 Q COULD YOU EXPLAIN TO US WHAT ACTUALLY HAPPENS
20 WHEN A STUDENT AT SUMMIT UNIVERSITY WRITES A CLEARANCE
21 LETTER? WHAT IS THE PROCESS?

22 A WHEN THEY GO THROUGH WRITING IT?

23 MR. KLEIN: I AM GOING TO OBJECT, YOUR HONOR. COULD
24 WE HAVE A TIME FRAME FOR THIS QUESTION?

25 THE COURT: ALL RIGHT.

26 Q BY MR. LEVY: LET'S SAY DURING 1975 THROUGH THE
27 TIME YOU LEFT THE CHURCH, YOUR EXPERIENCE WITH CLEARANCE
28 LETTERS. NOT NECESSARILY THE MANNER IN WHICH THE STUDENT

1 WROTE OUT THE CLEARANCE LETTER. BUT ONCE THE CLEARANCE
2 LETTER WAS WRITTEN OUT AND TURNED INTO THE TEACHER OR
3 INSTRUCTOR OR THAT STUDENT'S SUPERIOR, FROM YOUR ACTUAL
4 KNOWLEDGE, WOULD YOU TELL US WHAT THEN HAPPENED TO THE
5 CLEARANCE LETTERS?

6 A USUALLY IT WOULD TAKE ANYWHERE FROM A WEEK TO A
7 COUPLE OF WEEKS FOR THE STUDENTS TO WRITE THEIR CLEARANCE
8 LETTERS. DURING THAT TIME WHEN THEY WOULD FINISH. THEY
9 WOULD TURN THEM INTO THE T.A. OR TEACHING ASSISTANTS, AS WE
10 CALLED THEM AT THAT POINT. THEY WOULD BE PUT INTO THE
11 FILES, EACH INDIVIDUAL STUDENT'S FILES. THEN THESE LETTERS,
12 DEPENDING ON WHO IT WAS AND WHETHER WE WANTED ACCESS TO SOME
13 LETTERS, WERE COPIED AND KEPT AT THAT POINT.

14 WHEN THE CLEARANCE WAS DONE ON THIS INDIVIDUAL
15 STUDENT BY ELIZABETH, THEY WOULD TAKE THE ORIGINAL LETTER,
16 SHE WOULD OPEN IT UP AND READ IT IN FRONT OF EVERYBODY. IT
17 WAS PUT IN A BASKET AND TAKEN AND BURNED.

18 Q SO IN SOME INSTANCES THERE WERE PHOTOCOPIES
19 MADE AND KEPT IN THE FILE?

20 A IN THE PERSON'S INDIVIDUAL FILE.

21 Q AND WHO WOULD GENERALLY MAKE THE PHOTOCOPY?
22 NOT THE INDIVIDUAL, BUT LIKE WAS IT A SECRETARY OR WAS IT A
23 BOARD MEMBER OR WAS THERE ANY SPECIFIC ONE WHO ACTUALLY MADE
24 THE COPY?

25 A IT WAS PROBABLY -- IT WOULD HAVE TO BE SOMEBODY
26 HIGH UP, SOMEBODY TRUSTED. PROBABLY A BOARD MEMBER OR HIGH
27 UP SECRETARY. I AM NOT SURE.

28 Q DID YOU EVER HAVE THE EXPERIENCE OF BEING IN A

1 BOARD MEETING, EITHER FORMAL OR INFORMAL, WHERE CLEARANCE
2 LETTERS WERE READ?

3 A YES.

4 Q WAS THERE EVER A TIME DURING ONE OF THOSE
5 MEETINGS OR ANY OF THOSE MEETINGS WHEN THE BOARD ACTUALLY
6 READ SOMEONE'S CONFESSION, AND SAT AROUND CHUCKLING, AND
7 LAUGHING AND DISCUSSING PARTS OF THE CLEARANCE LETTER?

8 A YES.

9 Q NOW WE HAVE HEARD TESTIMONY ABOUT GREGORY MULL
10 AND HIS SEXUAL PREFERENCE WHEN HE WAS A YOUNG MAN. AND MR.
11 MULL HAS TOLD US THAT IN HIS EARLY YEARS HE EXPERIMENTED
12 WITH HOMOSEXUALITY.

13 DID YOU KNOW THAT MR. MULL WAS A HOMOSEXUAL?

14 A YES.

15 Q HOW DID YOU FIND OUT THAT MR. MULL WAS A
16 HOMOSEXUAL?

17 A ELIZABETH TOLD ME.

18 Q WHAT WAS THE NEED FOR YOU TO KNOW?

19 A I DON'T KNOW. BASICALLY I THINK IT WAS JUST
20 FOR AMUSEMENT.

21 Q NOW, WE HAVE ALSO HEARD TESTIMONY HERE THAT A
22 NUMBER OF OTHER PEOPLE -- FROM A GROUP OF OTHER CHURCH
23 MEMBERS THAT GREGORY MULL TOLD THEM THAT HE WAS HOMOSEXUAL.
24 IN VIEW OF THE CHURCH'S TEACHINGS AND YOUR KNOWLEDGE OF THE
25 TEACHINGS, IS IT LIKELY THAT MR. MULL WOULD HAVE CONFESSED
26 ANYTHING ABOUT HIS SEXUALITY TO ANY ONE OF THE CHURCH
27 MEMBERS?

28 MR. KLEIN: I AM GOING TO OBJECT. IT CALLS FOR

1 SPECULATION BY THIS WITNESS, YOUR HONOR.

2 THE COURT: ARE THERE CHURCH TEACHINGS THAT WOULD
3 BEAR UPON THAT?

4 THE WITNESS: YES, I FEEL SO.

5 THE COURT: WHAT ARE THOSE TEACHINGS?

6 THE WITNESS: THE TEACHINGS ARE THAT HOMOSEXUALITY IS
7 TABOO. IT IS EVEN WRITTEN IN THE WAIVER YOU SIGN TO BECOME
8 A COMMUNICANT YOU CAN'T BE A HOMOSEXUAL. AND IF YOU WERE
9 BEFORE, YOU CAN'T EVER DO IT AGAIN. SO THOSE ARE THE THE
10 THINGS THAT ARE ACTUALLY IN THE TEACHINGS.

11 Q BY MR. LEVY: COULD YOU EXPLAIN FURTHER WITH
12 REGARD TO THE ATTITUDES THAT EXISTED IN THE CHURCH WHEN YOU
13 WERE MARRIED TO ELIZABETH AND THEORETICALLY THE SECOND MOST
14 SPIRITUAL PERSON IN THE CHURCH WITH REGARD TO DISCLOSURES
15 ABOUT PERSONAL SEXUALITY?

16 A OF WHOSE SEXUALITY?

17 Q OF ANY MEMBER'S SEXUALITY. WOULD IT HAVE BEEN
18 A LIKELY THING THAT A MEMBER WHO HAD GONE THROUGH SUMMIT
19 UNIVERSITY AND WAS AWARE OF THE TEACHINGS OF THE CHURCH,
20 WOULD IT HAVE BEEN VERY LIKELY THAT THAT INDIVIDUAL WOULD
21 HAVE GONE AROUND DISCUSSING IT WITH OTHER CHURCH MEMBERS?

22 A NO. BECAUSE IF THEY DID ANYTHING THAT
23 WASN'T -- EVERYBODY IN THE CHURCH AND ON THE STAFF WANTED TO
24 BE A GOOD CHELA. YOU ALWAYS WANTED TO, YOU KNOW, SHOW
25 EVERYBODY ELSE THAT YOU WERE DOING GOOD AND THAT YOU WERE,
26 YOU KNOW, YOU WERE ON YOUR WAY TO MAKE YOUR ASCENSION.

27 IT WOULD BE TOTALLY INCONSISTENT FOR ANYBODY TO
28 GO AROUND BRAGGING ABOUT ALL THE BAD THINGS THEY HAD DONE

1 BECAUSE IN EVERYBODY ELSE'S EYES, YOU WOULD BE A LESSER
2 BEING. AND IT IS QUITE THE OPPOSITE.

3 I MEAN ON THE STAFF, IN MY EXPERIENCE
4 EVERYBODY -- THERE IS A CERTAIN SENSE OF SPIRITUAL PRIDE
5 THAT WE HAVE OF BEING THIS ELITE GROUP THAT IS GOING TO SAVE
6 THE PLANET. AND YOU JUST DON'T GO AROUND TELLING PEOPLE
7 THINGS THAT -- I MEAN, IF ANYTHING, YOU ARE ASHAMED OF THOSE
8 THINGS RATHER THAN GOING OUT AND BRAGGING. IT IS
9 INCONSISTENT IT HAS BEEN MY OPINION.

10 Q NOW, WE HAVE HEARD AN AWFUL LOT OF TESTIMONY
11 WITH REGARD TO CAMELOT AND THE NEW JERUSALEM, AND WHICH IS
12 IS WHAT AND WHAT IS WHICH.

13 I WONDER IF YOU WOULD BE KIND ENOUGH TO EXPLAIN
14 TO US THIS BUSINESS ABOUT THE NEW JERUSALEM SO FAR AS YOU
15 KNEW AND UNDERSTOOD IT WHEN YOU WERE THE SECOND MOST
16 SPIRITUAL INDIVIDUAL IN THE CHURCH?

17 A WELL, I THINK IT WAS JESUS THAT FIRST GAVE THE
18 DICTATION AND FIRST TOLD US ABOUT THE NEW JERUSALEM. THE
19 NEW JERUSALEM IS -- IT IS NOT A SPIRITUAL CONCEPT. IT IS A
20 REAL CONCEPT. THE WHOLE IDEA IS HE WANTED TO ESTABLISH THE
21 NEW JERUSALEM AS A SPIRITUAL COMMUNITY IN THE LOS ANGELES
22 AREA.

23 WHEN THE DICTATION FIRST CAME OUT -- WHICH I AM
24 NOT QUITE SURE WHAT YEAR IT WAS, IT MIGHT HAVE BEEN '75 OR
25 '76 OR SOMEPLACE LIKE THAT -- WE HADN'T YET FOUND A PIECE OF
26 PROPERTY. WHEN WE FINALLY FOUND CAMELOT, WE REFERRED TO IT
27 INTERCHANGEABLY AS CAMELOT OR THE NEW JERUSALEM.

28 THE IDEA WAS IT WAS THE PHYSICAL -- THE

1 PHYSICAL MANIFESTATION OF THIS COMMUNITY. BUT THE COMMUNITY
2 OF THE -- CALLED THE NEW JERUSALEM ACTUALLY INCLUDED THE
3 PEOPLE. NOT JUST THE PHYSICAL BUILDINGS, BUT INCLUDED THE
4 PEOPLE. SO CAMELOT WAS THE PHYSICAL MANIFESTATION OR THE
5 BUILDING PART OF THE NEW JERUSALEM.

6 Q NOW, WHEN YOU WERE MARRIED TO ELIZABETH CLARE
7 PROPHET AND SHE WAS MRS. KING AND YOU WERE RESIDING
8 TOGETHER, DID SHE HAVE A PRIVATE LIBRARY?

9 A YES.

10 Q DID SHE HAVE VOLUMES THAT WERE WRAPPED IN FOIL?

11 A YES.

12 Q DO YOU REMEMBER THE NATURE OF THE SUBJECT
13 MATTER OF THE VOLUMES THAT SHE HAD WRAPPED IN FOIL?

14 A THEY WERE VOLUMES OF BOOKS ON BLACK MAGIC,
15 SATANISM, PSYCHIC ACTIVITIES OF ALL KIND, HYPNOTISM, THINGS
16 LIKE THAT.

17 Q WERE THESE BOOKS READILY AVAILABLE TO ALL THE
18 MEMBERS OF THE CHURCH?

19 A NO. ABSOLUTELY NOT.

20 Q THE VOLUMES THAT WERE WRAPPED IN FOIL, FROM THE
21 OUTSIDE OF THE VOLUME, COULD YOU READ THE TITLE OF THE BOOK
22 AND SEE WHAT IT -- THE SUBJECT MATTER WAS ABOUT?

23 A NO. THEY WERE TOTALLY WRAPPED UP.

24 Q DID YOU AND ELIZABETH EVER DISCUSS HER REASONS
25 FOR WRAPPING THE BOOKS IN FOIL?

26 A IT WAS TO KEEP THE PSYCHIC VIBRATIONS FROM
27 COMING OUT INTO OUR HOUSE.

28 Q YOU MENTIONED SHE HAD BOOKS ABOUT HYPNOSIS. DO

1 YOU HAVE ANY KNOWLEDGE AS TO WHERE SHE OBTAINED THE BOOKS?

2 A NOT THOSE PARTICULAR ONES. I KNOW SHE GOT A
3 LOT OF HER BOOKS FROM MARK WHEN HE PASSED ON. SHE INHERITED
4 THE LIBRARY.

5 Q DID THE CHURCH HAVE A TEACHING WITH REGARD TO
6 HYPNOTISM?

7 A YES. HYPNOTISM WAS TABOO.

8 Q DID ELIZABETH HAVE A PERSONAL KNOWLEDGE OF
9 HYPNOTISM?

10 A WELL, I KNOW IN QUITE A NUMBER OF OCCASIONS SHE
11 WENT TO A DOCTOR AND WAS HYPNOTIZED. SO SHE KNEW WHAT IT
12 WAS ALL ABOUT. MARK WAS TRAINED IN HYPNOTISM.

13 Q NOW, SOMETIME BACK DURING THE COURSE OF THE
14 TRIAL I ASKED MR. MC CAFFREY IF HE EVER HAD OCCASION TO
15 ALTER BOARD RECORDS.

16 TO YOUR PERSONAL KNOWLEDGE, WAS THERE EVER A
17 TIME WHEN MR. MC CAFFREY INSTRUCTED THE TREASURER OF THE
18 CHURCH TO ALTER RECORDS SO AS TO ACCOMMODATE EITHER YOU OR
19 ANYONE ELSE?

20 A YES.

21 MR. LEVY: THIS IS A PHOTOCOPY AND IT IS MARKED FOR
22 IDENTIFICATION AS EXHIBIT NUMBER -- WOULD BE EXHIBIT NUMBER
23 129. THIS IS THE ORIGINAL DOCUMENT.

24 (MARKED FOR ID: ^ EXHIBIT 129, MEMO)

25 Q BY MR. LEVY: WOULD YOU TAKE A LOOK AT THAT.

26 WAS THERE A TIME WHEN MR. MC CAFFREY GAVE YOU
27 THE MEMO THAT YOU ARE HOLDING IN YOUR HAND?

28 A I DON'T KNOW WHETHER HE GAVE IT TO ME OR IT GOT

1 SENT TO ME THROUGH DEPARTMENTAL MAIL, BUT I RECEIVED IT FROM
2 HIM.

3 MR. KLEIN: YOUR HONOR, I AM GOING TO OBJECT TO THIS
4 MEMO, WHICH WAS NOT SHOWN TO MR. MC CAFFREY WHEN HE WAS HERE
5 AND NOW IS SHOWN TO ANOTHER WITNESS WHO DIDN'T WRITE IT AND
6 DIDN'T RECEIVE IT. I THINK IT IS IMPROPER FOR COUNSEL TO
7 TRY TO GET IT IN THIS WAY RATHER THAN TO HAVE SHOWN IT TO
8 MR. MC CAFFREY, WHO TESTIFIED.

9 THE COURT: JUST A MINUTE. LET'S SEE IF A FOUNDATION
10 CAN BE ESTABLISHED. LET'S WORK ON FOUNDATION BEFORE WE WORK
11 ON THE SUBSTANCE.

12 MR. LEVY: ABSOLUTELY, YOUR HONOR.

13 THE COURT: OKAY.

14 Q BY MR. LEVY: IF YOU WILL LOOK AT THAT
15 DOCUMENT, THERE IS A SIGNATURE ON THE DOCUMENT.

16 DO YOU RECOGNIZE THE SIGNATURE?

17 A YES.

18 Q WOULD YOU TELL US WHOSE SIGNATURE IT IS?

19 A JAMES MC CAFFREY.

20 Q OVER THE COURSE OF THE TIME THAT YOU WERE THE
21 SECOND MOST SPIRITUAL PERSON IN THE CHURCH, DID YOU HAVE
22 OCCASION TO RECEIVE NUMEROUS DOCUMENTS AND SEE MR.
23 MC CAFFREY'S HANDWRITING ON OCCASION?

24 A YES.

25 Q ARE YOU ABSOLUTELY CERTAIN THAT THAT DOCUMENT
26 IS SIGNED BY JAMES MC CAFFREY?

27 A ABSOLUTELY.

28 Q WOULD YOU DESCRIBE -- YOU SAID YOU MAY NOT HAVE

1 BEEN HANDED THAT DOCUMENT PERSONALLY BY MR. MC CAFFREY.

2 WOULD YOU DESCRIBE FOR US THE PROCEDURE, THE
3 NORMAL PROCEDURE WHEREBY A DOCUMENT LIKE THAT WOULD HAVE
4 COME INTO YOUR HANDS?

5 A WELL, A DOCUMENT LIKE THIS, IF ANY OTHER BOARD
6 MEMBER SENT MEMOS TO ANOTHER BOARD MEMBER, IT HAD TO DO WITH
7 ME, I WAS ALWAYS GIVEN A COPY OF IT. SOMETIMES I MIGHT GET
8 HANDED IT IN A MEETING. THE OTHER TIMES IT WOULD GO
9 THROUGH -- WE HAD THESE INTERDEPARTMENTAL ENVELOPES THAT WE
10 WOULD ROUTE AROUND TO DIFFERENT BOARD MEMBERS.

11 Q WHEN A MEMO WAS WRITTEN, WAS IT WRITTEN WITH
12 DUPLICATE COPIES?

13 A YES. THIS IS A CARBON COPY OF THE ONE THAT
14 WENT TO THE TREASURER.

15 Q NOW, WITH THAT FOUNDATION, MR. KING, I ASK YOU
16 THIS: WOULD YOU BE KIND ENOUGH TO READ TO US THAT
17 INTERDEPARTMENTAL MEMORANDUM THAT WAS SENT TO YOU BY JAMES
18 MC CAFFREY?

19 A (READING.)

20 "TO WILLIAM THAYER (SIC).

21 "AS TREASURER PLEASE SEND
22 RECEIPT OF ACKNOWLEDGMENT OF RECEIPT OF
23 ENCLOSED QUITCLAIM DEED FOR PAYMENT OF
24 \$7,463 ON RANDALL'S LOAN. NOTE," SOMETHING,
25 "CHANGED FROM \$14,000 -- WE CHANGE FROM THE
26 \$14,000 WE AUTHORIZED. THIS IS TO AVOID
27 UNNECESSARY INCOME TAX FOR RANDALL THIS
28 YEAR. PLEASE REVISE BOARD MINUTES TO

1 REFLECT THAT AMOUNT RATHER THAN THE \$14,000.

2 "JIM."

3 Q NOW, IN THE COURSE OF BUSINESS AT THE CHURCH,
4 WOULD THAT HAVE BEEN JUST A CORRECTION TO THE BOARD MINUTES?

5 MR. KLEIN: I AM GOING TO OBJECT AS TO SPECULATION,
6 YOUR HONOR. TO TRY TO TELL WHAT THIS MAN MEANT WHEN HE
7 WROTE THE MEMO, TO ASK THIS WITNESS INSTEAD OF MR.

8 MC CAFFREY --

9 THE COURT: I HEARD YOU. PLEASE STATE THE GROUNDS.

10 MR. KLEIN: THERE IS NO FOUNDATION AND IT CALLS FOR
11 SPECULATION.

12 THE COURT: I DON'T WANT TO HEAR A SOLILOQUY.

13 MR. KLEIN: I APPRECIATE THAT. THERE IS NO
14 FOUNDATION AND IT CALLS FOR SPECULATION, YOUR HONOR.

15 THE COURT: PLEASE REPHRASE YOUR QUESTION.

16 MR. LEVY: THANK YOU, YOUR HONOR.

17 Q WAS IT COMMON PRACTICE WHILE YOU WERE ON THE
18 BOARD AT THE CHURCH FOR BOARD MINUTES TO BE MANIPULATED TO
19 SERVE THE INDIVIDUAL PURPOSES OF THE BOARD MEMBERS AND
20 ELIZABETH?

21 A YES.

22 Q THE FACT THAT YOU GOT A MEMORANDUM THAT SAYS
23 THAT THE BOARD MINUTES SHOULD BE CHANGED, WOULD THAT IN ANY
24 WAY BE UNUSUAL?

25 MR. KLEIN: I AM GOING TO OBJECT, YOUR HONOR. IT
26 DOESN'T SAY THE BOARD MINUTES SHOULD BE CHANGED. IT SAYS
27 THEY SHOULD BE REVISED.

28 MR. LEVY: WE HAVE THE BEST EVIDENCE RULE. WE WILL

1 LET THE DOCUMENT SPEAK FOR ITSELF, YOUR HONOR.

2 THE COURT: HE CAN ANSWER.

3 THE WITNESS: WHAT WAS THE QUESTION?

4 Q BY MR. LEVY: WAS IT IN ANY WAY UNUSUAL FOR
5 BOARD MINUTES OR RECORDS TO BE ALTERED IN ORDER TO
6 ACCOMMODATE THE NEEDS OF THE INDIVIDUALS ON THE BOARD OR
7 ELIZABETH?

8 A WE DIDN'T DO IT ALL THE TIME, BUT WE DID IT
9 WHENEVER IT SERVED OUR NEEDS.

10 MR. LEVY: I WOULD ASK THAT EXHIBIT NUMBER 129 BE
11 RECEIVED IN EVIDENCE AT THIS TIME, YOUR HONOR.

12 THE COURT: IT'S RECEIVED.

13 (RECEIVED EVID: ^ EXHIBIT 129)

14 MR. LEVY: THANK YOU.

15 Q NOW, WAS THERE A TIME IN ONE OF THE BOARD
16 MEETINGS WHEN YOU HAD A DISAGREEMENT WITH ELIZABETH CLARE
17 PROPHET?

18 A YES.

19 Q AS A RESULT OF THAT DISAGREEMENT, WERE YOU THE
20 RECIPIENT OF ANY COMMUNICATION BY EITHER ELIZABETH OR ANY OF
21 THE ASCENDED MASTERS?

22 A I RECEIVED A SPECIAL DELIVERY LETTER FROM
23 ASCENDED MASTER EL MORYA.

24 Q WHEN YOU SAY YOU RECEIVED A SPECIAL DELIVERY
25 LETTER FROM EL MORYA, YOU MEAN THE GUY UP THERE WROTE YOU A
26 LETTER, PUT IT IN AN ENVELOPE, PUT A STAMP ON IT AND SENT IT
27 TO YOU?

28 A NO. ELIZABETH WROTE IT, PUT IT IN AN ENVELOPE.

1 AND SENT IT TO ME SPECIAL DELIVERY AND SIGNED EL MORYA'S
2 NAME TO IT.

3 Q WAS ELIZABETH IN THE HABIT OF SIGNING THE NAMES
4 OF ALL THE PEOPLE WHO HAD DIED AND GONE WHEREVER THEY GO?

5 A YES.

6 Q DID YOU ACTUALLY RECEIVE THIS LETTER?

7 A YES.

8 MR. LEVY: IT'S BEEN MARKED NUMBER 130 FOR
9 IDENTIFICATION.

10 (MARKED FOR ID: ^ EXHIBIT 130, LETTER

11 - - - - - ^ DATED 9-17-75)

12 Q BY MR. LEVY: WOULD YOU READ THE CONTENTS OF
13 THE LETTER TO THE COURT, PLEASE?

14 A IT SAYS: (READING.)

15 "RANDALL CHARLES KING, ESQUIRE.

16 "OUR MESSENGER IS NOT ON TRIAL.

17 YOU ARE. TO DETERMINE WHETHER YOU CAN HOLD
18 THE KEY OF THE WHITE FLAME OF SERAPIS ON THE
19 BOARD OF DIRECTORS OF THE SUMMIT LIGHTHOUSE.
20 HARMONY IS THE KEY. A SPIRIT OF ARGUMENT,
21 ACCUSATION, AND DISRESPECT FOR HIERARCHY IS
22 THE NOT THE WAY OF THE FOURTH RAY.

23 THOUSANDS OF MORTALS EVOLVING ON MARS HAVE
24 PERVERTED THIS FLAME OF THE MOTHER TO THE
25 TOTAL DESTRUCTION OF THE LIGHT ON THAT
26 PLANET. THEY ARE HOVERING OVER TERRA IN
27 ANTICIPATION OF THE 1976 PENETRATION OF
28 THEIR FORCEFIELD. THEIR ENERGIES ARE

1 DESTRUCTIVE AND THEY ARE -- AND THEY ARE
2 CONCENTRATING," I THINK IT IS SUPPOSED TO
3 BE," THEIR RAYS ON ALL WHO ASPIRE TO SERVE
4 ON ASCENSION'S RAY AND ON THE WHITE CHAKRA.
5 YOU NEED TO COUNTERACT THAT INFLUENCE -- FOR
6 SURVIVAL. I AM HOLDING YOU ACCOUNTABLE
7 SPECIFICALLY FOR THE FOLLOWING: TO BE IN
8 THE MOTHERHOUSE FOR MORNING ROSARY AND ONE
9 HOUR OF DECREES. 2) DAILY STUDY OF THE
10 PEARLS OF WISDOM BEGINNING JANUARY 1975 TO
11 PRESENT. 3) NIGHTLY INVOCATIONS TO ASTREA
12 36 TIMES. YOUR OBEDIENCE IS DEMANDED BY
13 DARJEELING COUNCIL. OUR MESSENGER WILL NOT
14 SUPERVISE YOUR ACTIVITIES. I WILL. THIS IS
15 A STERN WARNING TO COME INTO THE FLAME AND
16 SURRENDER YOUR ALL. TO ME.

17 "ORYA."

18 Q WHEN YOU RECEIVED THAT LETTER AND IT ASKED YOU
19 TO SURRENDER YOUR ALL, WHAT DID THAT MEAN TO YOU AT THE
20 TIME?

21 A IT MEANT THAT I WAS SUPPOSED TO GET RID OF MY
22 HUMAN EGO, MY HUMAN INTELLECT, AND MY HUMAN REASONING POWER
23 AND SURRENDER TO ELIZABETH, AND TO THE MASTERS, AND LET THEM
24 MAKE THE DECISIONS FOR ME AND NOT TO CHALLENGE THEM IN ANY
25 WAY.

26 Q DID THAT MEAN THE SAME THING SINCE YOU GOT
27 THESE MESSAGES FROM ELIZABETH, DID THAT MEAN THE SAME THING
28 TO YOU AS SURRENDERING TO ELIZABETH'S WILL?

1 A YES.

2 MR. LEVY: YOUR HONOR, AT THIS TIME WE'D ASK THAT
3 NUMBER 130 BE RECEIVED IN EVIDENCE.

4 THE COURT: IT'S RECEIVED.

5 (RECEIVED EVID: EXHIBIT 130)

6 Q BY MR. LEVY: YESTERDAY I HANDED TO THE COURT
7 AND TO MR. KLEIN A COPY OF THE LIVING EXPENSES OF YOUR
8 FAMILY DURING THE YEAR 1979. THE SAME DOCUMENT THAT WAS
9 HANDED TO MR. KLEIN WAS ENLARGED FOR THE COURT PURPOSES AND
10 I HAVE SHOWN THIS DOCUMENT TO MR. KLEIN THIS MORNING. IT IS
11 JUST AN ENLARGEMENT OF THE CHART THAT WAS PRESENTED TO THE
12 COURT.

13 DID YOU MAKE UP THAT CHART AND INCLUDE ALL THE
14 INFORMATION ON THAT CHART YOURSELF?

15 A YES, I DID.

16 Q DID YOU HAVE RECORDS THAT YOU UTILIZED AS A
17 BASIS FOR THAT CHART?

18 A YES, I DO.

19 Q ON THE CHART, THERE IS A COPY IN FRONT OF
20 YOURSELF, YOU LIST A BEACH HOUSE. AND IT LISTS THE LEASE
21 VALUE ON THE BEACH HOUSE AS \$30,000.

22 IS THAT WHAT YOU AND ELIZABETH AND THE CHURCH
23 PAID RENT ON THAT PROPERTY?

24 A NO. ELIZABETH OR THE CHURCH DIDN'T PAY RENT,
25 BUT THAT WAS -- THAT WAS THE MONEY THAT WAS -- THAT IS THE
26 AMOUNT OF MONEY THAT WAS PAID ON THAT PROPERTY FOR HER TO
27 LIVE IN.

28 Q DID THAT MONEY COME FROM CHURCH MEMBERS AND

1 PEOPLE ASSOCIATED WITH THE CHURCH?

2 A YES.

3 Q NOW --

4 THE COURT: WHY DON'T WE TAKE OUR MORNING RECESS NOW
5 AND THEN WE CAN PROCEED.

6 (RECESS.)

7 THE COURT: PLEASE PROCEED.

8 MR. LEVY: THANK YOU, YOUR HONOR.

9 Q MR. KING, BEFORE WE TOOK OUR BREAK, WE WERE
10 TALKING ABOUT SOME OF THE EXPENSES ON THE CHART THAT YOU
11 PREPARED. I WONDER IF YOU'D STEP TO THAT CHART AND POINT TO
12 THE BEACH HOUSE. I HAVE SOME QUESTIONS ABOUT THE BEACH
13 HOUSE.

14 THE LEASE FIGURE SHOWS AN EXPENDITURE OF SOME
15 \$30,000. THAT WAS WHAT WAS ACTUALLY BEING PAID FOR THE
16 ANNUAL RENTAL FOR THAT PROPERTY?

17 A YES.

18 Q NOW, IN YOUR TESTIMONY YOU SAID THE CHURCH
19 WASN'T ACTUALLY PAYING. THERE WERE MEMBERS OF THE CHURCH
20 COMMUNITY THAT WERE CONTRIBUTING TO THAT.

21 WAS THERE A TOTAL DISCLOSURE AS TO THE
22 ARRANGEMENTS FOR THE BEACH HOUSE TO ALL OF THE MEMBERS OF
23 THE CHURCH?

24 MR. KLEIN: YOUR HONOR, I AM GOING TO OBJECT AS TO
25 THE RELEVANCY AND CITE 787 AND 352 OF THE EVIDENCE CODE.

26 THE COURT: OVERRULED.

27 THE WITNESS: YES. WE KEPT THE BEACH HOUSE SECRET
28 AND THE REASON BEING IS THAT SINCE IT WAS AN EXPENSIVE HOUSE

1 AT THE BEACH, WE DIDN'T WANT THE GENERAL STAFF AND THE
2 GENERAL COMMUNITY TO KNOW THAT WE WERE LIVING IN SUCH AN
3 EXPENSIVE EXCLUSIVE HOUSE.

4 Q BY MR. LEVY: NOW, ELIZABETH TOLD US THAT THAT
5 BEACH HOUSE, IT WAS LIKE ONE MAIN LITTLE ROOM AND SOME OTHER
6 ROOMS OFF TO THE SIDE FOR SOME EDITORS AND SOME PEOPLE WHO
7 DID SOME WORK ON HER BOOKS.

8 DO YOU RECALL HOW LARGE THAT HOUSE WAS?

9 A OH, I DON'T KNOW. IT WAS PROBABLY 1800 SQUARE
10 FEET, MAYBE 2,000 SQUARE FEET.

11 Q JUST OUT OF CURIOSITY, SINCE YOU USED YOUR
12 RECORDS AND THE DOCUMENTS THAT YOU HAD RETAINED TO PREPARE
13 THAT, DO YOU HAPPEN TO HAVE THE FLOOR PLAN OF THE HOUSE SO
14 THAT YOU COULD TAKE A LOOK AT SO WE COULD KNOW HOW MANY
15 ROOMS THERE WERE IN THAT PROPERTY?

16 A YES.

17 Q WOULD YOU TAKE A LOOK SO YOU CAN TELL US JUST
18 HOW LARGE THE PROPERTY WAS, HOW MANY ROOMS?

19 A THERE WERE NINE ROOMS.

20 Q AND APPROXIMATELY HOW LARGE WAS THE PROPERTY?

21 A I'D HAVE TO MEASURE IT. THIS IS TO SCALE, BUT
22 IT DOESN'T GIVE TOTAL SQUARE FEET ON HERE ANY PLACE. THIS
23 WAS THE ORIGINAL DRAWING THAT WAS ATTACHED TO THE LEASE WHEN
24 WE SIGNED THE LEASE OR WHEN DR. YANEY SIGNED THE LEASE.

25 Q OKAY. NOW LET'S MOVE ON. IF YOU DON'T KNOW
26 EXACTLY, YOUR BEST GUESSTIMATE IS OKAY. YOU WERE SOMEWHERE
27 BETWEEN 1800 AND 2,000 FEET?

28 A YEAH, THAT IS MY GUESSTIMATE I GUESS.

1 Q OKAY. NOW, THE PROPERTY BELOW THAT IS LISTED
2 AS THE GERMAINE LANE HOUSE?

3 A YES.

4 Q NOW, WAS THAT HOUSE LEASED DIRECTLY TO YOU AND
5 ELIZABETH OR WAS THERE -- WAS IT LEASED TO SOMEONE ELSE AND
6 THEN ASSIGNED TO YOU?

7 A NO. THE BEACH HOUSE WAS. THIS HOUSE -- WE
8 DIDN'T WANT THE CHURCH TO KNOW THAT -- OR WE DIDN'T WANT THE
9 OWNER TO KNOW THAT THE CHURCH WAS LEASING IT BECAUSE EVERY
10 NEIGHBORHOOD WE GO INTO, THE NEIGHBORS DON'T LIKE US AND WE
11 DIDN'T THINK WE WOULD BE ABLE TO DO IT.

12 SO WE PUT TOGETHER A FAKE OR FORGED FINANCIAL
13 STATEMENT SO THAT SHE AND I COULD PERSONALLY QUALIFY TO
14 LEASE THAT HOUSE. AND I SIGNED THE LEASE. SHE MAY HAVE
15 SIGNED IT, TOO. I AM NOT SURE.

16 Q OKAY. AND THAT WAS LEASED ORIGINALLY TO YOU
17 INDIVIDUALLY?

18 A YES.

19 Q NOW, I NOTICE THERE IS AN EXPENDITURE THERE FOR
20 FURNITURE. AND IT LOOKS RATHER LARGE WHERE IT DESCRIBES THE
21 FURNITURE FOR THE RESIDENCES. THERE IS SOME FIGURE THERE
22 BETWEEN 50- AND \$75,000.

23 WHAT KIND OF FURNITURE WAS USED TO FURNISH
24 THOSE HOUSES?

25 A MOSTLY ANTIQUES, AND SOME NEWER FURNITURE THAT
26 HAD SILK UPHOLSTERY AND DIFFERENT THINGS LIKE THAT ON IT.

27 Q ELIZABETH TESTIFIED THAT IT WAS USED FURNITURE.
28 THE USED FURNITURE SHE HAS REFERENCE TO IS ANTIQUES?

1 A ANTIQUES.

2 Q NOW, DOWN BELOW THERE IS A LISTING FOR PERSONAL
3 STAFF. I NOTE YOU LIST THE NUMBER OF PEOPLE WHO WERE
4 OCCUPIED WITH A PARTICULAR JOB AND AN APPROXIMATE SALARY FOR
5 THOSE -- FOR THAT PERSON.

6 WOULD YOU READ OFF THAT LIST AND TELL US THE
7 SALARIES AND THE TOTAL OF THE SALARIES FOR PERSONAL STAFF?

8 A FIRST OF ALL, I WOULD LIKE TO MAKE A COMMENT
9 THAT MY ESTIMATES HERE I FEEL ARE VERY, VERY CONSERVATIVE.
10 WE ACTUALLY HAD CONSIDERABLY MORE PEOPLE. IT IS HARD TO SAY
11 HOW MANY WERE FULL-TIME AND WORKING FROM ONE WEEK TO THE
12 NEXT JUST ON OUR PERSONAL BUSINESS AND HAD NOTHING TO DO
13 WITH THE CHURCH BUSINESS. I FEEL THAT THESE ARE VERY
14 CONSERVATIVE.

15 I GOT ONE FULL-TIME COOK AT \$8 AN HOUR SALARY,
16 FOR THE YEAR \$16,000. PART-TIME CHAUFFEUR \$8, A YEAR
17 \$12,000. ONE PART-TIME SEAMSTRESS AT \$10 AN HOUR, THAT
18 COMES OUT TO, I GUESS, \$14,000.

19 FOUR PART-TIME CHILD CARE PEOPLE THAT TOOK CARE
20 OF THE CHILDREN, THERE WAS FOUR CHILDREN, AT \$4 AN HOUR,
21 COMES TO \$20,000. FOUR PART-TIME SECURITY GUARDS FOR THE
22 WHOLE FAMILY AT \$6 AN HOUR, \$31,200. AND ONE PART-TIME
23 GARDENER AT \$6 AN HOUR, \$1,200.

24 AND JAMES MC CAFFREY WAS HER PERSONAL BUSINESS
25 MANAGER. AND I FIGURED HIM AT \$25 AN HOUR AT LIKE AN HOUR
26 AND A HALF A WEEK. SOMETHING LIKE JUST SMALL AMOUNT OF TIME
27 TO KEEP TRACK OF THE BOOKS.

28 Q WERE MOST OF THOSE PEOPLE WHO OCCUPIED THOSE

1 JOBS, WERE THEY ACTUALLY CHURCH MEMBERS?

2 A THEY WERE ALL CHURCH STAFF.

3 Q CHURCH STAFF. AS PART OF THE PAYMENT TO THEM,
4 SOMEWHAT LIKE PART OF THE PAYMENT TO MR. MULL, WERE THEY
5 GIVEN THEIR ROOM AND THEIR BOARD?

6 A YES. THEY WERE GIVEN ROOM AND BOARD.

7 I OUGHT TO CLARIFY SOMETHING. WE DIDN'T PAY
8 THEM THESE PARTICULAR SALARIES. ELIZABETH AND I PUT A CHART
9 TOGETHER VERY SIMILAR TO THIS ONE, EXCEPT IT CAME OUT TO BE
10 A LITTLE BIT MORE MONEY. AND I JUST TRIED TO PUT THIS
11 TOGETHER IN THE LAST WEEK OR SO.

12 BUT THESE ARE ESTIMATES IF WE LIVED THE SAME
13 LIFESTYLE OUTSIDE THE CHURCH, WHAT WE WOULD HAVE HAD TO MAKE
14 TO BE ABLE TO PAY THE EXPENSES IN THE LIFESTYLE WE WERE
15 LIVING IN.

16 Q AND YOU FIGURED THAT IN ORDER TO LIVE THAT
17 LIFESTYLE, YOU WOULD HAVE HAD TO MAKE INCOME PRIOR TO TAXES
18 IN EXCESS OF \$400,000 PER YEAR?

19 A ACCORDING TO 1979 TAX CHARTS, IT WOULD HAVE HAD
20 TO HAVE BEEN MORE LIKE 425- TO \$430,000.

21 Q YOU AND ELIZABETH PUT A CHART LIKE THIS
22 TOGETHER PRIOR TO YOUR PUTTING THIS CHART TOGETHER?

23 A YES, I DID. YES, WE DID. EXCUSE ME.

24 Q MR. MC CAFFREY TOLD US THAT THE TOTAL, FROM HIS
25 RECOLLECTION, THAT WAS EXPENDED FOR ELIZABETH AND YOURSELF
26 AND THE FAMILY WHEN HE WAS TAKING CARE OF HER AFFAIRS WAS
27 SOMEWHERE BETWEEN 30- AND \$50,000 A YEAR. THEN ELIZABETH
28 YESTERDAY TOLD US THAT IT WOULD BE CLOSER TO \$30,000 A YEAR.

1 IN YOUR OPINION, WERE BOTH OF THEM WRONG?

2 A ABSOLUTELY. ON OUR TAX RETURN WE WERE GETTING
3 \$32,000 WITH JUST SALARY, NO FOOD, NO HOUSE, NO ANYTHING. I
4 HAVE NO IDEA WHERE THEY CAME UP WITH THOSE FIGURES.

5 Q NOW, THE CHURCH --

6 A I WANT TO CORRECT ONE THING THAT I SAID,
7 THOUGH. WHEN YOU ASKED ME ABOUT THAT CHART, I SAID THAT SHE
8 AND I PUT IT TOGETHER BACK THEN. I PUT IT TOGETHER, AND SHE
9 AND I DISCUSSED IT. SO SHE DIDN'T ACTUALLY HELP ME WITH THE
10 FIGURES. I JUST WANTED TO CLARIFY THAT.

11 Q BUT THE TWO OF YOU SAT DOWN, AND WENT OVER THE
12 FIGURES AND DISCUSSED THE SUBJECT BEFORE TOGETHER?

13 A YES.

14 Q AND SHE KNEW THAT IN ORDER TO LIVE YOUR
15 LIFESTYLE, THAT THE CHURCH WOULD BE PICKING UP THE TAB FOR
16 EXPENSES THAT WOULD BE SOMEWHERE IN THE NEIGHBORHOOD OF
17 \$400,000 OR BETTER?

18 A YES. SHE KNEW THAT. THE REASON WE DID IT IS
19 SO THAT BY HAVING THE CHURCH GIVE US THE BENEFITS INSTEAD OF
20 THE SALARY, WE WERE ABLE TO AVOID QUITE A BIT OF INCOME TAX.

21 Q NOW, MISS PROPHET WAS KIND ENOUGH THIS MORNING
22 TO EXPLAIN TO US HOW THE CHURCH MOVED FROM HERE TO THERE AND
23 THEN BACK AGAIN, AND HOW THEY OUTGREW ONE PLACE AND MOVED TO
24 ANOTHER PLACE. I'D LIKE TO ASK YOU ABOUT SOME OF THE PLACES
25 WHERE THE CHURCH MOVED TO.

26 DID THE CHURCH EVER HAVE A PROJECT AND MOVED TO
27 A PLACE THAT WAS CALLED THE LAND OF LANELLO?

28 A WE DIDN'T MOVE TO IT. THAT WAS A SITE OUTSIDE

1 OF COLORADO SPRINGS THAT WE FUND RAISED FOR AND PURCHASED A
2 PIECE OF PROPERTY THAT WE WERE GOING TO BUILD THE ULTIMATE
3 COMMUNITY, AND HAVE OUR SCHOOLS, AND, YOU KNOW, BUILDINGS
4 AND EVERYTHING LIKE THAT THERE.

5 Q DID YOU RAISE FUNDS FOR IT?

6 A YES.

7 Q DID YOU BUILD?

8 A NO, WE DIDN'T.

9 Q DO YOU REMEMBER HOW LARGE THE PROPERTY WAS?

10 A NO, I DON'T. IT WAS ACREAGE OUT THERE. I
11 REALLY DON'T REMEMBER HOW BIG IT WAS.

12 Q NOW, WHAT HAS BEEN DESCRIBED AS THE
13 IDAHO/MONTANA PROJECT, THAT HAS SOMETIMES BEEN REFERRED TO
14 AS SURVIVAL LOCATIONS?

15 A YES.

16 Q WAS THAT ONE PROPERTY OR MORE THAN ONE
17 PROPERTY?

18 A WE BOUGHT A NUMBER OF PROPERTIES, AND WE WERE
19 GOING TO DEVELOP THEM INTO SURVIVAL CAMPS, BUILDING CABINS
20 AND THINGS LIKE THAT, AND HAVE FOOD AND EVERYTHING UP THERE
21 FOR STAFF AND COMMUNITY MEMBERS.

22 Q DID YOU RAISE MONEY FOR THOSE PROPERTIES?

23 A YES. QUITE A BIT OF MONEY.

24 Q DID YOU FULLY DEVELOP THOSE PROPERTIES?

25 A NO. THE ONLY THING WE DID WAS BUILD ONE BARN
26 ON ONE OF THE PROPERTIES AND TWO CONCRETE VAULTS WHERE WE
27 KEPT OUR GUNS, AMMUNITIONS AND FOOD STORAGE.

28 Q TALKING ABOUT VAULTS WHERE YOU KEPT GUNS.

1 AMMUNITION AND FOOD STORAGE, WAS THERE EVER A TIME WHEN THE
2 CHURCH HAD A FINANCIAL EMERGENCY WHERE MR. FRANCIS WAS ASKED
3 TO DIG UP THE GOLD AND BRING IT TO YOU?

4 A YES.

5 Q WHEN I DISCUSSED THAT WITH YOU, YOU CHUCKLED
6 SOMEWHAT. WOULD YOU TELL THE COURT, IF YOU KNOW, WHAT
7 PROBLEMS MR. FRANCIS MAY HAVE ENCOUNTERED IN DIGGING UP THE
8 GOLD?

9 MR. KLEIN: YOUR HONOR, COUNSEL KNOWS THIS IS
10 IMPROPER. I OBJECT PURSUANT TO 787 OF THE EVIDENCE CODE,
11 352 OF THE EVIDENCE CODE.

12 THE COURT: HE CAN ANSWER.

13 THE WITNESS: ELIZABETH CALLED HIM UP ONE NIGHT AND
14 SAID WE HAD TO HAVE THE HUNDRED SOME THOUSAND DOLLARS WORTH
15 OF GOLD COINS.

16 Q BY MR. LEVY: EXCUSE ME. DON'T TELL US WHY YOU
17 NEEDED THE MONEY. JUST -- BECAUSE THAT WOULD BE IMPROPER.

18 A OKAY. IT WAS IN THE MIDDLE OF THE WINTER AND
19 EDWARD HAD TO -- THE GROUND WAS FROZEN LIKE 40 INCHES OR 48
20 INCHES DOWN. AND HE HAD TO GET BULLDOZERS AND DIG THINGS
21 WHERE THEY HAD TO THAW OUT THE LAND, AND THEN DIG IT DOWN
22 AND THAW OUT SOME MORE, AND DIG IT DOWN. AND THEY WERE UP
23 THERE FOR A DAY OR TWO TRYING TO DIG THIS STUFF UP.

24 Q THE GOLD THAT THEY WERE DIGGING UP, DID IT
25 BELONG TO YOU PERSONALLY OR TO CHURCH MEMBERS?

26 A IT WAS -- IT WAS THE CHURCH'S MONEY.

27 Q THE CHURCH'S MONEY. NOW, DID THE CHURCH EVER
28 RAISE FUNDS FOR A PROJECT CALLED COMMUNITY OF THE HOLY

1 SPIRIT?

2 A YES.

3 Q DID THEY EVER DEVELOP THAT PROPERTY?

4 A NO.

5 Q WHEN THE CHURCH MOVED MOTHER TO PASADENA, WERE
6 FUNDS RAISED FOR THAT MOVE?

7 A YES.

8 Q WHEN THE MOVE WAS FIRST ANTICIPATED, WAS IT THE
9 INTENTION OF THE CHURCH TO FULLY DEVELOP THE PROPERTY IN
10 PASADENA?

11 A WE WERE HOPING TO EVENTUALLY BUY IT, AND
12 DEVELOP THE BUILDINGS AND BUILD MORE BUILDINGS ON THERE.
13 YES.

14 Q DID YOU GO FORWARD WITH THAT? WERE YOU ABLE TO
15 BUY THE BUILDINGS AND DEVELOP IT?

16 A NO.

17 Q THAT WAS ANOTHER ONE OF THE PROJECTS THAT
18 DIDN'T QUITE MAKE IT?

19 A RIGHT.

20 Q AND WITH REGARD TO CAMELOT, WERE FUNDS RAISED
21 TO DEVELOP CAMELOT?

22 A YES.

23 Q WAS IT THE INTENTION WHEN THE FUNDS WERE RAISED
24 TO FULLY DEVELOP CAMELOT?

25 A YES. WE PUT TOGETHER A FUND RAISING BROCHURE
26 SITTING THERE ON THE DESK AND WE PLANNED ON RAISING
27 \$33,000,000 IN THE FIRST TEN YEARS, BUILD BUILDINGS ON
28 THERE.

1 Q DID THERE COME A TIME BEFORE GREGORY MULL WENT
2 TO CAMELOT THAT THE CHURCH ACTUALLY DISCOVERED THAT THERE
3 WERE GOVERNMENTAL ENTITIES THAT WERE INTERESTED IN EITHER
4 BUYING THE PROPERTY OR RESTRICTING THE DEVELOPMENT OF THE
5 MOUNTAIN PROPERTY?

6 A YES.

7 Q ONE PLACE I NEGLECTED TO TALK TO YOU ABOUT AND
8 THAT WAS SANTA BARBARA.

9 THE ACQUISITION OF THE PROPERTY IN SANTA
10 BARBARA, WERE FUNDS RAISED TO ACQUIRE THAT PROPERTY?

11 A THE MOTHERHOUSE? YES, I GUESS THERE WOULD HAVE
12 BEEN.

13 Q WAS THERE INTENTION OF FULLY DEVELOPING THAT
14 PROPERTY?

15 A NO. IN SANTA BARBARA WE WERE PLANNING ON
16 MOVING THE WHOLE COMMUNITY THERE. BUT WE WERE GOING TO BUY
17 THESE TWIN TOWERS FOR \$10,000,000 OUT IN GOLETA AND THAT IS
18 WHERE WE WERE GOING TO DEVELOP IT, BUT WE DIDN'T DO IT.

19 Q WHEN THE PROPERTY IN SANTA BARBARA WAS
20 ACQUIRED, WAS IT JUST TO BE THE WEST COAST DIVISION OF THE
21 CHURCH; OR WAS IT INTENDED THAT THAT WOULD BE THE MOVE, THE
22 FULL MOVE OF THE CHURCH TO THE SANTA BARBARA/GOLETA AREA?

23 A IF WE PURCHASED THOSE TWIN TOWERS, THAT WAS
24 GOING TO BE THE INTERNATIONAL HEADQUARTERS.

25 Q IT WASN'T --

26 A LIKE ALL THESE PROPERTIES WERE.

27 Q IT WASN'T JUST A WEST COAST HEADQUARTERS FOR
28 SUMMIT UNIVERSITY?

1 A NO.

2 Q WAS THERE A PARTICULAR REASON WHY THE CHURCH
3 LEFT SANTA BARBARA?

4 A YES.

5 Q WOULD YOU TELL US WHAT THAT WAS?

6 A WE HAD BEEN DISTURBING THE NEIGHBORS SO MUCH
7 WHERE WE WERE THERE IN SANTA BARBARA THAT THEY GOT ALL THE
8 NEIGHBORS TOGETHER, AND TOOK US TO COURT, AND ACTUALLY WON A
9 LAWSUIT TO SAY THAT WE COULDN'T BE THERE ANYMORE OR TO HAVE
10 OUR SCHOOL THERE ANYMORE. AND EFFECTIVELY THEY KICKED US
11 OUT OF TOWN AND WE MOVED TO COLORADO SPRINGS.

12 LATER WE TURNED THAT COURT CASE AROUND, BUT
13 THEY WERE EFFECTIVE IN KICKING US OUT OF TOWN BECAUSE WE HAD
14 ALREADY MOVED BY THE TIME WE WOULD GET BACK INTO COURT.

15 Q WOULD IT BE AN ACCURATE STATEMENT TO SAY THAT
16 YOU CONTRIBUTED TO SOME OF THE TURMOIL THAT CAUSED THEM TO
17 KICK YOU OUT OF TOWN?

18 A ME PERSONALLY?

19 Q YES.

20 A YES.

21 Q DID YOU HAVE AN INCIDENT WITH SOMEBODY WHO
22 LIVED NEXT DOOR TO THE CHURCH?

23 A YES.

24 Q YOU RAISED YOUR VOICE AND WERE ROWDY?

25 A YES.

26 Q NOW, WE HAVE HEARD THE NAME OF A MR. SORENSEN
27 WHO HAD SOME PROPERTY THAT HAD TO DO WITH DEVELOPMENT.

28 COULD YOU TELL US WHAT THE CHURCH'S INVOLVEMENT

1 WAS WITH MR. SORENSEN AND THE PROPERTY THAT HE AND ELIZABETH
2 WERE GOING TO DEVELOP?

3 A ELIZABETH AND REYNOLD SORENSEN BOUGHT A PIECE
4 OF PROPERTY ON SOME FARMLAND UP IN -- OVERLOOKING THE COEUR
5 D'ALENE LAKE IN COEUR D'ALENE, IDAHO. AND THE IDEA WAS TO
6 MAKE A LOT OF MONEY ON IT.

7 WE -- THE TWO OF THEM BOUGHT THE PROPERTY, AND
8 THEY LEASED IT TO THE CHURCH FOR THE CHURCH TO DEVELOP, AND
9 WE HAD PLANS, WE WERE FUND RAISING -- WE WERE THINKING OF
10 HAVING LIKE 2,000 PEOPLE LIVE ON THERE.

11 WE WERE BUILDING FOOD PROCESSING PLANTS, AND
12 GAS STATIONS, AND STORES AND HOUSING FOR ALL THESE PEOPLE.
13 THE IDEA WAS ONCE THE CHURCH HAD DEVELOPED ALL THIS LAND,
14 THE LAND THAT REYNOLD AND ELIZABETH OWNED WOULD BE WORTH
15 QUITE A BIT.

16 Q WAS THERE ANY PLANS MADE FOR WHO WOULD
17 EVENTUALLY OWN THE DEVELOPED PROPERTY?

18 A ELIZABETH AND REYNOLD SORENSEN WOULD OWN THE
19 PROPERTY. THE CHURCH WAS LEASING IT AND THEN SUBLEASING IT
20 OUT TO PEOPLE TO LIVE THERE.

21 Q DID THERE COME A TIME THAT THERE WAS AN END TO
22 THAT PLAN FOR DEVELOPMENT?

23 A YES.

24 Q WOULD YOU TELL US WHEN IT WAS AND WHAT
25 HAPPENED?

26 A REYNOLD SORENSEN AND ELIZABETH WERE SUPPOSED TO
27 BE EQUAL PARTNERS. ONCE REYNOLD GOT TO KNOW ELIZABETH, AND
28 FOUND OUT HOW DEMANDING SHE WAS AND HOW SHE ALWAYS WANTED TO

1 TAKE CONTROL. HE WANTED TO BACK OUT OF THERE. SO THE WHOLE
2 THING WENT BY THE WAYSIDE. HE BOUGHT HER OUT AND THE WHOLE
3 THING WAS DUMPED.

4 Q A QUESTION ABOUT STUMPING TOURS. DID
5 ELIZABETH, AS A SPIRITUAL LEADER OF THE CHURCH, GO ON
6 STUMPING TOURS?

7 A YES.

8 Q WHAT ARE STUMPING TOURS?

9 A IT IS WHERE SHE TRAVELS AROUND THE COUNTRY IN
10 LITTLE ONE-NIGHT STANDS AND GIVES A LECTURE TO TRY TO
11 RECRUIT NEW PEOPLE IN.

12 Q WAS THERE EVER AN OCCASION THAT A STUMPING
13 TOUR -- WHERE SOME OF THE PEOPLE WHO WERE IN ATTENDANCE
14 DISAGREED OR WERE ROWDY?

15 A YES. A NUMBER OF TIMES.

16 Q WHAT WAS DONE WHEN PEOPLE AT A STUMPING TOUR
17 WHERE ELIZABETH WAS LECTURING GOT ROWDY?

18 MR. KLEIN: OBJECTION, YOUR HONOR. RELEVANCE.

19 THE COURT: SUSTAINED.

20 MR. LEVY: MAY WE APPROACH THE BENCH? THERE IS
21 RELEVANCE, YOUR HONOR.

22 THE COURT: ALL RIGHT.

23 (THE FOLLOWING PROCEEDINGS WERE HELD

24 AT THE BENCH:)

25 MR. LEVY: WITH REGARD TO THE STUMPING TOURS, THIS IS
26 WHERE MR. MULL FIRST FOUND OUT ABOUT THE PROPENSITY OF THE
27 SECURITY GUARDS TO ROUGH PEOPLE UP.

28 IT GOES TO THE REASON WHY, WHEN THE PEOPLE

1 CROWDED AROUND WHEN HE WENT TO THE SQUARE DANCE, WHY HE WAS
2 FRIGHTENED BY THE SECURITY PEOPLE. HE HAD KNOWN ABOUT THEIR
3 PROPENSITY, AND HE HAD REASON TO BE AFRAID AND THIS GOES
4 DIRECTLY TO THAT.

5 MR. KLEIN: THERE IS NO TESTIMONY TO THAT FACT.
6 THERE IS NO TESTIMONY TO THAT FACT.

7 THE COURT: TO WHAT FACT?

8 MR. KLEIN: WHAT HE JUST SAID, THAT MR. MULL KNEW
9 ABOUT THAT AND THAT IS WHY HE WAS SCARED. THERE IS NO
10 TESTIMONY ABOUT IT.

11 MR. LEVY: MR. MULL TESTIFIED WHEN THE SECURITY
12 PEOPLE WERE THERE, HE WAS FRIGHTENED. I DON'T THINK WE
13 ARE --

14 THE COURT: THERE IS NO TESTIMONY THAT HE KNEW ABOUT
15 THESE INCIDENTS ON THESE STUMPING TOURS.

16 MR. LEVY: HE KNEW ABOUT THE SECURITY GUARDS AND
17 THEIR CONDUCT IS WHAT HE TESTIFIED TO.

18 THE COURT: YOU ARE NOT HEARING ME. THERE IS NO
19 EVIDENCE THAT MULL KNEW IF IT IS A FACT THAT SECURITY GUARDS
20 FOR ELIZABETH ROUGHED UP PEOPLE ON STUMPING TOURS AND
21 THEREFORE HE WAS FRIGHTENED. THE OBJECTION IS SUSTAINED.

22 MR. LEVY: OKAY.

23 (THE PROCEEDINGS WERE RESUMED IN OPEN
24 COURT IN THE PRESENCE OF THE JURY:)

25 Q BY MR. LEVY: MR. KING, WHILE YOU WERE THE
26 SECOND MOST SPIRITUAL HIERARCH OF CHURCH UNIVERSAL AND
27 TRIUMPHANT, DID YOU ATTEND CHURCH SERVICES?

28 A YES.

1 Q ARE YOU AWARE AS TO WHETHER OR NOT MR. MULL
2 EVER ATTENDED CHURCH SERVICES AT THE SAME TIME YOU DID?

3 A I AM SURE HE DID.

4 Q DURING THE COURSE OF THE TIME WHILE MR. MULL
5 WAS RESIDING AT CAMELOT AND YOU WERE ATTENDING CHURCH
6 SERVICES, WAS THERE EVER ANY OCCASIONS WHERE PEOPLE IN THE
7 AUDIENCE GOT ROWDY?

8 A GOT ROWDY. THERE MAY HAVE BEEN AT CONFERENCES.
9 I DON'T REMEMBER A SPECIFIC TIME, THOUGH.

10 Q SINCE YOU DON'T REMEMBER, LET'S MOVE ON.
11 TO YOUR KNOWLEDGE, WAS GREGORY MULL INVITED TO
12 CAMELOT TO BE THE ARCHITECT FOR THE NEW JERUSALEM?

13 A YES.

14 Q HOW DO YOU KNOW THAT?

15 A BECAUSE MONROE CAME AND PROPOSED THE IDEA OF
16 ASKING GREGORY TO COME DOWN TO ELIZABETH AND I AND THE OTHER
17 BOARD EVENTUALLY; THE IDEA OF IF WE COULD BRING GREGORY IN,
18 IT WOULD BE A LOT CHEAPER THAN HAVING THE ARCHITECTS THAT WE
19 HAD BIDS FROM TO DO THE WORK.

20 Q WERE THOSE WORDS USED, "THE NEW JERUSALEM"?

21 A I WASN'T ON THE TELEPHONE WHEN MONROE CALLED
22 HIM, BUT WE REFERRED TO CAMELOT AND THE NEW JERUSALEM MANY
23 TIMES INTERCHANGEABLY.

24 Q TO YOUR KNOWLEDGE, WAS GREGORY MULL INVITED TO
25 COME TO CAMELOT?

26 A ABSOLUTELY. WE CALLED HIM UP AND ASKED HIM TO
27 COME.

28 Q IT WASN'T HIS IDEA TO VOLUNTEER HIMSELF TO

1 CAMELOT?

2 A NO, ABSOLUTELY NOT.

3 Q DO YOU KNOW WHAT THE FINANCIAL ARRANGEMENT WAS
4 BETWEEN THE CHURCH AND MR. MULL WHEN MR. MULL FIRST CAME TO
5 CAMELOT?

6 A HE HAD CERTAIN EXPENSES, INCLUDING HIS PAYMENTS
7 ON THE PROPERTY THAT HE HAD UP THERE, CREDIT CARDS, AND
8 NORMAL BILLS AND THINGS LIKE THAT. IF WE WANTED HIM TO COME
9 RIGHT AWAY, WE WERE GOING TO HAVE TO COVER THOSE EXPENSES,
10 WHATEVER THEY MIGHT BE.

11 THE FIRST CONVERSATION OR TWO, I DON'T THINK WE
12 KNEW EXACTLY WHAT THEY MIGHT BE. BUT MY REMEMBRANCE IS WE
13 BALLPARKED IT AT SOMEWHERE BETWEEN 2- TO \$3,000 A MONTH.
14 AND WE WOULDN'T KNOW UNTIL HE GOT DOWN AND REALLY FIGURED
15 OUT WHAT IT WOULD BE, HIS EXPENSE.

16 Q PRIOR TO MR. MULL COMING TO CAMELOT, WAS HE
17 TOLD, TO YOUR KNOWLEDGE, THAT ANY MONIES PAID TO HIM WAS
18 GOING TO BE CONSIDERED A LOAN?

19 A PRIOR TO COMING, NO.

20 Q WAS IT STANDARD POLICY WITH THE CHURCH WHEN
21 SOMEBODY CAME TO CAMELOT AND WENT ON STAFF, FOR THE BOARD
22 AND ELIZABETH TO ATTEMPT TO GET THE PROPERTY THAT WAS OWNED
23 BY THOSE PEOPLE?

24 A SURE.

25 MR. KLEIN: I AM GOING TO OBJECT. LEADING QUESTION,
26 YOUR HONOR.

27 THE COURT: WHAT?

28 MR. KLEIN: LEADING.

1 THE COURT: THE ANSWER CAN STAND.

2 Q BY MR. LEVY: DID THE CHURCH ATTEMPT TO GET MR.
3 MULL'S PROPERTY?

4 A YES.

5 Q DID ELIZABETH CLARE PROPHET ATTEMPT TO GET HER
6 PARENTS' PROPERTY?

7 A YES.

8 Q WAS ED FRANCIS INVOLVED IN THAT?

9 A YES.

10 Q WOULD YOU TELL THE COURT JUST HOW THAT WENT
11 DOWN IF YOU WOULD?

12 A WE INVITED ELIZABETH'S PARENTS TO -- THEY ARE
13 OLD. I DON'T KNOW, IN THEIR SEVENTIES AND EIGHTIES, AND
14 THEY WERE HAVING PROBLEMS. THEY HAD HEALTH PROBLEMS AND HAD
15 A PROBLEM TAKING CARE OF THEMSELVES.

16 ELIZABETH AND I INVITED THEM TO COME OUT AND
17 LIVE WITH US IN THE GERMAINE LANE HOUSE IN WESTLAKE VILLAGE,
18 AND WE GAVE THEM A COUPLE OF BEDROOMS AND BATHROOMS, AND
19 THEY HAD THEIR SERVANTS AND THEIR MEALS TAKEN CARE OF.

20 THEY DECIDED TO EVENTUALLY PUT THEIR HOUSE UP
21 FOR SALE. HE MOVED ALL OF THE SHOP EQUIPMENT OUT THERE AND
22 EVERYTHING AND THEY WERE PLANNING ON STAYING OUT THERE WITH
23 US SO WE COULD HELP TAKE CARE OF THEM. IN RETURN THEY WERE
24 GOING TO PAY US A FEW HUNDRED DOLLARS A MONTH FOR US TAKING
25 CARE OF THEM.

26 ONCE WE GOT THEM OUT THERE, THINGS CHANGED A
27 LITTLE BIT BECAUSE WE TRIED TO TALK THEM INTO GIVING THEM --
28 OR GIVING US THEIR HOUSE. AND THEY DIDN'T WANT TO DO THAT.

1 THAT WASN'T SUPPOSEDLY PART OF THE DEAL.

2 AND EDWARD HAD NUMEROUS MEETINGS WITH THEM
3 DRAWING UP DIFFERENT CONTRACTS AND DOCUMENTS TRYING TO GET
4 HER FATHER TO SIGN IT. AND HER FATHER HAD A TEMPER, AND
5 THEY GOT INTO ARGUMENTS A NUMBER OF TIMES, AND ELIZABETH
6 FINALLY GOT INTO IT AND SHE PUT ENOUGH PRESSURE ON THEM THAT
7 THEY DECIDED THEY WERE GOING HOME.

8 THEY LEFT, THEY FLEW BACK, MOVED THEIR THINGS
9 BACK, AND WROTE LETTERS AND TOLD EVERYBODY THAT THEY HAD --
10 WERE DISINHERITING THEIR DAUGHTER, THAT ALL SHE WAS WAS A
11 MONEY-HUNGRY BITCH, AND THAT SHE WAS SATANIC AND THEY DIDN'T
12 WANT TO HAVE ANYTHING TO DO WITH HER AGAIN.

13 Q PRIOR TO THIS TRIAL, DID YOU MAKE ANY DEALS
14 WITH GREGORY MULL WITH REGARD TO YOUR TESTIMONY AT THIS
15 TRIAL?

16 A ANY DEALS? NO.

17 Q DID YOU MAKE ANY ARRANGEMENT WITH MR. MULL THAT
18 IF YOU WOULD TESTIFY AT HIS TRIAL, THAT HE MIGHT TESTIFY AT
19 YOUR TRIAL?

20 A DIDN'T COME UP BECAUSE I DON'T THINK HIS
21 TESTIMONY WOULD BE WORTHWHILE TO MY TRIAL. WE LIVED
22 DIFFERENT LIVES AND I JUST DON'T THINK IT IS PERTINENT. HE
23 WASN'T ON THE INSIDE AS TO WHAT WAS REALLY GOING ON.

24 Q IS IT TRUE THAT AT THE PRESENT TIME, YOU HAVE A
25 LAWSUIT AGAINST THIS CHURCH?

26 A YES, I DO.

27 Q MR. KING, WHY ARE YOU TESTIFYING AT THIS TRIAL?

28 A BECAUSE I HAVE SCENE AN AWFUL LOT OF PEOPLE'S

1 LIVES GET DAMAGED IN THE ORGANIZATION, MINE INCLUDED. AND I
2 FEEL THAT THE TRUTH NEEDS TO COME OUT.

3 WE HAVE PLAYED AND WE BEAT AROUND THE BUSH FOR
4 SO LONG AND I HAVE LIVED A LIE FOR SO LONG THAT I CAN'T DO
5 IT ANYMORE. AND I THINK IT IS REAL IMPORTANT THAT THE TRUTH
6 GETS OUT, AND THAT THE PEOPLE THAT ARE GOING INTO THE
7 ORGANIZATION AT LEAST HEAR BOTH SIDES OF THE COIN AND SEE
8 WHAT GOES ON BY THE BOARD AND BY ELIZABETH IN THE BACK
9 ROOMS.

10 MR. LEVY: THANK YOU VERY MUCH, MR. KING.

11 ONE MOMENT, YOUR HONOR.

12 YOUR HONOR, AT THIS TIME WHAT I'D LIKE TO DO,
13 I'D LIKE TO OFFER THE THREE ITEMS MARKED FOR IDENTIFICATION
14 IN THE FRONT OF THE COURTROOM. AND I BELIEVE THAT IS 127 --
15 LET ME GO UP AND LOOK AT THEM SO I CAN BE SURE.

16 127, 131 AND 132.

17 AND ALSO --

18 THE COURT: NOT TOO MANY AT ONE TIME SO I DON'T GET
19 CONFUSED.

20 MR. LEVY: I WILL SLOW DOWN.

21 THE COURT: ALL RIGHT.

22 MR. KLEIN: YOUR HONOR, FOR THE ONE WITH THE LISTING
23 OF THE MONEY, THE HEADING SAYS SOMETHING LIKE "KING FAMILY
24 EXPENSES."

25 THE COURT: THAT IS 127.

26 MR. KLEIN: I WOULD ASK IF IT IS GOING TO GO INTO
27 EVIDENCE, IT BE RANDALL KING'S VERSION OF FAMILY EXPENSES.

28 THE COURT: I AM NOT GOING TO ALTER IT.

1 127 IS RECEIVED AND 131 AND 132 ARE RECEIVED.

2 (RECEIVED EVID: ^ EXHIBITS 127, 131 & 132)

3 MR. LEVY: THANK YOU, YOUR HONOR.

4 THERE IS ONE OTHER ITEM, A LETTER THAT MR.
5 KLEIN READ FROM. IT IS EXHIBIT NUMBER 106. IT IS A LETTER
6 FROM MR. MULL'S EX-WIFE.

7 MR. KLEIN: CAN I SEE IT FOR A MOMENT, YOUR HONOR?

8 NO OBJECTION.

9 MR. LEVY: MR. KLEIN HAS NOT OBJECTED.

10 THE COURT: YOU WANT TO OFFER 106?

11 MR. LEVY: EXCUSE ME.

12 MR. MIDDLETON: 106.

13 THE COURT: IT'S RECEIVED.

14 (RECEIVED EVID: ^ EXHIBIT 106, LETTER)

15 MR. LEVY: YOUR HONOR, AT THIS TIME, MR. MULL HAS
16 CONCLUDED HIS REBUTTAL.

17 THE COURT: VERY WELL.

18 DO YOU HAVE ANY QUESTIONS OF THIS WITNESS?

19 MR. KLEIN: I CERTAINLY DO, YOUR HONOR.

20 THE COURT: ACTUALLY, MR. MULL MAY NOT HAVE COMPLETED
21 HIS REBUTTAL. YOU MAY YET HAVE A FEW MORE QUESTIONS OF THIS
22 WITNESS.

23 MR. LEVY: I AM GOING TO TRY TO HOLD MYSELF IN
24 THOUGH, YOUR HONOR.

25 THE COURT: GOOD. I AM HAPPY TO HEAR THAT.

26 GO AHEAD.

27 ///

28 ///

CROSS-EXAMINATION +

1

BY MR. KLEIN:

2

3

Q MR. MULL -- MR. KING, YOU TESTIFIED THAT YOU
4 ARE TESTIFYING BECAUSE YOU WANT TO GET THE TRUTH OUT; IS
5 THAT RIGHT?

6

A THAT IS TRUE.

7

8

Q IS THAT WHY YOU ARE ALSO SUING THE CHURCH, TO
9 GET THE TRUTH OUT OR TO GET THE \$16,000,000 OUT?

10

A I WANT TO GET THE TRUTH OUT.

11

12

Q DID YOU ALSO WANT TO GET THE \$16,000,000 OUT?

13

A YES. DO YOU WANT TO HEAR WHAT I WANT TO USE IT
14 FOR?

15

Q I AM SURE YOU CAN TELL MR. LEVY THAT.

16

17

A OKAY.

18

Q THE CHARTS ON THE BOARD, DID YOU DRAW THEM UP
19 YOURSELF?

20

A WHICH ONE? I TYPED THIS ONE HERE. IS THAT THE
21 ONE, THE FINANCIAL EXPENSES?

22

Q ANY OF THEM.

23

24

A THAT ONE I TYPED UP. THE ONES I DIDN'T DO, NO.

25

Q YOU FIGURE YOU CAN USE THOSE SAME CHARTS AT
26 YOUR TRIAL?

27

MR. LEVY: AT THIS POINT, YOUR HONOR, I AM GOING TO
28 OBJECT. MR. KLEIN IS BEING A LITTLE BIT ABUSIVE WITH THE
WITNESS.

29

THE COURT: SUSTAINED.

30

31

Q BY MR. KLEIN: DO YOU HAVE ANY INTENTION OF
32 USING THOSE SAME CHARTS AT YOUR TRIAL?

33

1 A NOT AT THIS TIME, NO.

2 Q POSSIBLE?

3 A I HAVE NO IDEA. IT IS TOO FAR IN THE FUTURE.

4 Q WHAT ABOUT THE BASIC TESTIMONY YOU HAVE GIVEN
5 US TODAY? DO YOU HAVE ANY INTENTION OF GIVING THAT SAME
6 TESTIMONY AT YOUR TRIAL?

7 A WHAT I HAVE GIVEN TODAY? PROBABLY SOME OF THE
8 THINGS WILL BE SIMILAR AND SOME OF THE THINGS I DON'T THINK
9 WOULD BE -- WOULD PERTAIN TO MY SITUATION.

10 Q YOU HAVE GOT THE SAME LAWYER FOR YOUR CASE?
11 MR. LEVY IS YOUR LAWYER, ISN'T HE?

12 A YES, I DO, UH-HUH.

13 Q THIS TRIAL HERE HAS BEEN GOING ON FOR, I DON'T
14 KNOW, A MONTH AND A HALF, TWO MONTHS. OF THE DAYS THAT WE
15 HAVE ACTUALLY BEEN IN SESSION HERE, HOW MANY OF THOSE DAYS
16 HAVE YOU BEEN DOWN HERE AT THE COURTHOUSE?

17 MR. LEVY: I AM GOING TO OBJECT, YOUR HONOR.
18 RELEVANCE.

19 I WILL WITHDRAW THE OBJECTION. GO AHEAD AND
20 TELL HIM.

21 THE COURT: HE CAN ANSWER.

22 THE WITNESS: PROBABLY --

23 THE COURT: YOU MEAN DAYS WHEN HE DID NOT TESTIFY?

24 MR. KLEIN: RIGHT. DAYS WHEN HE DID NOT TESTIFY.

25 THE COURT: TO CLARIFY YOUR QUESTION.

26 MR. KLEIN: YES, YOUR HONOR. I WILL MAKE IT EASIER.

27 Q WOULD IT BE A FAIR STATEMENT THAT YOU HAVE BEEN
28 HERE EVERY DAY THAT TESTIMONY HAS GONE ON IN THIS CASE?

1 A NO, I HAVEN'T.

2 Q HAVE YOU BEEN HERE 95 PERCENT OF THE DAYS?

3 A I FIGURE 90 PERCENT, YES.

4 Q DO YOU HAVE A JOB?

5 A NOT RIGHT NOW.

6 Q YOU GET PAID ANYTHING FOR COMING DOWN HERE EACH
7 DAY DURING THE COURSE OF THIS TRIAL?

8 A NO. IT COSTS ME MONEY.

9 Q SO DO YOU HAVE ANY INCOME COMING INTO YOUR
10 FAMILY WHILE YOU ARE HERE 95 PERCENT OF THE TIME?

11 MR. LEVY: OBJECTION, YOUR HONOR.

12 THE WITNESS: YES.

13 MR. LEVY: RELEVANCE.

14 THE COURT: SUSTAINED.

15 Q BY MR. KLEIN: I FOUND A LOT OF YOUR TESTIMONY
16 VERY FASCINATING. HAVE YOU EVER THOUGHT OF WRITING A BOOK
17 ABOUT IT?

18 A ABOUT MY TESTIMONY, NO, I HAVEN'T.

19 Q ABOUT THE FACTS THAT YOU ARE TESTIFYING ABOUT
20 THE CHURCH?

21 A ABOUT ABOUT THE FACTS THAT I HAVE TESTIFIED
22 ABOUT ABOUT THE CHURCH? I CAN'T ANSWER THAT THAT WAY. I
23 ORIGINALLY WAS WRITING A BOOK.

24 Q ABOUT THE CHURCH?

25 A YES. BUT NOT NECESSARILY ABOUT THIS TESTIMONY.

26 Q SOME OF WHAT YOU TESTIFIED TO WILL PROBABLY
27 FIND ITS WAY INTO A BOOK?

28 A THAT IS POSSIBLE, YES.

1 Q WERE YOU SUCCESSFUL IN TRYING TO WRITE A BOOK
2 ABOUT THE CHURCH?

3 A NO.

4 Q DID YOU HAVE A COPY OF A POTENTIAL COVER FOR
5 THAT BOOK MADE UP JUST IN CASE YOU WERE ABLE TO SELL IT TO
6 ANYBODY?

7 A I SKETCHED ONE UP, YES.

8 Q YOU SENT IT TO ELIZABETH CLARE PROPHET, DIDN'T
9 YOU?

10 A YES.

11 Q YOU TOLD HER. "IF YOU PAY ME \$2,000,000, I
12 WON'T WRITE THIS BOOK"?

13 A NO, I DID NOT SAY THAT.

14 MR. KLEIN: AT THIS TIME I WOULD ASK THAT THIS COVER
15 BE MARKED FOR IDENTIFICATION. I HAVE SOME COPIES OF IT.

16 MR. LEVY: I AM GOING TO OBJECT, YOUR HONOR.
17 RELEVANCE. MR. KLEIN IS TALKING ABOUT A LAWSUIT THAT MAY BE
18 YEARS FROM NOW OR MAY NOT EVER OCCUR.

19 THE COURT: IT CAN BE MARKED FOR IDENTIFICATION.
20 GIVE IT THE NEXT NUMBER.

21 MR. KLEIN: 133.

22 THE COURT: THAT'S CORRECT.

23 (MARKED FOR ID: ^ EXHIBIT 133, BOOK COVER)

24 THE COURT: HOW LONG AGO DID YOU WORK ON THE BOOK?

25 THE WITNESS: THREE YEARS AGO.

26 THE COURT: MAY I TAKE A LOOK AT IT?

27 THE WITNESS: SURE.

28 Q BY MR. KLEIN: THE TITLE OF THE BOOK WAS GOING

1 TO BE "THE PROPHET REVEALED"?

2 A YES.

3 Q BUT YOU WERE UNSUCCESSFUL IN SELLING IT TO
4 ANYBODY THREE YEARS AGO?

5 A I DIDN'T TRY TO SELL IT TO ANYBODY.

6 Q YOU JUST MADE UP THE COVER AND NEVER TRIED TO
7 SELL IT TO ANYBODY?

8 A NO. I WAS TRYING -- I WAS GOING TO WRITE IT.

9 Q DID YOU EVER TRY TO NEGOTIATE AND HAVE ANYBODY
10 WRITE THE BOOK FOR YOU?

11 A YES. I TALKED TO ONE PERSON.

12 Q DID YOU EVER TRY TO NEGOTIATE, SEE IF YOU COULD
13 GET A MOVIE ABOUT YOUR LIFE WITH THE CHURCH?

14 MR. LEVY: YOUR HONOR, AT THIS TIME MAY I OFFER A
15 STIPULATION? SINCE AT THAT TIME I REPRESENTED MR. KING, I
16 TRIED LIKE THE DICKENS --

17 MR. KLEIN: YOUR HONOR, COUNSEL IS MERELY TESTIFYING
18 AT THIS POINT. I WOULD OBJECT TO HIM TESTIFYING DURING MY
19 EXAMINATION.

20 THE COURT: BOTH OF YOU STOP. NOW IF YOU HAVE A
21 PROPOSED STIPULATION, WHY DON'T THE TWO OF YOU JUST TAKE A
22 MOMENT AND TALK. WE WILL WAIT FOR A MOMENT.

23 (COUNSEL CONFER SOTTO VOCE.)

24 MR. LEVY: MR. KLEIN DOESN'T WANT ME TO OFFER MY
25 STIPULATION, YOUR HONOR.

26 THE COURT: PROCEED.

27 Q BY MR. KLEIN: DID YOU, OR ANYONE AUTHORIZED BY
28 YOU, TRY TO NEGOTIATE A MOVIE ABOUT YOUR LIFE STORY IN THE

1 CHURCH?

2 A NO. BUT A PRODUCER CAME TO ME TO TALK TO ME
3 ABOUT THE IDEA.

4 Q DID YOU NEGOTIATE WITH HIM ABOUT IT?

5 A WE NEVER GOT THAT FAR.

6 Q WHAT ABOUT TV MOVIE? DID YOU EVER DO ANY
7 NEGOTIATING, OR AN AGENT FOR YOU DO ANY NEGOTIATING, ABOUT A
8 TV MOVIE ABOUT YOUR LIFE STORY?

9 A NO, I DON'T THINK THERE WAS ANY NEGOTIATION
10 DONE.

11 Q NOTHING ABOUT A TV MOVIE?

12 A I DIDN'T SAY THAT. I WAS TRYING TO ANSWER YOUR
13 QUESTION.

14 Q WAS ANYTHING -- DID ANYTHING OCCUR ABOUT A
15 POSSIBLE TV MOVIE?

16 A YES. THERE WERE SOME INQUIRIES MADE ABOUT A
17 POSSIBLE TV MOVIE.

18 Q AND DID ANY OF THESE, THE BOOK OR TV MOVIE OR
19 THE MOVIE, DID ANYTHING COME OF ANY OF THOSE NEGOTIATIONS?

20 A NO.

21 Q DID IT EVER OCCUR TO YOU THAT IF YOU SPICED UP
22 THE STORY A LITTLE BIT, GOT A LITTLE BIT MORE TERRIBLE AND
23 EVIL THINGS ATTRIBUTED TO THE CHURCH, THAT THAT MIGHT HELP
24 IN SELLING EITHER A BOOK OR A TV MOVIE?

25 MR. LEVY: I AM GOING TO OBJECT, YOUR HONOR. CALLS
26 FOR SPECULATION AND I AM CURIOUS AS TO WHETHER MR. KLEIN IS
27 DOING HIS FINAL ARGUMENT NOW OR NOT.

28 THE COURT: MR. KLEIN, LET'S DEAL WITH FACTS.

1 MR. KLEIN: I AM ASKING IF THAT IS A FACT, YOUR
2 HONOR. I AM ASKING IF HE EVER THOUGHT ABOUT IT. IT WOULD
3 GO TO HIS BIAS, YOUR HONOR.

4 THE COURT: HE CAN ANSWER.

5 THE WITNESS: NO, I DON'T THINK YOU NEED TO SPICE
6 THINGS UP. BASICALLY WHAT I WANTED TO DO WAS I WANTED TO
7 GET THE TRUTH OUT TO THE STAFF MEMBERS AND PEOPLE WHO ARE
8 THERE THAT BASICALLY DON'T UNDERSTAND WHAT'S GOING ON.

9 Q BY MR. KLEIN: DO YOU PERSONALLY FEEL YOU HAVE
10 A GREAT DEAL AT STAKE IN THIS PARTICULAR TRIAL?

11 A I DON'T THINK I HAVE ANYTHING AT STAKE IN THIS
12 PARTICULAR TRIAL OTHER THAN ME GETTING THE OPPORTUNITY TO
13 CLEAR THINGS THAT ARE INSIDE OF ME, AND CLEAR MY CHEST AND
14 BE ABLE TO SPEAK THE TRUTH.

15 Q AND ALTHOUGH YOU HAVE NOTHING AT STAKE, YOU
16 FELT IT WAS NECESSARY TO BE DOWN HERE 95 PERCENT OF THE DAYS
17 THIS TRIAL HAS BEEN GOING ON?

18 MR. LEVY: I AM GOING TO OBJECT, YOUR HONOR. THAT IS
19 A MISCHARACTERIZATION OF THE TESTIMONY.

20 THE COURT: SUSTAINED.

21 Q BY MR. KLEIN: OF THE DAYS THIS TRIAL HAS BEEN
22 GOING ON AND YOU HAVE BEEN TAKING TESTIMONY, WHAT PERCENTAGE
23 OF THE DAYS THAT YOU HAVE BEEN DOWN HERE?

24 MR. LEVY: OBJECTION, YOUR HONOR. ASKED AND
25 ANSWERED.

26 THE COURT: SUSTAINED.

27 MR. LEVY: HE ALREADY SAID 90 PERCENT.

28 MR. KLEIN: NINETY PERCENT. EXCUSE ME.

1 Q WITH NOTHING AT STAKE, YOU HAVE BEEN DOWN HERE
2 90 PERCENT OF THE TIME THAT THIS TRIAL HAS BEEN GOING ON?

3 A YES.

4 Q HAVE THERE BEEN ANY AGREEMENT THAT YOU WILL
5 RECEIVE ANY MONEY WHATSOEVER WITH RESPECT TO THIS TRIAL?

6 A NO.

7 Q WHEN YOU TESTIFIED LAST TIME, AS I RECALL, WE
8 ESTABLISHED THAT WHEN YOU WERE WITH THE CHURCH, YOU WERE A
9 LIAR; IS THAT RIGHT?

10 A I TOLD LIES.

11 Q DID YOU EVER STOP TELLING LIES?

12 A AT THE CHURCH?

13 Q ANY TIME.

14 A WHILE I WAS AT THE CHURCH? ANY TIME.

15 Q UP TO TODAY.

16 A NO. I WOULD SAY THERE ARE STILL TIMES THAT I
17 WOULD BEND THE TRUTH.

18 Q IS THAT ALL BECAUSE OF WHAT YOU WERE TAUGHT AT
19 THE CHURCH, YOU WOULD BEND THE TRUTH?

20 A NO. BECAUSE I THINK SOMETIMES YOU TELL A STORY
21 SLIGHTLY DIFFERENT FOR EITHER EXAGGERATION PURPOSES OR
22 WHATEVER IT MIGHT BE IN NORMAL LIFE. I THINK EVERYBODY --
23 NOBODY IS SO PURE THAT THEY HAVE NEVER TOLD A LIE, YOU KNOW,
24 IN MY ESTIMATION, IN MY OPINION.

25 Q THAT IS WHAT YOU ARE TALKING ABOUT WHEN YOU SAY
26 YOU MIGHT BEND THE TRUTH?

27 A RIGHT.

28 Q DID THERE COME A TIME WHEN YOU STOPPED BEING AN

1 OUTRIGHT LIAR LIKE YOU WERE WHEN YOU WERE IN THE CHURCH?

2 A YES.

3 MR. LEVY: I AM GOING TO OBJECT TO THAT
4 CHARACTERIZATION, YOUR HONOR.

5 THE COURT: SUSTAINED.

6 Q BY MR. KLEIN: WHEN YOU WERE WITH THE CHURCH,
7 WERE YOU A LIAR?

8 A I TOLD LIES.

9 Q DID THERE COME A TIME WHEN YOU STOPPED DOING
10 THAT KIND OF LYING?

11 A YES.

12 MR. LEVY: OBJECTION. ASKED AND ANSWERED FOR THE
13 SIXTH TIME.

14 THE COURT: SUSTAINED.

15 Q BY MR. KLEIN: WHEN DID YOU STOP TELLING THOSE
16 KIND OF LIES?

17 A WHEN I LEFT THE CHURCH OR -- NO, I WILL TAKE
18 THAT BACK. PROBABLY GRADUALLY OVER A FEW YEARS AFTER I LEFT
19 THE CHURCH.

20 Q LIKE THE FIRST YEAR AFTER YOU LEFT, YOU MAYBE
21 TOLD 10 OR 20 LIES, NEXT YEAR MAYBE 15, SOMETHING LIKE THAT?

22 A NO, THAT IS NOT THE WAY IT WENT DOWN. I CAN
23 EXPLAIN IT.

24 Q YEAH, EXPLAIN IT.

25 A OKAY. BASICALLY EVEN AFTER I LEFT THE CHURCH,
26 I WAS STILL DOING COVER-UP WORK FOR THE CHURCH. PEOPLE THAT
27 WERE NOT INVOLVED -- OR THAT WERE INVOLVED WITH THE CHURCH
28 THAT HAD PROBLEMS THAT I HAD CONTACT WITH, I WOULD STILL

1 COVER UP AND TELL -- TELL THINGS THE WAY I WOULD HAVE WHEN I
2 WAS A BOARD MEMBER BECAUSE I DIDN'T WANT TO HURT WHAT WAS
3 GOING ON THERE.

4 AND GRADUALLY, I STOPPED COVERING UP AND
5 STOPPED COVERING UP SO MUCH.

6 Q AND THEN THERE JUST CAME A DAY WHEN THAT WAS
7 IT, YOU NEVER HAD TO TELL ANOTHER LIE?

8 A NO, I DON'T THINK IT IS ALL OF A SUDDEN ONE
9 DAY, YOU KNOW, YOUR LIFE CHANGES. I THINK IT IS A GRADUAL
10 PROGRESSION OF MY LIFE EXPERIENCE CHANGED AND I HAVE GONE
11 THROUGH A CHANGE OVER THE LAST SIX YEARS.

12 Q WHAT YEAR DID YOU LEAVE THE CHURCH? ABOUT
13 1980?

14 A YES.

15 Q WHAT YEAR DID YOU STOP TELLING LIES TOTALLY?

16 A I DON'T KNOW. SOMETIME PROBABLY BETWEEN 1980
17 AND 1982 OR 1983 OR SOMETHING LIKE THAT.

18 Q WAS THERE A PARTICULAR DAY?

19 MR. LEVY: EXCUSE ME. YOUR HONOR, MAY I TAKE MR.
20 KLEIN ON VOIR DIRE WITH REGARD TO MAKING MISREPRESENTATIONS
21 AND TELLING COUNSEL UNTRUTHS?

22 MR. KLEIN: YOUR HONOR, I --

23 THE COURT: GENTLEMEN, SIT DOWN.

24 WE WILL STOP AT THIS TIME AND WE WILL RESUME AT
25 1:30. THAT WILL GIVE MR. KLEIN AN OPPORTUNITY TO ORGANIZE
26 WHATEVER FEW REMAINING QUESTIONS HE HAS OF THIS WITNESS.

27 MR. KLEIN: MY QUESTIONS ARE ORGANIZED NOW, YOUR
28 HONOR.

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THE COURT: WHAT?

MR. KLEIN: MY QUESTIONS ARE ORGANIZED.

THE COURT: YOU MIGHT WELL USE THE LUNCHEON PERIOD AS
I HAVE SUGGESTED. BUT THAT IS UP TO YOU.

(AT 11:56 A.M., A RECESS WAS TAKEN UNTIL
1:30 P.M. OF THE SAME DAY.)

1 LOS ANGELES, CALIFORNIA; TUESDAY, MARCH 18, 1986 *

2 1:43 P.M.

3 DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

4 (APPEARANCES AS HERETOFORE NOTED.)

5
6 RANDALL CHARLES KING, +

7 THE WITNESS ON THE STAND AT THE TIME OF THE NOON RECESS,
8 RESUMED THE STAND AND TESTIFIED FURTHER AS FOLLOWS:

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

12 THE WITNESS: RANDALL CHARLES KING.

13 THE CLERK: THANK YOU.

14 THE COURT: PROCEED.

15 MR. KLEIN: YOUR HONOR, I WOULD ASK THAT THE BOOK
16 COVER, NUMBER 133, BE RECEIVED IN EVIDENCE.

17 THE COURT: IT'S RECEIVED.

18 (RECEIVED EVID: ^ EXHIBIT 133)

19
20 CROSS-EXAMINATION + (RESUMED)

21 BY MR. KLEIN:

22 Q MR. KING, AM I CORRECT THAT WHILE YOU WERE A
23 CHURCH MEMBER FROM 1975 TO 1980, THAT YOU LIED TO CHURCH
24 MEMBERS TO GET THEM TO DO THE THINGS YOU WANTED TO DO?

25 A THAT'S CORRECT.

26 Q AND THE REASON YOU LIED IS BECAUSE YOU WANTED
27 TO GET THEM TO DO THINGS THAT YOU WANTED THEM TO DO AT THE
28 TIME?

1 A YES.

2 MR. KLEIN: THANK YOU.

3 I HAVE NO FURTHER QUESTIONS.

4 MR. LEVY: MR. KLEIN AND I HAVE AGREED TO STIPULATE
5 THAT THE FOLLOWING EVIDENTIARY ITEMS MAY BE ENTERED INTO
6 EVIDENCE WITH THE COURT'S PERMISSION. I HAVE GIVEN A LIST
7 TO THE COURT CLERK. BUT FOR THE RECORD, I WILL READ THE
8 NUMBERS OF THE DOCUMENTS

9 IT IS EXHIBIT NUMBER 11, EXHIBIT NUMBER 14,
10 EXHIBIT NUMBER 17, EXHIBIT NUMBER BETWEEN 20, 23, 25, 27,
11 40, 45, AND 47.

12 MR. KLEIN: SO STIPULATED, YOUR HONOR.

13 THE COURT: OKAY.

14 MR. LEVY: MAY I HAVE JUST A MOMENT, YOUR HONOR?

15 THE COURT: THOSE EXHIBITS ARE RECEIVED. THAT IS 11,
16 14, 17, 20, 23, 25, 27, 40, 45 AND 47.

17 (RECEIVED EVID: ^ EXHIBITS 11, 14, 17,

18 - - - - - ^ 20, 23, 25, 27, 40,

19 - - - - - ^ 45 & 47.)

20 THE COURT: ANYTHING FURTHER?

21 MR. LEVY: NO, YOUR HONOR.

22 THE COURT: ANYTHING FURTHER?

23 MR. KLEIN: NO, YOUR HONOR.

24 THE COURT: YOU CAN STEP DOWN. THANK YOU.

25 LADIES AND GENTLEMEN, WE ARE AT THAT POINT IN
26 THIS TRIAL AT WHICH ALL OF THE EVIDENCE HAS BEEN RECEIVED.
27 THERE WILL BE NO FURTHER WITNESSES OR DOCUMENTS OR
28 PROCEEDINGS SO FAR AS TAKING EVIDENCE IS CONCERNED.

1 WHAT REMAINS ARE TWO THINGS, CLOSING ARGUMENTS
2 BY COUNSEL AND INSTRUCTION ON THE LAW BY THIS COURT. WE ARE
3 GOING TO SPEND THE REMAINDER OF THE AFTERNOON, COUNSEL AND I
4 ARE, ON THE INSTRUCTIONS. AND WE ARE GOING TO RESUME
5 TOMORROW MORNING WITH CLOSING ARGUMENTS.

6 WHEN THE ARGUMENTS HAVE BEEN CONCLUDED, I WILL
7 INSTRUCT YOU IN THE LAW THAT IS OR MAY BE APPLICABLE IN THIS
8 CASE, DEPENDING UPON YOUR VERSION OF THE FACTS. AND WHEN
9 THAT IS CONCLUDED, YOU WILL BEGIN YOUR DELIBERATIONS. SO
10 WHEN I SAID TO YOU THE OTHER DAY WE ARE WINDING DOWN, I
11 MEANT IT.

12 LET ME ASK YOU ONE OR TWO THINGS. FIRST OF
13 ALL, I HAVE NO IDEA HOW LONG YOU WILL BE DELIBERATING. THAT
14 IS UP TO YOU ALL. BUT IF NEED BE, CAN YOU BE HERE ON FRIDAY
15 OF THIS WEEK? ANYBODY HAVE A PROBLEM?

16 (SOME JURORS RAISED THEIR HANDS.)

17 THE COURT: LET ME ASK YOU THIS: DO ANY OF YOU HAVE
18 A PROBLEM SO FAR AS FRIDAY IS CONCERNED THAT YOU CANNOT
19 RESOLVE?

20 ALTERNATE JUROR NO. 4: I HAVE BEEN ORDERED TO DO
21 SOMETHING IN SAN LUIS OBISPO. I HAVE BEEN ORDERED TO
22 CONDUCT A SURVEY IN SAN LUIS OBISPO ON FRIDAY. IT IS
23 IMMINENT BECAUSE THIS MEANS FINANCIAL AID TO AN AGENCY WHICH
24 IF IT DOES NOT GET IT, WILL -- MIGHT CEASE TO EXIST.

25 THE COURT: CAN THAT VISIT TO SAN LUIS OBISPO BE
26 POSTPONED FOR SOME DAYS, FOR SEVERAL DAYS, NO MORE THAN A
27 WEEK?

28 ALTERNATE JUROR NO. 4: I SUPPOSE IF I HAVE NO

1 CHOICE -- IT WILL CAUSE A HARDSHIP..

2 THE COURT: WHY DON'T YOU SEE IF THAT CAN BE
3 ACCOMPLISHED. IT WOULD BE APPRECIATED. I UNDERSTAND THAT
4 WHAT YOU HAVE TO DO IS IMPORTANT. I UNDERSTAND THAT.

5 ALTERNATE JUROR NO. 4: AND I DIDN'T KNOW THAT --

6 THE COURT: MAYBE THE TIMING CAN BE ADJUSTED WITHOUT
7 SEVERE LOSS.

8 ANYBODY ELSE?

9 JUROR NO. 7: YOUR HONOR, I HAVE AN APPOINTMENT WITH
10 MY C.P.A. HE SAYS I HAVE HAD A LONGSTANDING APPOINTMENT. I
11 HAVE KIND OF A LONGSTANDING APPOINTMENT WITH MY C.P.A., WHO
12 SET ASIDE QUITE A BIT OF TIME.

13 THE COURT: IT IS THAT TIME OF YEAR, ISN'T IT?

14 JUROR NO. 7: YES, IT IS.

15 THE COURT: FOR ALL OF US.

16 JUROR NO. 7: YEAH. YES, SIR. I CAN TRY TO GET IT
17 CHANGED. WHAT AM I GOING TO DO? IT IS THERE. BUT WE DID
18 HAVE -- I DID PLAN ON SOME THINGS THAT SINCE WE HAVE HAD
19 FRIDAYS OFF ORDINARILY, I HAVE SCHEDULED SOME THINGS THAT --
20 I AM SELF-EMPLOYED AND I HAVE SCHEDULED SOME THINGS THAT I
21 HAVEN'T HAD A CHANCE TO DO.

22 ALTERNATE JUROR NO. 4: YOUR HONOR, ONE OF THE
23 DIFFICULTIES IS BECAUSE OF MY COMMITMENT, I SET A LOT OF
24 PEOPLE INTO MOTION. MY COMMITMENT TO BEING THERE, BY MY
25 COMMITMENT TO BEING THERE, I SET A LOT OF PEOPLE IN MOTION
26 TO BE THERE AT THE SAME TIME.

27 THE COURT: WELL, WITH REGARD TO YOUR TRIP TO SAN
28 LUIS OBISPO, HOW MANY PEOPLE?

1 ALTERNATE JUROR NO. 4: FOUR PEOPLE.

2 THE COURT: WHY DON'T YOU SEE WHAT MIGHT BE
3 ACCOMPLISHED. I'D APPRECIATE IT.

4 EVERYBODY ELSE CAN BE HERE ON FRIDAY IF NEED
5 BE? YES, MA'AM?

6 JUROR NO. 11: I HAVE SCHEDULED A FULL DAY OF
7 APPOINTMENTS FOR THIS FRIDAY BELIEVING THAT WE HAD FRIDAYS
8 OFF.

9 THE COURT: SCHEDULES ARE SOMETIMES REVISED,
10 SOMETIMES SCRAPPED. CAN YOU REVISE YOURS?

11 JUROR NO. 11: I WILL KNOW TOMORROW.

12 THE COURT: WOULD YOU MAKE THE EFFORT?

13 JUROR NO. 11: YES, I WILL.

14 THE COURT: ALL RIGHT. ONCE AGAIN, I DON'T KNOW HOW
15 LONG THE DELIBERATIONS WILL TAKE. AND I DON'T WANT TO BE
16 UNDERSTOOD BY ANY OF YOU AS SUGGESTING THAT YOU TAKE A SHORT
17 TIME OR A LONG TIME, BUT YOU TAKE THE AMOUNT OF TIME THAT
18 THE JURY DESIRES TO DECIDE THE CASE. THAT IS HOW LONG THE
19 DELIBERATIONS SHOULD TAKE. THAT IS UP TO YOU ALL. LET'S
20 SEE IF WE CAN WORK IT OUT.

21 I HAVE NO WAY OF KNOWING JUST WHAT THE TIMING
22 WOULD BE. BUT AS WE LOOK AT THE CALENDAR, TOMORROW IS
23 WEDNESDAY AND YOU WILL BE DELIBERATING LATE TOMORROW OR
24 THURSDAY MORNING IN ALL PROBABILITY. AND IF YOU CAN BE HERE
25 ON FRIDAY, IT WOULD BE DESIRABLE.

26 ONE THING YOU ALL UNDERSTAND IS THAT THE JURY
27 CANNOT MEET AND DELIBERATE AND DISCUSS THE CASE UNLESS ALL
28 JURORS ARE PRESENT. AND THAT IS A MUST OBVIOUSLY, WHICH

1 EVERYBODY UNDERSTANDS. OKAY.

2 ONCE AGAIN, DO NOT DISCUSS ANY ASPECT OF THIS
3 CASE WITH ANYBODY, NOT EVEN AMONG YOURSELVES. THIS MUST NOT
4 BE DONE UNTIL YOU COMMENCE YOUR DELIBERATIONS. AND DO NOT
5 HAVE ANY COMMUNICATION OF ANY SORT WITH ANYBODY HAVING
6 ANYTHING TO DO WITH THIS CASE.

7 LET'S PLAN TO START THE ORAL ARGUMENTS TOMORROW
8 MORNING -- THAT NINE O'CLOCK MATTER IS STILL ON?

9 THE CLERK: YES.

10 THE COURT: LET'S PLAN TO START AT TEN O'CLOCK SHARP.
11 THERE IS ANOTHER MATTER THAT IS ON MY CALENDAR THAT I HAVE
12 TO ATTEND TO FIRST, SO REALISTICALLY LET'S SAY TEN O'CLOCK
13 AND BE HERE THEN READY TO PROCEED. HAVE A VERY PLEASANT
14 EVENING.

15 MR. LEVY: YOUR HONOR, WITH REGARD TO THE LARGE
16 CHART, EXHIBIT 127, IT IS SUGGESTED THAT THAT BE 127-A, BE
17 ENTERED INTO EVIDENCE AS 127-A.

18 THE COURT: ALL RIGHT.

19 MR. LEVY: THANK YOU, YOUR HONOR.

20 THE COURT: THE SMALL CHART WILL BE 127. AND THE
21 BLOW-UP IS 127-A.

22 (MARKED & REC'D EVID: ^ EXHIBIT 127-A, BLOW-UP)

23 MR. LEVY: THANK YOU, YOUR HONOR.

24 THE COURT: THAT IS A GOOD APPROACH.

25 MR. KLEIN: YES, YOUR HONOR.

26 (AT 1:55 P.M., AN ADJOURNMENT WAS TAKEN
27 UNTIL WEDNESDAY, MARCH 19, 1986, AT
28 10:00 A.M.)

1 LOS ANGELES, CALIFORNIA; WEDNESDAY, MARCH 19, 1986 *

2 11:00 A.M.

3 DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

4 (APPEARANCES AS HERETOFORE NOTED

5 AND JONATHAN FRANK IS ALSO PRESENT.)

6
7 (THE FOLLOWING PROCEEDINGS WERE HELD IN
8 CHAMBERS:)

9 THE COURT: THE RECORD SHOULD REFLECT THAT THE COURT
10 DIRECTED COUNSEL TO MEET AND CONFER CONCERNING JURY
11 INSTRUCTIONS. THIS INSTRUCTION TO COUNSEL WAS MADE FOR A
12 NUMBER OF REASONS, PRIMARILY AMONG THEM MY CONVICTION THAT
13 BETTER INSTRUCTIONS WOULD RESULT FROM THEIR MEETING.

14 THE IMPORTANT THING IS THAT THIS MORNING, THEY
15 DID MEET, AND THEY CONFERRED AND THEY REACHED AGREEMENT ON
16 ALL BUT A RELATIVELY FEW INSTRUCTIONS. I DID NOT ADD UP THE
17 NUMBER. AND THE RECORD SHOULD REFLECT THAT LATER THIS
18 MORNING, THE COURT AND COUNSEL MET TO DISCUSS THOSE
19 INSTRUCTIONS AS TO WHICH THERE WAS NOT YET AGREEMENT.

20 AS A RESULT OF OUR MEETING, AGREEMENT WAS
21 REACHED ON SEVERAL INSTRUCTIONS THAT ARE INCLUDED. SOME
22 INSTRUCTIONS WERE MODIFIED AND, AS MODIFIED, ARE ACCEPTABLE
23 TO ALL PARTIES. AND SOME INSTRUCTIONS WERE VOLUNTARILY
24 WITHDRAWN.

25 I AM APPRECIATIVE OF THE WORK OF COUNSEL THIS
26 MORNING AND I WANT TO GIVE EACH SIDE AN OPPORTUNITY NOW, IF
27 ANYBODY WISHES TO DO SO, TO VOICE CONCISELY ON THE RECORD
28 ANY OBJECTIONS THAT ANY PARTY MIGHT STILL HAVE TO THE

1 INSTRUCTIONS.

2 ONE THING IS CLEAR NOW, AND THAT IS THAT THE
3 PARTIES UNDERSTAND EXACTLY WHAT INSTRUCTIONS WILL BE GIVEN
4 AND WHAT THE CONTENT OF THE INSTRUCTIONS IS.

5 THERE IS ONE INSTRUCTION WHICH I HAVE PUT TO
6 THE SIDE. COUNSEL ARE GOING TO TAKE A FURTHER LOOK INTO
7 THAT SUBJECT. BUT THAT APPLIES TO ONLY ONE INSTRUCTION, AND
8 THAT IS THE INSTRUCTION NUMBER 36 REQUESTED BY THE
9 DEFENDANT, WHICH I BELIEVE IS THE CHURCH.

10 MR. MIDDLETON: NO. MULL.

11 THE COURT: I AM SORRY. MR. MULL'S REQUESTED
12 INSTRUCTION NUMBER 36. BUT AS TO THAT, COUNSEL ARE GOING TO
13 LOOK FURTHER INTO THAT SUBJECT AND WE WILL TALK ABOUT IT
14 THIS AFTERNOON.

15 DOES ANYBODY WANT TO BE HEARD BRIEFLY?

16 MR. FRANK: ONE OBJECTION REGARDING THE INSTRUCTION
17 GIVEN ON BREACH OF CONFIDENTIAL RELATIONSHIP. THE
18 INSTRUCTION AS GIVEN IS MORE APPROPRIATE THAN AN INSTRUCTION
19 ON BREACH OF FIDUCIARY DUTY.

20 HOWEVER, EVEN AS GIVEN, DEFENDANTS (SIC)
21 BELIEVE THAT THERE IS NO SUCH CAUSE OF ACTION THAT WOULD
22 APPLY TO THIS CASE AND THAT THE DUTY TAKEN FROM THE EVIDENCE
23 CODE DOES NOT CREATE THE DUTY AS SET OUT IN THE INSTRUCTION.

24 THE COURT: ANYTHING ELSE?

25 MR. FRANK: NO.

26 THE COURT: ALL RIGHT.

27 MR. LEVY: WE HAVE NO OBJECTIONS, YOUR HONOR. WE
28 THINK THE COURT HAS BEEN EQUITABLE TO BOTH SIDES, HAS HELPED

1 CLARIFY ALL THE ISSUES.

2 THE COURT: OKAY. ALL RIGHT. LET'S TAKE A SHORT
3 BREAK AND WE WILL GET STARTED -- AND THEN WE WILL GET
4 STARTED IN A FEW MINUTES.

5 NOW WE ARE OFF THE RECORD FOR A MINUTE.

6 (DISCUSSION OFF THE RECORD.)

7 (RECESS.)

8 (THE PROCEEDINGS WERE RESUMED IN OPEN

9 COURT IN THE PRESENCE OF THE JURY:)

10 THE COURT: GOOD MORNING, LADIES AND GENTLEMEN. I AM
11 SORRY THAT WE ARE STARTING A BIT LATER THAN I HAD EXPECTED.
12 AS IT TURNED OUT, SOME THINGS THAT NEEDED TO BE DONE BEFORE
13 WE COULD PROCEED HAD NOT BEEN DONE. SO WE NEEDED SOME
14 ADDITIONAL TIME. AT ANY RATE, WE ARE READY TO PROCEED.

15 NOW, I BELIEVE YOU MAY HAVE LEARNED ALREADY
16 THAT YOU ARE GOING TO HAVE FRIDAY OFF. I THOUGHT ABOUT IT
17 AFTER YOU LEFT YESTERDAY AFTERNOON AND I CAME TO THE
18 CONCLUSION THAT AS MUCH AS I WOULD PREFER TO HAVE YOU HERE,
19 IT PROBABLY WOULD BRING ABOUT TOO MUCH INCONVENIENCE. SO
20 YOU WILL NOT BE HERE THIS FRIDAY.

21 OKAY. WE ARE READY TO PROCEED. PLEASE.

22

23

OPENING ARGUMENT

24 BY MR. LEVY:

25

THANK YOU, YOUR HONOR.

26

GOOD MORNING, LADIES AND GENTLEMEN. OR ALMOST

27

GOOD AFTERNOON, LADIES AND GENTLEMEN.

28

THIS IS THE TIME AND THE PLACE OF THE TRIAL

1 WHERE WE COME TO THAT PORTION KNOWN AS THE FINAL ARGUMENT.
2 AS I TOLD YOU AT THE VERY OUTSET, WHAT I SAY AND WHAT MR.
3 KLEIN SAYS IS NOT EVIDENCE. IT'S -- IT IS A
4 GET TO ATTEMPT TO EXPLAIN TO YOU WHAT WE BELIEVE
5 EVIDENCE ACTUALLY SHOWS AND WHAT THE RULES ACTUALLY MEAN.

6 YOU RECALL FROM WAY BACK WHEN WE WERE FIRST
7 SELECTING YOU FOLKS TO BE THE JURY, WE TALKED ABOUT AN AWFUL
8 LOT OF THINGS. WE TALKED ABOUT BRAINWASHING AND THAT IT
9 WASN'T PART OF THIS TRIAL. WE TALKED ABOUT RELIGIOUS BELIEF
10 AND THAT IT WASN'T PART OF THIS TRIAL.

11 THE JUDGE TOLD YOU WE'D GET CLOSE TO IT, AND WE
12 MAY COME UP AND TOUCH UPON IT FROM TIME TO TIME AND I WANT
13 TO REMIND YOU OF THOSE THINGS. RELIGION IS NOT ON TRIAL AND
14 IT NEVER HAS BEEN. AND BRAINWASHING IS NOT ON TRIAL AND IT
15 NEVER HAS BEEN.

16 WHAT I TOLD YOU IN MY OPENING STATEMENT WAS
17 THAT GREGORY WAS THE VICTIM OF AN ASSAULT. I TOLD YOU THAT
18 THERE WAS A BREACH OF A VERY SPECIAL DUTY, THAT GREGORY HAD
19 BEEN DEFRAUDED, THAT THE CONDUCT OF MR. FRANCIS AND MISS
20 PROPHET AND MR. SHEARER AND THEIR CHURCH HAD CAUSED SEVERE
21 EMOTIONAL DISTRESS AND THAT THAT SEVERE EMOTIONAL STRESS HAD
22 DAMAGED MR. MULL.

23 I TALKED TO YOU ABOUT QUANTUM MERUIT AND YOU
24 ALL LOOKED AT ME LIKE YOU ARE LOOKING AT ME NOW. JUST A
25 LEGAL PHRASE. ATTORNEYS LOVE LEGAL PHRASES. THEY CAN BILL
26 MORE PER HOUR WHEN THEY USE LEGAL PHRASES.

27 AND I ALSO TOLD YOU ABOUT THE NOTES THAT MR.
28 MULL HAD SIGNED. WE NEVER ARGUED ABOUT HIM SIGNING THE

1 NOTES. AND I TOLD YOU WE WOULD ASK THAT THOSE NOTES BE
2 CANCELED.

3 NOW, BACK TO QUANTUM MERUIT FOR JUST A MOMENT.
4 IT SOUNDS DIFFICULT, BUT IT ISN'T. THE JUDGE WILL INSTRUCT
5 YOU WITH REGARD TO QUANTUM MERUIT. VERY, VERY GENERALLY, IT
6 MEANS UNJUST ENRICHMENT. WHEN THE JUDGE READS THE SPECIFIC
7 INSTRUCTIONS TO YOU, IT WILL BE VERY, VERY CLEAR. LATER ON
8 AS I TALK TO YOU, I WILL EXPLAIN A LITTLE BIT MORE ABOUT IT.

9 YOU RECALL WE TALKED ABOUT THE PREPONDERANCE OF
10 EVIDENCE AND WE DISCUSSED THE DIFFERENCE IN A CIVIL TRIAL
11 AND A CRIMINAL TRIAL. AND THAT IN A CIVIL TRIAL, WE DID NOT
12 HAVE TO PROVE ANYTHING BEYOND A MERE PREPONDERANCE.
13 CRIMINAL TRIAL, BEYOND A REASONABLE DOUBT.

14 MERE PREPONDERANCE, A SCALE. GREGORY'S STORY
15 HERE, THEIR STORY HERE. IF YOU BELIEVE GREGORY'S STORY
16 MORE, THEN THERE IS MORE WEIGHT TO HIS STORY. THAT IS THE
17 PREPONDERANCE. IT'S ALL WE ARE TALKING ABOUT.

18 NOW WHAT I'D LIKE TO DO IS EXAMINE EACH OF
19 THESE CAUSES OF ACTION. AND I'D LIKE TO EXAMINE THEM IN
20 LIGHT OF THE FACTS THAT YOU'LL MAKE YOUR DECISION ON.
21 YOU'VE HEARD ALL THE EVIDENCE, YOU HAVE SEEN ALL THE PRETTY
22 PICTURES, YOU HAVE SEEN ALL THE DISPLAYS AND YOU WILL DECIDE
23 THE FACTS.

24 EVEN THOUGH IT IS OUT OF SEQUENCE IN THE WAY
25 THINGS HAPPENED, LET ME TRY TO HELP YOU. LET'S MAKE A LINE.
26 LET'S HAVE THE LINE START WAY BACK HERE AND WE ARE JUST
27 GOING TO MAKE THE LINE GO UP RIGHT UP TO HERE. AND THIS IS
28 1986. AND WE WILL GO ALL THE WAY BACK HERE. AND THIS WILL

1 BE 1974.

2 NOW, PERIODICALLY, SO THAT I DON'T GET NERVOUS
3 STANDING BACK THERE, I AM GOING TO WALK UP THERE AND WRITE
4 ON THAT LINE SOME MORE.

5 IF WE START IN 1974, WE START WHEN GREGORY MULL
6 WAS FIRST RECRUITED BY THIS CHURCH. AND I EMPHASIZE
7 RECRUITED. DO YOU RECALL THE CHURCH HAD A MAN SIT UP THERE
8 AND TESTIFY, HE TOLD US HE WAS AN EXPERT. AND HE SAID THAT
9 THIS CHURCH GENERALLY SENT OUT MAILERS, AND THEY SENT OUT
10 LITTLE QUESTIONNAIRES, AND PEOPLE FILLED THEM OUT AND SENT
11 THEM BACK TO THE CHURCH.

12 BUT THE FACTS AS THEY CAME DOWN HERE, AND THE
13 FACTS HAVE NEVER BEEN DISPUTED, MR. MULL WAS APPROACHED.
14 SOMEONE CAME TO HIS MEDITATION GROUP. HE WAS SOUGHT OUT.
15 HE DIDN'T FILL OUT A LITTLE MAILER. THEY CAME TO HIM. THEY
16 FLATTERED HIM, THEY MADE HIM IMPORTANT.

17 I KNOW IT WOULD MAKE ME FEEL GOOD. I THINK IT
18 WOULD MAKE EVERY ONE OF YOU FEEL GOOD IF SOMEBODY SOUGHT YOU
19 OUT, SOUGHT YOUR HOME, SOUGHT YOUR PRESENCE, INVITED YOU TO
20 COME TO SERVICES AT A TEACHING CENTER. IN 1974 THEY
21 RECRUITED HIM.

22 AND IN 1975, ALL OF THE THINGS HE HAD HEARD UP
23 TO THAT POINT WERE GOING TO BE CLARIFIED FOR HIM. THEY TOLD
24 HIM HOW GREAT IT WOULD BE TO GO TO SUMMIT UNIVERSITY. "COME
25 TO SUMMIT UNIVERSITY AND YOU WILL GET ALL THE ANSWERS." SO
26 MR. MULL TRUSTED, MR. MULL BELIEVED, MR. MULL WENT TO SUMMIT
27 UNIVERSITY.

28 I GET TO TAKE ANOTHER STROLL.

1 1974, HE WAS RECRUITED. I HOPE THAT IS HOW YOU
2 SPELL RECRUITED. 1975, HE WENT TO SUMMIT UNIVERSITY AND
3 THAT'S WHERE HE WAS INDOCTRINATED. YOU ARE NOT ALLOWED TO
4 TAKE OFF POINTS IF I MISSPELL STUFF. 1974 HE WAS RECRUITED.
5 1975 HE WAS INDOCTRINATED.

6 HE SPENT THREE MONTHS AT SUMMIT UNIVERSITY.
7 WHAT DID THEY DO AT SUMMIT UNIVERSITY? LONG HOURS, SLEEP
8 DEPRIVATION, CHANGE OF DIET, HOURS OF DECREERING, A NEW
9 RELIGIOUS PHILOSOPHY, A PHILOSOPHY THAT HAD TO DO WITH
10 SOME -- SOME THINGS THAT MAYBE MR. MULL DIDN'T UNDERSTAND
11 CLEARLY.

12 AND LET ME REMIND YOU ALL THAT I HAVE ASKED
13 EACH AND EVERY ONE OF THE CHURCH'S WITNESSES, "WHAT DID YOU
14 LEARN AT SUMMIT UNIVERSITY?" AND THEY WERE ALL NICE PEOPLE
15 AND THEY ALL TRIED HARD. AND THEY WERE NOT TOO MANY OF THEM
16 WHO COULD ACTUALLY TELL US WHAT THEY LEARNED AT SUMMIT
17 UNIVERSITY.

18 BUT THEY WENT, THEY PARTICIPATED, THEY WENT IN
19 GOOD FAITH, THEY DID THE BEST THEY COULD, AND THEY CAME AWAY
20 AT THE END OF THREE MONTHS AND THEY HAD AN ALLEGIANCE.

21 THEY HAD AN ALLEGIANCE TO A NEW RELIGIOUS
22 BELIEF. THEY HAD AN ALLEGIANCE TO ELIZABETH CLARE PROPHET.
23 THEY HAD A BELIEF THAT IN SOME WAY, SHE WAS THE SPOKESMAN
24 FOR THE ASCENDED MASTERS, FOR ALL THE PEOPLE UP IN HEAVEN,
25 FOR THOSE PEOPLE THAT COMMUNICATE WITH US DOWN HERE.

26 THAT'S WHAT JUST ABOUT ALL OF THOSE PEOPLE
27 BELIEVED EXCEPT FOR ONE PERSON, AND THAT WAS DON
28 SAINT-MICHAEL. AND THAT WAS A YOUNG MAN WHO KNEW MR. MULL,

1 WHO MR. MULL HELPED TO RAISE THE FUNDS TO GO TO SUMMIT
2 UNIVERSITY.

3 HE DIDN'T HAVE SUCH A GOOD TIME. HE GOT IN
4 TROUBLE. HE DIDN'T WANT TO WRITE A CLEARANCE LETTER. HE
5 BALKED. HE FOUGHT AND HE FINALLY LEFT AFTER A WEEK OR TEN
6 DAYS BECAUSE IT WAS MORE THAN HE WAS WILLING TO DO.

7 DO YOU RECALL HIS TESTIMONY? HE WAS TOLD TO
8 WRITE A LETTER TO HIS FORMER MINISTER AND SEVER HIS
9 RELATIONSHIP WITH HIS FORMER CHURCH AND HE WASN'T
10 COMFORTABLE WITH THAT. IF YOU RECALL, HE TESTIFIED WHEN HE
11 GOT READY TO LEAVE, THE INFORMATION THAT DR. YANEY HAD ENDED
12 UP ON MONROE SHEARER'S DESK.

13 DR. YANEY WAS THE PSYCHIATRIST THAT WE HAVE ALL
14 HEARD ABOUT AND THERE WAS ALL OF HIS PERSONAL PRIVATE
15 INFORMATION THAT HE HAD DISCLOSED TO THIS PSYCHIATRIST
16 SITTING ON MONROE'S DESK. AND THEY HAD A MEETING AND HE
17 FINALLY LEFT.

18 AFTER 1975, WHAT HAPPENS? GREGORY, JUST LIKE A
19 FLOWER IN A GARDEN -- AND THAT'S WHAT I SUGGEST TO YOU IS
20 WHAT ELIZABETH DOES. SHE MAKES ACQUAINTANCESHIPS, SHE MAKES
21 FRIENDS, SHE CULTIVATES ACQUAINTANCES, SHE HAS HER MINIONS
22 TALK THEM INTO GOING TO SUMMIT UNIVERSITY.

23 AND THEN AS AND WHEN SHE NEEDS THEM, CAN USE
24 THEM, CAN BE BENEFITED BY THEIR PARTICIPATION, SHE BRINGS
25 THEM INTO THE FOLD, SHE BRINGS THEM TO CAMELOT. AND IF IT
26 WASN'T CAMELOT, IT WAS SOME PLACE BEFORE CAMELOT.

27 SO HERE IN 1976, IN 1977 THROUGH 1978, WE GOT A
28 PERIOD OF TIME -- THERE IS LETTER WRITING BACK AND FORTH,

1 THERE ARE SHOPPING TRIPS BACK AND FORTH, THERE IS A
2 CULTIVATION. MAYBE NOT ALL THAT CAREFUL, BUT THERE IS A
3 CULTIVATION ANYWAY OF THE FRIENDSHIP WITH GREGORY MULL.

4 AND DURING THOSE YEARS, I'D SUBMIT TO YOU THAT
5 THERE WAS A CULTIVATION OF A LOT OF OTHER FRIENDSHIPS.
6 WELL, WHAT DOES IT COST? GO OUT OF YOUR WAY A LITTLE BIT?
7 TO ELIZABETH IT WASN'T PROBABLY VERY MEANINGFUL. GREGORY
8 WAS JUST ONE OF THE MASS.

9 TO GREGORY THOUGH, CONSIDER HOW MEANINGFUL IT
10 WAS. THAT'S HIS NEW SPIRITUAL LEADER. SHE IS GOING OUT OF
11 HER WAY, AND SHE GOES TO SAN FRANCISCO TO CALL HIM, TO MEET
12 WITH HIM, TO GO SHOPPING WITH HIM, TO GO TO DINNER WITH HIM,
13 TO GO TO HIS HOME.

14 SO WHAT DOES SHE DO WHEN SHE GOES TO HIS HOME?
15 YOU HEARD THE TESTIMONY. HER THEN HUSBAND AND SHE DISCUSS
16 HIS ARMOIRE. AND WHAT DOES THE SPIRITUAL LEADER DO? SHE
17 CONS POOR, LITTLE, GULLIBLE GREGORY OUT OF HIS ARMOIRE. SHE
18 SAID, "GREGORY WANTED TO GIVE IT TO US. HELLO. HOW ARE
19 YOU? I WALK IN. WHAT HAVE YOU GOT YOU WANT TO GIVE TO ME?"

20 ON THAT KIND OF A BASIS, HOW MANY OF YOU WOULD
21 WANT TO INVITE HER OVER TO YOUR HOUSE? SHE WALKS IN AND
22 GREGORY GIVES THE MOST EXPENSIVE PIECE OF FURNITURE IN HIS
23 ENTIRE HOUSE TO HER. THAT IS HER STORY.

24 HER HUSBAND, MR. KING, SAID THEY TALKED ABOUT
25 IT BEFORE THEY WENT IN THERE TO SEE IF THEY COULD GET IT.
26 AND OH, YES, SHE TOLD GREGORY THAT THE MASTERS WOULD LOVE
27 THAT, THAT IT WAS JUST A PERFECT PIECE OF FURNITURE.

28 AND MR. MULL, HE GIVES IT TO HER. HE SAYS IF

1 THIS IS MY SPIRITUAL LEADER, AND IF SHE IS GETTING THESE
2 MESSAGES FROM UP ABOVE, AND SHE SAYS THE ASCENDED MASTERS
3 WANT THAT AND LIKE THAT, HE ENDS UP LOSING THAT PIECE.

4 BUT DOES HE BALK? NO, HE DOESN'T. HE
5 CONTINUES TO WRITE, HE CONTINUES TO HELP PEOPLE GO TO SUMMIT
6 UNIVERSITY. IS HE GULLIBLE, IS HE NAIVE? I SUBMIT TO YOU
7 HE IS LIKE YOU AND I.

8 IF -- IF ANYONE, IF ANY SPIRITUAL LEADER, THE
9 HEAD OF A RELIGIOUS COMMUNITY CAME AND SOUGHT YOU OUT, CAME
10 AND BEFRIENDED YOU, CAME AND MADE YOU SPECIAL, HOW MUCH OF
11 YOURSELF AND YOUR ABILITY WOULD YOU KEEP FROM THAT SPIRITUAL
12 LEADER?

13 GREGORY WAS NO DIFFERENT. CAN YOU IMAGINE THE
14 JOY, CAN YOU IMAGINE THE EXCITEMENT HE FELT? MONROE SHEARER
15 CALLED HIM. AND IT WAS AFTER A YEAR OF DISCUSSION, "COME TO
16 CAMELOT. WE WILL WORK SOMETHING OUT. YOUR EXPENSES WILL BE
17 COVERED. YOU, GREGORY, ARE GOING TO BE THE ARCHITECT OF THE
18 NEW JERUSALEM."

19 WELL, WE HEARD SOMETHING JUST YESTERDAY. THE
20 NEW JERUSALEM, ELIZABETH SAYS, IS SOMETHING SPIRITUAL UP
21 THERE. WAS SHE GOING TO SEND GREGORY TO HEAVEN TO BUILD THE
22 NEW JERUSALEM UP IN HEAVEN? THERE IT WAS SOMETHING
23 SPIRITUAL, IT WASN'T REAL, IT WASN'T SOMETHING YOU COULD
24 TOUCH. IT WAS ALL OF LOS ANGELES.

25 BUT WE KNOW THEY HAD AN ARCHITECTURAL FIRM. WE
26 KNOW THEY SPENT \$50,000 TO GET SOME DRAWINGS, TO GET
27 SOMETHING TO GO IN THEIR BOOK SO THEY COULD GET ALONG WITH
28 THEIR FUND RAISING.

1 WHAT THEY WANTED TO DO WAS SAVE MONEY. NOW,
2 DID THEY TELL MR. MULL, "WE WANT YOU DOWN HERE SO WE CAN
3 SAVE MONEY? WE WANT YOU DOWN HERE SO THAT YOU CAN RENOVATE
4 A FEW BUILDINGS?"

5 NO. THEY SAID, "COME TO CAMELOT." THEY SAID,
6 "OH, WE KNOW YOU HAVE GOT A BUSINESS. SURE. WE WILL EVEN
7 TAKE CARE OF THE EXPENSES WHILE YOU GO BACK AND FORTH TO
8 TAKE CARE OF THE BUSINESS THAT IS ONGOING. WE WILL PAY YOUR
9 WAY BACK AND FORTH TO SAN FRANCISCO SO YOU CAN CLOSE DOWN
10 YOUR BUSINESS."

11 WHY DID HE HAVE TO CLOSE DOWN HIS BUSINESS IF
12 WHAT HE WAS GOING TO DO WAS RENOVATE A FEW BUILDINGS? WHY
13 NOT HAVE HIM COME DOWN A FEW WEEKENDS, DO THE DRAWINGS THAT
14 WERE NECESSARY, GO BACK TO HIS PLACE OF BUSINESS AND HIS
15 HOME IN SAN FRANCISCO, SUPPLY THEM, AS HE HAD BEFORE,
16 WITH -- HE SUPPLIED THEM WITH THE PLANS FOR A FIVE-POINTED
17 STAR HOME.

18 IF ALL HE WAS GOING TO DO WAS RENOVATE A COUPLE
19 OF BUILDINGS, WHY COULDN'T HE DO IT FROM SAN FRANCISCO? NO,
20 SIR. MONROE SHEARER SAYS, "COME TO CAMELOT." WHAT DOES
21 GOOD OLD GREGORY DO? HE GETS INVITED, HE GOES TO CAMELOT.
22 HIS SPIRITUAL LEADER IS THERE. HE IS GOING TO DESIGN THE
23 NEW JERUSALEM.

24 WHAT HAPPENS WHEN HE GETS TO CAMELOT? WELL, I
25 DON'T WANT TO GET OUT OF SEQUENCE. WHAT I WANT TO DO IS TO
26 GO BACK TO 1975 WHEN GREGORY MULL WAS INDOCTRINATED. WHAT
27 HAPPENED WHEN GREGORY MULL WAS INDOCTRINATED? I TELL YOU
28 WHAT HAPPENED WHEN HE WAS INDOCTRINATED.

1 HE WROTE A CLEARANCE LETTER. AND IN THE
2 CLEARANCE LETTER, HE WAS DIRECTED TO PUT ALL OF HIS SINS,
3 AND ALL OF HIS ERRORS, AND ALL OF HIS OMISSIONS, AND ALL OF
4 THE THINGS THAT HE HAD PROBLEMS WITH ALL OF HIS LIFE. AND
5 WHAT DID GREGORY DO? HE TRUSTED. HE TRUSTED HIS SPIRITUAL
6 LEADER AND HE PUT EVERYTHING DOWN ON PAPER, DIDN'T HE?

7 HE HAD WEEKS TO PUT IT ALL DOWN ON PAPER. HE
8 HAD WEEKS TO BARE HIS SOUL. HE HAD WEEKS TO WRITE ABOUT
9 EVERYTHING HE'D EVER DONE THAT HE HIMSELF INSIDE WAS
10 UNCOMFORTABLE WITH. AND HE WROTE THOSE THINGS, AND HE PUT
11 THEM IN HIS CLEARANCE LETTER AND HE TURNED THEM IN.

12 AND WE HEARD YESTERDAY WHAT HAPPENED WITH THOSE
13 CLEARANCE LETTERS. THEY WENT INTO FILES, AND SOME OF THEM
14 WERE COPIED AND SOME OF THEM WEREN'T. AND THEN THERE WAS A
15 CEREMONY AND THE CLEARANCE LETTERS GOT BURNED.

16 ELIZABETH CLARE PROPHET, WHEN SHE WAS ON THE
17 STAND, SHE TOLD US, AND IT WAS HER WORDS, THAT A CLEARANCE
18 LETTER IS LIKE A CONFESSION TO A PRIEST. IT WAS IN HER
19 DEPOSITION. A CLEARANCE LETTER IS LIKE A CONFESSION TO A
20 PRIEST.

21 HOW MANY OF YOU WOULD CONFESS YOUR SINS TO A
22 PRIEST IF YOU KNEW THAT AFTER YOU DID IT, THE PRIEST WAS
23 GOING TO MEET WITH THE GUYS AND SIT DOWN AND B.S. ABOUT WHAT
24 WAS IN YOUR CONFESSION? WELL, GREGORY TRUSTED. AND HE PUT
25 ON PAPER EVERYTHING THAT YOU AND I MIGHT BE A LITTLE BIT
26 HESITANT TO DO. BUT HE TRUSTED HER.

27 AND RANDALL KING, ELIZABETH'S EX-HUSBAND, WHO
28 MR. KLEIN POINTED A FINGER AT AND ACCUSED OF LYING, ACCUSED

1 RANDALL KING OF LYING, AND RANDALL KING SAT THERE AND THE
2 MORE HE TOLD THE TRUTH, I SUBMIT TO YOU THE MORE KEN KLEIN
3 GOT ANGRY.

4 YOU REMEMBER WHAT GREGORY MULL SAID WHEN HE GOT
5 ON THE STAND? HE SAID, "MR. LEVY, I DID WHAT YOU TOLD ME.
6 I TOLD THE TRUTH." GREGORY MULL HAS GOT M.S. EXCUSE ME
7 JUST A MOMENT.

8 HE CAN'T -- HE CAN'T LIE. WHAT HE CAN'T DO IS
9 HE CAN'T -- HE CAN'T DO FOR YOU WHAT HE COULDN'T DO FOR ME
10 WHEN I FIRST KNEW HIM. HE CAN'T JUMP AROUND IN HIS MIND.
11 HE HAS GOT TO TELL IT LIKE IT IS. HE HAS GOT TO START RIGHT
12 NOW AND GO FORWARD. AND IF HE TRIES TO MIX IT UP, IF HE
13 TRIES TO MANIPULATE, HE CAN'T DO IT.

14 SO I TELL YOU WHAT HE DID. HE TOLD YOU THE
15 TRUTH. HE TOLD YOU THAT IN 1978, HE WENT TO CAMELOT. AND
16 HE TOLD YOU THAT IN 1979, HE DID WHAT HE WAS TOLD.

17 HE TOLD YOU THAT HE WAS PRESSURED. HE TOLD YOU
18 THAT HE WAS AFRAID. HE TOLD YOU THAT WHEN GOOD OLD EDWARD
19 FRANCIS AND MONROE TOLD HIM TO SIGN THE DOCUMENTS, HE
20 SIGNED. IT WAS HIS SPIRITUAL LEADER'S DESIRE THAT HE DO
21 WHAT HE COULD DO TO HELP THE CHURCH. SO BY THAT TIME, HE
22 DID WHAT HE WAS TOLD TO DO. HE SIGNED THE DOCUMENTS. HE
23 SIGNED THEM AND HE DIDN'T ARGUE.

24 AND WHAT ELSE DID THEY DO? THEY STOPPED PAYING
25 HIM THE MONEY, THEY STOPPED PAYING HIM A DIME. AND THIS MAN
26 THAT THEIR EXPERT WITNESSES WOULD HAVE YOU BELIEVE THAT WAS
27 SO CAPABLE OF MANIPULATION, HE STAYED THERE FOR SEVEN MONTHS
28 UNTIL MAY OF NEXT YEAR WHEN THEY KICKED HIM, OUT AND HE

1 WORKED FOR THEM AND HE DIDN'T GET ANYTHING.

2 AH, ABOUT MR. FRANCIS TOLD US HE GOT ROOM AND
3 BOARD. HE GAVE UP A BUSINESS, HE GAVE UP A WIFE, HE GAVE UP
4 A HOUSE, HE GAVE UP EVERYTHING HE HAD, BUT HE GOT ROOM AND
5 BOARD AND THAT MAKES EVERYTHING JUST PEACHY KEEN.

6 THE BREACH OF A SPECIAL RELATIONSHIP. THE
7 CHURCH AND ELIZABETH WOULD HAVE YOU BELIEVE THAT SHE DIDN'T
8 BETRAY THAT TRUST. THEY EVEN HAD MISS COURTRIGHT COME IN
9 HERE AND TESTIFY. SHE WENT TO A CONFERENCE IN SHASTA. YOU
10 REMEMBER THE CONFERENCE IN 1975? AND THEN SHE WENT TO VISIT
11 GREGORY. LET'S EXAMINE THAT AND SEE HOW LUDICROUS THAT IS.

12 "I WENT TO VISIT GREGORY. AND ON THE LAST DAY,
13 GREGORY ARRANGED TO HAVE HIS DAUGHTER TAKE MY CHILD OUT OF
14 THE HOUSE. AND GREGORY AND I HAD TEA, AND WE WERE TALKING
15 ABOUT JAM AND MARMALADE AND THEN GREGORY SAID, 'GUESS WHAT.
16 I AM A HOMOSEXUAL.' AND I GOT UP AND WENT TO FETCH MY
17 DAUGHTER, WHO WAS DOWN WITH GREGORY'S WIFE-TO-BE. AND SHE
18 DIDN'T SAY HELLO. SHE DIDN'T SAY ANYTHING. SHE SAID, 'DID
19 GREGORY TELL YOU HE WAS A HOMOSEXUAL?'"

20 I WILL ASK THE LADIES AMONG YOU IF YOU WERE
21 LOOKING TO MARRY A MAN AND A WOMAN YOU BARELY KNEW CAME IN,
22 IS THE FIRST THING YOU WOULD DO IS DISCLOSE SOME VERY
23 PERSONAL FACTS ABOUT YOUR FIANCE? I SERIOUSLY DOUBT IT.

24 WHAT IS EVEN MORE LUDICROUS IS HERE ANNE
25 COURTRIGHT GETS ON THE STAND AND TELLS US THAT GREGORY TOLD
26 HER THAT HE WAS A HOMOSEXUAL. AND WHAT DOES SHE DO THE
27 FOLLOWING YEAR?

28 WELL, YOU SAW THAT NICE YOUNG MAN WITH THE PINK

1 SHIRT WHO IS MARRIED TO THAT LADY WHO IS 20 YEARS HIS
2 SENIOR. AT THE TIME HE WAS 12 YEARS OLD, ANNE COURTRIGHT,
3 CONCERNED ABOUT GREGORY'S HOMOSEXUALITY, SENDS HER LITTLE
4 BOY, WHO IS 12 YEARS OLD, TO LIVE WITH GREGORY MULL.

5 AND WHAT DID SHE TELL YOU WHY? WHY DID SHE DO
6 THAT? BECAUSE SHE WANTED A GOOD FATHER FIGURE. DOES IT
7 WASH? NOT TO ME IT DOESN'T.

8 SHE SENDS HER 12 YEAR OLD, THAT VERY MATURE
9 YOUNG MAN -- I ASKED HIM IF 50 YEAR OLD MEN USUALLY CAME UP
10 AND CONFESSED TO HIM AND HE SAID NO. I SUBMIT TO YOU IT IS
11 JUST AS RIDICULOUS FOR US TO BELIEVE THAT GREGORY DECIDED TO
12 SAY SOMETHING ABOUT HIS SEXUAL PAST.

13 AND WE ARE NOT SATISFIED WITH MOMMY AND HER
14 LITTLE BOY. WE BRING IN A NICE, LITTLE, WHITE-HAIRED LADY,
15 DOROTHY WHITEHEAD. WHAT DID SHE TESTIFY TO? THAT GREGORY
16 NEEDED HER HOME TO ENTERTAIN, THAT HE BROUGHT 12 OF HIS
17 FRIENDS TO HER HOME FOR A POTLUCK DINNER.

18 WELL, WE ALREADY KNOW BECAUSE WE HEARD THAT
19 GREGORY HAS GOT A HOUSE WORTH A QUARTER OF A MILLION DOLLARS
20 THAT WAS IN PLAYBOY MAGAZINE, BUT THAT IS NOT GOOD ENOUGH
21 FOR GREGORY TO ENTERTAIN HIS FRIENDS. HE NEEDS TO GO TO HER
22 HOUSE.

23 HE GOES TO HER HOUSE WHERE NOBODY IS THERE,
24 EVERYBODY HAS JUST DISAPPEARED EXCEPT GREGORY AND HIS
25 FRIENDS AND GREGORY IS TELLING THEM ABOUT THE TEACHINGS OF
26 THE CHURCH. AND IN THE MIDST OF TALKING ABOUT ELIZABETH AND
27 THE ASCENDED MASTERS, MISS WHITEHEAD SAYS, "HE TOLD US HE
28 LIKED EIGHT OR NINE OR SEVEN OR NINE OR HOWEVER MANY MEN TO

1 JUMP ON HIS BODY."

2 I ASKED GREGORY ABOUT IT. HE SAID, "GOOD LORD,
3 YOU COULD PROBABLY END UP IN THE HOSPITAL IF THAT HAPPENED."
4 AND I KIND OF AGREE WITH HIM. IT IS LUDICROUS. IT DOESN'T
5 MAKE SENSE.

6 IF GREGORY HAD A CIRCLE OF FRIENDS, DID HE
7 REALLY NEED DEAR MISS WHITEHEAD TO GO TO HER HOUSE FOR A
8 POTLUCK DINNER SO THAT HE COULD MAKE PERSONAL DISCLOSURES?

9 DO YOU REMEMBER WHAT GREGORY'S DAUGHTER
10 TESTIFIED TO? SHE KNEW HER DAD ALL OF HIS LIFE AND ALL
11 OF -- WELL, LET ME CHANGE THAT, ALL OF HER LIFE.

12 SHE TOLD YOU WHEN THEY WENT TO MONTANA, WHEN
13 GREGORY AND SHE WENT TO MONTANA WHEN THEY WERE INVITED BY A
14 MINISTERIAL COUNSEL, AND WHEN SOME OF THE TRULY RELIGIOUS
15 WONDERFUL BELIEVERS, FOLLOWERS OF ELIZABETH CLARE PROPHET,
16 SAW GREGORY MULL, THEY LEAPED TO THEIR FEET AND STARTED
17 YELLING AT HIM AND CALLING HIM A HOMOSEXUAL.

18 AND LINDA MULL, WHO IS NOW LINDA WHITT, WAS
19 STARTLED AND SHE WAS UPSET BECAUSE SHE HAD KNOWN THE MAN ALL
20 OF HIS LIFE, AND SHE LIVED AT HIS HOME, AND SHE VISITED WITH
21 HIM, AND SHE LIVED AT HER MOTHER'S HOME AFTER THEY WERE
22 DIVORCED AND SHE DIDN'T KNOW. HE LIVED A LIFESTYLE THAT HIS
23 DAUGHTER DID NOT KNOW; BUT YET TOTAL STRANGERS, THEY'D HAVE
24 YOU BELIEVE HE MADE THESE DISCLOSURES.

25 DO YOU REMEMBER DONALD TROWBRIDGE, THE YOUNG
26 MAN WHO CAME DOWN FROM UP NORTH TO TESTIFY? HE WAS WITH THE
27 CHURCH FOR 15 YEARS. HE WAS A BOARD MEMBER. HE SAT THERE
28 WHEN THEY DISCUSSED GREGORY AND HIS EX-WIFE KATHLEEN WHEN

1 THEY LEFT THE CHURCH.

2 THE BOARD SAT AROUND AND TALKED ABOUT GREGORY
3 AND HIS WIFE, AND THEIR PERSONAL AFFAIRS, AND THEIR SEXUAL
4 AFFAIRS, AND THE THINGS THAT ELIZABETH HAD LEARNED WHEN SHE
5 WAS A MINISTER AND THAT THE BOARD HAD NO DAMN BUSINESS
6 TALKING ABOUT, BUT THEY DID IT ANYWAY. THEY TALKED ABOUT
7 IT.

8 IS THERE A BREACH OF THE FIDUCIARY RELATIONSHIP
9 OR A CONFIDENTIAL RELATIONSHIP OR IS THERE A BREACH OF A
10 RELATIONSHIP WITH GREGORY'S PRIEST? THE WORLD HEARD
11 EVERYTHING THAT GREGORY PUT IN HIS CONFESSION LETTER. AND
12 GREGORY SURELY DIDN'T TELL THEM. AND IF HIS OWN FAMILY, HIS
13 OWN CHILD DIDN'T KNOW ABOUT IT, I GUESS WE WILL SPECULATE
14 FOR A LONG TIME.

15 I HAVE ASKED QUESTIONS AND LOOKED STARTLED WHEN
16 I ASKED CERTAIN QUESTIONS. ELIZABETH GETS THE WORD ON HIGH.
17 ASKED MR. KING IF THE WORD CAME DOWN IN SPECIAL DELIVERY
18 LETTERS. MAYBE THE POST OFFICE IS AT FAULT. MAYBE A LETTER
19 WENT ASTRAY AND MAYBE ALL OF MR. MULL'S INFORMATION WENT
20 ASTRAY.

21 BUT RANDALL KING TOLD YOU YESTERDAY, HE SAID,
22 "I'M HERE BECAUSE TOO MANY PEOPLE WITH THE CHURCH HAVE BEEN
23 HURT, BECAUSE THEY DON'T KNOW THE TRUTH, BECAUSE THEY ARE
24 KEPT ON THE OUTSIDE."

25 SO I TELL YOU WHAT I AM GOING TO DO. MR. KLEIN
26 CAN JUMP UP AND DOWN AND POINT HIS FINGER AT ME AND ASK
27 QUESTIONS ABOUT LIES ALL HE WANTS TO, BUT I AM GOING TO TELL
28 YOU THE TRUTH. I TELL YOU SOMETHING HE TOLD ME AT LUNCH.

1 HE TOLD ME AT LUNCH --

2 MR. KLEIN: YOUR HONOR, GOING TO OBJECT.

3 MR. LEVY: HE TOLD ME --

4 THE COURT: JUST A SECOND.

5 MR. KLEIN: I AM GOING TO OBJECT TO WHAT HE TOLD HIM
6 AT LUNCH IF HE DIDN'T TELL IT IN THE COURTROOM.

7 THE COURT: LET'S LIMIT OURSELVES TO THE EVIDENCE IN
8 THE TRIAL.

9 MR. LEVY: YES, YOUR HONOR. I WILL JUST CONTAIN
10 MYSELF AND DO THAT.

11 THE COURT: AND THEN AT A CONVENIENT MOMENT, WE WILL
12 TAKE A BREAK.

13 MR. LEVY: I COULD KEEP YOU IN SUSPENSE AS TO WHAT HE
14 TOLD ME BECAUSE IT IS ALMOST LUNCH, BUT I WON'T BE MEAN.

15 HE TOLD YOU ON THE STAND THAT HE WAS TELLING
16 THE TRUTH AND HE FELT GOOD ABOUT IT. THAT IS ALL HE
17 CONFIRMED TO ME AT LUNCH. HE TOLD ME AFTER -- THREE YEARS
18 AFTER HE GOT OUT OF THAT CHURCH, HE COVERED FOR THEM.

19 IF PEOPLE HAD QUESTIONS, HIS TIE AND HIS
20 CONNECTION TO THAT CHURCH WAS SO STRONG THAT FOR THREE
21 YEARS, HE COVERED FOR THEM. AND EVEN FOR HIM, THERE CAME A
22 TIME WHEN HE HAD TO STOP.

23 MR. KLEIN WANTED TO KNOW WHAT HE WAS GETTING
24 OUT OF IT ALL. I SUBMIT TO YOU WHAT HE WAS GETTING OUT OF
25 IT WAS THE FEELING OF CLEANLINESS THAT HE WASN'T ALLOWED TO
26 HAVE WHEN HE WAS IN THAT CHURCH. THE CLEANLINESS THAT COMES
27 WITH BARING HIS SOUL, AND TELLING THE TRUTH, AND BEING
28 HONEST, AND STANDING UP AND BEING COUNTED.

1 AND I SUBMIT TO YOU THAT THAT IS NOT AN EASY
2 THING TO DO WHEN YOUR SPIRITUAL LEADER IS SITTING THERE
3 GLARING AT YOU. I SUBMIT TO YOU THAT WHEN YOU SIT THERE AND
4 YOU ARE IMPALED WITH THAT BALEFUL GLARE, YOU WANT TO LOOK
5 AWAY, YOU WANT TO LOOK DOWN, YOU WANT TO MINIMIZE WHAT YOU
6 HAVE TO SAY, AND IT TAKES GUTS TO STAND UP AND SAY IT.

7 AND I SUBMIT TO YOU THAT EVEN WITH MR. KLEIN
8 POINTING HIS FINGER AND ELIZABETH GLARING AT HIM, HE TOLD
9 YOU THE TRUTH. AND THAT IS EXACTLY WHAT HE TOLD YOU.

10 AND I HOPE YOU ENJOY YOUR LUNCH. I AM GOING TO
11 BE TOO NERVOUS TO EAT MINE.

12 IT APPEARS THAT IT MIGHT BE A COMFORTABLE TIME,
13 YOUR HONOR.

14 THE COURT: WE WILL RESUME AT 1:30. REMEMBER THE
15 COURT'S ADMONITIONS.

16 (AT 12:00 P.M., A RECESS WAS TAKEN UNTIL
17 1:30 P.M. OF THE SAME DAY.)
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1 LOS ANGELES, CALIFORNIA; WEDNESDAY, MARCH 19, 1986 *

2 1:39 P.M.

3 DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

4 (APPEARANCES AS HERETOFORE NOTED.)

5
6 THE COURT: PLEASE PROCEED.

7
8 OPENING ARGUMENT (RESUMED)

9 BY MR. LEVY:

10 THANK YOU, YOUR HONOR.

11 GOOD AFTERNOON, LADIES AND GENTLEMEN.

12 THIS MORNING, PART OF WHAT I TALKED TO YOU
13 ABOUT WITH REGARD TO THE BREAKING OF THE PRIEST/PENITENT
14 RELATIONSHIP, I WANT TO CONCLUDE WITH THAT NOW, BUT I WANT
15 TO ADDRESS MYSELF TO ONE THING.

16 I MENTIONED TO YOU DONALD TROWBRIDGE. DONALD
17 TROWBRIDGE TESTIFIED, AND WE SHOULD BE AWARE OF THIS, THAT
18 IT WAS AFTER GREGORY WAS ASKED TO LEAVE THE CHURCH -- THE
19 INFORMATION WAS OBTAINED FROM GREGORY IN HIS CLEARANCE
20 LETTER AT SUMMIT UNIVERSITY IN 1975. AND AS LONG AS HE WAS
21 IN THE FOLD, THERE WAS NO NEED TO DISSEMINATE THAT
22 INFORMATION.

23 WHEN GREGORY WAS KICKED OUT OF THE CHURCH IN
24 1980, IT WAS THEN, AND GREGORY WAS ON THE OUTSIDE, THAT THAT
25 INFORMATION BEGAN TO BE DISSEMINATED.

26 AND DONALD TROWBRIDGE, WHO WAS NOT ON THE
27 ORIGINAL BOARD WHEN GREGORY WAS ASKED TO COME TO CAMELOT, IT
28 WAS THEN THAT DONALD TROWBRIDGE WAS INCLUDED IN A GROUP AND

1 IT WAS AFTER GREGORY WAS KICKED OUT THAT HE BECAME PRIVY TO
2 INFORMATION THAT HE NEED NOT HAVE HEARD. THAT WAS A
3 VIOLATION OF THE PRIEST/PENITENT RELATIONSHIP.

4 THE JUDGE WILL INSTRUCT YOU WITH REGARD TO THE
5 PRIEST/PENITENT RELATIONSHIP. AND THE JUDGE WILL TELL YOU
6 THAT A PRIEST HAS AN ABSOLUTE DUTY, A DUTY TO KEEP SECRET
7 THAT WHICH IS CONFESSED.

8 NOW, LET'S MOVE FORWARD A LITTLE BIT AND
9 ADDRESS PART OF THE INCIDENCE THAT OCCURRED DURING THE YEAR
10 1979. DURING THE YEAR 1979, GREGORY WAS AT CAMELOT.
11 GREGORY WAS WORKING ON THE ARCHITECTURAL PROJECTS THAT WERE
12 ASSIGNED TO HIM. HE HAD NO AUTONOMY IN AND OF HIMSELF. HE
13 ANSWERED TO HIS HIERARCHS. WE DANCED AROUND THAT FOR QUITE
14 AWHILE.

15 BUT EVENTUALLY, EVEN THE PEOPLE WHO TESTIFIED
16 FOR THE CHURCH EXPLAINED TO US THAT IN FACT THERE WERE
17 HIERARCHS, AND WHO THEY WERE, AND WHAT THEY WERE AND WHAT
18 THEY DID. AND GREGORY, LIKE EVERYONE ELSE THERE, ANSWERED
19 TO HIS. AND HIS HIERARCHS WHO DIRECTED HIM WERE ED FRANCIS
20 AND MONROE SHEARER.

21 THEY TOLD HIM WHAT TO DO, AND WHEN NOT TO DO
22 IT, AND WHAT TO WORK ON AND WHAT NOT TO WORK ON. THEY
23 CONTROLLED HIS PRODUCTIVITY. MAYBE I AM ANGRY ABOUT MR.
24 KLEIN AND THE WORD "LIES," BUT LET'S LOOK INTO THAT A LITTLE
25 BIT.

26 ON ONE DAY MR. FRANCIS TOLD US THAT GREGORY
27 DECLARED WAR. HE WROTE TO THE DEPARTMENT OF BUILDING AND
28 SAFETY AND THAT NOTHING HAPPENED, THAT ALL GREGORY WAS WAS

1 VINDICTIVE.

2 AND THE NEXT DAY WHEN PRESENTED WITH THE
3 LETTER, NOW I ASK YOU A LITTLE BIT LYING. ALL OF A SUDDEN
4 THOSE PORTIONS OF THE LETTER FROM THE DEPARTMENT OF BUILDING
5 AND SAFETY THAT SAID THIS BUILDING IS HAZARDOUS, AND THIS
6 CONDITION IS HAZARDOUS, AND THIS NEEDS A PERMIT, AND THIS
7 NEEDS THIS AND THIS NEEDS THAT, WE GOT A DIFFERENT STORY.
8 MAYBE MR. KLEIN SHOULD HAVE POINTED HIS FINGER SOMEWHERE
9 ELSE.

10 DO YOU FIND IT JUST A LITTLE BIT STRANGE THAT
11 THE ARCHBISHOP OF THE CHURCH WHO WAS THERE FOR SOME 12 TO 15
12 YEARS THOUGHT IT WAS TIME TO MOVE ON? JAMES MC CAFFREY, THE
13 VICE PRESIDENT AND TREASURER, THOUGHT IT WAS TIME TO MOVE
14 ON. GOOD LORD, THE NEXT THING WE WILL HEAR IS THE POPE IS
15 LEAVING ROME. IT IS TIME TO MOVE ON. HE'S GOT A JOB AS A
16 DISK JOCKEY. THEY ALL MOVE ON.

17 WHAT I SUBMIT TO YOU IS WHAT THEY DO IS THEY
18 FALL OUT OF FAVOR AND THEY DON'T MOVE ON, THEY ARE MOVED
19 OUT. WHEN THE LETTERS CAME FROM THE DEPARTMENT OF BUILDING
20 AND SAFETY AND IT WAS AN OBLIGATION TO REPAIR, REFURBISH OR
21 REMOVE AND DISCONTINUE THE USE OF CERTAIN PREMISES, NOW
22 GREGORY REALLY BECAME THE ENEMY OF THE CHURCH. NOW HE COST
23 THEM MONEY.

24 HE HAD SPOKEN UP FOR THE SAFETY OF THE CHILDREN
25 IN THE SCHOOLS; AND THE PEOPLE WHO HE HAD CONSIDERED TO BE
26 HIS FRIENDS, HE HAD SPOKEN UP WITH REGARD TO THAT AND THE
27 CHURCH HAD TO DO SOMETHING. GREGORY BY THEN HAD EARNED HIS
28 PLACE ON THE CLOCK OF BETRAYAL.

1 WE ALL FINALLY HEARD WHAT THAT WAS. THIS IS A
2 CHURCH WHEN YOU DON'T FOLLOW THE DICTATES OF THE CHURCH OR
3 WHEN YOU ARE NOT IN FAVOR WITH THE CHURCH, THE CHURCH PUTS
4 YOU ON THIS CLOCK OF BETRAYAL. AND WHETHER THEY DECREE
5 AGAINST YOUR ENERGY OR YOUR BODY OR YOUR BACK OR YOUR
6 SHOULDER OR YOUR ARM OR WHATEVER PART OF YOU IT IS, THEY
7 DECREE AGAINST YOU.

8 I SUBMIT TO YOU THAT WITH REGARD TO THE CAUSE
9 OF ACTION KNOWN AS THE BREACH OF A PRIEST/PENITENT
10 RELATIONSHIP, WE HAVE SUSTAINED OUR BURDEN. WE HAVE PROVED
11 BEYOND A MERE PREPONDERANCE.

12 LET'S MOVE ON TO ANOTHER CAUSE OF ACTION.
13 LET'S MOVE ON TO THE FRAUD. WE'VE HEARD AN ENTIRE COURSE OF
14 CONDUCT OF ELIZABETH CLARE PROPHET AND OF THE CHURCH. YOU
15 HEARD ABOUT THOUGHT REFORM. YOU HEARD ABOUT HYPNOSIS.

16 WE HEARD ABOUT FOOD RIGHT UP UNTIL THE TIME WE
17 HAD HEARD ABOUT MOTHER CLARE'S LUNCH. AND WHAT DID DEAR OLD
18 ELIZABETH TELL US THEN? "YOU GOT TEETH AND YOU GOT SALIVA.
19 I DON'T WANT TO HEAR ANYMORE COMPLAINTS. CHEW."

20 ALL THE WITNESSES UP UNTIL TO THAT TIME RAVED
21 ABOUT JUST EVERYTHING WAS WONDERFUL. IF EVERYTHING WAS SO
22 WONDERFUL, WHY A DICTATION, WHY A LETTER FROM ELIZABETH
23 EXPRESSING RIGHT IN THE LETTER THAT A LOT OF PEOPLE WERE NOT
24 HAPPY? "YOU GOT TEETH AND YOU GOT SALIVA. CHEW UNTIL THAT
25 STUFF TURNS TO MUSH." WELL, MAYBE THE FOOD WASN'T SO BAD,
26 MAYBE IT WASN'T SO WONDERFUL, MAYBE IT WASN'T SO TERRIBLE
27 EITHER.

28 WE HEARD AN AWFUL LOT ABOUT THEIR RULES. YOU

1 CAN'T DO THIS, AND YOU CAN'T DO THAT AND YOU CAN'T DO THE
2 OTHER THING. WE HEARD ABOUT THE CLEARANCE LETTERS AND THE
3 MANIPULATION. WE HEARD ABOUT THE SLEEP DEPRIVATION.

4 SOME PEOPLE AT 19, THEY COULD GO ALL DAY, AND
5 THEY COULD GET A LITTLE BIT OF SLEEP AND THEY WERE JUST
6 FINE. GREGORY WAS IN HIS FIFTIES WHEN HE WENT TO SUMMIT
7 UNIVERSITY.

8 WE HEARD ABOUT DECREERING. WE HEARD ELIZABETH
9 CLARE PROPHET TELL US THAT DECREERING MADE THE PEOPLE
10 RECEPTIVE. WHAT DO YOU THINK IT WAS THEY BECAME RECEPTIVE
11 TO?

12 WE HEARD ABOUT COLONICS. IF YOU DIDN'T GET IT
13 IN ONE END, YOU GOT IT IN THE OTHER END. WE HEARD ABOUT
14 DEPROGRAMING.

15 THIS TRIAL IS NOT ABOUT ALL OF THOSE THINGS.
16 CERTAINLY THEY ARE ISSUES. THE REAL ISSUES ARE THE PEOPLE.
17 THE REAL ISSUE IS GREGORY MULL.

18 THOUGHT REFORM? ISOLATION, A NEW KIND OF
19 INTELLIGENCE, SLEEP DEPRIVATION, LOW PROTEIN DIET, MAYBE
20 SOME SUGGESTION WE HEARD FROM THEIR HYPNOTIST. HE AND I
21 READ THE SAME BOOKS. WE AGREED ON AN AWFUL LOT OF THINGS.

22 IT IS A VERY STRANGE THING I SUBMIT TO YOU.
23 ALL OF THE THINGS FOR THOUGHT REFORM WERE PRESENT. BUT THEY
24 DON'T WANT TO CALL IT THOUGHT REFORM.

25 YOU KNOW, IF IT WADDLED LIKE A DUCK AND IT
26 QUACKS LIKE A DUCK, THERE IS A DAMN GOOD POSSIBILITY IT
27 MIGHT BE A DUCK. IF THEY GOT ALL THESE THINGS GOING, WHAT
28 DIFFERENCE DOES IT MAKE WHAT THEY CALL IT? THE EFFECT IS

1 THE SAME.

2 DR. MARGARET SINGER, A WORLD RENOWNED
3 SPECIALIST, SOMEBODY WHOSE EXPERTISE IS NOT IN QUESTION,
4 PERSON WHO'S CONTRIBUTED PROBABLY MORE BY HERSELF AND IN
5 CONCERT WITH OTHERS THAN ANY OTHER EXPERT IN THAT FIELD TOLD
6 YOU WHAT HER CONCLUSIONS ARE.

7 YOU HEARD FOUR EXPERTS IN THE CHURCH, ONE OF
8 WHOM WAS AN EXPERT BY -- I ASKED HIM FINALLY, "DO YOU
9 CONSIDER YOURSELF AN EXPERT?" AND HE TOLD ME YEAH, HE DID.
10 NONE OF THE OTHER RECOGNIZED PEOPLE THROUGHOUT THE COUNTRY
11 OR THE WORLD INCLUDE HIM IN THE BOOK, BUT HE INCLUDED
12 HIMSELF.

13 AND WHAT DID THEY TELL US? WHAT DID THEY TELL
14 US? DR. J. GORDON MELTON, WHEN WE TALKED ABOUT GOOD OLD
15 ANANIAS AND SAPPHIRA, TOLD US FOR A MINISTER TO INCLUDE THAT
16 IN A DISCUSSION WITH A CHURCH MEMBER WHEN YOU WERE TALKING
17 ABOUT DOLLARS WERE SOMETHING HE WOULD NEVER DO BECAUSE IT
18 WAS MANIPULATIVE. AND HE WAS THEIR EXPERT.

19 AND HAD ANOTHER EXPERT. IF IT RAINED, IT WAS
20 GREGORY'S FAULT. IF THE SUN SHINED, IT WAS GREGORY'S FAULT.
21 IF IT WAS CLOUDY, IT WAS GREGORY'S FAULT BECAUSE GREGORY WAS
22 A MANIPULATOR.

23 AND HE KNEW THAT BECAUSE HE READ IN THE LETTERS
24 THAT GREGORY WAS LOOKING FOR A LOAN IN 1974, '5 AND '6. AND
25 THE COURT EVEN SENT HIM OUT TO HIS BRIEFCASE TO FIND US THAT
26 LETTER.

27 AND EVENTUALLY THE CHURCH'S ATTORNEY AND I
28 STIPULATED THAT THERE WAS NO SUCH LETTER. NONE EXISTED.

1 THE WORD "LOAN" NEVER CAME INTO ISSUE UNTIL GREGORY WAS
2 ALREADY AT CAMELOT WHERE HE WAS SUBJECTED TO PRESSURE TO
3 BECOME A PERMANENT STAFF MEMBER.

4 WHAT ARE WE TALKING ABOUT? WE ARE TALKING
5 ABOUT FRAUD, AND WE ARE TALKING ABOUT DECEIT AND WE ARE
6 TALKING ABOUT UNDUE INFLUENCE. THAT'S WHAT WE'RE TALKING
7 ABOUT.

8 WE ARE TALKING ABOUT A MINISTER, AND WE ARE
9 TALKING ABOUT THE ELDERS IN THE CHURCH, THE ARCHBISHOP. WE
10 ARE TALKING ABOUT WHAT THEY DID TO A MAN WHO WANTED TO GET
11 ALONG, WHAT THEY DID TO A MAN WHO COULDN'T STAND UP TO THEM,
12 WHAT THEY DID TO THE SAME MAN WHO, WHEN HE WAS TOLD, "THE
13 MASTERS LIKE YOUR ARMOIRE," GOOD-BYE ARMOIRE.

14 IS THERE ANYONE HERE WHO REALLY THINKS GREGORY
15 MULL COULD HAVE STOOD UP TO THEM? HE WAS AT CAMELOT. HE
16 WAS IN THAT SPACIOUS ACCOMMODATION THEY TOLD YOU ABOUT. HE
17 LIVED THERE, HE WORKED THERE, HE SLEPT THERE. THAT IS WHAT
18 HE DID.

19 HOW DID HE STAND UP TO THEIR PRESSURE? WHEN
20 HIS WIFE COMPLAINED, OVERWORKED, SOME UNHAPPINESS, WE HAD A
21 MEETING WITH ELIZABETH AND HIS WIFE WAS GONE. AND WHAT DID
22 GREGORY DO? HE TOLD YOU FROM THE STAND HE MADE THE WRONG
23 CHOICE. HIS WIFE OR THE SPIRITUAL LEADER. HE CHOSE
24 ELIZABETH, AND HE MADE THE WRONG CHOICE AND THERE WENT HIS
25 WIFE.

26 BUT GREGORY WAS STILL A BELIEVER. THAT IS THE
27 WORD THEIR EXPERT USED. HE WAS A TRUE BELIEVER AND INDEED
28 HE WAS. HE WAS WILLING TO DO, AND TO COMPLY, AND TO

1 BELIEVE, AND TO TRUST AND HOW WAS THAT RECIPROCATED? HOW
2 WAS IT RECIPROCATED?

3 THEY CUT OFF THE MONEY THEY PROMISED TO PAY
4 HIM. THEY TOOK HIM INTO A ROOM AND SAID, "THIS IS A
5 PROMISSORY NOTE."

6 HE SAID, "WHAT DO THESE THINGS MEAN?"

7 AND HE WAS TOLD, "YOU KNOW, IT IS A PROMISSORY
8 NOTE. YOU DON'T NEED TO KNOW WHAT THE CODE SECTIONS ARE.
9 IT IS JUST LEGAL VERBIAGE. ALL YOU HAVE TO DO IS SIGN
10 THIS."

11 SO HE UNSIGNED IT. UNDUE PRESSURE? I SUBMIT
12 TO YOU IT WAS ENORMOUS UNDUE PRESSURE. WHAT WAS THE
13 PRESSURE? HE WAS LOSING HIS HOME. HE WASN'T THERE TO MAKE
14 THE PAYMENTS. THE CHURCH WAS PAYING HIM, BUT PAYING HIM
15 LATE. HIS CREDITORS WERE AFTER HIM. PEOPLE WERE TALKING TO
16 HIM ABOUT GOING ON PERMANENT STAFF.

17 "GIVE US YOUR HOME. GIVE US YOUR MONEY. MAKE
18 A TOTAL COMMITMENT. WORK FOR US. DO EVERY SINGLE THING WE
19 WANT." IT DOESN'T COME TOGETHER. DO ALL THAT TO DO WHAT?
20 RENOVATE A COUPLE OF BUILDINGS? COME THERE FOR TWO OR THREE
21 MONTHS AND RENOVATE A COUPLE OF BUILDINGS.

22 WELL, IN 1979, GREGORY MULL SIGNED THE NOTES.
23 SOMEWHERE BACK HERE IN SEPTEMBER OR OCTOBER, BOTH MONTHS AS
24 A MATTER OF FACT, SIGNED TWO NOTES. AND FROM OCTOBER OF
25 1979 TO MAY, MAY OF 1980, SEVEN MONTHS, GREGORY MULL
26 COMPLIED. HE WORKED. THEY ASSIGNED HIM THE TASK. THEY
27 TOLD HIM WHAT TO DO. THEY GAVE HIM THE PROJECTS.

28 THEY TELL YOU NOW, "WELL, THE WORK WASN'T VERY

1 GOOD. WE DIDN'T LIKE HIM. WE DIDN'T NEED IT. WE COULDN'T
2 USE IT. WE DECIDED AGAINST IT."

3 BUT WHAT DID THEY TELL GREGORY? "DO THIS, DO
4 THIS, DO THIS, DO THIS." FOR SEVEN MONTHS THE MAN COMPLIED.
5 AND YOU WERE TOLD THERE WAS A MEETING. "GREGORY, IT'S TIME.
6 GIVE US THE PROCEEDS FROM THE SALE OF YOUR HOUSE. JOIN
7 PERMANENT STAFF."

8 AND GREGORY SAID, "NO." AND WHY DID HE SAY,
9 "NO"? HE HAD HIS DAUGHTER, WHO WAS NOW LIVING WITH HIM AND
10 HAD COME DOWN TO THIS AREA. AND IF HE GAVE THEM EVERYTHING,
11 THERE WAS NO MEANS TO TAKE CARE OF HIS DAUGHTER.

12 SO HE LOST A WIFE, HE LOST A HOME, HE LOST A
13 BUSINESS AND FINALLY HE FOUND SOME COURAGE. HE WAS NOT
14 GOING TO GIVE UP HIS CHILD. HE WAS NOT GOING TO SAY NO TO
15 THAT RESPONSIBILITY.

16 SO WHAT DID THE CHURCH DO TO A MAN WHO HAD
17 WORKED FOR THEM FOR 17 MONTHS? GET OUT. THAT'S IT. AND
18 WHAT DID THEY TELL YOU? WHAT DID THEY TELL YOU? WHAT WAS
19 THE LOGIC OF WHAT THEY TOLD YOU?

20 ELIZABETH WAS IN ENGLAND AND GREGORY DIDN'T
21 WANT TO GO ALONG WITH THE PROGRAM. AND THEY DIDN'T FEEL IT
22 WAS FAIR FOR GREGORY TO HAVE A ROOM AT CAMELOT BECAUSE HE
23 WASN'T GOING ALONG WITH THE PROGRAM. "GET OUT." THAT'S
24 WHAT THEY TOLD GREGORY. THEY KICKED HIM OUT. THEY SAID,
25 "GET OUT."

26 BUT WAS GREGORY THROUGH WITH THEM? WAS GREGORY
27 STILL UNDER THEIR INFLUENCE? HE GOES TO THE CONDOMINIUM
28 THAT'S BEEN PURCHASED WITH MONEY THAT WAS A LOAN FROM HIS

1 DAUGHTER'S MOTHER. WASN'T HIS MONEY. HIS DAUGHTER HAD MORE
2 RIGHT TO THE CONDOMINIUM THAN HE DID. IT WAS BOUGHT WITH
3 THE MONEY FROM HIS DAUGHTER'S MOTHER. AND GREGORY DIDN'T
4 WANT TO PUT THAT IN TRUST FOR THE CHURCH EITHER.

5 BUT WHEN HE WAS SUMMONED A COUPLE OF WEEKS
6 LATER, IT WAS LIKE THE SUN SHOWN DOWN ON GREGORY. HERE IS
7 ELIZABETH SUMMONING HIM BACK TO THE CHURCH. AND WHEN SHE
8 SUMMONED HIM BACK, DID HE HAVE ANY COURAGE, DID HE HAVE ANY
9 CONVICTION, WAS HE ABLE TO FIGHT HER? NO. HE WENT. WHY
10 DID HE GO? HE STILL BELIEVED IN HER, STILL TRUSTED HER.

11 "I HAVE BEEN FIGHTING WITH THESE BOARD
12 MEMBERS," HE SAID, "BUT I'LL GO BACK BECAUSE ELIZABETH CLARE
13 PROPHET WILL MAKE EVERYTHING RIGHT."

14 WE ALL HEARD THE TWO AND A HALF HOUR TAPE. DID
15 SHE MAKE EVERYTHING RIGHT? WE GOT ANANIAS AND SAPPHIRA.
16 TALK ABOUT LIES. WE GOT FIVE OR SIX TIMES, "GREGORY, I WILL
17 NOT SUE YOU." DID SHE SAY IT ONCE? SHE SAID IT OVER AND
18 OVER AND OVER AGAIN.

19 AND FINALLY WHAT DID SHE SAY? "WHAT ABOUT THE
20 POOR LITTLE CHILDREN, GREGORY?" AND GREGORY PARTED WITH HIS
21 LAST \$5,500. BY GOD, I'VE GONE TO THE CARNIVAL AND I
22 HAVEN'T SEEN CON MEN AS GOOD AS THAT. HE PARTED WITH HIS
23 LAST \$5,500, AND HE AND HIS KID ATE OUT OF A GARBAGE BUCKET.
24 HE COMPLIED.

25 WAS THERE A LITTLE BIT UNDUE INFLUENCE? WAS HE
26 DEFRAUDED? DID HE GET WHAT HE WAS PROMISED?

27 GREGORY LIVED A FAIRLY DECENT LIFESTYLE WHEN HE
28 WAS IN SAN FRANCISCO. WASN'T WEALTHY. HE WORKED, HE SPENT

1 WHAT HE MADE, HAD A DECENT LIVING AND LIFESTYLE. HE EVEN
2 CAME TO CAMELOT AND PRETTY MUCH GAVE UP COLLECTING ON SOME
3 OF WHAT HE HAD BILLED FOR WORK THAT HE HAD DONE. HE WALKED
4 AWAY FROM ALMOST \$30,000.

5 THE CHURCH BROUGHT OUT THAT HE HAD BILLED
6 \$60,000 IN 1978 AND HE ONLY COLLECTED ABOUT HALF OF IT.
7 DOES SOMEONE WHO IS NOT COMMITTED TO A CHURCH, TO A LEADER,
8 TO A PHILOSOPHY, SOMEONE WALK AWAY FROM THAT UNLESS THERE IS
9 A COMMITMENT AND A BELIEF?

10 IN THE LAW, IT TALKS ABOUT JUSTIFIABLE
11 RELIANCE. I SUBMIT TO YOU THAT GREGORY, IN HIS RELIANCE,
12 WAS JUSTIFIABLE. THIS WAS A CHURCH. THIS WAS HIS SPIRITUAL
13 LEADER. THIS WAS HIS ARCHBISHOP. THESE WERE THE PEOPLE WHO
14 MADE REPRESENTATIONS TO HIM.

15 I SUBMIT TO YOU THAT THE CHURCH, THROUGH MONROE
16 SHEARER, MADE PROMISES. AND GREGORY RELIED ON THE PROMISES,
17 THAT HIS RELIANCE WAS JUSTIFIED. THAT THE CHURCH KNEW
18 EXACTLY WHAT THEY WERE AFTER. HIS TALENT, HIS PROPERTY AND
19 HIS MONEY.

20 I SUBMIT TO YOU THAT THE CHURCH INTENDED TO USE
21 GREGORY MULL IN ANY WAY THEY SAW FIT, WITHOUT ANY KIND OF
22 REGARD FOR THE ORIGINAL UNDERSTANDING. AND I SUBMIT TO YOU
23 THAT THAT COURSE OF CONDUCT IS FRAUD BECAUSE THE LAST
24 ELEMENT IN FRAUD IS THAT SOMEONE MUST BE DAMAGED BY THEIR
25 JUSTIFIABLE RELIANCE.

26 LOOK AT GREGORY. IS GREGORY DAMAGED? HE LOST
27 A WIFE, HE LOST A BUSINESS, HE LOST A HOME AND EVENTUALLY HE
28 LOST HIS HEALTH. WHAT WAS THE EXTENT OF ELIZABETH'S CONTROL

1 OVER GREGORY? HIS WIFE LEAVES, HE STAYS. LOSES A BUSINESS.
2 HE SELLS A HOME THAT IS WORTH SOMEWHERE BETWEEN 240- AND
3 \$260,000 FOR UNDER \$200,000.

4 HE EVEN AGREED TO DONATE MONEY IF HE COULD SELL
5 HIS HOUSE PROVIDED THE CHURCH AGREED TO SOMETHING. THEY HAD
6 TO AGREE TO \$700 A MONTH, AND THEY HAD TO PROVIDE HIM ROOM
7 AND BOARD AND THEY NEVER AGREED.

8 WAS THERE A DEAL BETWEEN THEM? NO, NO DEAL.
9 JUST WHAT THEY PROMISED HIM. BUT NO DEAL THAT EVER SAID,
10 "GREGORY, WE WILL LOAN YOU THE MONEY IF YOU COME HERE AND
11 THEN YOU HAVE TO PAY IT BACK." HE SIGNED SOME NOTES. WAS
12 HE FREE OF FEAR AND PRESSURE? I DON'T THINK SO AND I SUBMIT
13 TO YOU THAT HE DEFINITELY WAS NOT.

14 LADIES AND GENTLEMEN, THAT IS UNDUE INFLUENCE
15 WHEN THE LEADERS OF THE CHURCH USE THAT KIND OF PRESSURE,
16 PUT YOU IN A POSITION TO DO SOMETHING THAT IS NOT IN YOUR
17 OWN BEST INTERESTS.

18 AND WHAT DID HE KNOW WOULD HAPPEN TO HIM IF HE
19 VIOLATED THE TENETS OF HIS RELIGION? WELL, WE WENT AROUND
20 AND AROUND, BUT WE HEARD ABOUT 10,000 YEARS OF OUTER
21 DARKNESS AND REEMBODIMENTS AND ALL THAT STUFF THAT WOULD OR
22 COULD OR MIGHT HAPPEN.

23 WE HEARD FROM A YOUNG LADY WHO CAME IN TO TELL
24 US THAT ELIZABETH WROTE TO HER AND SAID, "NOW THAT YOU HAVE
25 VIOLATED MY RULES AND LEFT THE CHURCH, YOU'VE COMMITTED
26 SPIRITUAL SUICIDE." DO YOU REALLY THINK THEY DON'T USE
27 UNDUE INFLUENCE? DO YOU THINK GREGORY MULL WAS NOT
28 SUBJECTED TO UNDUE INFLUENCE?

1 NOW WE COME TO THE INTENTIONAL INFLICTION OF
2 EMOTIONAL DISTRESS. JUST FOR A MINUTE IF YOU BEAR WITH ME
3 AND GO BACK HERE AND LOOK. RECRUITED IN 1974, INDOCTRINATED
4 IN 1975, NURTURED ALL THROUGH THESE YEARS UNTIL HE GETS
5 INVITED HERE. AND I DON'T THINK IT IS A MISCHARACTERIZATION
6 TO USE THROUGH THIS PORTION AND KICKED OUT HERE IN MAY OF
7 1980.

8 AND IN JUNE, WE HAVE THE TWO AND A HALF HOUR
9 CONVERSATION THAT YOU'VE HEARD. WE MADE REFERENCES TO IT A
10 NUMBER OF TIMES AND IT WAS DURING THAT CONVERSATION THAT
11 ELIZABETH CLARE PROPHET UTILIZED THE STORY OF ANANIAS AND
12 SAPPHIRA. AND SHE ALSO TOLD US WHAT ELSE IT SAYS IN THE
13 BIBLE. IF I SLAP YOU ON ONE CHEEK, TURN THE OTHER. WELL,
14 HE TURNED HIS CHEEK AND SHE GOT IN A WHACK AT THAT ONE, TOO.

15 AFTER GREGORY IS OUT OF THE CHURCH IN 1980, HE
16 WRITES A LETTER. THAT IS WHEN THE LETTER GOES TO THE
17 DEPARTMENT OF BUILDING AND SAFETY. AND THAT IS BACK HERE IN
18 1981 -- NO, I TAKE IT BACK. THAT IS BACK HERE IN 1980.

19 THAT IS BACK HERE PROBABLY, OH, I THINK AROUND
20 NOVEMBER OF 1980, HE WRITES THE LETTER TO THE DEPARTMENT OF
21 BUILDING AND SAFETY AND MR. FRANCIS TOLD US RESULTED IN
22 ABSOLUTELY NOTHING. IT WAS JUST A VINDICTIVE VENGEFUL
23 LETTER. AND IT ONLY RESULTED IN 15 OR 20 PAGES OF THE
24 BUILDING AND SAFETY DEPARTMENT THAT SAID THE CHURCH HAD TO
25 COMPLY OR ELSE.

26 IN 1981, AFTER ALL THE PROMISES. "NO, I WILL
27 NOT SUE YOU. FORGET THE BOARD. THIS IS ME TALKING TO YOU.
28 I AM IN CHARGE," DO YOU REMEMBER WHAT I READ TO YOU FROM

1 ELIZABETH'S DEPOSITION? "WHEN IT IS TIME TO GET THE SHOW ON
2 THE ROAD, I HAVE THE LAST WORD." OH, SHE TOLD US SHE HAD
3 THE LAST WORD.

4 WE ALSO HEARD THAT IT WAS HER AND HER HUSBAND
5 AND HER SON WHO WERE THE BOARD OF DIRECTORS WHO RAN THAT
6 CHURCH. SHE HAD THE LAST WORD. THE LAST WORD OF HERS TO
7 GREGORY BEFORE SHE SUED HIM WAS NOT ONCE, BUT FIVE OR SIX
8 TIMES, "I WON'T SUE YOU."

9 HER ATTORNEY WROTE HIM A LETTER. SAID, "SHUT
10 UP. IF YOU DON'T SAY ANYTHING, WE WON'T SUE YOU." THE
11 LETTER TO THE DEPARTMENT OF BUILDING AND SAFETY HAD ALREADY
12 BEEN WRITTEN. PEOPLE FROM SOME OF THE NEWSPAPERS WERE
13 BEGINNING TO GET CURIOUS. THE CHURCH MADE PROMISES. DID
14 THEY LIE? IN MARCH OF 1981, THEY SUED GREGORY.

15 WE HAVE GOT HERE PLAIN OR SIMPLE GREGORY SAYS,
16 "LOOK WHAT I GOT. AN INVITATION TO A SQUARE DANCE. I AM
17 GOING TO GO BACK, AND I AM GOING TO TRY TO TALK TO ELIZABETH
18 AND I AM GOING TO GET IT ALL WORKED OUT. SO THERE IS NO
19 MISUNDERSTANDING, I AM GOING TO TAKE MY KID WITH ME, I AM
20 GOING TO TAKE MARILYN MALEK AND HER HUSBAND, AND I AM GOING
21 TO TAKE SOMEONE FROM THE NEWSPAPER, A MAN AND A WOMAN FROM
22 THE NEWSPAPER."

23 WAS GREGORY ASSAULTED? GREGORY AND THE GROUP
24 WALKED UP. AND WE SURE HAVE HEARD A LOT ABOUT WHAT HAPPENED
25 WHEN HE WALKED UP.

26 WE SAW MR. EUGENE GARCIA. WE SAW HIM SIT RIGHT
27 IN THAT STAND. AND I TELL YOU WHAT, I DON'T THINK I WOULD
28 GET ON THE WRONG SIDE OF HIM. IF NOTHING ELSE, WITH HIS

1 DEMEANOR, IT SUGGESTS VERY STRONGLY THAT THERE MIGHT HAVE
2 BEEN A TENSE, FEARFUL SITUATION WHEN GREGORY AND THE GROUP
3 WALKED UP.

4 EUGENE GARCIA TOLD US ABOUT MAGIC. GREGORY WAS
5 700 FEET AWAY, AND ED FRANCIS WAS 1500 FEET AWAY AND THEY
6 GOT THERE AT THE SAME TIME. AND WE HAVE HEARD THAT THERE
7 WAS NOBODY ELSE THERE. AND IT WAS HEARD THAT EVERYBODY WAS
8 A PERFECT GENTLEMAN.

9 WE HEARD THAT GREGORY CAME INTO WHAT IN LAW IS
10 DESCRIBED AS THE PUBLIC PORTION OF A PREMISES. IT IS JUST
11 LIKE AT YOUR HOME. YOUR MAILBOX IS ON YOUR FRONT DOOR. THE
12 MAILMAN HAS A RIGHT TO WALK UP TO YOUR FRONT DOOR AND PUT
13 THE MAIL IN THE MAILBOX. WHEN HE WALKS UP YOUR WALK,
14 TECHNICALLY IT MAY BE PRIVATE PROPERTY, BUT HE IS ALLOWED TO
15 WALK UP TO PUT THE MAIL IN.

16 AND WHEN YOU HAVE A SITUATION LIKE AT THE
17 GUARDHOUSE, YOU HAVE A GATE, AND THE GATE IS 700 FEET AWAY,
18 AND THE PUBLIC IS INVITED, AND AT THAT TIME GREGORY WAS PART
19 OF THE PUBLIC, HE HAD A RIGHT WITH THOSE OTHER PEOPLE TO
20 WALK RIGHT UP TO THE GUARD POST LIKE THEY DID. THEY WERE
21 NOT TRESPASSING. THEY WERE NOT VIOLATING ANYONE'S RIGHT.

22 NOW LET'S TALK ABOUT ASSAULT BECAUSE THAT IS
23 WHAT HAPPENED THEN. WHAT IS ASSAULT? ASSAULT OCCURS WHEN
24 YOU PLACE ANOTHER PERSON IN FEAR OF AN IMMINENT BATTERY.
25 THE FEAR HAS TO BE REASONABLE. THERE DOES NOT HAVE TO BE A
26 BATTERY.

27 IF BATTERY MEANS AN UNPRIVILEGED TOUCHING, NO
28 ONE HAS TO PUT A FINGER ON YOU FOR THERE TO HAVE BEEN AN

1 ASSAULT. ALL YOU HAVE TO DO IS TO BE AFRAID THAT THERE
2 MIGHT BE AN ASSAULT AND YOUR FEAR HAS TO BE REASONABLE.

3 AND YOU DON'T HAVE TO GUESS WHAT'S IN THE OTHER
4 GUY'S MIND. IF THAT OTHER PERSON IS KNOWN TO YOU TO HAVE
5 ANY KIND OF ABILITY OR PROPENSITY OR THE CAPACITY FOR
6 VIOLENCE, AND HIS CONDUCT IS SUCH THAT REASONABLY IT MAKES
7 YOU AFRAID, WHEN YOU CONSIDER ALL THE CIRCUMSTANCES AND ALL
8 THE ELEMENTS OF ASSAULT, THEN ALL THE ELEMENTS OF ASSAULT
9 WERE SATISFIED.

10 GREGORY WASN'T TOUCHED. WE NEVER SAID THAT
11 ANYBODY LAID A FINGER ON HIM. BUT GREGORY KNEW ABOUT THOSE
12 PEOPLE. HE HAD BEEN THERE.

13 EVERYBODY FROM THE CHURCH DANCED AROUND ABOUT
14 WHETHER OR NOT THERE WAS SECURITY. MR. GARCIA TOLD US ABOUT
15 SECURITY NATIONAL BANK AND SECURITIES ON WALL STREET WHEN WE
16 ASKED ABOUT SECURITY. DO WE GET A STRAIGHT ANSWER. OR DID
17 WE GET MORE LIES?

18 GREGORY AND THE GROUP LEFT. WERE THEY
19 INTIMIDATED? GREGORY TESTIFIED THAT EDWARD FRANCIS RAISED
20 HIS ARM AND RAISED HIS VOICE AND THE OTHER PEOPLE BEHIND
21 EDWARD, AND EDWARD LIFTED HIS ARMS AND MADE BODY MOTIONS
22 TOWARDS WHERE HE WAS. HE WAS AFRAID THAT HE AND HIS
23 DAUGHTER AND THE OTHER LADIES THAT WERE WITH HIM WOULD BE
24 ATTACKED AND HE LEFT. THAT IS ASSAULT.

25 LET'S SEE WHAT -- WHAT WE HAVE GOT SO FAR.
26 ASSAULT, BREACH OF THE PRIEST -- WE HAVE GOT ASSAULT, WE
27 HAVE GOT BREACH OF THE PRIEST/PENITENT RELATIONSHIP, FRAUD.

28 LET'S TALK ABOUT THE INTENTIONAL INFLICTION OF

1 EMOTIONAL DISTRESS. WHAT DO YOU THINK THE WHOLE SCENARIO
2 ADDS UP -- WHAT DOES IT ADD UP TO? WAS THERE SOME EMOTIONAL
3 DISTRESS?

4 THERE WAS THE DESTRUCTION OF AN INDIVIDUAL'S
5 LIFE. IS THAT DISTRESSFUL? IT WAS THE DESTRUCTION OF A
6 FAMILY. IS THAT DISTRESSFUL? THERE WAS A DESTRUCTION OF A
7 MAN'S ECONOMIC FUTURE. WAS THAT DISTRESSFUL? THE
8 INFLECTION OF EMOTIONAL DISTRESS. WAS IT INTENTIONALLY
9 DONE? WAS IT WILLFULLY DONE? WAS IT INDIFFERENTLY DONE?

10 THEY GIVE A DAMN WHAT THEY DID TO GREGORY?
11 THEY USED HIM. THEY SAID, "COME ON, GREGORY. COME ON DOWN
12 HERE. WE HAVE GOT TWO BUILDINGS FOR YOU TO RENOVATE." THAT
13 ISN'T WHAT THEY TOLD HIM.

14 WE HAVE HAD ONE MEDICAL DOCTOR WHO TESTIFIED
15 WITH REGARD TO GREGORY'S CONDITION. THE ONE MEDICAL DOCTOR
16 WHO TESTIFIED WITH REGARD TO GREGORY'S MEDICAL CONDITION WAS
17 DR. AFSHAR, GREGORY'S CARDIOLOGIST. AND HE TALKED ABOUT
18 STRESS, AND HE TALKED ABOUT GREGORY TALKING TO HIM WHEN HE
19 WENT FOR MEDICAL TREATMENTS, ABOUT THE PRESSURE AND THE
20 TENSION AND THE STRESS HE WAS UNDER.

21 BUT HE IS A CAREFUL DOCTOR, HE IS A PROPER
22 DOCTOR. YOU REMEMBER HIS WORDS? HE SAID THE STRESS THAT
23 GREGORY WAS UNDER MAY HAVE BEEN THE PRECIPITATING FACTOR
24 BECAUSE THE STROKE-LIKE EVENTS LED TO GREGORY'S
25 FIBROMUSCULAR HYPERTROPHY OR HYPERPLASIA INCIDENT. HE SAID
26 IT IN VERY GUARDED WORDS.

27 DOES STRESS CAUSE PROBLEMS? DOES STRESS CAUSE
28 STROKES? THAT WHOLE SCENARIO FROM 1974 RIGHT UP THROUGH

1 1981, AFTER ALL THE PROMISES, "I WON'T SUE YOU," HE GETS
2 SUED. HE GOES TO A SQUARE DANCE AND HE GETS ASSAULTED. AND
3 WHAT HAPPENS AFTER THAT?

4 WELL, YOU HEARD MY WIFE. SHE TESTIFIED.
5 GREGORY CAME TO SEE HER. SHE WORKED WITH HIM AS BEST SHE
6 COULD. SHE IS AN M.F.C.C. SHE IS NOT A MEDICAL DOCTOR.
7 SHE WORKED TO RELIEVE THE EXCESS ANXIETY AND STRESS.

8 AND THEN WHAT ELSE DID SHE TESTIFY TO? THAT
9 THERE CAME A TIME IN 1984 WHEN GREGORY CAME IN, HE CALLED
10 HER AND HE WAS TERRIFIED. WHAT DID HE TESTIFY TO? HE HAD
11 BEEN CALLED THE BEAST OF BLASPHEMY AND THE SERPENT.

12 DO YOU RECALL RABBI ROBBINS' TESTIMONY? HE
13 DIDN'T CLAIM TO BE A MEDICAL DOCTOR. HE PUT OUT SOMETHING
14 FOR YOU TO THINK ABOUT. MOST OF YOU HAVE NOTICED GREGORY'S
15 TONGUE, HOW IT DARTS OUT.

16 WAS THERE SOME KIND OF EMOTIONAL OR
17 PSYCHOLOGICAL IMPLICATION THERE, THE SERPENT? WAS THE
18 IMPACT SO STRONG THAT GREGORY BOUGHT WHAT WAS TOLD TO HIM?
19 DID HE BECOME THE SERPENT? DID HE BECOME THAT IN HIS OWN
20 MIND? WAS THAT SOME OF THE PRESSURE AND SOME OF THE
21 TENSION?

22 MR. KLEIN BROUGHT IN JUST YESTERDAY OR THE DAY
23 BEFORE A LETTER. THE LETTER, IF I RECALL RIGHT, WAS FROM A
24 YOUNG MAN CALLED HENRY KRIEGEL (SPELLED PHONETICALLY).

25 THERE WAS A POSTSCRIPT ON THE LETTER AND THE
26 POSTSCRIPT USED THE WORDS "THE BEAST OF BLASPHEMY." THE
27 DATE OF THE LETTER IS 1982. WHAT GREGORY SAID WAS IN THE
28 POSTSCRIPT OF A TEN-PAGE LETTER, "ELIZABETH CLARE PROPHET IS

1 NOT THE WITNESS AND I AM NOT THE BEAST OF BLASPHEMY."

2 DON'T FORGET THAT GREGORY WAS VERY
3 KNOWLEDGEABLE ABOUT THE TEACHINGS OF THE CHURCH. HE HAD
4 BEEN INVOLVED FROM 1974. THE WITNESS IN THE BIBLE, IT SAYS
5 IN REVELATIONS, IS JOHN. IT SAYS IN CHAPTER ONE, VERSE ONE
6 THROUGH FIVE, THAT TO JESUS, JOHN WAS SPECIAL. HE HAD
7 WITNESSED MANY THINGS AND HE STOOD AT THE RIGHT HAND OF
8 JESUS.

9 ELIZABETH CLARE PROPHET WOULD HAVE LIKED TO
10 HAVE THOUGHT OF HERSELF AS THE WITNESS. SHE'D HAVE LIKED TO
11 HAVE REPRESENTED HERSELF AS THE WITNESS AND MAY VERY WELL
12 HAVE DONE JUST EXACTLY THAT. WASN'T JESUS OR ANYONE ELSE
13 WHO SAID SHE WAS SPECIAL. IT WAS HERSELF.

14 AND THE BEAST? THE BEAST WAS LOW MAN ON THE
15 TOTEM POLE. IF THE WITNESS IS THE MOST ELEVATED, THE BEAST
16 IS CERTAINLY THE LOWEST.

17 I GET CHASTISED SOMETIMES FOR DENIGRATING
18 MYSELF. AND IT IS VERY, VERY DIFFERENT WHEN YOU DENIGRATE
19 YOURSELF AND YOU HAVE A PERSON THAT YOU HAVE AN EMOTIONAL
20 TIE TO WHO DENIGRATES YOU, WHO ATTACKS YOU.

21 I GET SNIDE WITH MY WIFE WHEN I PICK OUT THE
22 WRONG TIE AND SHE HAS TO REMIND ME THAT IT DOESN'T GO WITH
23 MY SUIT. AND I SAY, "OH, WHAT A DUMMY I AM." THAT IS ONE
24 THING. AND I CAN HANDLE THAT. BUT WHEN SHE TURNS AROUND
25 AND SAYS, "YOU ARE RIGHT. IT DOESN'T GO WITH YOUR SUIT.
26 YEAH, WHAT A DUMMY YOU ARE." YOU KNOW I BRIDLE AND I GET
27 IRRITATED.

28 WHEN GREGORY CALLED HIMSELF THE BEAST AND SAID,

1 "I AM NOT THE BEAST AND SHE IS NOT THE WITNESS," IT DIDN'T
2 HURT, IT DIDN'T SHAKE HIM UP, IT DIDN'T FRIGHTEN HIM. BUT
3 WHEN ELIZABETH CLARE PROPHET WENT TO THE TROUBLE IN A
4 DICTATION TO LABEL GREGORY THE BEAST OF BLASPHEMY, I SUBMIT
5 TO YOU THAT IT WAS DIFFERENT.

6 IT SCARED HIM. IT SCARED HIM ENOUGH THAT HE
7 WENT INTO A PANIC. AND IT MAY HAVE BEEN THAT PANIC AND THE
8 STRESS THEREFROM THAT PUT HIM IN THE HOSPITAL AND MADE
9 GREGORY WHAT HE IS NOW.

10 YOU KNOW THAT LETTER IS IN EVIDENCE. AND IT IS
11 A BEAUTIFUL LETTER. IT IS HONEST. IT SHOWS WHO AND WHAT
12 GREGORY WAS. IT IS NOT A MANIPULATIVE LETTER. IT IS A
13 CARING LETTER.

14 AND IN THE MIDST THE OF EVERYTHING THAT WAS
15 HAPPENING IN GREGORY'S LIFE, HE WRITES A LETTER AND THE
16 LETTER DOESN'T CONDEMN ANYONE. THE LETTER IS WRITTEN
17 WITHOUT MALICE. HE OFFERS HIMSELF, HIS ABILITIES, HIS
18 FRIENDSHIP, MATERIAL THAT HE HAS, HIS HOME, EVERYTHING HE
19 CAN FOR A YOUNG MAN WHO APPARENTLY IS TRYING TO LEAVE THE
20 CHURCH.

21 YOU KNOW WHAT THE STRANGE PART ABOUT THE LETTER
22 IS? IT IS A PERSONAL LETTER FROM GREGORY TO SOMEONE WHO IS
23 GOING BACK AND FORTH BETWEEN STAYING AND LEAVING THE CHURCH.
24 AND THE PERSON HE WROTE IT TO HAS NOTHING TO DO WITH THIS
25 LAWSUIT. BUT LIKE SO MANY OTHER THINGS THAT CAN'T BE
26 EXPLAINED, THE LETTER ENDED UP IN THE CHURCH'S FILES SO THAT
27 THE CHURCH COULD USE IT HERE OR ATTEMPT TO USE IT AGAINST
28 GREGORY MULL.

1 I SUBMIT TO YOU THAT THE CONDUCT OF ELIZABETH
2 CLARE PROPHET AND THE CONDUCT OF THE OTHERS INVOLVED HERE
3 WAS SO TOTALLY INDIFFERENT WITH REGARD TO GREGORY MULL'S
4 WELL-BEING THAT IT DISPLAYED SUCH WILLFULNESS AND SUCH
5 MALICE AND IT RESULTED IN SUCH HARM THAT THE CAUSE OF ACTION
6 FOR THE INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS, LIKE
7 ALL THE REST OF THE CAUSES OF ACTION, ARE PROVEN AND NOT
8 WITH JUST A MERE PREPONDERANCE, BUT PROVEN BEYOND ANY KIND
9 OF SHADOW OF ANY KIND OF DOUBT.

10 THERE IS A CAUSE OF ACTION -- I ALWAYS LAUGH
11 WHEN I WRITE IT DOWN -- QUANTUM MERUIT. IT IS THE ONE WITH
12 THE LATIN WORDS, QUANTUM MERUIT. FANCY LEGAL TERM. IT
13 DOESN'T MEAN ANYTHING QUITE SO FANCY. WHAT IT REALLY TALKS
14 ABOUT IS UNJUST ENRICHMENT.

15 "WORK FOR ME FOR SEVEN MONTHS FOR NOTHING, COME
16 TO CAMELOT AND DESIGN THE NEW JERUSALEM AND I WILL DO THIS,
17 THAT AND THE OTHER THING."

18 QUANTUM MERUIT MEANS IF WE MAKE A DEAL OR WE
19 DON'T MAKE A DEAL AND WE DISCUSS A DEAL AND I EXPEND MY
20 ENERGIES, MY TIME, ALL THE THINGS THAT ARE IN GOING FORTH
21 WITH WHAT IS ANTICIPATED AND UNDERSTOOD TO BE THAT
22 AGREEMENT, I AM ENTITLED TO SOME KIND OF REASONABLE
23 COMPENSATION FOR IT.

24 GREGORY MULL IS ENTITLED FOR COMPENSATION FOR
25 HIS WORK. THAT IS WHAT IT MEANS. CHURCH DIDN'T EXPECT HIM
26 TO STAY THERE FOR SEVEN MONTHS AFTER THEY STOPPED PAYING
27 HIM. HE WORKED FOR THEM, HE DID THINGS, HE DID THINGS LIKE
28 AN ARCHITECT WOULD DO BECAUSE THAT IS WHAT HE WAS. HE

1 DIDN'T DO THEM WITH THE EXPECTATION OF GETTING NOTHING FOR
2 IT.

3 LET'S DON'T FORGET. THE PROJECT THAT HE WAS
4 TOLD ABOUT AND WHAT WE HAVE SEEN IN THE BROCHURES IS A
5 \$33,000,000 PROJECT. WE HAVE HAD TESTIMONY FROM A NUMBER OF
6 PEOPLE THAT AN ARCHITECT GETS TEN PERCENT OF THE PROJECT.
7 THAT IS 3.3 MILLION DOLLARS. GREGORY SAID, "I WILL WORK FOR
8 LESS FOR YOU. LET'S CUT IT DOWN TO SEVEN PERCENT OR FIVE
9 PERCENT OR WHATEVER."

10 AND I DON'T KNOW WHAT THE ACTUAL FIGURE OUGHT
11 TO BE. THEY DIDN'T BUILD ALL THE BUILDINGS. THEY USED HIS
12 WORK. THEY USED HIS WORK. AND ISN'T IT STRANGE THE THINGS
13 THAT WE HEARD, ABOUT HIS WORK WAS USED TO RAISE MONEY.

14 REMEMBER THE TWO-YEAR PERIOD? WHERE THE LETTER
15 SAID, MONROE SHEARER'S LETTER, IN SOME PERIOD OF TIME LESS
16 THAN TWO YEARS, THEY RAISED ALMOST \$4,000,000 IN CASH. NOT
17 PROPERTY, NOT ITEMS, NOT PERSONAL PROPERTY. \$4,000,000 IN
18 CASH.

19 THE LAND OF LANELLO? THEY RAISED MONEY. DID
20 THEY BUILD? NO. THE SURVIVAL CAMPS. THEY RAISED MONEY.
21 DID THEY BUILD? NO. COMMUNITY OF THE HOLY SPIRIT. THEY
22 RAISED MONEY. DID THEY BUILD? NO. ALL THE WONDERFUL
23 PROJECTS THAT THEY HAD, THEY RAISED MONEY AND DID THEY
24 BUILD? NO.

25 I SUBMIT TO YOU THEY ARE NOT IN THE BUSINESS OF
26 RELIGION; THEY ARE IN THE BUSINESS OF RAISING MONEY AND NOT
27 BUILDING. IF THEY CAN RAISE MONEY AND NOT BUILD, THEN WHY
28 CAN'T THEY EQUITABLY PAY GREGORY MULL A FAIR AMOUNT FOR HIS

1 LABOR?

2 THEN WE COME TO THE LAST THING, THE
3 CANCELLATION OF THE NOTES. WE HAVE ASKED THAT THE TWO NOTES
4 THAT GREGORY SIGNED BE CANCELED. YOU KNOW WHAT THE LAW
5 SAYS? THE LAW SAYS IF THERE WAS UNDUE UNINFLUENCE, IF THERE
6 WAS DURESS, IF THERE WAS MENACE OR IF THERE WAS FRAUDULENT
7 INDUCEMENT, THAT THE SIGNATURE ON THE NOTE DOESN'T HAVE TO
8 BE HONORED, THAT THE NOTE CAN BE CANCELED.

9 IF THOSE ARE THE THINGS -- AND I SUBMIT TO YOU
10 IF WE LOOK OVER THE ENTIRE LIST OF WHAT HAPPENED, THOSE
11 EXACTLY WERE THE THINGS THAT HAPPENED. IT WAS UNDUE
12 INFLUENCE, IT WAS DURESS, AND THERE WAS MENACE AND THERE WAS
13 A FRAUDULENT INDUCEMENT. AND I BELIEVE FOR THOSE REASONS
14 THAT WE'VE PROVED THAT THE NOTE SHOULD BE CANCELED, THEIR
15 NOTES SHOULD BE CANCELED.

16 THERE WAS NO HONEST DEALINGS WITH REGARD TO
17 THOSE NOTES. THEY HAD MR. MULL BOXED IN. THEY HAD HIM AT
18 CAMELOT. THEY HAD HIM DOING HIS WORK IN A LITTLE ROOM.
19 THEY HAD HIM BEHIND IN ALL OF HIS BILLS. THEY HAD HIM WITH
20 NO MONEY. THEY HAD HIM LOSING HIS HOUSE. THEY HAD NO WORK,
21 NO INCOME.

22 GREGORY TOLD THEM, "WHAT AM I GOING TO DO?"

23 THEY SAID, "SIGN THE NOTES. WE'LL GIVE YOU
24 MORE MONEY."

25 ISN'T IT STRANGE THAT THEY HAD HIM SIGN THE
26 NOTE FOR \$32 -- FOR \$32,000 IN SEPTEMBER? THERE WERE NO
27 AGREEMENTS UP UNTIL THEN. IN SEPTEMBER THEY ONLY PAID HIM
28 4- OR \$4,500. BUT THEY HAD HIM SIGN A NOTE FOR \$32,000,

1 WHAT HIS EXPENSES HAD COME TO FOR THAT PERIOD OF TIME.

2 AND THE NEXT MONTH THEY SAID, "IF YOU WANT US
3 TO PAY YOUR EXPENSES, SIGN ANOTHER NOTE." AND GREGORY
4 TRUSTED THEM AND SIGNED ANOTHER NOTE. THAT IS THE LAST TIME
5 THEY GAVE HIM ANYTHING. AND THEY TOOK FROM HIM FROM THEN
6 ON. CANCELLATION OF THE NOTE.

7 THEN WE COME TO PROBABLY WHAT'S THE MOST
8 IMPORTANT ISSUE IN THE WHOLE THING. AND WHAT I AM TEMPTED
9 TO DO IS PUT A GREAT BIG "P" RIGHT HERE AND WRITE PUNITIVE
10 DAMAGES ALL OVER THE WHOLE DAMN BOARD BECAUSE THAT IS WHAT
11 IT IS ALL ABOUT. PUNITIVE DAMAGES.

12 GREGORY IS ENTITLED TO BE COMPENSATED. HE IS
13 ENTITLED TO BE COMPENSATED FOR HIS WORK, FOR THE FACT THAT
14 THEY DEFRAUDED HIM IN THE MANNER THAT THEY DID, FOR THE FACT
15 THAT THEY ASSAULTED HIM WHEN HIS KID WAS THERE AND WHEN
16 THERE WERE OTHER PEOPLE WITH HIM, FOR THE FACT OF THE
17 EMOTIONAL DISTRESS THEY CAUSED HIM.

18 LOOK AT MR. MULL, LOOK AT HIS TONGUE. DID IT
19 HAVE ANY EFFECT ON HIM WHAT THEY DID TO HIM? IS HE ENTITLED
20 TO BE COMPENSATED FOR IT? YEAH. GREAT BIG "P" FOR PUNITIVE
21 AND "D" FOR DAMAGES.

22 LET ME TELL YOU SOME THINGS ABOUT PUNITIVE
23 DAMAGES. YOU KNOW WHAT THE LAW SAYS? IT SAYS WHEN SOMEBODY
24 DOES SOMETHING THAT IS SO DESPICABLE, WHEN SOMEBODY DOES
25 SOMETHING OUT OF MOTIVES OF MALICE, WHEN THEY DO THINGS THAT
26 ARE REPUGNANT TO THE COMMUNITY THAT WE LIVE IN, THEY OUGHT
27 TO BE PUNISHED.

28 AND IT IS NOT JUST VENGEFULNESS. IT IS NOT

1 PUNISH THEM AND BE ANGRY AT THEM AND BE VENGEFUL. THE
2 PURPOSE IS TO EDUCATE.

3 NO, WE TALKED ABOUT A LOT OF MILLIONS WHEN WE
4 FIRST CAME IN HERE. AND I ASKED EACH AND EVERY ONE OF YOU
5 IF IT CAME DOWN TO IT, COULD YOU IN ALL GOOD FAITH TALK
6 ABOUT 30 OR 40 OR 50 MILLION?

7 WE KNOW WHAT THIS CHURCH HAS GOT. WE KNOW WHAT
8 THEY CAN RAISE IN A COUPLE OF YEARS. WE KNOW ABOUT THEIR
9 250 ACRES AT CAMELOT, AND THEIR 40,000 ACRES IN MONTANA, AND
10 THEIR PROPERTY HERE, THERE AND EVERYWHERE ELSE.

11 THEY HANDED US A SHEET, AND IT SAID CASH IN THE
12 BANK HERE, AND CASH IN THE BANK THERE AND CASH IN THE BANK
13 EVERYWHERE. AND THAT WHOLE SHEET WAS TO EXPLAIN NUMBER 135
14 ON A CHECK THAT THEY HAD GIVEN TO MR. MULL.

15 THEY WROTE ON IT THAT THAT WAS FOR
16 ARCHITECTURAL SERVICES AND THEN THEY WERE GOING TO BAMBOOZLE
17 US. THEY WERE GOING TO SHOW US THAT NUMBER 135 WAS THIS
18 EXPENSE ACCOUNT AND THEY GAVE US THEIR COMPUTER PRINTOUT.

19 GREGORY SAID HE WANTED TO DO GOD'S WORK AND I
20 THINK IT IS A TWO-WAY STREET. I THINK MAYBE GOD INTERVENED
21 WHEN THEY HANDED US THAT SHEET FROM THEIR COMPUTER PRINTOUT.
22 IT TOLD US ABOUT THEIR PROPERTY AND IT TOLD US ABOUT THE
23 CASH.

24 NO, LADIES AND GENTLEMEN, NO THREE OR FOUR OR
25 FIVE MILLION DOLLARS. THEY CAN DO THAT STANDING ON THEIR
26 HEAD. THEY CAN RAISE THAT KIND OF MONEY WITHOUT EVEN
27 BATTING AN EYE. THEY CAN ACCUMULATE THAT IN CASH IN NOTHING
28 FLAT.

1 WHAT WE NEED HERE IS A VERDICT THAT WILL
2 EDUCATE, THAT WILL TEACH THEM A LESSON, THAT WILL KEEP THAT
3 KIND OF CONDUCT FROM BEING REPEATED. YOU GOT BOTH AN
4 OPPORTUNITY AND AN OBLIGATION. YOU PEOPLE CAN INSURE THAT
5 CONDUCT LIKE GREGORY MULL WAS EXPOSED TO DOESN'T HAPPEN TO
6 OTHERS.

7 YOU KNOW WHAT IS EVEN MORE DESPICABLE?
8 ELIZABETH CLARE PROPHET AND HER LITTLE HAND-PICKED BOARD DO
9 ALL THE THINGS THEY DO IN THE GUISE OF RELIGION. YEAH, I
10 TALKED ABOUT GOD. SINCE THIS TRIAL HAS TO DO WITH THE
11 CHURCH, MAYBE GOD HAS INTERVENED.

12 IT IS JUST POSSIBLE THAT GREGORY MULL, AS
13 PAINFUL AS IT'S BEEN FOR HIM, AND RANDALL KING, AS
14 UNCOMFORTABLE AS IT WAS FOR HIM, THAT BY THEIR TELLING THE
15 TRUTH HERE, THAT GOD'S WORK REALLY IS BEING DONE.

16 YEAH, I POINT OUT A GREAT BIG BURDEN FOR YOU
17 FOLKS. I AM NOT AFRAID THAT YOU CAN'T ACCOMPLISH THE
18 BURDEN. I TRUSTED YOU ON DAY ONE. I PICKED YOU, I PICKED
19 EVERY SINGLE ONE OF YOU.

20 I PICKED YOU BECAUSE YOU WERE INTELLIGENT,
21 BECAUSE YOU RESPONDED, BECAUSE YOU SHOWED HUMAN WARMTH, YOU
22 SHOWED HUMAN UNDERSTANDING, BECAUSE YOU SHOWED EDUCATION,
23 BECAUSE YOU SHOWED THE KIND OF THINGS THAT I AS A MEMBER OF
24 THE COMMUNITY LOOK UP TO. YOU SHOWED HUMANITY. YOU SHOWED
25 CARING.

26 YOUR VERDICT, LADIES AND GENTLEMEN, CAN -- IT
27 SHOULD PUNISH MALICIOUS CONDUCT AND IT SHOULD BE MEANINGFUL,
28 MEANINGFUL ENOUGH TO TEACH THAT SUCH CONDUCT WILL NOT BE

1 TOLERATED.

2 I HOPE, AND I TRUST AND I FEEL THAT EACH AND
3 EVERY ONE OF YOU AGREE WITH ME AND I THANK YOU.

4 THE COURT: THANK YOU, MR. LEVY.

5 PLEASE PROCEED.

6 MR. KLEIN: YOUR HONOR, MIGHT THIS BE A GOOD TIME TO
7 TAKE A SHORT BREAK.

8 THE COURT: NO. IT IS TOO EARLY. WE HAVE A LOT TO
9 DO THIS AFTERNOON.

10

11

ARGUMENT

12

BY MR. KLEIN:

13

GOOD AFTERNOON.

14

15 BEFORE BEGINNING MY SUMMATION, I WOULD LIKE TO
16 TAKE THIS OPPORTUNITY TO THANK EACH AND EVERY ONE OF YOU FOR
17 THE ENORMOUS AMOUNT OF TIME AND EFFORT THAT YOU HAVE GIVEN
18 TO THIS CASE. I AM SURE IT HAS BEEN A SACRIFICE BOTH
19 PROFESSIONALLY AND PERSONALLY TO GIVE US THIS TIME, AND MY
20 CLIENTS AND I APPRECIATE VERY MUCH YOUR HELP.

21

22 IN DECIDING THIS CASE AS THE FINDERS OF FACT,
23 YOU ARE GOING TO HAVE TO DETERMINE JUST WHAT THE FACTS ARE.
24 YOU'VE HEARD A LOT OF TESTIMONY FROM BOTH SIDES. IN A FEW
25 CASES, THE TESTIMONY AGREES. BUT IN THE OVERWHELMING
26 MAJORITY OF THE CASES, YOU HAVE HEARD CONFLICTING TESTIMONY.
27 ONE SET OF TESTIMONY FROM ONE GROUP OF WITNESSES. OTHER
28 TESTIMONY FROM OTHER WITNESSES.

27

28

AND IN CONSIDERING ALL THE TESTIMONY, YOU HAVE
TO DECIDE AS THE FINDERS OF FACT WHO IS TELLING THE TRUTH,

1 WHAT REALLY DID HAPPEN.

2 NOW, THERE IS A LOT OF WAYS YOU CAN DO THIS.
3 ONE WAY, WHICH IS COMMON FOR ALL JURIES, IS Demeanor. . YOU
4 WATCH A WITNESS TAKE THE STAND, YOU WATCH HIS BEARING, HOW
5 DID HE ACT WHEN HE WAS QUESTIONED? IT IS A TIME TESTED
6 FORMULA. YOU CAN MAKE SOME DETERMINATIONS AS TO WHETHER A
7 PERSON IS TELLING THE TRUTH OR NOT.

8 SECOND WAY TO MAKE SOME DETERMINATIONS AS TO
9 WHETHER A WITNESS IS TELLING THE TRUTH IS TO LISTEN TO HIS
10 TESTIMONY AND COMPARE IT TO THE DOCUMENTARY EVIDENCE THAT
11 YOU HAVE.

12 IN THIS CASE, THE DOCUMENTARY EVIDENCE WOULD BE
13 THE LETTERS THAT WERE WRITTEN FROM 1975 TO 1980, THE
14 TRANSCRIPT OF THE JUNE 6TH, 1980, CONVERSATION AND THE
15 TESTIMONY FROM DEPOSITIONS OF DIFFERENT WITNESSES THAT'S
16 BEEN PUT INTO EVIDENCE.

17 AND WHAT YOU CAN DO IS YOU CAN COMPARE WHAT
18 WITNESSES ARE SAYING TODAY AT THIS TRIAL WITH THIS OTHER
19 DOCUMENTARY EVIDENCE, WHICH IS WHAT WAS SAID A NUMBER OF
20 YEARS AGO. AND TO THE EXTENT THAT A WITNESS' TESTIMONY IS
21 CONSISTENT WITH THAT DOCUMENTARY EVIDENCE, YOU CAN CONCLUDE,
22 ESPECIALLY WHEN WE ARE TALKING ABOUT MATERIAL FACTS, THAT IT
23 IS LIKELY HE IS TELLING THE TRUTH.

24 WHEN A WITNESS' TESTIMONY IS INCONSISTENT WITH
25 THAT DOCUMENTARY EVIDENCE, ESPECIALLY WHEN WE ARE DEALING
26 WITH MATERIAL FACTS, THEN YOU HAVE TO CONSIDER WHETHER IN
27 FACT HE IS TELLING THE TRUTH.

28 BECAUSE WHERE YOU CAN CHECK THEM BY LOOKING AT

1 THE DOCUMENTS, IF HE IS NOT TELLING THE TRUTH THERE, IF HIS
2 TESTIMONY ISN'T CONSISTENT WITH THOSE DOCUMENTS, YOU HAVE TO
3 WONDER WHETHER HIS TESTIMONY IS TRUE ON ALL THOSE OTHER
4 AREAS WHERE YOU CAN'T CHECK. SO I WOULD SUBMIT TO YOU LOOK
5 TO SEE WHETHER THE WITNESS' TESTIMONY IS CONSISTENT WITH
6 THOSE DOCUMENTS.

7 A THIRD WAY OF DETERMINING WHETHER SOMEONE IS
8 TELLING THE TRUTH IS YOUR OWN COMMON SENSE. SOMETIMES YOU
9 LISTEN TO WHAT A WITNESS SAYS AND YOU SAY TO YOURSELF, "THAT
10 JUST -- THAT JUST IS NOT RIGHT. THAT IS JUST NOT THE WAY IT
11 WENT DOWN. I KNOW FROM MY COMMON SENSE, I KNOW FROM THE
12 YEARS I HAVE BEEN LIVING THAT IT DIDN'T HAPPEN THAT WAY."

13 AND AT THIS TIME I'D LIKE TO LOOK AT THE
14 TESTIMONY OF MR. MULL AND I'D LIKE TO USE SOME OF THOSE
15 CRITERIA I HAVE JUST BEEN TALKING ABOUT, MAINLY COMPARING IT
16 TO THE DOCUMENTARY EVIDENCE AND, SECONDLY, COMPARING IT,
17 JUDGING IT BY COMMON SENSE AND SEEING HOW IT COMES OUT.

18 NOW, THE FIRST MATERIAL ISSUE I'D LIKE TO LOOK
19 AT IN THAT WAY IS MR. MULL'S STATEMENT THAT HE GAVE UP A
20 FINANCIALLY SUCCESSFUL BUSINESS IN ORDER TO MOVE TO CAMELOT
21 BECAUSE THE CHURCH PROMISED TO PAY ALL OF HIS EXPENSES.

22 YOU WILL RECALL THAT HE GOT ON THE STAND AND
23 TESTIFIED THAT HIS BUSINESS WAS FINANCIALLY SUCCESSFUL. HE
24 SAID HE MADE A NET PROFIT. IT WAS HIS BEST YEAR.

25 BUT THEN WHEN WE GOT TO THE DOCUMENTARY
26 EVIDENCE, NAMELY WITH THE INCOME TAX FORMS WHICH TOLD JUST
27 WHAT HIS BUSINESS HAD DONE FROM 1975 TO 1978, ALL OF A
28 SUDDEN WE HAD AN ENTIRELY DIFFERENT PICTURE. INSTEAD OF A

1 NET PROFIT FOR 1978, HE HAD A LOSS..

2 NOW, COUNSEL HAS SAID, "WELL, HE DIDN'T GET TO
3 COLLECT ALL HIS MONEY AND THAT IS WHY HE HAD A LOSS IN
4 1978." BUT WE KNOW FROM THE OTHER DOCUMENTS IN EVIDENCE,
5 1975, '76 AND '77, THAT 1978 WASN'T AN ATYPICAL YEAR FOR MR.
6 MULL'S BUSINESS. HE MADE ABOUT \$4,000 IN '77, HE MADE LESS
7 THAN \$5,000 IN '75 AND I THINK IN '76 HE HAD A LOSS OF \$600.

8 SO 1978, WHEN HE LOST \$900, WAS CONSISTENT WITH
9 ALL THE YEARS THAT HE HAD BEEN WORKING SINCE 1975. HIS
10 BUSINESS WAS NOT SUCCESSFUL. BUT OVER AND OVER, YOU HEAR
11 THAT HE LEFT A SUCCESSFUL BUSINESS TO COME TO CAMELOT. IN
12 FACT, MR. MULL TESTIFIED ON CROSS-EXAMINATION THAT WHEN HE
13 CAME TO CAMELOT, HE WAS PROBABLY BROKE. AND IT IS IN THE
14 TRANSCRIPT.

15 NOW, THE SECOND MATERIAL INCONSISTENCY THAT I
16 WOULD POINT OUT IN THE TESTIMONY OF MR. MULL WHERE HIS
17 TESTIMONY DOES NOT JIVE WITH THE DOCUMENTS IN EVIDENCE WOULD
18 BE HIS CLAIM THAT HE CAME TO CAMELOT IN 1979; AND WHEN HE
19 GOT THERE ON JANUARY 11TH OF 1979, HE ALREADY HAD A FINAL
20 FINANCIAL ARRANGEMENT WITH THE CHURCH.

21 THAT IS WHAT HE SAID. BEFORE HE EVER GOT
22 THERE, THEY HAD ALREADY AGREED THAT THEY WOULD PAY HIS
23 EXPENSES.

24 MONROE SHEARER TESTIFIED THAT THAT WASN'T TRUE.
25 MONROE SHEARER SAID, "IT WASN'T UNTIL MARCH THAT WE GOT
26 AROUND TO ACTUALLY MAKING THE DEAL." AND CERTAINLY IN
27 JANUARY WHEN MR. MULL CAME, ACCORDING TO THE TESTIMONY OF
28 MR. SHEARER, THERE WAS NO FINANCIAL ARRANGEMENT.

1 NOW, WHEN WE LOOK TO THE EVIDENCE, THERE ARE
2 TWO DOCUMENTS I WOULD URGE YOU TO CONSIDER IN DETERMINING
3 WHETHER THERE WAS AN AGREEMENT LIKE MR. MULL SAYS WHEN HE
4 CAME TO CAMELOT ON JANUARY 11TH, 1979.

5 THE FIRST DOCUMENT IS EXHIBIT 101 IN EVIDENCE,
6 WHICH IS THE APPLICATION FORM THAT MR. MULL FILLED OUT ON
7 JANUARY 11TH, 1979. WHEN HE ARRIVED AT CAMELOT. AND ON THAT
8 APPLICATION FORM, THE LAST PAGE, IT SAYS, "HOW DO YOU PLAN
9 TO MEET YOUR FINANCIAL NEEDS?" AND MR. MULL PUTS A QUESTION
10 MARK. IT IS RIGHT THERE. IT IS IN EVIDENCE. YOU CAN ALL
11 SEE IT.

12 NOW, YOU KNOW FROM ALL THE LETTERS THAT WE HAVE
13 SEEN IN THIS CASE THAT MR. MULL IS NOT A MAN WHO IS SHY WHEN
14 IT COMES TO WRITING DOWN ON A PIECE OF PAPER WHAT HE WANTS
15 TO SAY. AND YET HE PUTS THAT QUESTION MARK WHEN IT COMES TO
16 CAMELOT.

17 I WOULD SUBMIT TO YOU THAT IF MR. MULL HAD A
18 FINANCIAL AGREEMENT THAT THE CHURCH WAS GOING TO PAY ALL OF
19 HIS EXPENSES AS OF THE DAY HE ARRIVED AT CAMELOT, HE WOULD
20 NOT HAVE PUT THAT QUESTION MARK.

21 HE WOULD HAVE WRITTEN WHERE IT SAYS, "HOW DO
22 YOU PLAN TO MEET YOUR FINANCIAL NEEDS," "I PLAN TO MEET MY
23 FINANCIAL NEEDS BECAUSE THE CHURCH IS GOING TO PAY THEM.
24 THEY HAVE AGREED." THAT IS WHAT IT WOULD SAY THERE. BUT IT
25 DOESN'T SAY IT.

26 AND THERE IS ONE OTHER PIECE OF DOCUMENTARY
27 EVIDENCE THAT I WOULD URGE YOU TO CONSIDER IN DETERMINING
28 WHETHER MR. MULL IS CORRECT WHEN HE SAYS THERE WAS A FINAL

1 FINANCIAL AGREEMENT AS OF THE DAY HE ARRIVED AT CAMELOT.
2 AND THAT IS THE LETTER THAT MR. MULL WROTE MARCH 9TH, 1979,
3 EXHIBIT NUMBER 48 IN EVIDENCE. THE FIRST LINE OF THAT
4 LETTER, WHICH IS A LETTER FROM MR. MULL TO MONROE SHEARER,
5 STATES:

6 "I WOULD APPRECIATE IT IF YOU
7 COULD MAKE A DECISION ON THE COMMITMENT WE
8 ARE MAKING WITH EACH OTHER SOON.

9 "I WOULD APPRECIATE IT IF YOU
10 COULD MAKE A DECISION ON THE COMMITMENT WE
11 ARE MAKING WITH EACH OTHER SOON."

12 AND THAT IS ENTIRELY CONSISTENT WITH WHAT MR.
13 SHEARER SAID, WHICH IS THAT IT WASN'T UNTIL MARCH THAT THE
14 CHURCH FINALLY GOT AROUND TO MAKING THE DECISION AS TO WHAT
15 THE AGREEMENT WOULD BE.

16 IN MR. MULL'S LETTER, WHAT DECISION IS HE
17 TALKING ABOUT IF HE IS NOT TALKING ABOUT EXACTLY WHAT MR.
18 SHEARER SAID? THE DECISION ON JUST WHAT THE FINANCIAL
19 ARRANGEMENTS WOULD BE.

20 I WOULD SUBMIT TO YOU THAT THESE TWO DOCUMENTS
21 MAKE IT CLEAR THAT MR. MULL'S TESTIMONY IS SIMPLY
22 INCONSISTENT WITH THE DOCUMENTARY EVIDENCE AS TO WHETHER OR
23 NOT THERE WAS A FINANCIAL ARRANGEMENT WHEN HE ARRIVED AT
24 CAMELOT.

25 AND WHEN YOU CHECK DOCUMENTARY EVIDENCE LIKE
26 THIS FOR CONSISTENCY, IT IS DOUBLY IMPORTANT, IF NOT TRIPLY
27 OR QUADRUPLY IMPORTANT, THAT THESE LETTERS AND THESE
28 DOCUMENTS ARE NOT DOCUMENTS THAT WERE WRITTEN BY ED FRANCIS

1 OR MONROE SHEARER.

2 I AM NOT SHOWING YOU DOCUMENTS THAT ARE SAYING
3 WHAT MR. MULL SAID DOESN'T COMPLY OR IS NOT CONSISTENT WITH
4 DOCUMENTS WRITTEN BY CHURCH PEOPLE. THESE ARE DOCUMENTS
5 WRITTEN BY MR. MULL HIMSELF. THEY WERE WRITTEN BY HIM IN
6 1979. AND YET WHAT HE IS SAYING TODAY IS INCONSISTENT WITH
7 HIS OWN DOCUMENTS THAT HE WROTE HIMSELF IN 1979.

8 GOING ON AND LOOKING AT THE TESTIMONY AND
9 SEEING IF IT IS CONSISTENT WITH THE DOCUMENTARY EVIDENCE, WE
10 HAVE MR. MULL'S TESTIMONY ABOUT BOTH CAMELOT AND SUMMIT
11 UNIVERSITY.

12 HE TALKS ABOUT THE LACK OF SLEEP, HE TALKS
13 ABOUT THE FACT THAT YOU HAVE TO DIET, THE FACT THAT YOU HAVE
14 TO FAST. AND WHEN HE GOT DONE TALKING ABOUT IT, IT SOUNDED
15 LIKE IT WAS WORSE THAN PRISON.

16 AND THEN WE COME UP WITH THE CODE OF CONDUCT
17 FROM SUMMIT UNIVERSITY, WHICH IS IN EVIDENCE. AND ALL OF A
18 SUDDEN, WE LEARN FROM THE CODE OF CONDUCT THAT ALTHOUGH
19 THERE ARE DIETARY RULES, IT SAYS IF YOU NEED AN EXCEPTION,
20 YOU CAN GET ONE. WE FIND OUT ALTHOUGH THERE IS FASTING
21 RULES, IT SAYS IF YOU NEED AN EXCEPTION, YOU CAN HAVE A
22 FRUIT FAST OR YOU CAN JUST TOTALLY BE EXEMPTED. THAT IS ALL
23 IN THE CODE OF CONDUCT.

24 IF WE DIDN'T HAVE THE CODE OF CONDUCT, WE JUST
25 HAVE MR. MULL'S TESTIMONY, WHICH IS YOU HAD TO FAST, YOU
26 HAD -- YOU ONLY COULD EAT CERTAIN FOODS AND THAT IS WHAT WE
27 WOULD BE STUCK WITH. BUT WE HAVE GOT DOCUMENTARY EVIDENCE
28 THAT IS INCONSISTENT WITH THAT TESTIMONY.

1 SIMILARLY, MR. MULL TOLD YOU ABOUT THE MEALS
2 AND MADE THEM SOUND LIKE THEY JUST MUST BE TERRIBLE. BUT WE
3 HAVE GOT THOSE TWO LOGBOOKS, AND THEY TESTIFIED THAT THE
4 FOOD AT CAMELOT AND THE FOOD AT SUMMIT UNIVERSITY WAS THE
5 SAME.

6 AND YOU CAN READ THOSE LOGBOOKS FOR YOURSELF.
7 AND YOU CAN SEE IF THOSE MENUS THAT ARE IN THERE PAGE AFTER
8 PAGE, IF THOSE ARE THE TERRIBLE MENUS THAT NOBODY COULD
9 POSSIBLY SURVIVE ON.

10 AND KEEP IN MIND WHEN YOU READ THOSE LOGBOOKS
11 AND YOU SEE THE MENUS, THAT YOU ALSO HAVE THE TESTIMONY OF
12 SUSAN HARROW, WHO TOLD YOU THAT IN ADDITION TO THE FOOD
13 MENTIONED IN THOSE LOGBOOKS, THAT THERE WERE SALADS EVERY
14 DAY, THERE WERE FRUIT EVERY DAY, THERE WERE EGGS, THERE WAS
15 CHEESE AND THERE WAS A SPECIAL WINDOW. IF SOMEBODY HAD
16 SPECIAL DIETARY NEEDS, THEY COULD GO TO TO THAT WINDOW.

17 ONCE AGAIN, I SUBMIT IF YOU LISTENED TO MR.
18 MULL'S TESTIMONY FROM THE STAND ABOUT THE FOOD, ABOUT THE
19 FASTING, ABOUT THE SLEEP, AND THEN YOU READ THE CONDUCT AND
20 YOU READ THE LOGBOOKS, THEY ARE JUST NOT CONSISTENT. THERE
21 ARE MATERIAL INCONSISTENCIES.

22 DURING MR. MULL'S ORIGINAL TESTIMONY ON DIRECT
23 EXAMINATION, YOU HEARD A GOOD DEAL ABOUT THE \$33,000,000
24 TEN-YEAR CAMELOT PLAN. AND YOU HEARD MR. MULL SAYING,
25 "WELL, I DON'T KNOW IF I AM ENTITLED TO 1.5 MILLION DOLLARS
26 OR \$2,000,000, BUT I AM ENTITLED TO A HUGE AMOUNT OF MONEY."

27 AND IT SOUNDED VERY IMPRESSIVE. BUT THEN WE
28 HAVE EXHIBIT 35 IN EVIDENCE. EXHIBIT 35 IN EVIDENCE ARE THE

1 PLANS, THE ACTUAL DOCUMENTS THAT MR. MULL WORKED ON, MR.
2 MULL AND THE ARCHITECTURAL DEPARTMENT. AND I WOULD URGE YOU
3 TO READ THOSE PLANS, ACTUALLY TAKE THEM OUT AND LOOK AT THEM
4 WHILE YOU ARE DOING YOUR DELIBERATIONS.

5 BECAUSE ALTHOUGH THERE WAS TALK ABOUT ALL THESE
6 PROJECTS IN THE TEN-YEAR PLAN, WHEN YOU LOOK IN THAT BOX, IT
7 IS CONSISTENT WITH THE TESTIMONY OF THE CHURCH WITNESSES WHO
8 WERE WORKING WITH HIM IN THE ARCHITECTURAL DEPARTMENT IN
9 THAT OF THE TEN-YEAR PLAN, THERE IS ONLY ONE PROJECT, THE
10 MONTESSORI SCHOOL, FOR WHICH THERE ARE ANY PLANS AT ALL IN
11 THAT BOX. JUST ONE PROJECT.

12 WE HEARD TESTIMONY FROM DONALD FUCCI THAT OF
13 THE ARCHITECTURAL PLANS THAT YOU HAVE IN A PROJECT, 20
14 PERCENT ARE PRELIMINARY DRAWINGS AND THE OTHER 80 PERCENT
15 ARE WORKING DRAWINGS. AND THE TESTIMONY WAS WHAT YOU HAVE
16 IN THAT BOX IS MERELY PRELIMINARY DRAWINGS.

17 SO WE STARTED OUT WITH ARCHITECTURAL DRAWINGS
18 SUPPOSEDLY OF A TEN-YEAR PLAN WORTH \$33,000,000. AND WHAT
19 THE DOCUMENTS TELL US, WHEN WE GET DOWN TO THE DOCUMENTS,
20 ARE THAT WE HAVE GOT LESS THAN 20 PERCENT OF ONE PARTICULAR
21 PROJECT OF THE TEN-YEAR PLAN.

22 AND I WOULD SUBMIT TO YOU THAT THERE'S BEEN A
23 GOOD DEAL OF TESTIMONY THAT, WELL, THAT WASN'T WHAT THE
24 ORIGINAL DEAL WAS. THEY TOLD MR. MULL THEY WERE GOING TO
25 WORK ON ALL OF THOSE PROJECTS FROM THE TEN-YEAR PLAN. SO
26 THAT IT IS NOT HIS FAULT THAT HE DIDN'T AND THEY JUST LIED
27 TO HIM.

28 BUT IF YOU GO TO EXHIBIT 1 AND IF YOU LOOK AT

1 PAGE 33 -- THIS, OF COURSE, IS SOMETHING THAT WILL BE
2 AVAILABLE TO YOU -- ON THAT PAGE IT TALKS ABOUT THE SUMMARY
3 OF THE NEEDS FOR 1978 THROUGH 1980. 1978 THROUGH 1980,
4 WHICH IS, OF COURSE, THE TIME THAT MR. MULL WAS THERE, 1979
5 AND 1980.

6 AND WHEN YOU LOOK HERE, THERE IT IS IN BLACK
7 AND WHITE, THE MONTESSORI CLASSROOM IS IN THERE. BUT YOU
8 DON'T HAVE ALL THOSE OTHER PROJECTS FROM THE TEN-YEAR PLAN.
9 AND IT VERY CLEARLY SAYS THEY DON'T HAVE THE FUNDS OR THE
10 CAPABILITIES FOR 1978 THROUGH 1980 TO DO ALL THE TEN-YEAR
11 PLAN. ALL THEY ARE GOING TO DO IS A FEW OF THESE THINGS AND
12 THE SPECIFIC ONE IS THE MONTESSORI CLASSROOM, WHICH IS
13 EXACTLY WHAT MR. MULL WORKED ON.

14 ONCE AGAIN THE DOCUMENTS ARE CONSISTENT WITH
15 WHAT THE CHURCH WITNESSES SAID, THAT MR. MULL WAS BROUGHT
16 THERE TO WORK ON MONTESSORI. THEY DIDN'T SWITCH ON HIM. HE
17 WAS ALWAYS SUPPOSED TO WORK ON MONTESSORI. AND THE
18 DOCUMENTS ARE CONSISTENT WITH THAT.

19 NEXT, THERE WAS A GOOD DEAL OF TESTIMONY BY MR.
20 MULL THAT THE CHURCH BROKE UP HIS MARRIAGE, THAT ELIZABETH
21 CLARE PROPHET GAVE HIM AUTHORIZATION TO DIVORCE HIS WIFE,
22 THAT THE DECISION TO DIVORCE HIS WIFE WAS NOT HIS DECISION
23 ALONE, THAT IT WAS ELIZABETH'S ALSO, THAT IT WAS HER WHO
24 BROUGHT UP THE QUESTION OF DIVORCE.

25 ONCE AGAIN I SUBMIT YOU HAVE TO LOOK AT THE
26 DOCUMENTARY EVIDENCE. IN THIS CASE, MR. MULL'S OWN LETTERS
27 THAT HE WROTE AT THE TIME THAT THESE EVENTS OCCUR. AND IF
28 YOU DO LOOK AT THAT INFORMATION, YOU WILL SEE EXHIBIT 51,

1 WHICH IS IN EVIDENCE WHICH IS WRITTEN MAY 8, 1979, BY MR.
2 MULL.

3 AND IN HIS LETTER, HE SAYS -- IT IS A LETTER TO
4 ELIZABETH CLARE PROPHET, "I SPENT 12 MISERABLE YEARS KNOWING
5 KATHLEEN. I WANT IT TO END." AT THE END OF THE LETTER, HE
6 SAYS, "I DO NOT WANT TO CARRY HER KARMA ANY LONGER. MAY I
7 START DIVORCE PROCEEDINGS?" AND ALTHOUGH HE ADMITTED ON
8 CROSS-EXAMINATION THAT HE NEVER GOT A RESPONSE FROM
9 ELIZABETH, THAT HE STARTED DIVORCE PROCEEDINGS ANYWAY.

10 ONCE AGAIN, THE DOCUMENTARY EVIDENCE IS
11 COMPLETELY INCONSISTENT WITH MR. MULL'S TESTIMONY. AND OF
12 COURSE WHEN COUNSEL WAS GOING THROUGH ALL THE GREAT DAMAGES
13 THAT THIS CHURCH CAUSED TO MR. MULL, RIGHT UP THERE MANY,
14 MANY TIMES OVER AND OVER WAS THEY BROKE UP HIS MARRIAGE.
15 BUT THAT COMPLETELY IGNORES THE LETTERS THAT MR. MULL WROTE
16 HIMSELF TELLING WHO BROKE UP THAT MARRIAGE.

17 IN ADDITION TO HAVING THE DOCUMENTS, WE HAVE
18 SOMETHING HERE WHICH IS ALSO VERY UNUSUAL AND THAT'S THE
19 ACTUAL TAPE OF THAT MEETING BETWEEN MR. MULL, ELIZABETH
20 CLARE PROPHET, ED FRANCIS AND MONROE SHEARER. AND WHEN MR.
21 MULL WAS ON HIS CROSS-EXAMINATION, I SAID TO HIM, "MR. MULL,
22 DURING THAT MEETING, THAT TAPED MEETING, DID MONROE SHEARER
23 YELL AT YOU?"

24 AND HE SAID, "YES."

25 I SAID, "DURING THAT TAPED MEETING, DID ED
26 FRANCIS YELL AT YOU?"

27 HE SAID, "YES. IT IS IN THE TRANSCRIPT. YOU
28 CAN READ IT."

1 AND I WOULD SUBMIT TO YOU THAT REGARDLESS OF
2 WHETHER YOU LIKED OR DIDN'T LIKE WHAT HAPPENED AT THAT JUNE
3 6TH, 1980, MEETING, THAT THERE WAS NO QUESTION BUT THAT
4 NEITHER MONROE SHEARER NOR ED FRANCIS YELLED AT MR. MULL
5 DURING THAT MEETING. YOU CAN HARDLY HEAR EITHER OF THEM
6 SPEAKING. AND YET MR. MULL TESTIFIED THAT HE WAS YELLED AT
7 BY THEM.

8 AND THERE ARE A NUMBER OF MEETINGS THAT
9 OCCURRED IN THIS CASE. AND OF COURSE WHEN MR. MULL SAYS,
10 "THEY YELLED AT ME AT THIS MEETING AND THEY YELLED AT ME AT
11 THAT MEETING," THERE IS NOTHING THAT ANYBODY CAN DO WHETHER
12 HE WAS ACTUALLY YELLED AT OR NOT.

13 EXCEPT THAT WE HAVE THIS UNIQUE SITUATION WHERE
14 WE KNOW THAT IN AT LEAST ONE CASE WHERE HE TESTIFIED THEY
15 YELLED AT HIM, IT SIMPLY DIDN'T HAPPEN. AND YOU CAN LISTEN
16 TO THE TAPE AGAIN, AND CHECK IT AND SEE IF THERE WAS ANY
17 PLACE THAT HE WAS YELLED AT.

18 ONE OTHER AREA WHERE DOCUMENTARY EVIDENCE IS
19 VERY IMPORTANT AND VERY INCONSISTENT WITH THE TESTIMONY
20 YOU'VE HEARD AT THIS TRIAL CONCERNS THIS BEAST OF BLASPHEMY.
21 WHEN MRS. LEVY TESTIFIED, SHE TESTIFIED, AND VERY DRAMATIC,
22 SHE TESTIFIED THAT IN 1982 WHEN SHE WAS SEEING GREGORY MULL,
23 HE WAS STARTING TO GET BETTER, AND HE WAS GETTING BETTER
24 AGAIN IN 1983, AND HE WAS CONTINUING TO GET BETTER IN 1984
25 AND THEN ALL OF A SUDDEN IN ABOUT APRIL OF 1984, HE CALLED
26 HER AND HE WAS TERRIFIED.

27 HE SAID, "MY GOD, THEY CALLED ME THE BEAST OF
28 BLASPHEMY." AND THEN A MONTH OR TWO LATER, HE HAD HIS

1 STROKE .

2 MR. MULL TESTIFIED AND EVEN YESTERDAY WHEN I
3 ASKED HIM, HE SAID -- OR WAS IT THE DAY BEFORE POSSIBLY --
4 HE SAID HE THOUGHT HE HAD THE STROKE A DAY OR TWO DAYS AFTER
5 HE WAS CALLED THE BEAST OF BLASPHEMY. THAT CERTAINLY IS
6 VERY MATERIAL TESTIMONY.

7 IT GIVES THE JURY THE DEFINITE IMPRESSION THAT
8 HE WAS CALLED THE BEAST OF BLASPHEMY, THEN HE HAS THIS
9 STROKE-LIKE OCCURRENCE, AND HE IS VERY SICK, AND HE IS
10 HOSPITALIZED AND IT IS ALL THE CHURCH'S FAULT.

11 BUT ONCE AGAIN, THE DOCUMENTARY EVIDENCE IN
12 THIS CASE, MR. MULL'S OWN LETTER TRIPS HIM UP BECAUSE IN
13 THIS LETTER WRITTEN AUGUST 16TH, 1982, HE PUTS THAT P.S.
14 "ELIZABETH CLARE PROPHET IS NOT THE WITNESS MENTIONED IN
15 REVELATION NOR I THE BEAST OF BLASPHEMY."

16 AND MR. LEVY WOULD HAVE YOU BELIEVE THAT IT IS
17 JUST A COINCIDENCE. HE JUST HAPPENS TO THROW THIS IN THAT
18 HE WASN'T CALLED THAT AT THIS TIME. BUT HE JUST THREW IT IN
19 THE LETTER. I WILL JUST TELL THIS GUY I AM NOT THE BEAST OF
20 BLASPHEMY.

21 THAT IS WHERE THE COMMON SENSE COMES IN. I
22 WOULD SUBMIT TO YOU THAT MAKES NO REASON. THE ONLY REASON
23 HE WOULD MENTION IN 1982 THAT HE IS NOT THE BEAST OF
24 BLASPHEMY IS BECAUSE HE'S BEEN CALLED THE BEAST OF BLASPHEMY
25 AT THAT TIME. THAT IS THE ONLY WAY IT MAKES SENSE. AND
26 ONCE AGAIN, THAT DOCUMENTARY EVIDENCE IS INCONSISTENT WITH
27 THE TESTIMONY OF BOTH MR. MULL AND MRS. LEVY.

28 IN CONSIDERING THESE INCONSISTENCIES, AND I

1 WOULD SUBMIT THEY ARE MATERIAL INCONSISTENCIES, IF YOU HAVE
2 ONE OR TWO OR THREE, THEY ARE CERTAINLY WORTH CONSIDERING.
3 I WOULD SUBMIT THERE ARE MANY.

4 I HAVE GIVEN YOU A COUPLE DURING THE COURSE OF
5 THIS TRIAL. I WOULD SUGGEST THAT NUMEROUS MATERIAL
6 INCONSISTENCIES HAVE DEVELOPED BETWEEN MR. MULL'S TESTIMONY
7 AND THE FACTS AS WE KNOW THEM THROUGH THE DOCUMENTS
8 AVAILABLE TO US.

9 IN DETERMINING THE FACTS OF THIS CASE, I WOULD
10 SUBMIT TO YOU THAT THERE IS REALLY ONLY TWO WITNESSES WHO
11 HAVE TESTIFIED ON MR. MULL'S BEHALF WHOSE TESTIMONY IS
12 SIGNIFICANT. ONE IS MR. MULL'S AND ONE IS MR. RANDALL
13 KING'S.

14 AND I THINK THAT ALONE IS SIGNIFICANT. OF ALL
15 THE THOUSANDS OF EX-CHURCH MEMBERS, THEY ONLY HAD ABOUT FIVE
16 OF THEM THAT TESTIFIED AND I THINK TWO OF THEM REALLY WERE
17 SIGNIFICANT.

18 LET'S LOOK AND TALK FOR A MOMENT ABOUT MR.
19 RANDALL KING. HE ADMITTED THAT WHEN HE WAS WITH THE CHURCH,
20 HE WAS A LIAR AND A CHEAT. EVEN YESTERDAY WHEN HE
21 TESTIFIED, HE SAID THAT HE STILL TO THIS DAY -- I THINK THE
22 WAY HE SAID IT WAS -- HE BENDS THE TRUTH AND EXAGGERATES.

23 YOU KNOW HE HAS A \$16,000,000 LAWSUIT AGAINST
24 THE CHURCH. ALTHOUGH HE SAYS HE HAS NO PERSONAL INTEREST IN
25 THIS CASE, BY HIS OWN TESTIMONY YOU KNOW HE HAS BEEN IN THE
26 COURTHOUSE 90 PERCENT OF THE DAYS THAT THIS CASE HAS BEEN ON
27 TRIAL. AND WE HAVE BEEN ON TRIAL SINCE FEBRUARY 11TH.

28 YOU HAVE TO ASK YOURSELF HERE YOU HAVE A MAN

1 WHO HAS NO JOB AND YET HE IS COMING TO COURT NINE OUT OF TEN
2 COURT DAYS. WHY IS HE DOING THAT? IS IT REASONABLE THAT HE
3 SHOULD SHOW THAT MUCH INTEREST IN THIS CASE IN WHICH HE
4 PROFESSES HE DOESN'T HAVE A PERSONAL INTEREST?

5 YOU ALSO HEARD TESTIMONY THAT HE HAD NEGOTIATED
6 TO WRITE A BOOK, DIDN'T WORK OUT, ABOUT HIS EXPERIENCES IN
7 THE CHURCH. AND HE NEGOTIATED TO TRY TO SEE IF HE COULD GET
8 A MOVIE OF HIS LIFE, AGAIN, ABOUT HIS EXPERIENCES IN THE
9 CHURCH. THAT DIDN'T WORK OUT.

10 ONE WONDERS WHETHER PERHAPS AFTER HIS TESTIMONY
11 AND THE KIND OF THINGS HE'S TESTIFIED TO MAYBE HE WILL BE
12 ABLE TO GIVE IT ANOTHER TRY AND GET A BETTER OFFER THIS
13 TIME.

14 RANDALL KING WAS THE WITNESS WHO TOLD YOU ABOUT
15 ALL THE TERRIBLE ILLEGALITIES GOING ON IN THE CHURCH,
16 ESPECIALLY THE ONES WITH THE S.E.C. BUT UNDER
17 CROSS-EXAMINATION, ABOUT THESE ILLEGALITIES THAT THE CHURCH
18 WAS GUILTY OF, WHAT DID WE FIND OUT?

19 WE FOUND OUT THAT IT WAS RANDALL KING WHOSE
20 NAME THE ACCOUNT WAS ACTUALLY IN. IT WAS RANDALL KING WHO
21 WOULD CONVERSATION WITH HIS BROKER AND TELL HIM WHAT HE WANTED
22 TO BUY AND SELL. IT WAS RANDALL KING WHO WOULD GO DOWN TO
23 THE BROKER'S OFFICE AND IT WAS RANDALL KING WHO GAVE THE
24 AUTHORIZATION TO MOVE CHURCH FUNDS INTO THAT ACCOUNT.

25 I WOULD SUBMIT TO YOU IF THERE WERE A LOT OF
26 ILLEGALITIES GOING ON, THAT IT IS OBVIOUS WHO THE
27 PERPETRATOR OF THOSE ILLEGALITIES WERE.

28 IT WAS RANDALL KING WHO TOLD YOU THAT HE HAD AN

1 AFFAIR WITH ELIZABETH CLARE PROPHET WHILE HE WAS A GOOD
2 FRIEND OF HER HUSBAND, MARK PROPHET. IT WAS RANDALL KING
3 WHO TOLD YOU THAT HE HAD AN ADULTEROUS RELATIONSHIP WITH HIS
4 SECRETARY WHILE HE WAS MARRIED TO ELIZABETH CLARE PROPHET,
5 WHO WAS NOT JUST HIS WIFE, BUT, ACCORDING TO HIM, WAS HIS
6 GURU, HIS SPIRITUAL ADVISER, HIS PRIEST. BUT IT DIDN'T STOP
7 HIM FROM HAVING THE ADULTEROUS A FAIR.

8 IN HIS TESTIMONY YESTERDAY, YOU WILL REMEMBER
9 THAT RANDALL WAS A ONE-MAN REBUTTAL CASE. WHATEVER GAPS HAD
10 DEVELOPED IN MR. MULL'S CASE UP TO THAT POINT, MR. LEVY JUST
11 CALLED ON HIS OTHER CLIENT, RANDALL KING, AND HE CAME IN AND
12 HE TOOK CARE OF THEM.

13 THERE WAS A QUESTION IN THIS CASE ABOUT WHETHER
14 ELIZABETH CLARE PROPHET KNEW ANYTHING ABOUT HYPNOSIS.
15 RANDALL KING CAME IN AND SAID, "LET'S SEE. IN HER LIBRARY
16 SHE HAD BOOKS ON OCCULT, SATANISM, HYPNOSIS." HE JUST
17 THROUGH THAT ONE IN.

18 THERE WAS A QUESTION ABOUT HOW MUCH MONEY THE
19 HOUSEHOLD SPENT OR RECEIVED FROM THE CHURCH. RANDALL KING
20 SAID, "OH, I HAVE WORKED OUT THIS LIST. I HAPPEN TO HAVE
21 THEM. I DID IT BY COPYING RECORDS." OF COURSE NONE OF
22 THOSE RECORDS WERE BROUGHT IN, NONE OF THEM WERE IN
23 EVIDENCE.

24 THE COURT: THIS IS A CONVENIENT TIME TO TAKE OUR
25 AFTERNOON RECESS. LET'S RESUME PROMPTLY AT 3:10.

26 (RECESS.)

27 THE COURT: PLEASE PROCEED.

28 MR. KLEIN: THANK YOU.

1 I THINK WHEN I STOPPED, I WAS TALKING ABOUT
2 RANDALL KING, THE WORLD'S GREATEST REBUTTAL WITNESS. AND I
3 WAS SAYING THAT HE MANAGED TO GET IN ALL THE -- FILL IN ALL
4 THE GAPS IN MR. MULL'S CASE HERE.

5 WHEN THEY HAD TO SHOW THAT THERE WAS
6 EXPENDITURES OF A CERTAIN AMOUNT, MR. KING CAME IN AND SAID,
7 "OH, YES, I FIGURED OUT YEARS AGO. I CAN TELL YOU \$400,000
8 THAT IS HOW MUCH WE MADE."

9 WHEN THEY HAD TO SHOW THAT MR. MULL WOULDN'T
10 TALK ABOUT THE FACT THAT HE HAD A PAST OF HOMOSEXUALITY, MR.
11 KING SAID, "THAT'S RIGHT. MR. MULL WOULD NEVER TALK ABOUT
12 THAT." I THOUGHT FOR SURE HE WAS GOING TO GIVE SOME
13 TESTIMONY ABOUT THE SQUARE DANCE, BUT I GUESS HE STOPPED AT
14 THAT POINT.

15 IN EVALUATING THE TESTIMONY OF MR. KING, YOU
16 ARE GOING TO HAVE TO ASK YOURSELF IF YOU MET THIS PERSON IN
17 THE STREET, WOULD YOU BELIEVE ANYTHING THAT HE TOLD YOU?
18 WOULD YOU DO OR SAY ANYTHING IN RELIANCE ON WHAT MR. KING
19 HAS TO SAY?

20 IN MAKING THAT DECISION, I WOULD SUBMIT TO YOU
21 THAT MR. KING IS THE WITNESS WHO TOLD YOU THAT WHEN HE WAS
22 WITH THE CHURCH AND IF HE STARTED TO THINK THAT HE WAS DOING
23 SOMETHING WRONG, HE WOULD JUST SAY 40 ASTREAS, WHICH IS SOME
24 KIND OF A PRAYER, AND THAT WOULD CLEAR EVERYTHING UP FOR
25 HIM. YOU HAVE TO ASK YOURSELF IF THAT IS A PERSON YOU CAN
26 BELIEVE.

27 HE ALSO TESTIFIED THAT WHEN HE WAS WITH THE
28 CHURCH, HE LIED BECAUSE HE THOUGHT IT WAS THE RIGHT THING TO

1 DO AT THE TIME. AND YOU HAVE TO ASK YOURSELF IF YOU CAN
2 BELIEVE A PERSON WHO SAYS THAT.

3 AND LASTLY, THE LAST THING I WOULD LEAVE YOU
4 ABOUT MR. KING AND WHETHER HE IS WORTHY OF BELIEF IS THE
5 FACT THAT EVEN NOW, HE STILL IS NOT MAN ENOUGH TO TAKE
6 RESPONSIBILITY FOR WHAT HE'S DONE IN THE PAST BECAUSE HE
7 TELLS YOU THAT ALL THE LYING AND CHEATING HE DID WHEN HE WAS
8 A CHURCH MEMBER WAS FOR THE GLORY OF GOD AND WAS BECAUSE
9 ELIZABETH TOLD HIM TO DO IT. I WOULD SUBMIT TO YOU THAT YOU
10 CAN'T BELIEVE THAT WITNESS AND THAT HIS TESTIMONY IS
11 WORTHLESS.

12 WITH RESPECT TO MR. MULL, IT'S AN ENTIRELY
13 DIFFERENT SITUATION. I DID NOT MENTION MR. MULL IN THE SAME
14 BREATH AS MR. KING. I WOULD BE THE LAST TO SUGGEST THAT HE
15 HAS COME IN HERE AND PURPOSELY LIED TO YOU.

16 I WOULD SUGGEST WHEN YOU EVALUATE THE TESTIMONY
17 OF MR. MULL, THAT YOU REMEMBER WHAT DR. LEVINE SAID ABOUT A
18 TRUE BELIEVER. HOW, WHEN HE IS IN THE ORGANIZATION, HE IS A
19 TRUE BELIEVER, IT CAN DO NO WRONG. BUT WHEN HE LEAVES AND
20 IF HE LEAVES UNDER CIRCUMSTANCES THAT ARE NOT FRIENDLY, THEN
21 WATCH OUT. BECAUSE THEN AS MUCH OF A SUPPORTER AND FERVENT
22 AS HE WAS ON THE WAY UP, IT IS EVEN WORSE ON THE WAY OUT.

23 AND THAT IS WHAT YOU SEE WITH MR. MULL. AND
24 THAT, PLUS HIS MULTIPLE SCLEROSIS, MAKES IT IMPOSSIBLE FOR
25 HIM TO REMEMBER ANYTHING GOOD THAT EVER HAPPENED IN THE
26 CHURCH. THAT IS WHY WHEN YOU GO OVER THESE LETTERS, LETTERS
27 THAT HE HIMSELF WROTE, HIS TESTIMONY IS INCONSISTENT WITH
28 HIS OWN LETTERS BECAUSE NOW HE JUST CAN'T REMEMBER ANYTHING

1 GOOD ABOUT THAT CHURCH.

2 AND THAT IS THE ONLY WAY TO EXPLAIN HOW HE CAN
3 TELL YOU THAT HE WORKED 21 HOURS A DAY -- 16 HOURS A DAY AND
4 PRAYED 5 HOURS A DAY. THAT IS ALREADY 21 HOURS A DAY. THAT
5 IS HOW HE CAN TELL YOU THAT, "I HEARD THE BEAST OF BLASPHEMY
6 AND THEN THE NEXT DAY HAD THE STROKE." THAT IS HOW HE CAN
7 TELL YOU THAT HE HEARD MONROE SHEARER AND ED FRANCIS YELLING
8 AT HIM IN JUNE 6, 1980.

9 BECAUSE EVERY TIME WHEN HE IS ASKED QUESTIONS
10 ABOUT THESE THINGS, ALL HE HAS IS NEGATIVE FEELINGS ABOUT
11 THIS CHURCH AND HE JUST CAN'T REMEMBER OR JUST IS UNABLE TO
12 REMEMBER ANYTHING BUT BAD THINGS.

13 NOW IN THE VERY BEGINNING OF THIS CASE, BOTH
14 MR. LEVY AND MYSELF SAID THAT YOU CANNOT FIND FOR MR. MULL
15 OUT OF SYMPATHY BECAUSE EVERY SINGLE PERSON IN THIS
16 COURTROOM HAS COMPASSION FOR MR. MULL. THERE IS NO QUESTION
17 ABOUT THAT.

18 BUT YOU CANNOT IGNORE THE INCONSISTENCIES IN
19 HIS TESTIMONY, THE MATERIAL INCONSISTENCIES. YOU CANNOT
20 IGNORE THE NUMEROUS TIMES WHEN HE WAS ASKED A QUESTION AND
21 HE SAID, "I JUST DON'T REMEMBER. I CAN'T REMEMBER." OR
22 WHEN HE WAS SHOWN A LETTER WHICH WAS INCONSISTENT WITH HIS
23 TESTIMONY, HE JUST PUT UP HIS HANDS, HE COULDN'T RESPOND.

24 YOU CAN'T IGNORE THAT BECAUSE YOUR DUTY AS
25 JURORS IS TO DECIDE THIS CASE BASED ON THE EVIDENCE AND THE
26 FACTS BEFORE YOU.

27 AT THIS POINT I'D LIKE TO DISCUSS THE CAUSES OF
28 ACTION IN THIS CASE. AND FIRST I AM GOING TO DISCUSS THE

1 CHURCH'S CAUSE OF ACTION AGAINST MR. MULL AND IT IS REALLY
2 VERY SIMPLE. THE CHURCH LENT HIM \$37,000. HE PAID BACK
3 FIVE. THAT LEAVES 32,000 OWED.

4 AS YOU KNOW, HE SIGNED TWO PROMISSORY NOTES.
5 NOW HE CLAIMS THAT THERE WAS AN AGREEMENT BEFORE HE CAME TO
6 CAMELOT THAT THE MONEY GIVEN TO HIM WOULD BE EXPENSE MONEY.
7 BUT AS THE DOCUMENTS I SHOWED A FEW MINUTES AGO MADE CLEAR,
8 THERE SIMPLY WAS NOT AN AGREEMENT BEFORE HE CAME.

9 NOW, YOU MAY FAULT THE CHURCH FOR NOT HAVING AN
10 AGREEMENT WITH MR. MULL UNTIL MARCH. AND YOU MAY EVEN SAY
11 THAT ANY MONEY GIVEN BY THE CHURCH TO HIM BEFORE MARCH, IT
12 IS TOO BAD. THEY BLEW IT. THEY SHOULD HAVE HAD THAT
13 AGREEMENT SOLIDIFIED SO EVERYBODY KNEW EXACTLY WHERE THEY
14 WERE.

15 YOU MAY ALSO SAY THAT PART OF THE AGREEMENT WAS
16 FOR THE CHURCH TO PAY MR. MULL'S TRAVEL EXPENSES, AND THEY
17 DIDN'T SUBTRACT THAT AND THEREFORE YOU SHOULD SUBTRACT THAT.

18 BUT ONCE YOU COME TO MARCH, ONCE YOU COME TO
19 MARCH AND MR. MULL IN HIS TESTIMONY ADMITTED THAT MONROE
20 SHEARER TOLD HIM THE MONEY THEY WERE GIVING HIM WAS A LOAN,
21 AND HE ADMITTED IN HIS TESTIMONY THAT HE KNEW AT THAT TIME
22 HE WAS GOING TO CONTINUE TO TAKE THE MONEY AND NOT PAY BACK,
23 HE DIDN'T INTEND TO PAY IT BACK, I WOULD SUBMIT TO YOU FROM
24 THAT POINT ON, THE MONEY HE TOOK WAS A VALID DEBT, AND HE
25 OWED IT, AND THAT IS BASICALLY WHAT THE CHURCH'S CASE IS AND
26 IT SHOULD BE PAID.

27 IN CONSIDERING THE CAUSES OF ACTION THAT MR.
28 MULL HAS AGAINST THE CHURCH, YOU FIRST HAVE THAT ASSAULT

1 CAUSE ON THE DAY OF THE SQUARE DANCE WHEN MR. MULL TESTIFIED
2 8 TO 20 JUDO EXPERTS BLOCKED THE ROAD. THIS IS WHERE YOUR
3 COMMON SENSE COMES BACK.

4 DID THE CHURCH REALLY NEED 8 TO 20 JUDO EXPERTS
5 TO KEEP MR. MULL FROM ENTERING THEIR PROPERTY? WERE THESE
6 JUDO EXPERTS JUST HANGING AROUND ON THE OFF CHANCE THAT MR.
7 MULL MIGHT COME IN AND THEY COULD COME OUT AND TERRORIZE
8 HIM? DOES THAT MAKE ANY SENSE?

9 NOW, THE TESTIMONY THAT YOU'VE HEARD WAS THAT
10 THIS INCIDENT OCCURRED ON CHURCH PROPERTY, THAT MR. FRANCIS
11 TOLD MR. MULL, "YOU CAN'T GO ANY FURTHER." REMEMBER, THIS
12 ALL OCCURRED AFTER THERE WAS ALREADY A LAWSUIT PENDING
13 BETWEEN MR. MULL AND THE CHURCH. MR. FRANCIS CAME DOWN AND
14 SAID, "I DO NOT WANT YOU TO GO ANY FURTHER. CAN YOU PLEASE
15 LEAVE." THAT IS THE TESTIMONY.

16 WAS MR. FRANCIS ACTING IN AN INAPPROPRIATE
17 MANNER? THERE IS NO TESTIMONY THAT ANYBODY TOUCHED MR.
18 MULL. AND I WOULD SUBMIT THE OVERWHELMING TESTIMONY IS THAT
19 NOBODY MADE ANY THREATENING GESTURES, NOBODY MADE ANY
20 GESTURES AT ALL, THAT HE JUST TOLD HIM THAT THEY DID NOT
21 WANT HIM THERE. WAS THAT UNREASONABLE?

22 THE ARGUMENT THAT YOU HEARD FROM MR. LEVY IS
23 AGAIN OFFENSIVE TO YOUR COMMON SENSE. MR. MULL JUST CAME TO
24 SQUARE DANCE. THAT IS ALL HE WANTED. OR HE CAME TO DISCUSS
25 THINGS WITH ELIZABETH'S CLARE PROPHET AND THAT IS WHY HE
26 SHOWED UP ON THIS DAY OF THE SQUARE DANCE. COINCIDENCE.

27 PUT YOURSELF IN THAT POSITION. MR. MULL SHOWS
28 UP NOT BY HIMSELF, BUT WITH OTHER PEOPLE, INCLUDING

1 REPORTERS, WITH CAMERAS. IS IT REASONABLE FOR ED FRANCIS TO
2 CONCLUDE THAT MR. MULL WAS NOT THERE TO SQUARE DANCE? I
3 WOULD SUGGEST THAT IT IS.

4 I WOULD SUGGEST THAT IT IS OFFENSIVE TO TELL
5 YOU THAT MR. MULL CAME THERE TO SQUARE DANCE. WHAT WERE THE
6 PHOTOGRAPHERS GOING TO DO? TAKE A PICTURE OF THEM DANCING?

7 THE NEXT CAUSE OF ACTION IS THE BREACH OF THE
8 CONFIDENTIAL RELATIONSHIP. THAT REFERS TO THE ALLEGATION
9 THAT ELIZABETH CLARE PROPHET DID NOT BURN MR. MULL'S
10 CLEARANCE LETTER, BUT REVEALED THE INFORMATION TO OTHERS.

11 FIRST OF ALL, DURING THE COURSE OF THIS ENTIRE
12 TRIAL, NOT ONE SINGLE WITNESS HAS TESTIFIED THAT THEY EVER
13 SAW MR. MULL'S CLEARANCE LETTER. THERE HAS BEEN NO
14 TESTIMONY ABOUT THAT. NOT ONE PERSON HAS SAID THAT THEY SAW
15 THAT CLEARANCE LETTER.

16 THE SECOND ALLEGATION IS WELL, IF SHE DIDN'T
17 SHOW THAT LETTER TO ANYBODY, SHE TOLD SOMEBODY THAT. FIRST,
18 I WOULD SUGGEST THAT THAT INFORMATION WAS ANYTHING BUT
19 CONFIDENTIAL.

20 YOU HEARD FROM FOUR WITNESSES WHO TESTIFIED
21 THAT EITHER MR. MULL OR KATHLEEN MULL TOLD THEM THAT HE HAD
22 BEEN A HOMOSEXUAL PRIOR TO JOINING THE CHURCH. AND ONE OF
23 THOSE WITNESSES, THE NURSE, DOROTHY WHITEHEAD, TESTIFIED
24 THAT THERE WERE A NUMBER OF PEOPLE PRESENT WHEN MR. MULL
25 MADE HIS STATEMENT ABOUT HAVING BEEN A HOMOSEXUAL.

26 YOU HAVE TO ASK YOURSELF IF DURING THE COURSE
27 OF THIS TRIAL WE CAN BRING IN FOUR PEOPLE WHO WERE TOLD THAT
28 EITHER BY MR. MULL OR BY KATHLEEN MULL, HOW MANY OTHER

1 PEOPLE MUST BE WANDERING AROUND THAT HEARD THE SAME
2 STATEMENT EITHER FROM MR. MULL, FROM HIS WIFE OR FROM ONE OF
3 THE PEOPLE THAT HE TOLD OR SHE TOLD?

4 THE ARGUMENT WAS MADE BY MR. LEVY THAT YOU KNOW
5 MR. MULL WOULDN'T HAVE DONE THIS BECAUSE HE WOULDN'T GO
6 AROUND TELLING PEOPLE HE WAS A HOMOSEXUAL. IT WOULDN'T MAKE
7 ANY SENSE. BUT IF YOU LOOK AT THE TESTIMONY BY THE
8 WITNESSES, THAT THEY WERE TOLD THAT TESTIMONY BY HIM, THEY
9 HAD ONE SIMILARITY. THAT MR. MULL DIDN'T SAY HE WAS A
10 HOMOSEXUAL.

11 HE SAID HE HAD BEEN A HOMOSEXUAL AND WAS CURED
12 BY THE TEACHINGS. SO IT IS NO LONGER A STATEMENT WHERE
13 SOMEONE IS CONFESSING A TERRIBLE SIN. IT IS A STATEMENT
14 WHERE MR. MULL, THE TRUE BELIEVER WHO WANTS TO TELL
15 EVERYBODY HOW GREAT THIS RELIGION IS, IS TELLING EVERYBODY,
16 "THIS RELIGION IS SO TERRIFIC THAT IT CURED ME OF BEING A
17 HOMOSEXUAL."

18 THAT IS WHAT THE WITNESSES EACH SAID. THAT WAS
19 THE NATURE OF THE COMMENTS THAT HE MADE TO THEM, AND THAT IS
20 WHY IT IS NOT OUTRAGEOUS AND IT DOESN'T OFFEND COMMON SENSE
21 THAT HE WOULD MAKE SUCH STATEMENTS.

22 THE ONE WITNESS MR. LEVY TALKED ABOUT, DOROTHY
23 WHITEHEAD, WHO MR. LEVY SAID, "THAT IS JUST CRAZY. MR. MULL
24 HAS HIS OWN HOUSE. IF HE WAS GOING TO DO IT, HE WOULDN'T
25 HAVE TO COME TO HER HOUSE," I ASK YOU IF DOROTHY WHITEHEAD
26 WAS GOING TO LIE. WAS GOING TO COME IN HERE AND MAKE UP A
27 STORY, IT WOULD BE VERY EASY FOR HER TO SAY, "I WAS AT MR.
28 MULL'S HOUSE AND THAT IS WHAT HE TOLD ME."

1 IT MAKES NO SENSE IF SHE IS GOING TO LIE TO
2 YOU, FOR HER TO COME IN AND MAKE UP SOME STORY ABOUT, "HE
3 ASKED ME TO HAVE THE PARTY AT MY HOUSE."

4 ELIZABETH CLARE PROPHET TESTIFIED THAT SHE
5 LEARNED MR. MULL HAD BEEN A HOMOSEXUAL PRIOR TO THE FIRST
6 TIME SHE EVER MET HIM. SHE ALSO TESTIFIED SHE NEVER TOLD
7 ANYBODY THAT HE WAS A HOMOSEXUAL.

8 DURING THE COURSE OF THIS TRIAL, ONE WITNESS,
9 THE EVER READY MR. KING, DEFENDED THAT ELIZABETH CLARE
10 PROPHET TOLD HIM THAT MR. MULL WAS A HOMOSEXUAL. NO OTHER
11 WITNESS TESTIFIED TO THAT.

12 NOW THERE WAS SOME TALK BY MR. LEVY ABOUT
13 DONALD TROWBRIDGE. BY THE WAY, DONALD TROWBRIDGE, YOU WILL
14 REMEMBER FROM THE EVIDENCE, WAS NOT A BOARD MEMBER. BUT
15 DONALD TROWBRIDGE GAVE SOME VERY INTERESTING TESTIMONY.

16 WHAT HE SAID WAS ELIZABETH CLARE PROPHET
17 REVEALED TO A -- AT A MEETING SOME PERSONAL INFORMATION
18 ABOUT GREGORY MULL. BUT YOU KNOW WHAT, HE NEVER SAID WHAT
19 THE PERSONAL INFORMATION WAS.

20 NOW WE'VE USED THAT WORD "HOMOSEXUAL" A NUMBER
21 OF TIMES IN THIS COURTROOM. NOBODY IS SCARED TO USE IT.
22 BUT DONALD TROWBRIDGE DIDN'T SAY WHAT THE PERSONAL
23 INFORMATION WAS. HE JUST SAID SHE REVEALED SOME.

24 I WOULD SUGGEST THAT IF WHAT SHE REVEALED TO
25 HIM WAS THAT MR. MULL WAS A HOMOSEXUAL, HE WOULD HAVE
26 TESTIFIED TO IT. AND I WOULD GO FURTHER TO SAY THAT IF HE
27 FORGOT TO TESTIFY TO IT, MR. LEVY WOULD HAVE SAID, "MR.
28 TROWBRIDGE, TELL US EXACTLY WHAT THAT PERSONAL INFORMATION

1 WAS."

2 BUT MR. LEVY DIDN'T SAY IT. AND THEREFORE HE
3 LEFT THE RECORD AS IT IS, WHICH IS THAT OTHER THAN RANDALL
4 KING, NOT ONE SINGLE WITNESS HAS EVER COME INTO THIS
5 COURTROOM AND TESTIFIED THAT ELIZABETH CLARE PROPHET TOLD
6 THEM THAT GREGORY MULL WAS A HOMOSEXUAL.

7 THERE WAS ALSO TESTIMONY ABOUT THIS MONTANA
8 MEETING WHERE BEFORE A WHOLE GROUP OF PEOPLE THIS STATEMENT
9 WAS MADE. I WOULD SUBMIT THAT THERE IS ABSOLUTELY NO
10 TESTIMONY, NO EVIDENCE TO INDICATE THAT ELIZABETH CLARE
11 PROPHET -- LET ME BACK UP TO INDICATE FIRST IF IT OCCURRED,
12 IF THERE WAS SUCH A STATEMENT MADE IN MONTANA, THAT
13 ELIZABETH CLARE PROPHET HAD NOTHING TO DO WITH IT.

14 WE KNOW FROM THE EVIDENCE THAT LOTS OF PEOPLE
15 KNEW MR. MULL HAD BEEN A HOMOSEXUAL. THERE IS NOT ONE BIT
16 OF EVIDENCE IN THIS CASE TO INDICATE THAT ELIZABETH CLARE
17 PROPHET KNEW THAT SOMEBODY WAS GOING TO MAKE SUCH A COMMENT
18 OR HAD ANYTHING TO DO WITH THEM MAKING THAT COMMENT.

19 THE NEXT CAUSE OF ACTION IS FRAUD. MR. MULL
20 SAYS HE WAS DEFRAUDED BY THE CHURCH. THE FACT IS MR. MULL
21 ENDED UP WITH THE CHURCH'S \$32,000.

22 IN DETERMINING WHETHER MR. MULL WAS DEFRAUDED
23 OF HIS TIME AND SERVICE THAT CONSISTED OF HIM WORKING FOR
24 THOSE NINE MONTHS AND FROM THE TIME FROM NOVEMBER TO MAY FOR
25 ABOUT 20 HOURS A WEEK, IN DETERMINING THAT, IT IS IMPORTANT
26 TO REALIZE THAT DURING THE TIME MR. MULL WAS WITH THE
27 CHURCH, HE GOT THAT \$37,000, MINUS FIVE ENDS UP \$32,000.

28 WE KNOW FROM LOOKING AT THE NET PROFIT OF MR.

1 MULL'S BUSINESS FROM 1975 TO 1978, THAT IF YOU ADD UP HIS
2 PROFIT FROM HIS BUSINESS FOR ALL FOUR YEARS BEFORE HE CAME
3 TO CAMELOT, IT IS LESS THAN \$10,000.

4 MR. MULL MADE A BONANZA WHEN HE CAME TO CAMELOT
5 AND HE GOT \$37,000 PLUS HIS ROOM AND BOARD. AND YET HE IS
6 THE ONE SUING FOR BEING DEFRAUDED.

7 YOU ALSO RECALL THAT MR. MULL GOT A LETTER FROM
8 MR. GROSS, WHO WAS THE LAWYER FOR THE CHURCH, SAYING, "YOU
9 CAN KEEP THE MONEY. WE DON'T WANT IT. JUST DON'T GO TO THE
10 NEWSPAPERS, AND DON'T GO DEPROGRAMING PEOPLE AND SAYING
11 UNTRUE THINGS ABOUT THE CHURCH."

12 IN DETERMINING IF MR. MULL WAS DEFRAUDED BY
13 THIS CHURCH, I WOULD SUGGEST THAT IT IS PROBABLY THE FIRST
14 TIME IN THE HISTORY OF JURISPRUDENCE WHERE THE VICTIM OF THE
15 FRAUD STARTED OUT BROKE, AS MR. MULL TESTIFIED HE WAS, AND
16 ENDED UP WITH \$32,000 FROM THE PERSON WHO WAS THE ALLEGED
17 PERPETRATOR.

18 I WOULD SUBMIT TO YOU THAT REGARDLESS OF
19 WHETHER YOU BELIEVE THE CHURCH HANDLED THEIR DEALINGS WITH
20 MR. MULL IN A CHURCH-LIKE WAY, THAT THERE SIMPLY IS NO
21 EVIDENCE TO CONCLUDE THAT THEY DEFRAUDED HIM.

22 AT THE END OF THEIR RELATIONSHIP, HE HAD THEIR
23 \$32,000. HE HAD \$200,000 FROM SELLING HIS HOUSE. HE HAD A
24 YEAR AND A HALF OF FREE ROOM AND BOARD.

25 AND WHAT DID THE CHURCH END UP WITH? THEY HAD
26 SOME OF THE PLAN FOR THEIR MONTESSORI SCHOOL WHICH THEY
27 DIDN'T LIKE AND NEVER BUILT, AND THEY HAD THE PLANS FOR THE
28 WILL OF GOD FOCUS, WHICH IS A SMALL CHAPEL THAT SEATS 12

1 PEOPLE. IT CERTAINLY DIDN'T MAKE ANY BONANZA FOR MR. MULL.

2 BY THE WAY, I WILL TAKE A MOMENT TO ADDRESS MR.
3 LEVY'S ALLEGATION THAT IT WAS BECAUSE OF THE CHURCH THAT MR.
4 MULL SOLD HIS HOUSE FOR ONLY \$200,000. IN FACT, LETTERS ARE
5 IN EVIDENCE BACK IN JANUARY OF 1979 FROM MR. MULL SAYING, "I
6 THINK I AM GOING TO SELL MY HOUSE."

7 YOU KNOW HIS HOUSE WENT ON SALE IN MARCH OF
8 1979. HE DIDN'T SELL IT UNTIL APRIL OF 1980. THAT IS OVER
9 A YEAR LATER HE SELLS HIS HOUSE. AND YET THEY ARE GOING TO
10 TELL YOU THE FACT THAT HE DIDN'T GET \$260,000 IS THE
11 CHURCH'S FAULT.

12 THE MAN'S HOUSE WAS ON SALE FOR 13 MONTHS. BUT
13 IT NEVER OCCURS TO THEM THAT POSSIBLY THE HOUSE WAS ONLY
14 WORTH \$200,000. INSTEAD, IT IS MUCH EASIER TO SAY HE HAD TO
15 SELL HIS HOUSE VERY QUICK, BLAME THE CHURCH. HE LOST MONEY
16 BECAUSE OF THEM.

17 ADDITIONALLY, WHEN YOU CONSIDER THE ALLEGATION
18 OF FRAUD, I WOULD SUBMIT TO YOU THAT EXCEPT FOR THE
19 TESTIMONY OF RANDALL KING, THERE IS ABSOLUTELY NO EVIDENCE
20 IN THIS CASE TO SUGGEST THAT THE CHURCH INTENTIONALLY MISLED
21 MR. MULL.

22 AND RANDALL KING, YOU WILL REMEMBER. WHO TOLD
23 US ABOUT THESE BOARD MEETINGS HE WAS AT, IS THE SAME RANDALL
24 KING WHO ADMITTED THAT HE WAS NOT ON EITHER THE BOARD OR THE
25 EXECUTIVE COMMITTEE DURING THE YEARS 1978 AND '79, THAT HE
26 JUST HAPPENED TO BE PRESENT AT THESE CRUCIAL BOARD MEETINGS
27 SO THAT HE COULD COME IN AND TELL YOU, "BY THE WAY, THEY
28 INTENTIONALLY CHEATED MR. MULL. THEY NEVER INTENDED TO

1 PAY."

2 ONCE AGAIN, MR. KING COMES TO THE RESCUE. HE
3 IS ALWAYS IN THE RIGHT PLACE SO THAT HE CAN GIVE YOU THE
4 TESTIMONY TO HELP OUT THIS CASE.

5 MR. LEVY: YOUR HONOR, I PROMISED I WOULDN'T
6 INTERRUPT, BUT I WILL BE DAMNED I AM GOING TO DO IT.

7 MR. KLEIN IS MISCHARACTERIZING THE TESTIMONY.
8 IF HE HAS A PERSONAL VENDETTA WITH MR. KING, LET HIM SETTLE
9 IT OUTSIDE IN THE HALL. BUT MR. KING NEVER TESTIFIED TO THE
10 THINGS THAT MR. KLEIN IS STATING. IT IS A GROSS
11 MISCHARACTERIZATION OF WHAT IS ON THE RECORD IN THIS TRIAL.

12 THE COURT: THE OBJECTION IS SUSTAINED.

13 MR. KLEIN: WELL, I WOULD URGE THE JURY TO READ THE
14 RECORD. YOU CAN COME BACK, YOU CAN ASK THEM TO READ THE
15 TESTIMONY OF MR. KING, YOU CAN ASK FOR ANY TESTIMONY YOU
16 WANT AND YOU CAN DECIDE EXACTLY WHAT THE TESTIMONY IS.

17 WITH RESPECT TO THE QUESTION OF WHETHER THE
18 CHURCH COMMITTED FRAUD AGAINST MR. MULL, AGAIN, I WOULD
19 SUGGEST YOU READ THOSE LETTERS, THE LETTERS OF MARCH 9TH AND
20 THE LETTER OF MARCH 18TH.

21 AND THE LETTER OF MARCH 18TH, WHICH IS THE TIME
22 THAT MONROE SHEARER SAID THAT A DEAL HAD BEEN REACHED
23 BETWEEN THE CHURCH AND MR. MULL, AND THERE IS A LETTER THAT
24 IS IN EVIDENCE DATED MARCH 18TH, WHICH SAYS, BY MR. MULL:

25 "I ACCEPT," IT IS EXHIBIT 50,

26 "I ACCEPT YOUR DECISION FULLY AS PER YOUR
27 MEMORANDUM DATED MARCH 16TH, 1979. I AM
28 GOING TO PUT MY HOUSE ON SALE." AND IT

1 SAYS, "THANK YOU FOR YOUR LOAN ASSISTANCE
2 MAKING IT POSSIBLE FOR ME TO BE THERE."

3 THAT IS A MARCH 18TH, '79, LETTER, EXHIBIT
4 NUMBER 50. I WOULD SUBMIT WHEN YOU ARE CONSIDERING WHETHER
5 THERE WAS SOME KIND OF FRAUD, THAT YOU CONSIDER THAT LETTER
6 AS TO WHETHER MR. MULL KNEW EXACTLY WHAT THE DEAL WAS AS OF
7 MARCH OF 1979.

8 THERE'S ALSO BEEN A CLAIM THAT MR. MULL BURNED
9 HIS BRIDGES AND THEREFORE COULD NEVER GO BACK TO SAN
10 FRANCISCO. THE TESTIMONY IS -- AGAIN, IT IS IN MR. MULL'S
11 TESTIMONY THAT IN FEBRUARY OF 1979, HE HAD THIS CONVERSATION
12 WITH MONROE SHEARER AND KNEW -- HE KNEW AT THAT TIME THAT
13 THE CHURCH CONSIDERED THE MONEY A LOAN.

14 NOW, YOU WILL REMEMBER HE ONLY CAME TO CAMELOT
15 IN JANUARY OF 1979. SO A MONTH LATER, ONE MONTH LATER, HE
16 FINDS OUT THAT THE DEAL WAS NOT WHAT HE UNDERSTOOD IT TO BE.
17 AT THAT POINT, WAS THERE ANYTHING STOPPING HIM FROM SAYING,
18 "I AM GOING TO GO BACK TO SAN FRANCISCO"?

19 YOU REMEMBER HE STILL HAD HIS PRACTICE. HE WAS
20 GOING BACK THERE THREE DAYS A WEEK ANYWAY. HE STILL WAS
21 WORKING ON JOBS IN SAN FRANCISCO. WHY COULDN'T HE HAVE JUST
22 SAID, "I WILL GO BACK TO SAN FRANCISCO NOW"?

23 HE HAD ALREADY GOTTEN TWO PAYMENTS FROM THEM,
24 ONE FOR \$1,400 AND ONE FOR \$2,000. HE COULD HAVE TAKEN THE
25 \$3,400, SAID, "I AM DONE. YOU ARE NOT STANDING BY YOUR
26 AGREEMENT. I AM GOING BACK TO SAN FRANCISCO."

27 HIS BRIDGES WEREN'T BURNED. THE REASON HE
28 DIDN'T GO BACK TO SAN FRANCISCO WAS BECAUSE HE DIDN'T WANT

1 TO GO BACK TO SAN FRANCISCO. HE WANTED TO STAY EVEN THOUGH
2 THE DEAL BY MARCH OF 1979 WAS AS CLEAR AS COULD BE. HE KNEW
3 EXACTLY WHAT IT WAS.

4 THERE IS AN ALLEGATION THAT THE CHURCH CAUSED
5 MR. MULL EMOTIONAL DISTRESS. THE ALLEGATION IS INTENTIONAL
6 EMOTIONAL INFLICTION OF DISTRESS. IN CONSIDERING THAT
7 ALLEGATION, I WOULD URGE YOU TO KEEP IN MIND THE TESTIMONY
8 OF DR. AFSHAR.

9 DR. AFSHAR IS MR. MULL'S OWN PHYSICIAN WHO
10 TESTIFIED. WHAT HE TESTIFIED TO WAS HE COULD NOT TELL ONE
11 WAY OR THE OTHER WHETHER STRESS PLAYED A ROLE IN EITHER
12 CAUSING MR. MULL'S MULTIPLE SCLEROSIS OR IN ACTIVATING THE
13 SYMPTOMS OF MULTIPLE SCLEROSIS. HE SIMPLY COULD NOT TELL
14 ONE WAY OR ANOTHER.

15 AS YOU HAVE HEARD MANY TIMES, THE BURDEN IN
16 THIS CASE IS ON MR. MULL TO SHOW BY A PREPONDERANCE OF THE
17 EVIDENCE, 51 PERCENT VERSUS 49 PERCENT, AT LEAST, THAT HE IS
18 CORRECT TO SUSTAIN HIS BURDEN.

19 I WOULD SUBMIT TO YOU BASED ON THE TESTIMONY OF
20 DR. AFSHAR, WHICH IS, "CAN'T TELL, STRESS COULD PLAY A PART,
21 MAYBE NOT, I JUST DON'T KNOW," BASED ON THAT TESTIMONY, YOU
22 CANNOT FIND THAT THEY HAVE SUSTAINED THEIR BURDEN AND SHOWN
23 THAT THE CHURCH HAD ANYTHING TO DO WITH CAUSING MR. MULL'S
24 MULTIPLE SCLEROSIS.

25 IT IS CERTAINLY UNFORTUNATE THAT HE HAS IT.
26 BUT THERE IS ABSOLUTELY NO EVIDENCE IN THIS RECORD ON WHICH
27 YOU CAN CONCLUDE THAT IT IS THE CHURCH'S FAULT THAT HE HAS
28 IT.

1 IN DETERMINING WHETHER THERE WAS INTENTIONAL
2 INFLICTION OF EMOTIONAL DISTRESS IN THIS CASE, YOU HAVE TO
3 DETERMINE WHETHER THE CHURCH'S ACTIONS WERE OUTRAGEOUS,
4 BEYOND THE BOUND OF DECENCY. I SUBMIT THAT REGARDLESS OF
5 WHETHER YOU AGREE WITH THE CHURCH'S BEHAVIOR IN THIS CASE,
6 IT NEVER CAME CLOSE TO APPROACHING SUCH CONDUCT.

7 WAS IT OUTRAGEOUS FOR THE CHURCH TO EXPECT THAT
8 MR. MULL WOULD PAY BACK THE MONEY THAT THEY LENT HIM AND
9 WHICH FROM MARCH, AT THE VERY LEAST MARCH OF 1979, HE KNEW
10 FULL WELL WAS A LOAN? IS THAT OUTRAGEOUS?

11 IS IT OUTRAGEOUS THAT AFTER MR. MULL SOLD HIS
12 HOUSE AND RECEIVED \$199,000, THAT THE CHURCH SAID, "PAY US
13 WHAT YOU OWE US"?

14 WAS IT OUTRAGEOUS AT THE MEETING ON JUNE 6,
15 1980, WHEN THE CHURCH OFFICIALS, KNOWING MR. MULL HAD
16 RECEIVED THE MONEY FOR THE SALE OF HIS HOUSE, KNOWING HE
17 BOUGHT A NEW TOYOTA, TOOK THE \$5,000?

18 A COUPLE OF WEEKS EARLIER HE HAD OFFERED THEM
19 \$10,000. HE SAID, "I WILL GIVE YOU \$10,000 IF YOU WAIVE ALL
20 DEBTS." WAS IT OUTRAGEOUS FOR THEM TO ACCEPT \$5,000 TWO OR
21 THREE WEEKS LATER?

22 WAS IT OUTRAGEOUS FOR THEM TO ACCEPT \$5,000
23 FROM MR. MULL WHEN AT THAT VERY CONVERSATION, AND YOU CAN
24 READ IT IN THE TRANSCRIPT OF JUNE 6, 1980, MR. MULL SAID,
25 "DON'T WORRY ABOUT ME. I ALWAYS FIND A WAY TO BREAK EVEN.
26 I'LL BE OKAY"?

27 WAS IT OUTRAGEOUS FOR THE CHURCH OFFICIALS TO
28 ASK MR. MULL TO LEAVE CAMELOT; AND NOT GO OUT IN THE STREET

1 OR SOMETHING, BUT GO BACK TO WESTLAKE TO HIS WESTLAKE
2 CONDOMINIUM IN VIEW OF THE FACT THAT HE HAD RECEIVED THE
3 MONEY FOR SELLING HIS HOUSE AND NOT ONLY TOLD THEM HE
4 WOULDN'T PAY WHAT HE OWED THEM, BUT SAID HE WOULDN'T EVEN
5 CONSIDER NEGOTIATING IN A WAY THAT THEY COULD GET THE MONEY
6 IN INSTALLMENTS IN, SAY, OVER A TWO- OR THREE-YEAR PERIOD?
7 WAS IT OUTRAGEOUS FOR THEM TO SAY, "PLEASE LEAVE"?

8 THERE HAS BEEN AN ALLEGATION THAT ELIZABETH
9 CLARE PROPHET CALLED MR. MULL THE BEAST OF BLASPHEMY.
10 ASSUMING FOR A MOMENT SHE DID CALL HIM THAT, WAS IT
11 OUTRAGEOUS FOR HER TO DO SO?

12 REMEMBER THAT LETTER OF NOVEMBER 7TH, 1981. IN
13 THAT LETTER, MR. MULL CALLED ELIZABETH CLARE PROPHET THE
14 GREAT WHORE AND THE FALSE PROPHET. IS IT OUTRAGEOUS FOR HIM
15 TO CALL HER THAT? I'D SAY THEY ARE ABOUT EVEN.

16 IN CONSIDERING WHETHER THE CHURCH'S ACTIONS
17 WERE OUTRAGEOUS IN DEALING WITH MR. MULL, KEEP IN MIND THAT
18 HIS LETTERS TO THE BUILDING DEPARTMENT WENT TO THE BUILDING
19 DEPARTMENT AND THE NEWSPAPER. HE SAID HE BROUGHT IT TO THE
20 NEWSPAPER INSTEAD OF JUST COMING TO THE CHURCH AND SAYING,
21 "I THINK YOU HAVE SOME PROBLEMS HERE. WHY DON'T YOU FIX
22 THEM UP." WHY DIDN'T HE DO THAT?

23 INSTEAD, HE CHOSE THE OTHER ROUTE. GO TO THE
24 MEDIA, GO TO THE BUILDING DEPARTMENT. WAS IT OUTRAGEOUS FOR
25 THE CHURCH TO SUE HIM WHEN HE DID THAT?

26 ESPECIALLY SINCE HE HAD RECEIVED THE LETTER
27 FROM MR. GROSS, THE LAWYER FOR THE CHURCH, TELLING HIM, "IF
28 YOU STOP MAKING TROUBLE, IF YOU START -- STOP GOING TO

1 NEWSPAPERS, THEN WE WILL FORGET THE WHOLE \$37,000." WAS IT
2 OUTRAGEOUS FOR THEM TO SUE HIM WHEN HE KEPT UP THOSE KIND OF
3 ACTIVITIES?

4 LASTLY, IN CONSIDERING WHETHER THE CHURCH IS
5 THE CAUSE OF MR. MULL'S PHYSICAL AILMENTS, PLEASE KEEP IN
6 MIND THE FACT THAT MR. MULL TESTIFIED THAT ONCE HE LEFT THE
7 CHURCH, BEGINNING ABOUT 1981, HE SPENT 30 TO 40 HOURS A WEEK
8 IN HIS SPEECHES ABOUT THE CHURCH. HE TRAVELED AROUND THE
9 COUNTRY.

10 CERTAINLY THAT KIND OF ACTIVITY, WHICH HE
11 TESTIFIED HE CONTINUED RIGHT UP TO JUNE OF 1984 WHEN HE HAD
12 HIS STROKE. THAT KIND OF ACTIVITY, THAT MANY HOURS A WEEK
13 DIRECTED AGAINST THE CHURCH HAS TO CAUSE STRESS.

14 IS THAT THE CHURCH'S FAULT THAT HE CHOSE TO
15 ENGAGE IN THAT KIND OF CAMPAIGN? TO THE EXTENT IT DID CAUSE
16 HIM STRESS AND TO THE EXTENT IT CAUSED HIM INJURY, IS IT THE
17 CHURCH'S FAULT? SHOULD THEY BE BLAMED BECAUSE HE DECIDED TO
18 GO ON THAT CAMPAIGN?

19 AS FAR AS THE STRESS, YOU SHOULD ALSO NOTE THAT
20 DR. AFSHAR TESTIFIED THAT WHEN MR. MULL CAME TO HIM IN JUNE
21 OF 1984 WHEN HE HAD HAD THAT STROKE-LIKE INCIDENT, THAT DR.
22 AFSHAR MADE NOTES ABOUT WHAT MR. MULL TOLD HIM CAUSED THE
23 STRESS. AND IN HIS NOTES HE WROTE DOWN JOB FAMILY,
24 FINANCIAL. BUT MR. MULL DIDN'T TELL HIM THAT IT WAS STRESS
25 CAUSED BY ANYTHING RELATED TO THE CHURCH DURING THAT VISIT.

26 WHAT DR. AFSHAR TESTIFIED TO WAS THAT LATER ON.
27 MR. MULL SAID LATER ON, "THE CHURCH ALSO CAUSED ME STRESS,"
28 LATER MEETINGS.

1 I SUBMIT WHAT MIGHT VERY WELL HAVE HAPPENED IS
2 MR. MULL TALKED TO HIS LAWYERS OR SOMEBODY ELSE, AND THEN
3 LATER ON HE WENT BACK AND STARTED TALKING ABOUT STRESS FROM
4 THE CHURCH. WHAT IS VERY IMPORTANT IS DR. AFSHAR TESTIFIED
5 ORIGINALLY MR. MULL DID NOT ATTRIBUTE ANY OF HIS STRESS TO
6 THE CHURCH.

7 THEN THERE IS THE ALLEGATION OF QUANTUM MERUIT,
8 THAT MR. MULL SHOULD RECEIVE THE VALUE OF HIS SERVICES FOR
9 THE CHURCH. IN DECIDING WHETHER HE IS ENTITLED TO SUCH
10 AMOUNT OF MONEY, I WOULD URGE YOU TO CONSIDER THE FACT THAT
11 HE NEVER DISCUSSED WITH THE CHURCH PAYMENT FOR HIS SERVICES
12 OTHER THAN THAT EXPENSE MONEY.

13 THERE WAS NEVER ANY TALK, "WE ARE GOING TO PAY
14 YOU \$35 AN HOUR." THERE WAS NEVER ANY TALK LIKE THAT IN MR.
15 MULL'S OR ANYBODY ELSE'S TESTIMONY.

16 THE ONLY DEAL THAT IS DISCUSSED BETWEEN MR.
17 MULL AND THE CHURCH IS THE EXPENSE MONEY, WHERE THERE IS THE
18 QUESTION OF WHETHER IT WAS A LOAN OR WHETHER IT WAS MONEY
19 THAT HE DID NOT HAVE TO PAY BACK. THE FACT THAT THEY WOULD
20 PAY HIS TRAVEL EXPENSES, THE FACT THAT THEY WOULD GIVE HIM
21 FREE ROOM AND BOARD, THAT WAS THE DEAL.

22 ONCE AGAIN, AS OF MARCH OF 1979, THE LETTERS
23 MAKE CLEAR THAT THAT -- THAT MR. MULL KNEW THAT THE DEAL WAS
24 HE WOULD BE GIVEN MONEY AS A LOAN, HE WOULD PAY IT BACK WHEN
25 HE SOLD HIS HOUSE, HE WOULD GET FREE ROOM AND BOARD AND HE
26 WOULD GET TRAVEL EXPENSES. THAT IS WHAT THE DEAL WAS. MR.
27 MULL WAS NOT LOSING THE VALUE OF HIS SERVICES IF THE DEAL HE
28 MADE WAS AS I'VE JUST DESCRIBED IT.

1 IF IN CONSIDERING THE TESTIMONY THE JURY FEELS
2 THAT MR. MULL SHOULD GET SOME ADDITIONAL MONEY AS A RESULT
3 OF THE WORK HE DID FOR THE CHURCH, I WOULD URGE YOU TO
4 CONSIDER, AND IT IS IN EVIDENCE, THE FACT THAT MR. MULL'S
5 HOURLY CONSULTATION RATE WAS \$35 AN HOUR.

6 I WOULD URGE YOU TO CONSIDER THE PRACTICE THAT
7 HE HAD, THE BACKGROUND, HOW MUCH MONEY HE WAS MAKING FROM
8 HIS PRACTICE TO DETERMINE WHAT THE VALUE OF HIS SERVICES
9 WERE.

10 LASTLY, THE BIG PUNITIVE DAMAGES WHICH MR. LEVY
11 WROTE ALL OVER THAT CHART. I WOULD ASK YOU TO CONSIDER
12 TESTIMONY IN THIS CASE. CONSIDER WHETHER THERE IS ANYTHING
13 THAT YOU SEE THAT SHOWS THE CHURCH TO BE OPPRESSIVE, TO HAVE
14 MALICE TOWARDS MR. MULL.

15 THERE CERTAINLY WERE DEALINGS AND THERE
16 CERTAINLY WERE TIMES WHEN MR. MULL WASN'T HAPPY, BUT THERE
17 ARE DEALINGS IN EVERYDAY LIFE THAT WE ALL GO THROUGH. THERE
18 ARE SOMETIMES WHEN SOMEBODY OWES YOU SOME MONEY AND YOU SAY,
19 "I WANT THE MONEY THAT YOU OWE ME."

20 I WOULD SUBMIT THAT THE CHURCH ACTED IN GOOD
21 FAITH TOWARDS MR. MULL. THEY GAVE HIM THIS MONEY FOR
22 MONTHS. HE HAD OVER A YEAR TO SELL HIS HOUSE. AND TO COME
23 BACK NOW AND SAY THERE WAS MALICE, IT WAS OFFENSIVE, IS
24 SIMPLY NOT CONSISTENT WITH THE EVIDENCE IN THIS CASE.

25 IN CONSIDERING THE EVIDENCE, A LOT WAS MADE OF
26 THOUGHT REFORM. BRAINWASHING. HYPNOSIS. WHATEVER YOU WANT TO
27 CALL IT. WE HAD A NUMBER OF EXPERTS TESTIFY ABOUT THOSE
28 DIFFERENT WORDS, AND WHAT THEY MEAN AND WHETHER THEY ARE

1 EXISTING AT CAMELOT.

2 FIRST, I WOULD TELL YOU WHEN YOU CONSIDER THE
3 TESTIMONY OF THESE EXPERTS, ALTHOUGH THEY HAVE HAD THE
4 EDUCATION, THAT YOU STILL HAVE TO CONSIDER THEIR TESTIMONY
5 IN A CRITICAL MANNER AND YOU HAVE TO SAY, "DOES THE
6 TESTIMONY OF THIS EXPERT CONFORM WITH WHAT MY OWN COMMON
7 SENSE TELLS ME? I AM A MATURE PERSON, I KNOW WHAT PEOPLE
8 DO. I KNOW HOW THEY THINK. IS WHAT THIS EXPERT IS TELLING
9 ME TOTALLY FOREIGN FROM EVERYTHING I HAVE EVER SEEN AND
10 HEARD AS TO WHAT MAKES PEOPLE TICK?" AND TO THE EXTENT IT
11 IS, THEN YOU HAVE TO REJECT WHAT THAT EXPERT SAYS.

12 THE TWO EXPERTS THAT TESTIFIED FOR MR. MULL,
13 RABBI ROBBINS AND MRS. SINGER -- DR. SINGER, BOTH TESTIFIED
14 THERE WAS SOME KIND OF THOUGHT REFORM, MANIPULATION, CONTROL
15 GOING ON. AND I WOULD SUGGEST THAT BOTH HAVE A NUMBER OF
16 CHARACTERISTICS IN THEIR TESTIMONY THAT ARE VERY SIMILAR.

17 FIRST, BOTH BASICALLY SPEAK WITH EX-MEMBERS.
18 THEY COUNSEL EX-MEMBERS. THEY DON'T GO OUT IN THE FIELD AND
19 MEET ALL THE MEMBERS OF THESE DIFFERENT GROUPS SO THEY GET
20 ONE SIDE OF THE STORY. THEY GET TO HEAR FROM PEOPLE WHO
21 HAVE BEEN IN THESE GROUPS, WHO ARE UNHAPPY WITH THE LIFE
22 THEY HAD IN THESE GROUPS AND WHO NEED COUNSELING.

23 BOTH RELIED VERY HEAVILY IN THEIR TESTIMONY ON
24 MR. MULL'S CONVERSATIONS WITH THEM. BOTH TOLD US THEY
25 BELIEVED MR. MULL TOLD THEM THE TRUTH. AND YET BOTH SAID
26 THAT THEY NEVER HAD THE BENEFIT OF ALL THOSE LETTERS THAT
27 ARE IN EVIDENCE.

28 AND YOU HEARD WHEN MR. MULL TESTIFIED, THAT

1 THERE WERE NUMEROUS INCONSISTENCIES BETWEEN HIS TESTIMONY
2 AND WHAT WAS IN THOSE LETTERS. BUT NEITHER RABBI ROBBINS
3 NOR DR. SINGER HAD THE BENEFIT OF THE LETTERS. SO THEY
4 WOULD HEAR WHAT MR. MULL WOULD SAY AND THERE WOULD BE VERY
5 LITTLE, IF ANYTHING, THAT THEY COULD USE TO CHALLENGE THAT.

6 SO IT IS NOT SURPRISING THAT BOTH WOULD BELIEVE
7 HIM. HAD THEY HAD THE LETTERS, THEY MIGHT HAVE BEEN ABLE TO
8 ASK HIM SOME QUESTIONS THAT WOULD HAVE GOT THEM DIFFERENT
9 ANSWERS AND MAYBE THEY COULD HAVE REACHED DIFFERENT
10 CONCLUSIONS.

11 BOTH ALSO SAID THAT FROM THE YEARS 1975 TO
12 1979, MR. MULL WAS UNDER THE CONTROL OF THIS CHURCH. MR.
13 MULL TESTIFIED DURING THOSE YEARS AFTER HE LEFT SUMMIT
14 UNIVERSITY. HE LIVED IN HIS HOUSE. HE DECIDED WHAT TIME HE
15 WANTED TO GO TO BED. HE DECIDED HOW MUCH HE WANTED TO PRAY,
16 HE DECIDED WHAT FOOD HE WANTED TO EAT.

17 ELIZABETH CLARE PROPHET, ALTHOUGH SHE MIGHT
18 HAVE COME ON A SHOPPING TRIP WITH HIM ONCE IN A WHILE, LIVED
19 IN LOS ANGELES. HE WAS IN SAN FRANCISCO. AND YET BOTH
20 EXPERTS TELL YOU THAT HE WAS UNDER THE CONTROL OF THIS
21 CHURCH AT THAT TIME.

22 I WOULD SUBMIT THAT THAT OFFENDS YOUR COMMON
23 SENSE. THAT MR. MULL HAS SHOWN BY THE LETTERS HE WAS
24 WRITING DURING THOSE YEARS HE WAS NOT UNDER ANYONE'S
25 CONTROLS. HE WROTE THAT ONE LETTER TO RANDALL KING SAYING,
26 "I AM GOING TO WITHDRAW FROM THE ORGANIZATION."

27 HE HAD OTHER LETTERS. WHAT DR. RICHARDSON SAID
28 WAS NEGOTIATING. HE WOULD SAY, "CAN I COME TO THE

1 CONFERENCE? CAN I BRING MY WIFE AND CHILDREN?" THESE
2 LETTERS ARE IN EVIDENCE. YOU CAN READ THEM.

3 HE WAS NOT DURING THOSE YEARS, AS SHOWN BY HIS
4 LETTERS, A WEAK, PASSIVE INDIVIDUAL WHO WOULD BE UNDER THE
5 CONTROL OF ELIZABETH CLARE PROPHET 500 MILES AWAY IN LOS
6 ANGELES. IT JUST WASN'T THE CASE.

7 BUT SINCE RABBI ROBBINS AND DR. SINGER DIDN'T
8 HAVE THE LETTERS, THEY COULDN'T MAKE ANY DECISION AS TO
9 WHETHER THERE WAS NEGOTIATING GOING ON. THEY COULDN'T MAKE
10 ANY CONCLUSION FROM THOSE LETTERS BECAUSE THEY DIDN'T HAVE
11 THEM.

12 BOTH RABBI ROBBINS AND DR. SINGER CONCLUDED
13 THAT MR. MULL HAD SUFFERED PERMANENT DAMAGE AS A RESULT OF
14 WHAT THIS CHURCH DID. BUT ON THE KEY QUESTION OF WHAT DID
15 YOU DO TO INVESTIGATE, TO FIND OUT WHAT MR. MULL WAS LIKE
16 BEFORE HE JOINED THE CHURCH, BOTH SAID THEY JUST TALKED TO
17 MR. MULL.

18 NOW, MR. LEVY POINTED OUT THE FACT THAT MR.
19 MULL SOMETIMES STICKS OUT HIS TONGUE. BUT THE FACT IS THERE
20 IS NO WAY OF KNOWING, THERE IS NO TESTIMONY IN THIS CASE,
21 AND CERTAINLY RABBI ROBBINS DIDN'T DO ANYTHING TO FIND OUT,
22 WHETHER HE DID THAT IN 1974, IN 1970, IN 1969.

23 THEY DIDN'T BOTHER TO INVESTIGATE WHAT HE WAS
24 LIKE THEN BECAUSE IF HE DID BEFORE HE EVER CAME INTO THE
25 CHURCH, THEN YOU JUST CAN'T BLAME IT ON THE CHURCH.

26 DURING HIS TESTIMONY, DR. LEVINE, ONE OF THE
27 WITNESSES FOR THE CHURCH, TESTIFIED ABOUT THE KIND OF
28 INVESTIGATION THAT YOU HAVE TO DO, THE MINIMUM INVESTIGATION

1 THAT YOU HAVE TO DO IN ORDER TO DETERMINE IF SOMEONE HAS
2 PERMANENT DAMAGE AND THE KIND OF INVESTIGATION INVOLVES
3 SPEAKING TO PEOPLE, LOOKING FOR DOCUMENTS TO KNOW WHAT THE
4 PERSON WAS LIKE BEFORE THEY EVER ENTERED THE CHURCH.

5 MR. LEVY WILL READ YOU THE SECTION ON DR.
6 SINGER WHERE SHE SAYS ALL THE THINGS SHE DID TO PREPARE FOR
7 THIS CASE AND YOU CAN READ THAT WHOLE SECTION. BUT THERE IS
8 NO INDICATION THAT ANY OF THOSE THINGS WERE ABLE TO TELL HER
9 ABOUT WHAT MR. MULL WAS LIKE BEFORE HE ENTERED THE CHURCH.

10 AND YOU ALSO SEE IN HER TESTIMONY THAT I
11 SPECIFICALLY ASKED HER, "WHAT DID YOU DO TO INVESTIGATE WHAT
12 MR. MULL WAS LIKE BEFORE HE JOINED THE CHURCH?" IT WAS A
13 SPECIFIC QUESTION.

14 SHE GAVE A SPECIFIC ANSWER. "I TALKED TO MR.
15 MULL AND I READ HIS DEPOSITIONS."

16 I SUBMIT TO YOU THAT IS NOT ENOUGH BASED ON THE
17 INCONSISTENCIES WE HAVE SEEN IN THIS TESTIMONY. NO MATTER
18 HOW SMART OR HOW GOOD RABBI ROBBINS AND DR. SINGER ARE, IF
19 THEY DON'T HAVE THE FULL INFORMATION, IF THEY DON'T HAVE
20 ACCURATE INFORMATION, THEN THEIR CONCLUSIONS CANNOT BE
21 VALID.

22 THE CHURCH'S WITNESSES WERE A PSYCHOLOGIST, DR.
23 MOORE, A PSYCHIATRIST, DR. LEVINE, AND A SOCIOLOGIST, DR.
24 RICHARDSON.

25 YOU REMEMBER DR. MOORE BECAUSE HE WAS THE
26 WITNESS THAT TESTIFIED THAT FROM 1977 TO 1980 HE DID AN
27 INVESTIGATION OF CHURCH UNIVERSAL AND TRIUMPHANT. HE WENT
28 TO THEIR TEACHING CENTERS IN BOSTON AND CHICAGO. HE TALKED

1 TO MEMBERS. HE CAME TO CALIFORNIA. HE WAS AT A CONFERENCE.
2 HE GOT TO SPEAK TO MEMBERS FROM ALL OVER THE COUNTRY. HE
3 INTERVIEWED IN-DEPTH NUMEROUS CHURCH MEMBERS.

4 AND HE TOLD YOU THAT HE ATTENDED ABOUT 100
5 DECREEING SESSIONS. AND AFTER ATTENDING 100 DECREEING
6 SESSIONS, HE TOLD YOU THAT HE DID NOT GET THE SENSE THAT
7 MEMBERS OF THE CHURCH WERE UNDER SOME KIND OF THOUGHT REFORM
8 OR MIND CONTROL WITH MANIPULATION DURING OR AFTER THEIR
9 DECREEING.

10 HE TOLD YOU HE SAW ABSOLUTELY NO EVIDENCE OF
11 HYPNOSIS AT ANY TIME WHEN HE OBSERVED CHURCH MEMBERS. WHAT
12 HE SAID WAS, "I MIGHT SAY I WOULD KNOW IT IF I SAW IT." HE
13 SAID HE SAW ABSOLUTELY NO EVIDENCE OF COERCIVE PERSUASION,
14 OF BRAINWASHING OF THOUGHT REFORM.

15 AND THE INTERESTING THING ABOUT DR. MOORE'S
16 TESTIMONY WAS THE REASON HE WENT THROUGH THIS WHOLE
17 INVESTIGATION WAS HE WAS GOING TO WRITE A BOOK. AND HE TOLD
18 YOU THE BOOK HE WAS GOING TO WRITE WAS GOING TO BE A BOOK
19 ABOUT HOW THESE RELIGIOUS -- NEW AGE RELIGIOUS ORGANIZATIONS
20 USED THOUGHT REFORM.

21 AND WHAT HE SAID WAS THAT AFTER HE DID HIS
22 FIELD WORK, HE THREW AWAY HIS NOTES BECAUSE HE REALIZED HIS
23 PREMISE WAS WRONG. HE JUST DIDN'T FIND ANY EVIDENCE.

24 THEN YOU HEARD FROM DOCTOR -- WELL, ONE MORE
25 THING FROM DR. MOORE. WHAT DR. MOORE TOLD YOU AND IT IS
26 VERY IMPORTANT, IS THAT HE FOUND THAT HIS STUDY OF THESE NEW
27 AGE RELIGIOUS ORGANIZATIONS, THAT PEOPLE LEFT WHEN THEY WERE
28 READY TO LEAVE.

1 WHEN THEY FELT THERE WAS NOTHING ELSE TO GAIN
2 FROM THE ORGANIZATION, THEY LEFT. THERE WAS NO MIND
3 CONTROL. THEY LEFT WHEN IT WAS NO LONGER TO THEIR BENEFIT
4 TO STAY.

5 ALTHOUGH MR. LEVY WILL TELL YOU OVER AND OVER
6 AGAIN AND WRITE ON HIS CHART THAT THEY KICKED MR. MULL OUT
7 OF THE CHURCH THE EVIDENCE IS THAT HE WAS ASKED TO LEAVE
8 CAMELOT. AND THAT WHEN HE CAME TO THAT JUNE 6TH, 1980,
9 MEETING HE SAID HE HAD HAD ENOUGH. HE SAID HE WAS DONE.
10 HE WAS NOT KICKED OUT OF THE CHURCH.

11 YOU ALSO HEARD FROM DR. SAUL LEVINE, WHO IS A
12 PSYCHIATRIST. DR. LEVINE TOLD YOU ABOUT THE TRUE BELIEVERS.
13 AND DR. LEVINE EXPLAINED TO YOU WHY, WHEN YOU READ THOSE
14 LETTERS WRITTEN FROM 1975 TO 1980, THEY SHOW ONE PICTURE;
15 AND YET WHEN MR. MULL GETS ON THE STAND, HE GIVES YOU
16 ANOTHER ONE. BECAUSE MR. MULL IS THE TRUE BELIEVER WHO HAS
17 LEFT WHO THEN BECOMES THE TRUE ENEMY OF THE ORGANIZATION.

18 DR. LEVINE TOLD YOU HOW HE HAD INTERVIEWED
19 ABOUT 800 MEMBERS OF THESE NEW AGE RELIGIOUS GROUPS. HE
20 INTERVIEWED NUMBERS OF THEM IN HIS OFFICE, IN COUNSELING
21 SESSIONS AND HE ALSO INTERVIEWED MANY OF THEM OUT IN THE
22 FIELD.

23 AND HE TOLD YOU AS DID DR. RICHARDSON THAT
24 YOU CAN'T JUST MAKE YOUR CONCLUSIONS BY SITTING IN YOUR
25 OFFICE AND SEEING EX-MEMBERS WHO COME IN FOR HELP BECAUSE
26 YOU ONLY GET ONE SIDE OF THE SITUATION THAT WAY.

27 BUT THAT IS WHAT RABBI ROBBINS AND DR. SINGER
28 DO. THEY INTERVIEWED THE EX-MEMBERS WHO COME FOR

1 COUNSELING. AND IF THERE IS ONE THING YOU LEARN FROM DR.
2 MOORE, DR. LEVINE AND DR. RICHARDSON, THAT YOU HAVE TO GO
3 INTO THE FIELD, YOU HAVE GOT TO SEE WHAT THE MEMBERS OF
4 THESE ORGANIZATIONS ARE DOING.

5 YOU CAN'T ONLY LOOK AT ONE SIDE OF THE COIN.
6 AND WHEN YOU LOOK AT THE MEMBERS OF THE ORGANIZATION THEN
7 YOU FIND OUT THAT THERE IS NOTHING GOING ON THERE THAT IS
8 NOT GOING ON IN ANY OTHER ORGANIZATIONS IN OUR SOCIETY.

9 WHAT DR. LEVINE TESTIFIED TO IS THAT IN ALL OF
10 HIS FIELD WORK THAT HE DID, HE NEVER FOUND A SINGLE
11 INDIVIDUAL WHO SUFFERED PERMANENT EMOTIONAL PSYCHOLOGICAL
12 DAMAGE AS A RESULT OF MEMBERSHIP IN ANY RELIGIOUS GROUP OR
13 CULT.

14 IN LOOKING AT THE TESTIMONY OF DR. LEVINE, I
15 WOULD ESPECIALLY DRAW YOUR ATTENTION TO THAT LONG
16 HYPOTHETICAL THAT MR. LEVY GAVE. THE HYPOTHETICAL WAS A
17 LENGTHY ONE. AND IT HAD THINGS IN IT LIKE ASSUME SOMEBODY
18 IS AT A SUMMIT UNIVERSITY TYPE SITUATION WHERE THEY ARE
19 DORMITORIED OR QUARTERED IN BARRACKS TYPE SETTINGS.

20 WELL, THAT IS GOOD FOR THE HYPOTHETICAL EXCEPT
21 WE HAVE TESTIMONY IN THIS CASE THAT THEY WERE ANYTHING BUT
22 BARRACKS TYPE SETTING AT SUMMIT UNIVERSITY. THEY WERE
23 CONDOMINIUMS ON THE BEACH IN SANTA BARBARA. BUT THAT IS
24 WHAT WAS IN THE HYPOTHETICAL.

25 THE NEXT PART OF THE HYPOTHETICAL GIVEN TO DR.
26 LEVINE WAS ASSUME THERE IS ISOLATION FROM THE OUTSIDE WORLD.
27 ONCE AGAIN, THE HYPOTHETICAL BEARS NO RELATIONSHIP TO THE
28 TESTIMONY IN THIS CASE.

1 YOU HEARD FROM MR. STEVEN SCHWARTZ, WHO IS NO
2 LONGER A MEMBER OF CHURCH UNIVERSAL WHO TESTIFIED WHEN HE
3 WAS AT SUMMIT UNIVERSITY, IN THE EXACT SAME QUARTER MR. MULL
4 WAS. HE WOULD GO OVER TO THE PUBLIC PAY PHONE IN THE
5 COURTYARD WHERE THE CONDOMINIUMS WERE AND HE MADE PHONE
6 CALLS. BUT THE HYPOTHETICAL HAS ISOLATION FROM THE OUTSIDE
7 WORLD.

8 THE HYPOTHETICAL SAYS ASSUME THEY GET PLENTY OF
9 GOOD OLD VEGETABLES. BUT YOU KNOW FROM THE LOGS THAT ARE IN
10 EVIDENCE THAT IT WAS A LOT MORE THAN GOOD OLD VEGETABLES
11 THAT THE PEOPLE RECEIVED. BUT THE HYPOTHETICAL SAID JUST
12 GOOD OLD VEGETABLES.

13 HYPOTHETICAL THEN WENT ON DRESS CODE. PRECULT
14 FAMILY IS DISTURBED OR DESTROYED. THAT IS NOT THE TESTIMONY
15 WE HAVE HAD HERE. WE HAVE HAD WITNESS AFTER WITNESS SOME
16 OF WHO ARE STILL AFFILIATED WITH THE CHURCH, SOME OF WHOM
17 HAVE LEFT THE CHURCH AND NONE OF THEM SAID THE PRECULT
18 FAMILY WAS DISTURBED OR DESTROYED BY THE CHURCH.

19 THE POINT I AM MAKING IS WHEN YOU LOAD A
20 HYPOTHETICAL LIKE THIS, AND MR. LEVY HAS ASKED SIMILAR
21 HYPOTHETICALS TO A LOT OF WITNESSES IN THIS CASE WHAT I ASK
22 YOU TO DO IS BEFORE YOU BELIEVE EITHER ME OR MR. LEVY,
23 BEFORE YOU BELIEVE EITHER OF US AS TO WHAT THE EVIDENCE IS
24 AND BEFORE YOU BELIEVE ANY HYPOTHETICALS THAT WE ASK, THAT
25 YOU CHECK YOUR NOTES AND MAYBE EVEN ASK TO HAVE TESTIMONY
26 READ BACK SO THAT YOU CAN BE CERTAIN THAT THE ASSUMPTIONS
27 THAT GO INTO THOSE HYPOTHETICAL QUESTIONS ARE ACCURATE.

28 BECAUSE IF THEY ARE NOT, THEN THE ANSWER GIVEN

1 BY THE WITNESS IS MEANINGLESS SINCE THE HYPOTHETICAL WASN'T
2 CORRECT TO BEGIN WITH.

3 THE LAST EXPERT ON THE MIND CONTROL ASPECT OF
4 THIS CASE WAS DR. RICHARDSON, WHO ALSO TESTIFIED FOR THE
5 CHURCH. HE TOLD YOU THAT IN HIS EXPERIENCE, WHICH ALSO
6 INCLUDED A GOOD DEAL OF FIELD WORK, HE DID NOT FIND
7 INDIVIDUALS BEING BRAINWASHED OR COERCIVELY PERSUADED AS A
8 RESULT OF JOINING THESE GROUPS.

9 AND HE GAVE YOU AN INTERESTING INSIGHT THAT WAS
10 A LITTLE DIFFERENT FROM THE INSIGHTS WE HAVE RECEIVED FROM
11 OTHER EXPERTS. BECAUSE HE IS A SOCIOLOGIST, HE TALKS ABOUT
12 GROUPS.

13 AND HE SAID THAT THOSE SIX CHARACTERISTICS THAT
14 DR. SINGER GAVE YOU WHEN YOU GET TO A GROUP SITUATION WHERE
15 YOU HAVE PEOPLE WHO ARE DIFFERENT BACKGROUNDS, DIFFERENT
16 INTELLIGENCE, DIFFERENT GOALS, LOOKING FOR DIFFERENT THINGS,
17 THAT IT BREAKS DOWN BECAUSE THERE IS ALWAYS GOING TO BE
18 SOMEBODY IN THAT GROUP WHO IS GOING TO BE A LITTLE UNHAPPY.

19 ONCE THAT HAPPENS, THE WHOLE THING BEGINS TO
20 BREAK DOWN. UNLESS, UNLESS YOU HAVE SOME COERCIVE TYPE
21 SITUATION OR YOU HAVE A SITUATION WHERE THE GROUP IS IN
22 EXTREME AND COMPLETE ISOLATION. NEITHER OF THOSE SITUATIONS
23 EXISTED AT EITHER SUMMIT UNIVERSITY OR AT CAMELOT.

24 LASTLY, WE HEARD FROM TWO HYPNOTISTS. ONE WAS
25 MRS. LEVY. ONE WAS DR. KATZ. I WON'T BOTHER TO GO THROUGH
26 THEIR CREDENTIALS, BUT I WOULD SUGGEST THAT DR. KATZ'
27 CREDENTIALS WERE FAR GREATER THAN MRS. LEVY'S.

28 HOWEVER, MRS. LEVY WAS ABLE TO REACH A

1 CONCLUSION THAT DR. KATZ SAID HE COULD NOT REACH. NAMELY
2 THAT ELIZABETH CLARE PROPHET, THROUGH FEAR, HAD MANAGED TO
3 CONTROL GREGORY MULL. DR. KATZ SAID HE WOULDN'T MAKE THAT
4 CONCLUSION.

5 MOREOVER, IF MR. MULL HAD BEEN AS DAMAGED AS
6 MRS. LEVY WOULD HAVE YOU BELIEVE BY HER TESTIMONY, YOU HAVE
7 TO ASK YOURSELF WHY SHE CONTINUED TO TREAT HIM WHEN SHE WAS
8 A HYPNOTIST UP UNTIL LATER IN THE YEARS THAT SHE SAW HIM.
9 WHY DID SHE SEE HIM FOR TWO, THREE YEARS WHEN SHE WAS A
10 HYPNOTIST IF HIS PROBLEMS WERE SO SEVERE AS SHE HAS
11 TESTIFIED.

12 DR. KATZ' TESTIMONY WAS THAT WHEN PEOPLE BECOME
13 HYPNOTIZED, IT IS NOT SOME MYSTERIOUS TRANCE THAT NOBODY
14 EVER UNDERSTOOD. HE LIKENED IT TO THINGS THAT WE ALL CAN
15 ASSOCIATE. DRIVING IN YOUR CAR, SORT OF GOING ON AUTOMATIC
16 WHERE YOU ARE NOT REALLY LOOKING, BUT YOU ARE DRIVING.

17 HE POINTED OUT WHEN PEOPLE ARE HYPNOTIZED, THEY
18 DON'T BECOME MORE GULLIBLE AND THEY DON'T DO THINGS AGAINST
19 THEIR OWN SELF-INTERESTS.

20 I WOULD SUBMIT TO YOU THAT IF PEOPLE DID BECOME
21 AS EASILY HYPNOTIZED AS HAS BEEN SUGGESTED IN THIS
22 COURTROOM. THEN WE ALL REALLY WOULD BE IN TROUBLE BECAUSE
23 PEOPLE WHO REALLY KNOW HOW TO USE HYPNOSIS WOULD HAVE US ALL
24 DOING ALL SORTS OF THINGS. BUT THAT DOESN'T HAPPEN IN THE
25 REAL WORLD BECAUSE PEOPLE CAN'T BE HYPNOTIZED IN THE WAY
26 IT'S BEEN SUGGESTED.

27 LASTLY, ON CONSIDERING THE TESTIMONY OF THESE
28 EXPERT WITNESSES, I WOULD ASK YOU TO THINK ABOUT OTHER

1 ORGANIZATIONS AND GROUPS IN OUR SOCIETY. NAMELY, MILITARY
2 ACADEMIES, ARMY BOOT CAMP, MONASTIC ORDERS.

3 YOU CAN'T LABEL CHURCH UNIVERSAL AND TRIUMPHANT
4 A THOUGHT REFORM PROGRAM AND IGNORE THE FACT THAT BOOT CAMP,
5 MILITARY ACADEMIES AND MONASTIC ORDERS HAVE ALL OF THESE SIX
6 CHARACTERISTICS OF DR. SINGER'S.

7 I WOULD SUBMIT TO YOU THERE IS NOTHING WRONG
8 WHEN THOSE ORGANIZATIONS DO IT TO WHATEVER EXTENT THOSE
9 CHARACTERISTICS ARE PRESENT AND THERE IS NOTHING WRONG WITH
10 WHAT CHURCH UNIVERSAL AND TRIUMPHANT HAS DONE.

11 THERE ARE MANY GROUPS IN SOCIETY THAT INFLUENCE
12 PEOPLE, AND YOU CAN'T ALL OF A SUDDEN START PICKING OUT
13 PARTICULAR ONES AND USE DIFFERENT CRITERIA TO JUDGE THEM
14 THAN YOU ARE GOING TO JUDGE OTHER GROUPS.

15 AT THIS POINT I WANT TO SPEAK JUST A BIT ABOUT
16 THE FIRST AMENDMENT TO THE CONSTITUTION OF THE UNITED
17 STATES. WE ALL TAKE THE AMENDMENTS AND FREEDOMS -- FREEDOM
18 OF SPEECH, FREEDOM OF ASSOCIATION, FREEDOM OF RELIGION --
19 FOR GRANTED. I AM GOING TO ASK YOU TO REALLY THINK ABOUT
20 FREEDOM OF RELIGION.

21 WE HAVE HEARD TESTIMONY THAT THIS CHURCH PRAYED
22 AGAINST MR. MULL. MR. LEVY INTRODUCED A DECREE INTO
23 EVIDENCE. LET'S ASSUME FOR A MOMENT THAT THEY ARE EXACTLY
24 RIGHT AND THAT THE CHURCH MEMBERS PRAYED AGAINST MR. MULL.
25 LET'S ASSUME THAT IS TRUE.

26 SINCE WHEN IN THE UNITED STATES OF AMERICA DOES
27 ANYONE HAVE THE RIGHT TO REVIEW THE PRAYERS OF A CHURCH?
28 SINCE WHEN DOES ANYONE HAVE THE RIGHT TO GO AND MONITOR WHO

1 A CHURCH PRAYS TO WHO THEY PRAY AGAINST, WHAT THEY PRAY
2 FOR. WHAT THEY PREACH?

3 THE COURT: THIS CASE HAS NOTHING TO DO WITH
4 MONITORING PRAYER.

5 MR. KLEIN: YES, YOUR HONOR.

6 THE COURT: THIS CASE DOES HAVE TO DO WITH WHAT
7 HAPPENED OR DID NOT HAPPEN BETWEEN MR. MULL ON THE ONE HAND
8 AND THE CHURCH AND CERTAIN INDIVIDUALS ON THE OTHER. AND IT
9 WILL BE UP TO THE JURY TO DETERMINE THE FACTS.

10 MR. KLEIN: YES, YOUR HONOR.

11 THE COURT: PLEASE BE GUIDED ACCORDINGLY.

12 MR. KLEIN: YES, YOUR HONOR.

13 I AM REFERRING TO THE DECREE THAT HAD BEEN PUT
14 IN EVIDENCE AND READ TO YOU. WHEN YOU JUDGE THAT DECREE,
15 ASK YOURSELF WHETHER YOU WANT SOMEBODY TO COME INTO OTHER
16 CHURCHES AND SYNAGOGUES IN THIS COUNTRY AND JUDGE THE
17 PRAYERS.

18 ASK SOMEBODY IF YOU WANT THEM TO LOOK AT THE
19 PRAYERS IN YOUR CHURCH OR SYNAGOGUE AND DECIDE IF YOU ARE
20 PRAYING AGAINST SOMEBODY. BECAUSE IF YOU ARE GOING TO DO IT
21 TO CHURCH UNIVERSAL AND TRIUMPHANT, THEN YOU HAVE TO BE
22 READY TO DO IT TO ANY OTHER CHURCHES IN THIS COUNTRY.

23 IN READING THAT DECREE, THERE HAS BEEN A LOT OF
24 INFERENCES ABOUT HOW TERRIBLE THE THINGS IN THAT DECREE ARE.
25 AND I'D SUGGEST WHEN YOU CONSIDER JUST HOW TERRIBLE THAT
26 DECREE IS. THAT MAYBE YOU TAKE A LOOK AT THE HOLY BIBLE
27 BECAUSE I AM GOING TO READ YOU A SECTION FROM DEUTERONOMY
28 WHERE MOSES TELLS WHAT CURSES WILL OCCUR TO HIS OWN PEOPLE

1 IF THEY DON'T OBEY THE LAWS OF GOD. . (READING.)

2 "THE LORD SHALL SMITE THEE WITH
3 A CONSUMPTION, WITH A FEVER, AND WITH AN
4 INFLAMMATION, AND WITH AN EXTREME BURNING,
5 AND WITH THE SWORD, AND WITH BEASTING, AND
6 WITH MILDEW AND THEY SHALL PURSUE THEE UNTIL
7 THOU PERISH.

8 "AND THY CARCASS SHALL BE MEAT
9 UNTO ALL FOWLS OF THE AIR, AND UNTO THE
10 BEASTS OF THE EARTH. AND NO MAN SHALL FRAY
11 THEM AWAY.

12 "THE LORD SHALL SMITE THEE WITH
13 MADNESS, AND BLINDNESS, AND ASTONISHMENT OF
14 HEART."

15 MAYBE SOMEBODY SHOULD HAVE SUED MOSES FOR
16 INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS. I'D SUGGEST
17 THAT THE KIND OF PUNISHMENTS I HAVE READ TO YOU FROM THAT
18 SECTION OF THE BIBLE AS WELL AS OTHER SECTIONS ARE MORE
19 SEVERE THAN ANYTHING SUGGESTED IN THE DECREE THAT'S BEEN
20 READ IN THIS COURT.

21 AND I WOULD URGE YOU TO THINK TWICE ABOUT
22 JUDGING THOSE DECREES AND JUDGING WHAT AND WHO A CHURCH
23 MIGHT PRAY FOR OR AGAINST.

24 AND IN THIS REGARD, I'D ALSO URGE YOU TO
25 REMEMBER THE TESTIMONY OF DR. MELTON. DR. MELTON TESTIFIED
26 THAT HE IS AN EXPERT AND HE HAS STUDIED RELIGIONS, MANY,
27 MANY RELIGIONS.

28 AND HE LOOKED AT THE RITUALS AND PROCEDURES

1 FOLLOWED BY THIS RELIGION. HE LOOKED AT THE VEGETARIANISM.
2 HE LOOKED AT THE IDEA THAT THEY HAVE A MESSENGER. HE LOOKED
3 AT THE ORDERED LIFE. HE LOOKED AT THE WAY THEY PRAY. HE
4 LOOKED AT DECREERING, AT THEIR REINCARNATION.

5 WHAT WAS HIS CONCLUSION? WHAT THEY ARE DOING.
6 ALTHOUGH UNIQUE TO THEM. IS NOT ANY DIFFERENT. ALL OF THOSE
7 THINGS ARE DONE BY RELIGIONS AND HAVE BEEN DONE BY RELIGIONS
8 FROM THE BEGINNING OF TIME.

9 IN CONCLUDING, I WOULD SUGGEST THAT THIS CASE
10 IS A CASE OF EXAGGERATIONS. IT STARTED OUT WITH THE
11 SUGGESTION THAT MR. MULL HAD DONE ARCHITECTURAL WORK ON
12 \$33,000,000 WORTH OF BUILDINGS. AND THEN WHEN THE DUST
13 CLEARED --

14 MR. LEVY: I DON'T CARE IF HE IS CONCLUDING OR NOT.
15 HE IS STILL MISCHARACTERIZING THE EVIDENCE.

16 THE COURT: THE OBJECTION IS SUSTAINED.

17 MR. KLEIN: IT STARTED OUT WITH DISCUSSIONS ABOUT MR.
18 MULL FIGURING OUT IF HIS FEE WAS 1.5 MILLION OR \$2,000,000.
19 IT DEALT WITH \$33,000,000 OF ARCHITECTURAL WORK. WHEN THE
20 SMOKE CLEARED AND WE LOOKED IN EXHIBIT 35, WE HAVE ONE BOX
21 WITH ABOUT 20 PERCENT OR LESS OF ONE PROJECT OF THE CAMELOT
22 PROGRAM.

23 THEN YOU WERE TOLD THAT MR. MULL AND HIS
24 DAUGHTER ATE GARBAGE OUT OF THE VONS BINS BECAUSE THE CHURCH
25 TOOK HIS LAST PENNY. BUT IN FACT, TWO MONTHS BEFORE THAT,
26 HE SOLD HIS HOUSE FOR \$199,000. HE PURCHASED A NEW TOYOTA,
27 WHICH HE PAID FOR IN CASH. HE LIVED IN HIS CONDOMINIUM IN
28 WESTLAKE VILLAGE. AND THEN YOU LEARNED THAT A SHORT TIME

1 AFTER THAT, HE HAD \$20,000 TO GO VIDEOTAPING EX-CHURCH
2 MEMBERS AROUND THE COUNTRY.

3 I AM SURE THERE ARE PEOPLE WHO EAT GARBAGE FROM
4 THE DUMPSTERS BEHIND VONS, BUT I DOUBT THERE ARE ANY OTHERS
5 WHO DRIVE UP IN THEIR NEW TOYOTAS, AND GO HOME TO THEIR
6 CONDOMINIUMS IN WESTLAKE AND GO ON NATIONWIDE VIDEOTAPING
7 TOURS.

8 OVER AND OVER IN THIS CASE YOU HAVE BEEN TOLD
9 THAT ELIZABETH CLARE PROPHET KEPT GREGORY MULL'S CLEARANCE
10 LETTER. NOT ONE SINGLE WITNESS HAS EVER TESTIFIED THAT THEY
11 HAVE SEEN GREGORY MULL'S CLEARANCE LETTER. NOT ONE SINGLE
12 WITNESS. THAT'S BEEN IN THIS CASE FROM THE BEGINNING.

13 REFERENCES WERE MADE TO HARASSMENT BY MR. MULL.
14 WHAT IT CAME DOWN TO WAS SOMEBODY CALLED HIM ON THE PHONE A
15 NUMBER OF TIMES AND NEVER SAID ANYTHING. SOMETHING WE HAVE
16 ALL HAD. THERE WAS EITHER A BOMB IN HIS CAR OR WHAT A
17 MECHANIC SAID WAS A BOTTLE THAT HE RAN OVER.

18 AND THERE WERE PEOPLE THAT WALKED AROUND BY HIS
19 HOUSE. BUT ON CROSS-EXAMINATION, YOU FOUND OUT THAT THEY
20 WERE CHURCH MEMBERS WHO HAPPENED TO LIVE IN WESTLAKE.

21 NUMEROUS TIMES DURING THE COURSE OF THIS CASE,
22 YOU HAVE HEARD REFERENCES FROM MR. LEVY SAYING ED FRANCIS
23 CALLED MR. MULL A HOMOSEXUAL IN THE NEWSPAPER. ED FRANCIS
24 TOOK THE STAND. MR. LEVY DIDN'T ASK HIM IF HE EVER DID IT
25 AND HE DIDN'T SHOW HIM THE NEWSPAPER. BUT YOU ARE LEFT WITH
26 THE STATEMENTS BY MR. LEVY.

27 MR. LEVY ASKED ANOTHER WITNESS. "DO YOU
28 REMEMBER OR DID YOU KNOW THAT THE CHURCH PUTS MR. MULL'S

1 PICTURE UP NEXT TO ADOLF HITLER'S, NEXT TO KHADAFFI'S?" DID
2 YOU SEE. DID YOU HEAR ANY EVIDENCE IN THIS CASE OTHER THAN
3 MR. LEVY'S QUESTION, WHICH IS CERTAINLY NOT EVIDENCE, TO
4 JUSTIFY HIM BRINGING THAT INTO THIS CASE? NOTHING. NOTHING
5 CAME OF IT. JUST A QUESTION.

6 THERE IS THIS STORY OF ANANIAS AND SAPPHIRA,
7 WHICH IS OVER AND OVER AGAIN TOLD TO YOU THAT ELIZABETH
8 CLARE PROPHET THREATENED GREGORY MULL WITH DEATH. BUT THAT
9 TRANSCRIPT IS IN EVIDENCE. READ THE STORY.

10 RIGHT AFTER THE STORY, GREGORY MULL SAYS, "ARE
11 YOU TELLING ME I AM GOING TO DIE?" AND RIGHT AFTER THAT,
12 ELIZABETH CLARE PROPHET SAYS, "ABSOLUTELY NOT." IT IS IN
13 EVIDENCE. BUT OVER AND OVER AGAIN, YOU HEAR THAT SHE
14 THREATENED GREGORY MULL WITH DEATH.

15 WHAT I WOULD ASK YOU TO DO, I DON'T HAVE TIME
16 TO DISCUSS ALL THE THINGS THAT MR. LEVY TALKED ABOUT, BUT I
17 AM GOING TO URGE YOU TO CHECK YOUR NOTES. DON'T BELIEVE
18 WHAT I SAY, DON'T BELIEVE WHAT MR. LEVY SAYS. BELIEVE YOUR
19 NOTES. BELIEVE YOUR MEMORY.

20 AND IF YOU DON'T REMEMBER SOMETHING AND IF IT
21 IS NOT IN YOUR NOTES, BEFORE YOU DECIDE THAT IT REALLY WAS
22 TESTIFIED TO, HAVE IT READ BACK.

23 THE COURT: ONLY AFTER YOU HAVE DISCUSSED IT
24 THOROUGHLY AMONG YOURSELVES.

25 MR. KLEIN: YES, YOUR HONOR. AND --

26 THE COURT: I AM SURE YOU INTEND THAT.

27 MR. KLEIN: I CERTAINLY DO.

28 AND IF YOU HAVE DISCUSSED IT AND IF YOU CAN'T

1 REMEMBER IT, YOU DON'T REALLY KNOW WHETHER IT WAS SAID OR
2 NOT, DON'T BELIEVE COUNSEL. HAVE THE TESTIMONY READ BACK.

3 AND LASTLY, MR. LEVY IS GOING TO GET A CHANCE
4 TO COME BACK AND TALK TO YOU AGAIN TO REBUT WHAT I SAID, BUT
5 I AM NOT GOING TO GET ANOTHER CHANCE TO SPEAK TO YOU. I ASK
6 YOU WHEN MR. LEVY GIVES HIS REBUTTAL. SINCE I WON'T GET A
7 CHANCE TO COME BACK, IF YOU MIGHT SAY TO YOURSELF WHAT WOULD
8 MR. KLEIN SAY IF HE DID GET A CHANCE TO REBUT THIS?

9 THE COURT: MR. KLEIN, YOU ALREADY SAID IT BECAUSE HE
10 WILL BE LIMITED IN HIS REBUTTAL TO MERELY COMMENTING ABOUT
11 THINGS YOU'VE ALREADY SAID.

12 MR. KLEIN: I UNDERSTAND. I UNDERSTAND.

13 THE COURT: YOU UNDERSTAND THAT?

14 MR. KLEIN: I CERTAINLY DO.

15 THE COURT: GOOD.

16 MR. KLEIN: BUT HE WILL BRING UP THINGS THAT MAYBE I
17 HAVEN'T DISCUSSED AS FAR AS -- HE CAN TALK ABOUT THE ISSUES
18 I AM TALKING ABOUT, BUT HE CAN CERTAINLY GIVE YOU ANOTHER
19 SLANT ON IT.

20 ALL I ASK IS THAT YOU SAY TO YOURSELVES IS
21 THERE AN ARGUMENT THAT WE COULD HAVE HEARD THAT WOULD REFER
22 TO THIS? AND YOU SAY TO YOURSELVES IS THIS REALLY THE
23 EVIDENCE? AND YOU SAY TO YOURSELVES WELL, THAT MIGHT BE
24 PART OF WHAT THAT WITNESS SAID, BUT IS THERE SOMETHING ELSE
25 THAT WE ARE NOT HEARING? BECAUSE I WON'T HAVE A CHANCE TO
26 DO THAT. AND I JUST ASK YOU TO DO IT FOR YOURSELVES.

27 AND ONCE AGAIN, I THANK YOU FOR YOUR TIME.

28 THE COURT: MR. LEVY. YOU HAVE EIGHT MINUTES. WE

1 WILL STAND UP AND STRETCH FOR ONE MINUTE FIRST, WHICH WE
2 WILL NOT CHARGE AGAINST YOUR EIGHT MINUTES.

3 PLEASE PROCEED.

4

5

CLOSING ARGUMENT

6 BY MR. LEVY:

7 LET'S TALK ABOUT TIME AND I AM NOT GOING TO
8 TAKE MUCH OF IT. MR. KLEIN AND I BOTH HAVE THE SAME AMOUNT
9 OF TIME. WE DIVIDE IT UP ACCORDING TO THE RULES OF
10 PROCEDURE. HE TALKED FOR AS LONG AS I DID. I STOPPED A
11 LITTLE BIT BEFORE. I GET EIGHT MINUTES TO REBUT HIM.

12 WE TALKED AN AWFUL LOT ABOUT LIARS. AND SINCE
13 MR. KLEIN APPEARS TO WANT TO MAKE IT A PERSONAL THING LET'S
14 REALLY TALK ABOUT LIARS. ON THE VERY LAST DAY, MR. KLEIN
15 TOLD ME HE WOULD HAVE TWO EXPEKT WITNESSES AND FIVE OTHER
16 PEOPLE. HE PUT ON TWO OF HIS OWN PEOPLE AND MR. MULL,
17 LEAVING ME WITH THE BALANCE OF THE DAY THAT I WAS SUPPOSED
18 TO NOT HAVE TO PUT ON ANY WITNESSES.

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

20 MR. LEVY: I DON'T KNOW WHETHER THAT WAS A LIE OR
21 NOT.

22 THE COURT: JUST A SECOND.

23 MR. KLEIN: YOUR HONOR --

24 THE COURT: LET'S TALK ABOUT THE EVIDENCE. USE YOUR
25 TIME TO TALK ABOUT THE EVIDENCE OR WE WILL STOP NOW.

26 MR. LEVY: YES, YOUR HONOR.

27 WITH REGARD TO WHAT YOU HAVE HEARD, LET'S TALK
28 ABOUT DR. LEVINE FOR JUST A MOMENT. HE WAS THE DOCTOR WHO

1 TESTIFIED FOR THE CHURCH WHO SAID GET ALL THE EVIDENCE YOU
2 CAN. HE WAS THE DOCTOR WHO DIDN'T INTERVIEW ANYONE.

3 WE TALKED ABOUT THEIR SOCIOLOGIST, WHO IS NOT
4 TRAINED IN PSYCHOLOGY, BUT WHO ATTEMPTED TO QUALIFY HIMSELF
5 AS A THOUGHT REFORM EXPERT AND A PSYCHOLOGIST. HE IS THE
6 ONE WHO TALKED ABOUT RECONSTRUCTED BIOGRAPHY. HE IS THE ONE
7 WHO HAD THE LETTERS IN HIS BRIEFCASE, ONLY THERE WERE NO
8 LETTERS.

9 WE TALKED ABOUT DR. MOORE. DR. MOORE IS THE
10 ONE WHO DID 50 IN-DEPTH INTERVIEWS IN HIS WEEK AT THE
11 CONFERENCE. HE TOLD US HE SPENT TWO HOURS IN THOSE
12 INTERVIEWS EACH. THERE IS 168 HOURS IN A WEEK. HE SPENT
13 100 IN HIS IN-DEPTH INTERVIEWS.

14 BUT HE TOLD US HIS DAY AT THE CONFERENCE
15 STARTED AT FIVE O'CLOCK IN THE MORNING WHEN HE GOT UP TO
16 DECREE AND ENDED AFTER A RELIGIOUS PLAY AT ELEVEN O'CLOCK AT
17 NIGHT. IF HE SPENT 16 HOURS A DAY IN THE CHURCH'S ACTIVITY,
18 MAYBE HE'S GOT A SPECIAL WAY TO GET AN EXTRA 100 HOURS INTO
19 A WEEK.

20 WE HAVE ATTACKED DR. SINGER AND DR. ROBBINS.
21 IT IS REALLY AMAZING THAT THOSE PEOPLE HAPPEN TO BE
22 KNOWLEDGEABLE IN THOUGHT REFORM. IT IS REALLY AMAZING THAT
23 THE EXPERTS IN THIS COUNTRY AND THE WORLD CITE THEM IN THEIR
24 TEXTS. IT IS REALLY AMAZING THAT ALL OF THE THINGS THAT
25 HAPPENED AT SUMMIT UNIVERSITY CONFORM TO WHAT DR. SINGER
26 SAID ARE THE ELEMENTS NECESSARY FOR THOUGHT REFORM.

27 DR. MELTON SAID, "I WOULD NEVER USE THE STORY
28 OF ANANIAS AND SAPPHIRA WHEN I WAS DEALING WITH ONE OF MY

1 OWN FLOCK BECAUSE IT IS MANIPULATIVE." AND WE NEVER HEARD
2 ANOTHER QUESTION OUT OF MR. KLEIN WITH REGARD TO THAT
3 RESPONSE.

4 THE TWO AND A HALF HOUR CONFERENCE BEGAN WITH
5 ELIZABETH SAYING, "I AM SUSPENDING YOU FROM ALL CHURCH
6 ACTIVITY." SURE. MR. MULL SAID SOME THINGS AND WROTE SOME
7 LETTERS. AND SURE, MR. MULL TESTIFIED AT HIS DEPOSITION,
8 AND HE TESTIFIED HERE IN THIS COURT AND HE WAS AT THE TWO
9 AND A HALF HOUR MEETING.

10 I AM NOT SURE WHETHER IT IS MR. MULL OR THE
11 GENTLEMAN TWO SEATS AWAY HAS M.S. BECAUSE HIS RECOLLECTION
12 APPEARS TO BE A LITTLE BIT FAULTY, ALSO.

13 READ THE LETTERS. READ THE LETTER WHERE WE
14 TALK ABOUT THE BEAST OF BLASPHEMY AND THE WITNESS AND SEE
15 THE KIND OF HUMAN BEING THAT GREGORY MULL IS.

16 HE'S BEEN KICKED OUT OF A CHURCH. HE'S BEEN
17 DEFRAUDED. HE'S BEEN DENIED EVERY HUMAN KIND OF TREATMENT
18 THAT A CHURCH -- AND WE ARE TALKING ABOUT A CHURCH. WE ARE
19 NOT TALKING ABOUT SOMETHING THAT HAPPENS DOWN IN SKID ROW.
20 WE ARE NOT TALKING ABOUT SOMETHING THAT HAPPENS IN THE BACK
21 ALLEYS. WE ARE TALKING ABOUT A CHURCH.

22 A CHURCH TELLS HIM TO LEAVE BECAUSE ELIZABETH
23 WON'T BE BACK FOR THREE DAYS. SHE IS COMING BACK FROM
24 ENGLAND. IT IS NOT FAIR THAT HE OCCUPIES A ROOM. GET OUT.
25 HE'S ONLY WORKED FOR THEM FOR NOTHING FOR SEVEN MONTHS. BUT
26 TWO OR THREE DAYS, A CHURCH SAYS, "GET OUT."

27 WE TALK ABOUT MR. MULL AND \$199,000 ON THE
28 HOUSE. MR. KLEIN DOESN'T WANT TO TELL YOU ABOUT THE LIENS

1 ON THE HOUSE. DOES MR. MULL GET \$199,000? NO, HE DOESN'T.
2 NO WAY. HE GETS ENOUGH TO PAY THE LIENS, AND TO PAY THE
3 BILLS AND TO PAY THE DEBTS THAT HE IS SO FAR IN DEBT BECAUSE
4 THE GOOD OLD CHURCH WOULDN'T PAY LIKE THEY PROMISED.

5 AND THEY PROMISED. CERTAINLY THE DEAL WASN'T
6 CONSUMMATED. YOUR CHURCH LEADER SAYS, "COME ON DOWN. WE
7 ARE GOING TO GET IT ALL ARRANGED. EVERYTHING WILL BE TAKEN
8 CARE OF."

9 AND YOU GO THERE, LIKE MR. MULL DID, WITH TRUST
10 AND FAITH IN A CHURCH. ISN'T THAT WHAT MR. KLEIN WOULD WANT
11 SOMEBODY TO HAVE, IS TRUST AND FAITH IN A CHURCH? SO MR.
12 MULL ABIDED. HE HAD TRUST AND FAITH IN A CHURCH. AND WHAT
13 DOES HE FIND ONCE HE GETS THERE? MANIPULATION. THAT IS ALL
14 HE FOUND ONCE HE GOT THERE.

15 READ THE LETTERS. TALK ABOUT EVERYTHING THAT
16 HAPPENED. WE'VE HEARD SUCH MISCHARACTERIZATION OF THE
17 TESTIMONY. I PROMISED I WAS GOING TO SIT STILL, AND I
18 WASN'T GOING TO INTERRUPT AND I COULDN'T HELP MYSELF.

19 WE TALKED ABOUT GREGORY MULL AND THE LETTER
20 SAYING, "I HAD 12 BAD YEARS WITH KATHLEEN." BUT IN THE VERY
21 SELFSAME LETTER, HE SAYS, "NOW THAT I GOT PERMISSION FROM EL
22 MORYA, I CAN GET DIVORCED."

23 WHERE IS EL MORYA? WHO IN THIS COURTROOM TALKS
24 TO EL MORYA? SITTING RIGHT OVER THERE ON THAT SIDE IS EL
25 MORYA. SHE GAVE HIM PERMISSION TO GET DIVORCED. SHE IS THE
26 ONE WHO SAID, "OKAY, YOU CAN DO THIS." SHE IS THE ONE WHO
27 CALLED HIM INTO THE MEETING AND SAID, "OKAY. YOU DON'T LIKE
28 THE WAY I RUN MY CHURCH, YOU DON'T LIKE THE WAY I DO THIS,

1 YOU DON'T LIKE THAT, GET OUT."

2 IT WAS GREGORY MULL'S WIFE WHO LEFT THE NEXT
3 DAY. AND BY WHOSE ORDER? EL MORYA? NO. BY ELIZABETH
4 CLARE PROPHET, WHO WOULD HAVE YOU BELIEVE THAT SHE IS JUST
5 THE KINDEST, SWEETEST, LOVINGEST PERSON YOU HAVE EVER SEEN.
6 THERE IS NOTHING THAT ROLLS OFF THAT LADY'S TONGUE THAT IS
7 JUST NOT SWEET AND HONEY DRENCHED.

8 THAT IS THE VERY SELFSAME LADY WHO SAYS, "WHEN
9 IT IS TIME TO GET ON WITH THE SHOW, I'VE GOT THE FINAL SAY."
10 IS THIS A CHURCH, OR IS IT A SHOW? SHE IS THE ONE WHO IS IN
11 CHARGE.

12 AND YOU KNOW WHAT? MR. KLEIN IS NOT SATISFIED.
13 HE IS NOT SATISFIED AT ALL. HE IS GOING TO LIKEN TWO
14 HYPNOTISTS. LET ME TELL YOU SOMETHING VERY FUNNY ABOUT
15 HYPNOTISTS.

16 WE HAVE AN M.F.C.C. WHEN YOU GET A LICENSE TO
17 PRACTICE HYPNOTISM IN YOUR CLINICAL PRACTICE, IT IS THE SAME
18 LICENSE FOR THIS M.F.C.C. AS FOR THAT MAN WHO TESTIFIED FROM
19 THAT SEAT. SAME EXACT LICENSE. NO DIFFERENCE.

20 MR. KLEIN WOULD ATTACK JUST ABOUT EVERYBODY.
21 MAYBE THAT IS HIS NATURE. HE SURE POINTED THE FINGER AT
22 RANDALL KING. ISN'T IT AMAZING THOUGH WITH ALL THE PEOPLE
23 WHO CAME IN HERE, RANDALL KING, WHEN HE WAS TALKING ABOUT
24 HOW PEOPLE ACTED AFTER DECREEEING FOR HOURS, WERE SOMEWHAT
25 WHAT ROBOTS WERE LIKE.

26 THE FOOD WAS GREAT. EVERYTHING WAS GOOD. I
27 LOVE MOTHER. NOTHING IS BAD. I HAD SUCH A WONDERFUL TIME.
28 BUT EVERYONE WHO HAD SUCH A WONDERFUL TIME, WHEN PUSH CAME

1 TO MOVE, WHAT DID THEY DO? THEY GOT ONTO SOMETHING BIGGER
2 AND BETTER.

3 HERE IS OUR OLD ARCHBISHOP. FIFTEEN YEARS, GOT
4 ONE MORE PLACE TO GO AND HE WILL BE THE RULING MEMBER OF THE
5 CHURCH. BUT HE GOT ON WITH SOMETHING BETTER. HE IS SELLING
6 INVESTMENTS NOW.

7 AND WHAT DID MR. MC CAFFREY GET ON WITH? WELL,
8 HE IS OUT THERE WORKING FOR H.R. BLOCK OR SOMEBODY DOING TAX
9 WORK. AND HE WAS THE VICE PRESIDENT OF THE CHURCH. AND
10 LISTEN TO EVERY PERSON WHO GOT UP THERE.

11 YOU WANT TO EXAMINE SOMETHING? USE YOUR MIND.
12 IT IS NOT A FIGHT BETWEEN MR. KLEIN AND I. IT IS NOT A
13 FIGHT BETWEEN MR. KING AND MR. KLEIN. YOU KNOW WHAT IT IS?
14 IT IS COMMON SENSE. IT IS COMMON SENSE FROM BEGINNING TO
15 END.

16 I ASK ANY ONE OF YOU WOULD YOU GIVE UP YOUR
17 HOME? WOULD YOU DO THE THINGS THAT MR. MULL DID IF THERE
18 WAS SOMETHING NOT MORE THAN JUST COMING DOWN TO REFURBISH A
19 FEW BUILDINGS? AND MR. KLEIN'S GOT THE GALL TO TALK ABOUT
20 THE PLAN THAT WE FINALLY STIPULATED WERE ALL THE PLANS THAT
21 HAD BEEN UNDER THE CONTROL AND DOMINATION OF THAT CHURCH
22 FROM THE TIME THEY KICKED GREGORY MULL OUT.

23 WELL, I DON'T KNOW WHAT HAPPENED TO ALL THE
24 PLANS GREGORY MULL WORKED ON. AND HE DOESN'T KNOW WHAT
25 HAPPENED TO THEM. BUT THEY WERE UNDER THE CONTROL OF
26 SOMEBODY FROM THE TIME HE GOT KICKED OUT IN 1980 UNTIL 1986
27 WHEN WE WERE IN THE COURT.

28 AND I SUGGEST TO YOU MAYBE, JUST MAYBE, ONE OR

1 TWO OF THEM GOT LAID ASIDE. MAYBE ONE -- BECAUSE AFTER ALL,
2 THEY DIRECTED HIM WHAT TO WORK ON.

3 MR. KLEIN: YOUR HONOR, I WOULD OBJECT. COUNSEL IS
4 NOW GOING INTO AN AREA THAT HE DIDN'T MENTION BEFORE AND I
5 HAVE NO CHANCE TO SAY ANYTHING ABOUT THIS BECAUSE NOW HE IS
6 MAKING ALLEGATIONS THAT THE PLANS --

7 THE COURT: YOU DISCUSSED THE PLANS.

8 MR. KLEIN: BUT HE IS NOW SAYING THEY ARE MISLAID,
9 YOUR HONOR. I DO NOT HAVE A CHANCE TO REFUTE THAT OR EVEN
10 TALK ABOUT IT.

11 THE COURT: YOU ARE FINISHED?

12 MR. LEVY: NO, YOUR HONOR, BUT I WILL BE IN ABOUT 2
13 MINUTES AND 14 SECONDS. AND I AM GOING TO GO LIKE THE VERY
14 DICKENS.

15 THE COURT: THAT IS IT?

16 MR. LEVY: YES, SIR.

17 YOU KNOW WHAT WE ARE REALLY TALKING ABOUT? WE
18 ARE TALKING ABOUT A LEVEL OF OUTRAGEOUS CONDUCT.

19 WE TALKED ABOUT PLAYING A DECREE IN HERE. IT
20 WENT SO FAST YOU COULDN'T TELL WHAT WAS ON IT, BUT IT WAS
21 ELIZABETH CLARE PROPHET WHO GOT UP AND IN THAT SWEET, LITTLE
22 SINGSONG VOICE TOLD YOU JUST WHAT WAS ON THAT DECREE.
23 WASN'T US WHO BROUGHT THAT DECREE. THEY STARTED BY MAKING
24 IT A LITTLE SINGSONG EXERCISE. THAT'S RIGHT.

25 DR. AFSHAR SAID, "WE DON'T KNOW WHAT CAUSED
26 IT." IS THERE ANYONE SITTING HERE WHO DOESN'T THINK THAT
27 STRESS PLAYS A PART IN CARDIOVASCULAR INCIDENTS? THAT IS
28 WHAT THE DOCTOR TESTIFIED TO. STRESS MAKES THE ADRENALINE

1 GO INTO THE CARDIOVASCULAR SYSTEM AND CAN HAVE AN ADVERSE
2 EFFECT. THAT IS WHAT HE TESTIFIED TO.

3 WE HEARD ABOUT DEUTERONOMY. WELL, LET ME TELL
4 YOU THERE IS ANOTHER -- THERE IS ANOTHER THING IN THE BIBLE.
5 AND I'D REMIND YOU THAT THE LADY'S NAME -- HER MAIDEN NAME
6 WAS WOLF. TAKE A LOOK IN MARK. WHAT DOES IT SAY? BEWARE
7 OF WOLVES IN SHEEP'S CLOTHING.

8 CAMELOT WAS A SCAM. LANELLO'S RETREAT WAS A
9 SCAM. THEY RAISED MONEY, BUT THEY NEVER BUILT. SIX, SEVEN,
10 EIGHT TIMES THEY RAISED MONEY, BUT THEY NEVER BUILT. NOW
11 THEY ARE OFF TO MONTANA. AND THE NEW JERUSALEM MOVES ON.
12 IT IS A TENT SHOW. IT IS A GREAT TENT SHOW.

13 WE TALKED ABOUT PUNITIVE DAMAGES. MR. KLEIN
14 EXPLAINED THEM A LITTLE BIT FURTHER. AND EXEMPLARY DAMAGES.
15 HE TALKED ABOUT FREEDOM OF RELIGION AND A GREAT UNITED
16 STATES. AND I DIDN'T BEAT ON ANY DRUMS AND I WON'T WAVE
17 FLAGS AT YOU.

18 I TOLD YOU YOU GOT AN OBLIGATION AND AN
19 OPPORTUNITY. EXEMPLARY DAMAGES MEANS AN EXAMPLE. IF YOU
20 ARE AS REPULSED AS I AM BY WHAT THESE PEOPLE WHO PURPORT TO
21 RUN A CHURCH -- AND REMEMBER ONE THING, WE ARE NOT ARGUING
22 ABOUT THEIR RELIGION. WE NEVER HAVE. WE MADE THAT CLEAR
23 FROM THE OUTSET.

24 WE ARE ARGUING ABOUT THE CONDUCT OF THIS LITTLE
25 GROUP. WE NEVER ATTACKED ANYBODY IN THE CHURCH. THERE IS
26 PROBABLY A HECK OF A LOT OF GOOD PEOPLE IN THE CHURCH. BUT
27 THAT CHURCH IS OWNED AND RUN AND CONTROLLED BY THEM. AND IT
28 IS THEIR CONDUCT WE ARE TALKING ABOUT.

1 WE ARE NOT TELLING YOU TO CLOSE DOWN THE CHURCH
2 AND WE ARE NOT TELLING YOU TO QUESTION THEIR BELIEFS. I
3 WOULDN'T HAVE THE TEMERITY TO SUGGEST SUCH A THING.

4 FOR THE BALANCE OF THIS MAN'S DAYS, WHAT THEY
5 DID TO HIM IS SOMETHING HE WILL HAVE TO LIVE WITH. IT WON'T
6 BE LONG NOW HE IS GOING TO NEED A COMPANION AND A NURSE.
7 YOU HAVE SEEN US SHEPHERD HIM UP AND DOWN THE HALLS. NO, HE
8 DIDN'T LIE. HE CAN'T LIE. I WON'T MENTION ANY NAMES ABOUT
9 LYING.

10 BUT I WILL TELL YOU THIS: YOU'VE SEEN IT ALL,
11 AND YOU'VE HEARD IT ALL AND YOU HAVE AN OPPORTUNITY. THERE
12 IS NOT ONE OF YOU WHO CAN GET THE WOOL PULLED OVER YOUR
13 EYES. THERE IS NOT ONE OF YOU WHO HAS BEEN DECEIVED. EACH
14 AND EVERY ONE OF YOU KNOW WHAT HAPPENED.

15 WE'VE DANCED AROUND WITH ALL OF THEIR
16 WITNESSES. I'LL REMEMBER ONE OF THEM FOR A LONG TIME. GOOD
17 OLD MR. GARCIA. HE COULDN'T ANSWER A QUESTION STRAIGHT IF
18 YOU TRIED HIM. AND YOU KNOW SOMETHING? HE IS NOT A BAD GUY
19 BECAUSE IT IS HIS CHURCH.

20 AND HE IS TRYING AS BEST HE CAN AND HE IS LIKE
21 EVERY OTHER WITNESS THAT THEY HAD. THEY GOT UP ON THE STAND
22 AND DID THE VERY BEST FOR THEIR CHURCH. AND I DON'T BLAME
23 THEM.

24 I BLAME THOSE PEOPLE SITTING RIGHT THERE
25 BECAUSE THEY CONTROL THE SHOW. AND THOSE LITTLE PEOPLE WHO
26 GOT UP ON THE STAND, THEY ARE NOT TO BE CONDEMNED. THEY ARE
27 DOING THE BEST FOR WHAT THEY BELIEVE IN. BUT THERE IS
28 SOMEONE HERE THAT IS RESPONSIBLE. AND HE IS SITTING RIGHT

1 THERE LOOKING AT ME WITH HIS WIFE RIGHT BESIDE HIM.

2 IT IS THEIR CHURCH. THEY CONTROL THE BOARD AND
3 THEY ALWAYS HAVE. THEY RUN THE SHOW. THEY MANIPULATE IN
4 WHATEVER WAY THEY SEE FIT AND THEY DO IT UNDER THE GUISE OF
5 RELIGION. I AM FOR FREEDOM OF RELIGION. I AM NOT FOR
6 FREEDOM OF MANIPULATION.

7 I GUESS I PUSHED MY TWO AND A QUARTER MINUTES A
8 LITTLE BIT. I DO THANK YOU. I KNOW YOU HAVE GOT A
9 TREMENDOUS BURDEN. I ALSO KNOW AND I TRUST THAT EVERY ONE
10 OF YOU WILL TAKE CARE OF THAT BURDEN, WILL DO THE VERY BEST
11 YOU CAN DO, BE AS HONEST AND CARING AND AS FAIR AS YOU CAN
12 BE.

13 I THANK YOU.

14 THE COURT: THE HOUR IS LATE. WE ARE GOING TO STOP
15 IN JUST A FEW MOMENTS. WE ARE GOING TO RESUME TOMORROW
16 MORNING AT 9:15. AT THAT TIME I WILL INSTRUCT YOU IN THE
17 LAW THAT IS OR MAY BE APPLICABLE IN THIS CASE, DEPENDING ON
18 YOUR DETERMINATIONS OF THE FACTS. WHEN I HAVE COMPLETED
19 THAT, YOU WILL COMMENCE YOUR DELIBERATIONS.

20 SO HAVE A PLEASANT EVENING. EVERYBODY BE BACK
21 HERE READY TO PROCEED, 9:15.

22 (AT 4:32 P.M., AN ADJOURNMENT WAS TAKEN
23 UNTIL THURSDAY, MARCH 20, 1986, AT
24 9:15 A.M.)

25
26
27
28

1 LOS ANGELES, CALIFORNIA; THURSDAY, MARCH 20, 1986 *

2 9:30 A.M.

3 DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

4 (APPEARANCES AS HERETOFORE NOTED.)

5
6 (THE FOLLOWING PROCEEDINGS WERE HELD IN
7 CHAMBERS:)

8 THE COURT: DO YOU WISH TO BE HEARD BRIEFLY?

9 MR. KLEIN: YES, YOUR HONOR.

10 IT WOULD BE OUR POSITION WE WOULD URGE THE
11 COURT, IN GIVING THE VERDICT TO THE JURY, THAT THE COURT
12 ALLOW THE JURY TO MAKE A DECISION WITH RESPECT TO EACH OF
13 THE CAUSES OF ACTION. A YES OR NO AND A HOW MUCH.

14 BUT WE THINK THAT BY DOING THAT FOR EACH OF THE
15 DEFENDANTS FOR EACH OF THE CAUSES OF ACTION, IT WILL BE MUCH
16 MORE SIMPLIFIED FOR THE JURY. AND I THINK BY DOING IT THE
17 WAY IT IS, IT IS VERY CONFUSING FOR THE JURY.

18 I ALSO THINK THAT IT WILL BE FAIRER FOR THE
19 PARTIES TO GET A DECISION WITH RESPECT TO EACH OF THE CAUSES
20 OF ACTION.

21 THANK YOU.

22 THE COURT: YOUR INTERESTS IN TRYING TO UNCONFUSE
23 MATTERS RINGS A HOLLOW NOTE WHEN ONE REMEMBERS THE REQUEST
24 FOR SPECIAL FINDINGS THAT YOU, MR. KLEIN, AND YOU, MR.
25 FRANK, SUBMITTED ON BEHALF OF THE CHURCH AND THE INDIVIDUAL
26 DEFENDANTS, WHICH RAMBLED ON FOR SOME 38 OR 39 PAGES.

27 MR. KLEIN: TWENTY-EIGHT.

28 MR. FRANK: I THINK IT WAS 38.

1 THE COURT: THIRTY-EIGHT? I DON'T WANT TO
2 EXAGGERATE. IN MY LIMITED EXPERIENCE, THAT IS A RECORD.

3 WE WILL USE THE VERDICT FORMS THAT I REVIEWED
4 THIS MORNING, WHICH HAVE ALREADY BEEN PREPARED. LET'S
5 PROCEED.

6 (THE PROCEEDINGS WERE RESUMED IN OPEN
7 COURT IN THE PRESENCE OF THE JURY:)

8 THE COURT: GOOD MORNING, LADIES AND GENTLEMEN.

9 OUR CLERK RECEIVED A TELEPHONE CALL THIS
10 MORNING FROM MRS. HULEY, WHO HAS BEEN JUROR NUMBER 3 FOR THE
11 PAST APPROXIMATELY HOW MANY WEEKS?

12 MR. LEVY: SIX OR SEVEN, YOUR HONOR.

13 THE COURT: SIX OR SEVEN WEEKS.

14 UNFORTUNATELY, SHE IS NOT WELL TODAY AND SHE IS
15 UNABLE TO BE WITH US. SO WE ARE GOING TO SELECT ONE OF OUR
16 ALTERNATE JURORS TO TAKE HER SEAT.

17 AS I MENTIONED AT THE OUTSET OF THE TRIAL
18 DURING THE JURY SELECTION PROCESS, IF THIS OCCASION WERE TO
19 ARISE, WE WILL SELECT AN ALTERNATE JUROR BY LOT.

20 SO IF YOU WILL DO THAT, PLEASE.

21 THE CLERK: ERNEST KAUFMAN.

22 THE COURT: AS I EXPLAINED TO YOU YESTERDAY, WE ARE
23 AT THAT STAGE IN THIS CASE IN WHICH I AM GOING TO INSTRUCT
24 YOU ON THE LAW THAT IS OR MAY BE APPLICABLE DEPENDING, ONCE
25 AGAIN, ON YOUR DETERMINATIONS AS TO THE FACTS. AND WHEN I
26 HAVE FINISHED, YOU WILL COMMENCE YOUR DELIBERATIONS.

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JURY INSTRUCTIONS

THE COURT: (READING.)

LADIES AND GENTLEMEN OF THE
JURY:

IT IS NOW MY DUTY TO INSTRUCT
YOU IN THE LAW THAT APPLIES TO THIS CASE.
AND IT IS YOUR DUTY TO FOLLOW THE LAW.

AS JURORS IT IS YOUR DUTY TO
DETERMINE THE EFFECT AND THE VALUE OF THE
EVIDENCE AND TO DECIDE ALL QUESTIONS OF
FACT.

YOU MUST NOT BE INFLUENCED BY
SYMPATHY, PREJUDICE OR PASSION.

EVEN IF ANY MATTER IS REPEATED
OR STATED IN DIFFERENT WAYS IN THESE
INSTRUCTIONS, I DO NOT INTEND ANY EMPHASIS
ON IT. YOU MUST NOT SINGLE OUT ANY
INDIVIDUAL RULE OR INSTRUCTION AND IGNORE
THE OTHERS. INSTEAD, YOU MUST CONSIDER ALL
OF THE INSTRUCTIONS AS A WHOLE AND YOU MUST
REGARD EACH IN THE LIGHT OF ALL OF THE
OTHERS.

THE ORDER IN WHICH THE
INSTRUCTIONS ARE GIVEN HAS NO SIGNIFICANCE
AS TO THEIR RELATIVE IMPORTANCE.

1 STATEMENTS OF COUNSEL ARE NOT
2 EVIDENCE; HOWEVER, IF COUNSEL HAVE
3 STIPULATED TO A FACT, OR ONE HAS BEEN
4 ADMITTED BY COUNSEL, THEN YOU MUST TREAT
5 THAT FACT AS HAVING BEEN CONCLUSIVELY
6 PROVED.

7 YOU MAY NOT SPECULATE AS TO THE
8 ANSWERS TO QUESTIONS TO WHICH OBJECTIONS
9 WERE SUSTAINED OR AS TO THE REASONS FOR THE
10 OBJECTIONS.

11 YOU MAY NOT CONSIDER ANY
12 EVIDENCE THAT WAS STRICKEN; THAT MUST BE
13 TREATED AS THOUGH YOU HAD NEVER KNOWN OF IT.

14 A SUGGESTION IN A QUESTION IS
15 NOT EVIDENCE UNLESS IT IS ADOPTED BY THE
16 ANSWER. STANDING ALONE, A QUESTION IS NOT
17 EVIDENCE. YOU MAY CONSIDER IT ONLY TO THE
18 EXTENT THAT IT IS ADOPTED BY THE ANSWER.

19
20 THE FACT THAT A CORPORATION IS
21 A PARTY MUST NOT PREJUDICE YOU IN YOUR
22 DELIBERATIONS OR IN YOUR VERDICT.

23 YOU MAY NOT DISCRIMINATE
24 BETWEEN A CORPORATION AND NATURAL PERSONS OR
25 NATURAL INDIVIDUALS. EACH IS A PERSON IN
26 THE EYES OF THE LAW. AND EACH IS ENTITLED
27 TO THE SAME FAIR AND IMPARTIAL CONSIDERATION
28 AND TO JUSTICE BY THE SAME LEGAL STANDARDS.

1 THE MASCULINE FORM AS USED IN
2 THESE INSTRUCTIONS, IF APPLICABLE AS SHOWN
3 BY THE TEXT OF THE INSTRUCTION AND THE
4 EVIDENCE, APPLIES TO A FEMALE PERSON OR TO A
5 CORPORATION.

6
7 THE WORDS "PLAINTIFF" AND
8 "DEFENDANT" APPLY TO EACH PLAINTIFF AND TO
9 EACH DEFENDANT, RESPECTIVELY, EXCEPT AS YOU
10 MAY BE OTHERWISE INSTRUCTED.

11
12 IN THIS ACTION A
13 CROSS-COMPLAINT HAS BEEN FILED, WHEREIN THE
14 PARTIES ARE NAMED CROSS-COMPLAINANT AND
15 CROSS-DEFENDANT. THE PARTIES SO NAMED STAND
16 IN THE SAME RELATION AS A PLAINTIFF AND A
17 DEFENDANT UNDER A COMPLAINT.

18 UNLESS OTHERWISE STATED, THE
19 INSTRUCTIONS APPLY TO THE CROSS-COMPLAINANT
20 AND THE CROSS-DEFENDANT IN THE SAME WAY THAT
21 THEY APPLY TO THE PLAINTIFF AND THE
22 DEFENDANT.

23
24 EVIDENCE MAY BE EITHER DIRECT
25 OR CIRCUMSTANTIAL. DIRECT EVIDENCE PROVES A
26 FACT WITHOUT AN INFERENCE AND, IF TRUE,
27 CONCLUSIVELY ESTABLISHES THAT FACT.
28 CIRCUMSTANTIAL EVIDENCE PROVES A FACT FROM

1 WHICH AN INFERENCE OF THE EXISTENCE OF
2 ANOTHER FACT MAY BE DRAWN.

3 AN INFERENCE IS A DEDUCTION OF
4 FACT THAT MAY LOGICALLY AND REASONABLY BE
5 DRAWN FROM ANOTHER FACT OR GROUP OF FACTS.

6 THE LAW MAKES NO DISTINCTION
7 BETWEEN DIRECT AND CIRCUMSTANTIAL EVIDENCE
8 AS TO THE DEGREE OF PROOF REQUIRED; EACH IS
9 A REASONABLE METHOD OF PROOF. EACH IS
10 RESPECTED FOR SUCH CONVINCING FORCE AS IT
11 MAY CARRY.

12
13 YOU ARE NOT BOUND TO DECIDE
14 ACCORDING TO THE TESTIMONY OF A NUMBER OF
15 WITNESSES, WHICH DOES NOT CONVINCING YOU, AS
16 AGAINST THE TESTIMONY OF A SMALLER NUMBER OR
17 OTHER EVIDENCE, WHICH IS MORE CONVINCING TO
18 YOU. THE TESTIMONY OF ONE WITNESS WORTHY OF
19 BELIEF IS SUFFICIENT TO PROVE ANY FACT.
20 THIS DOES NOT MEAN THAT YOU ARE FREE TO
21 DISREGARD THE TESTIMONY OF ANY WITNESS
22 MERELY FROM CAPRICE OR PREJUDICE, OR FROM A
23 DESIRE TO FAVOR EITHER SIDE. IT DOES MEAN
24 THAT YOU MUST NOT DECIDE ANYTHING BY SIMPLY
25 COUNTING THE NUMBERS OF WITNESSES WHO HAVE
26 TESTIFIED ON THE OPPOSING SIDES. THE TEST
27 IS NOT THE NUMBER OF WITNESSES, BUT THE
28 CONVINCING FORCE OF THE EVIDENCE.

1 IF WEAKER AND LESS SATISFACTORY
2 EVIDENCE IS OFFERED BY A PARTY, WHEN IT WAS
3 WITHIN HIS POWER TO PRODUCE STRONGER AND
4 MORE SATISFACTORY EVIDENCE, THE EVIDENCE
5 OFFERED SHOULD BE VIEWED WITH DISTRUST.

6
7 IN DETERMINING WHAT INFERENCES
8 TO DRAW FROM THE EVIDENCE YOU MAY CONSIDER,
9 AMONG OTHER THINGS, A PARTY'S FAILURE TO
10 EXPLAIN OR DENY SUCH EVIDENCE.

11
12 WHENEVER EVIDENCE WAS ADMITTED
13 BUT LIMITED TO ONE OR MORE PARTIES, YOU MUST
14 NOT CONSIDER IT AS TO ANY OTHER PARTY OR
15 PARTIES.

16 WHENEVER EVIDENCE WAS ADMITTED
17 FOR A LIMITED PURPOSE, YOU MUST NOT CONSIDER
18 IT FOR ANY OTHER PURPOSE.

19 YOUR ATTENTION WAS CALLED TO
20 THESE MATTERS WHEN THE EVIDENCE WAS
21 ADMITTED.

22
23 TESTIMONY HAS BEEN READ FROM
24 SEVERAL DEPOSITIONS. A DEPOSITION IS
25 TESTIMONY TAKEN UNDER OATH BEFORE THE TRIAL
26 AND PRESERVED IN WRITING. YOU MUST CONSIDER
27 THAT TESTIMONY AS IF IT HAD BEEN GIVEN HERE
28 IN COURT.

1 YOU ARE THE SOUL AND EXCLUSIVE
2 JUDGES OF THE BELIEVABILITY OF THE
3 WITNESSES.

4 IN DETERMINING THE
5 BELIEVABILITY OF A WITNESS, YOU MAY CONSIDER
6 ANY MATTER THAT HAS A TENDENCY IN REASON TO
7 PROVE OR TO DISPROVE THE TRUTHFULNESS OF THE
8 TESTIMONY OF THE WITNESS, INCLUDING BUT NOT
9 LIMITED TO THE FOLLOWING:

10 THE Demeanor OF THE WITNESS
11 WHILE TESTIFYING AND THE MANNER OF
12 TESTIFYING;

13 THE CHARACTER OF THAT
14 TESTIMONY;

15 THE EXTENT OF THE CAPACITY OF
16 THE WITNESS TO PERCEIVE, TO RECOLLECT, OR TO
17 COMMUNICATE ANY MATTER ABOUT WHICH THE
18 WITNESS TESTIFIED;

19 THE OPPORTUNITY OF THE WITNESS
20 TO PERCEIVE ANY MATTER ABOUT WHICH THE
21 WITNESS HAS TESTIFIED;

22 THE CHARACTER OF THE WITNESS
23 FOR HONESTY OR VERACITY OR THEIR OPPOSITES;

24 THE EXISTENCE OR NONEXISTENCE
25 OF A BIAS, INTEREST, OR OTHER MOTIVE;

26 A STATEMENT PREVIOUSLY MADE BY
27 THE WITNESS THAT IS CONSISTENT WITH THE
28 TESTIMONY OF THE WITNESS;

1 WITNESS WHO WILLFULLY HAS TESTIFIED FALSELY
2 ON A MATERIAL POINT, UNLESS, FROM ALL THE
3 EVIDENCE, YOU BELIEVE THAT THE PROBABILITY
4 OF TRUTH FAVORS HIS TESTIMONY IN OTHER
5 PARTICULARS.

6
7 A WITNESS WHO HAS SPECIAL
8 KNOWLEDGE, SKILL, EXPERIENCE, TRAINING OR
9 EDUCATION IN A PARTICULAR SUBJECT HAS
10 TESTIFIED TO CERTAIN OPINIONS.

11 SEVERAL SUCH EXPERTS HAVE
12 TESTIFIED.

13 IN DETERMINING WHAT WEIGHT TO
14 GIVE EACH OPINION, YOU SHOULD CONSIDER THE
15 QUALIFICATIONS AND THE BELIEVABILITY OF THE
16 WITNESS, THE FACTS OR MATERIALS UPON WHICH
17 EACH OPINION IS BASED, AND THE REASONS FOR
18 EACH OPINION.

19 AN OPINION IS ONLY AS GOOD AS
20 THE FACTS AND THE REASONS UPON WHICH IT IS
21 BASED. IF YOU FIND THAT ANY SUCH FACT HAS
22 NOT BEEN PROVED, OR HAS BEEN DISPROVED, THEN
23 YOU MUST CONSIDER THAT IN DETERMINING THE
24 VALUE OF THE OPINION. LIKEWISE, YOU MUST
25 CONSIDER THE STRENGTHS AND WEAKNESSES OF THE
26 REASONS ON WHICH IT IS BASED.

27 YOU ARE NOT BOUND BY AN
28 OPINION. GIVE EACH OPINION THE WEIGHT WHICH

1 YOU FIND IT DESERVES.

2 HOWEVER, YOU MAY NOT
3 ARBITRARILY OR UNREASONABLY DISREGARD EXPERT
4 OPINION TESTIMONY IN THIS CASE WHICH WAS NOT
5 CONTRADICTED. THEREFORE, UNLESS YOU FIND
6 THAT IT IS NOT BELIEVABLE, IT IS CONCLUSIVE
7 AND BINDING ON YOU.

8
9 IN RESOLVING THE CONFLICT IN
10 THE TESTIMONY OF EXPERT WITNESSES, YOU
11 SHOULD WEIGH THE OPINION OF ONE EXPERT
12 AGAINST THAT OF ANOTHER. IN DOING THIS, YOU
13 SHOULD CONSIDER THE QUALIFICATIONS AND THE
14 BELIEVABILITY OF EACH WITNESS, THE REASONS
15 FOR EACH OPINION AND THE MATTER UPON WHICH
16 IT IS BASED.

17
18 EXPERT WITNESSES WERE ASKED TO
19 ASSUME THAT CERTAIN FACTS WERE TRUE AND THEN
20 TO GIVE AN OPINION BASED UPON THAT
21 ASSUMPTION. THIS IS A HYPOTHETICAL
22 QUESTION. IF ANY FACT ASSUMED IN SUCH A
23 QUESTION HAS NOT BEEN ESTABLISHED BY THE
24 EVIDENCE, YOU SHOULD DETERMINE THE EFFECT OF
25 THAT OMISSION UPON THE VALUE OF AN OPINION
26 BASED ON THAT FACT.

27
28 YOU HAVE HEARD A PHYSICIAN

1 TESTIFY TO STATEMENTS MADE BY A PATIENT FOR
2 THE PURPOSE OF DIAGNOSIS OR TREATMENT. YOU
3 MAY NOT CONSIDER THOSE STATEMENTS AS
4 EVIDENCE OF THE TRUTH OF THE FACTS STATED;
5 YOU MAY CONSIDER THEM ONLY TO SHOW THE
6 INFORMATION UPON WHICH THE PHYSICIAN BASED
7 HIS OPINIONS. HOWEVER, YOU MAY CONSIDER THE
8 PATIENT'S STATEMENTS ABOUT HIS THEN EXISTING
9 STATE OF MIND, EMOTION, OR PHYSICAL
10 SENSATION AS EVIDENCE OF THE TRUTH OF THE
11 MATTER SO STATED.

12
13 IN THIS ACTION, THE PLAINTIFF
14 HAS THE BURDEN OF ESTABLISHING BY A
15 PREPONDERANCE OF THE EVIDENCE ALL OF THE
16 FACTS NECESSARY TO PROVE THE FOLLOWING
17 ISSUES:

18 AND I SAY "PLAINTIFF" IN THIS
19 INSTANCE AND I AM REFERRING TO THE CHURCH
20 UNIVERSAL AND TRIUMPHANT.

21 THE CHURCH HAS THE BURDEN OF
22 PROVING THAT GREGORY MULL EXECUTED A
23 PROMISSORY NOTE UNDER CONDITIONS FREE OF
24 OPPRESSION THAT SHOULD INVALIDATE THE NOTE.

25 IN THIS ACTION, MR. MULL, THE
26 CROSS-COMPLAINANT, HAS THE BURDEN OF
27 ESTABLISHING BY A PREPONDERANCE OF THE
28 EVIDENCE ALL OF THE FACTS NECESSARY TO PROVE

1 THE FOLLOWING ISSUES:

2 ONE, WHETHER HE WAS ASSAULTED
3 BY CROSS-DEFENDANTS;

4 TWO, WHETHER
5 CROSS-DEFENDANTS -- AND CROSS-DEFENDANTS ARE
6 THE CHURCH AND CERTAIN INDIVIDUAL PERSONS
7 WHO ARE PARTIES IN THIS LAWSUIT WHO HAVE
8 BEEN NAMED AND YOU HAVE BEEN TOLD ABOUT
9 THAT.

10 WHETHER CROSS-DEFENDANTS
11 BREACHED A FIDUCIARY DUTY;

12 WHETHER HE WAS DEFRAUDED BY
13 CROSS-DEFENDANTS;

14 WHETHER CROSS-DEFENDANTS
15 INTENTIONALLY INFLICTED EMOTIONAL DISTRESS
16 ON MR. MULL;

17 WHETHER HE IS ENTITLED TO
18 RECOVERY BASED ON QUANTUM MERUIT.

19 BY A PREPONDERANCE OF THE
20 EVIDENCE IS MEANT SUCH EVIDENCE AS, WHEN
21 WEIGHED WITH THAT OPPOSED TO IT, HAS MORE
22 CONVINCING FORCE AND THE GREATER PROBABILITY
23 OF TRUTH. IN THE EVENT THAT THE EVIDENCE IS
24 EVENLY BALANCED SO THAT YOU ARE UNABLE TO
25 SAY THAT THE EVIDENCE ON EITHER SIDE OF AN
26 ISSUE PREPONDERATES, THEN YOUR FINDING UPON
27 THAT ISSUE MUST BE AGAINST THE PARTY WHO HAD
28 THE BURDEN OF PROVING IT.

1 IN DETERMINING WHETHER AN ISSUE
2 HAS BEEN PROVED BY A PREPONDERANCE OF THE
3 EVIDENCE, YOU SHOULD CONSIDER ALL OF THE
4 EVIDENCE BEARING UPON THAT ISSUE REGARDLESS
5 OF WHO PRODUCED IT.

6
7 A PROXIMATE CAUSE OF INJURY OR
8 HARM IS A CAUSE WHICH, IN NATURAL AND
9 CONTINUANCE SEQUENCE, PRODUCES THE INJURY OR
10 HARM AND WITHOUT WHICH THE INJURY OR HARM
11 WOULD NOT HAVE OCCURRED.

12
13 ONE IS THE AGENT OF ANOTHER
14 PERSON WHO IS CALLED THE "PRINCIPAL" AT A
15 GIVEN TIME IF HE IS AUTHORIZED TO ACT FOR OR
16 IN THE PLACE OF SUCH PERSON. ONE MAY BE AN
17 AGENT ALTHOUGH HE RECEIVES NO PAYMENT FOR
18 HIS SERVICES. FOR THE PURPOSES OF THIS
19 TRIAL, THE TERM "AGENT" INCLUDES SERVANTS
20 AND EMPLOYEES AND THE TERM "PRINCIPAL"
21 INCLUDES EMPLOYERS.

22
23 IT IS NOT NECESSARY THAT A
24 PARTICULAR ACT OR FAILURE TO ACT BE
25 EXPRESSLY AUTHORIZED BY THE PRINCIPAL TO
26 BRING IT WITHIN THE SCOPE OF THE AGENT'S
27 AUTHORITY OR EMPLOYMENT. SUCH CONDUCT IS
28 WITHIN THE SCOPE OF HIS AUTHORITY OR

1 EMPLOYMENT IF IT OCCURS WHILE THE AGENT IS
2 ENGAGED IN THE DUTIES WHICH HE WAS EMPLOYED
3 TO PERFORM AND RELATES TO THOSE DUTIES.
4 CONDUCT FOR THE BENEFIT OF THE PRINCIPAL
5 WHICH IS INCIDENTAL TO, CUSTOMARILY
6 CONNECTED WITH OR REASONABLY NECESSARY FOR
7 THE PERFORMANCE OF AN AUTHORIZED ACT IS
8 WITHIN THE SCOPE OF THE AGENT'S AUTHORITY OR
9 EMPLOYMENT.
10

11 A CONTRACT IS AN AGREEMENT TO
12 DO OR NOT TO DO A CERTAIN THING. IT GIVES
13 RISE TO AN OBLIGATION OR LEGAL DUTY
14 ENFORCEABLE IN AN ACTION OF LAW. IT IS
15 ESSENTIAL TO THE EXISTENCE OF A CONTRACT
16 THAT THERE SHOULD BE:

17 ONE, PARTIES CAPABLE OF
18 CONTRACTING;
19 TWO, THEIR CONSENT;
20 THREE, A LAWFUL OBJECT; AND
21 FOUR, A SUFFICIENT CAUSE OF
22 CONSIDERATION.
23

24 A CONTRACT IS EITHER EXPRESS OR
25 IMPLIED. AN EXPRESS CONTRACT IS ONE THE
26 TERMS OF WHICH ARE STATED IN WORDS. AN
27 IMPLIED CONTRACT IS ONE THE EXISTENCE AND
28 TERMS OF WHICH ARE MANIFESTED BY CONDUCT.

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A CONTRACT MUST BE SO INTERPRETED AS TO GIVE EFFECT TO THE MUTUAL INTENTION OF THE PARTIES AS IT EXISTED AT THE TIME OF CONTRACTING SO FAR AS THE SAME IS ASCERTAINABLE AND LAWFUL.

THE WHOLE OF A CONTRACT IS TO BE TAKEN TOGETHER SO AS TO GIVE EFFECT TO EVERY PART, IF REASONABLY PRACTICABLE, EACH CLAUSE HELPING TO INTERPRET THE OTHER.

SEVERAL CONTRACTS RELATING TO THE SAME MATTERS BETWEEN THE SAME PARTIES AND MADE AS PART OF SUBSTANTIALLY ONE TRANSACTION ARE TO BE TAKEN TOGETHER.

THE WORDS OF A CONTRACT ARE TO BE UNDERSTOOD IN THEIR ORDINARY AND POPULAR SENSE RATHER THAN ACCORDING TO THEIR STRICT LEGAL MEANING, UNLESS USED BY THE PARTIES IN A TECHNICAL SENSE OR UNLESS A SPECIAL MEANING IS GIVEN TO THEM BY USAGE, IN WHICH CASE THE LATTER MUST BE FOLLOWED.

IF THE TERMS OF A PROMISE ARE IN ANY RESPECT AMBIGUOUS OR UNCERTAIN, IT MUST BE INTERPRETED IN THE SENSE IN WHICH THE PROMISOR BELIEVED AT THE TIME OF MAKING

1 IT THAT THE PROMISEE UNDERSTOOD IT.

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5

THE WRONGFUL, THAT IS
UNJUSTIFIED OR UNEXCUSED, FAILURE TO PERFORM
A CONTRACT IS A BREACH.

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FOR THE BREACH OF AN OBLIGATION
ARISING FROM A CONTRACT, THE MEASURE OF
DAMAGES, EXCEPT WHERE OTHERWISE EXPRESSLY
PROVIDED BY THIS CODE, IS THE AMOUNT WHICH
WILL COMPENSATE THE PARTY AGRIEVED FOR ALL
OF THE DETRIMENT PROXIMATELY CAUSED
THEREUPON, OR WHICH IN THE ORDINARY COURSE
OF THINGS WOULD BE LIKELY TO RESULT
THEREFROM.

17

18

19

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21

AN OBLIGATION IS EXTINGUISHED
BY A RELEASE THEREFROM GIVEN TO THE DEBTOR
BY THE CREDITOR UPON A NEW CONSIDERATION OR
IN WRITING WITH OR WITHOUT NEW
CONSIDERATION.

22

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A VOLUNTARY ACCEPTANCE OF THE
BENEFIT OF THE TRANSACTION IS EQUIVALENT TO
A CONSENT TO ALL OF THE OBLIGATIONS ARISING
FROM IT SO FAR AS THE FACTS ARE KNOWN OR
OUGHT TO BE KNOWN TO THE PERSON ACCEPTING.

1 AN ACTION FOR CANCELLATION OF
2 AN INSTRUMENT MAY BE MAINTAINED ON THE
3 GROUNDS OF UNDUE INFLUENCE, DURESS, MENACE,
4 OR FRAUDULENT INDUCEMENT TO EXECUTE IT.

5 JUDGMENT MAY BE GIVEN FOR THE
6 CROSS-COMPLAINANT IF THERE IS SUBSTANTIAL
7 EVIDENCE TO SUPPORT A FINDING OF ANY ONE
8 MATERIAL MISREPRESENTATION, OR CONCEALMENT
9 OF FACT, OR THE USE OF DURESS, MENACE OR
10 UNDUE INFLUENCE.

11
12 AN APPARENT CONSENT IS NOT REAL
13 OR FREE WHEN OBTAINED THROUGH DURESS,
14 MENACE, FRAUD, UNDUE INFLUENCE OR MISTAKE.

15
16 DURESS CONSISTS OF UNLAWFUL
17 CONFINEMENT OF THE PERSON OF THE PARTY; OR
18 OF THE HUSBAND OR WIFE OF SUCH PARTY; OR OF
19 AN ANCESTOR, DECEDENT OR ADOPTED CHILD OF
20 SUCH PARTY, HUSBAND OR WIFE; OR UNLAWFUL
21 DETENTION OF THE PROPERTY OF ANY SUCH
22 PERSON; OR CONFINEMENT OF SUCH PERSON LAWFUL
23 IN FORM BUT FRAUDULENTLY OBTAINED, OR
24 FRAUDULENTLY MADE. UNJUSTLY HARASSING OR
25 OPPRESSIVE.

26
27 MENACE CONSISTS IN A THREAT OF
28 SUCH DURESS AS IS SPECIFIED ALREADY IN

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SUBDIVISIONS ONE AND THREE OF THE LAST SECTION.

AND YOU'LL SEE THIS, THESE INSTRUCTIONS WILL BE PROVIDED TO YOU IN WRITING FOR YOUR ASSISTANCE.

MENACE CONSISTS ALSO OF A THREAT OF UNLAWFUL OR VIOLENT INJURY TO THE PERSON, OR PROPERTY OF ANY SUCH PERSON AS IS SPECIFIED IN THE LAST SECTION, OR OF INJURY TO THE CHARACTER OF ANY SUCH PERSON.

UNDUE INFLUENCE CONSISTS IN THE USE BY ONE IN WHOM A CONFIDENCE IS REPOSED BY ANOTHER, OR WHO HOLDS A REAL OR APPARENT AUTHORITY OVER HIM OF SUCH CONFIDENCE, OR AUTHORITY FOR THE PURPOSE OF OBTAINING AN UNFAIR ADVANTAGE OVER HIM, OR IN TAKING AN UNFAIR ADVANTAGE OF OTHER'S WEAKNESS OF MIND, OR IN TAKING A GROSSLY OPPRESSIVE AND UNFAIR ADVANTAGE OF OTHER'S NECESSITIES OR DISTRESS.

ASSAULT IS AN ACT BY ONE OR MORE PERSONS THAT REASONABLY PLACES THE VICTIM IN FEAR OF IMMINENT PERSONAL HARM. PROOF OF THE ABILITY TO DO THE HARM IS NOT REQUIRED IF THE VICTIM BELIEVES THAT THE OTHER OR OTHERS HAVE THE ABILITY.

1 REASONABLE FORCE MAY BE USED BY
2 A LEGAL POSSESSOR OF PROPERTY TO DEFEND HIS
3 POSSESSION.

4
5 WORDS ALONE, NO MATTER HOW
6 OBJECTIONABLE OR INSULTING, WILL NOT JUSTIFY
7 AN ASSAULT AGAINST THE PERSON WHO UTTERS
8 THEM.

9
10 ANY ACT DONE BY A PERSON, WHO
11 HAS A CONFIDENTIAL RELATIONSHIP WITH
12 ANOTHER, CONTRARY TO THE TERMS OF HIS TRUST
13 OR IN EXCESS OF HIS AUTHORITY AND TO THE
14 DETRIMENT OF THE OTHER PARTY TO THE
15 RELATIONSHIP AND EVERY VIOLATION BY A PERSON
16 WHO HAS A CONFIDENTIAL RELATIONSHIP OF A
17 DUTY WHICH EQUITY LAYS ON HIM, WHETHER
18 WILLFUL OR FRAUDULENT OR DONE THROUGH
19 NEGLIGENCE, IS A BREACH OF A CONFIDENTIAL
20 RELATIONSHIP.

21 A CONFIDENTIAL RELATIONSHIP IS
22 A RELATIONSHIP WHEREIN THERE IS SPECIAL
23 CONFIDENCE REPOSED IN ONE WHO IN GOOD
24 CONSCIENCE IS BOUND TO ACT IN GOOD FAITH AND
25 WITH DUE REGARD TO THE INTEREST OF THE ONE
26 REPOSING THE FAITH.

27
28 A PENITENTIAL COMMUNICATION

1 MEANS A COMMUNICATION MADE IN CONFIDENCE TO
2 A CLERGYMAN WHO, IN THE COURSE OF THE
3 PRACTICE OF HIS CHURCH, IS ACCUSTOMED TO
4 HEARING SUCH COMMUNICATIONS AND HAS A DUTY
5 TO KEEP SUCH COMMUNICATIONS SECRET.
6

7 IN THIS ACTION, THE
8 CROSS-COMPLAINANT SEEKS TO RECOVER DAMAGES
9 HE CLAIMS HE SUSTAINED AS A RESULT OF THE
10 ALLEGED FRAUD OF THE CROSS-DEFENDANT. THE
11 ESSENTIAL ELEMENTS OF THE FRAUD CLAIMED IN
12 THIS ACTION, EACH OF WHICH ELEMENTS MUST BE
13 PROVED TO RECOVER DAMAGES, ARE:

14 ONE, THE CROSS-DEFENDANT MUST
15 HAVE MADE A REPRESENTATION AS TO A PAST OR
16 EXISTING MATERIAL FACT;

17 TWO, THE REPRESENTATION MUST
18 HAVE BEEN FALSE;

19 THREE, THE CROSS-DEFENDANT MUST
20 HAVE KNOWN THAT THE REPRESENTATION WAS FALSE
21 WHEN HE MADE IT, OR HE MUST HAVE MADE THE
22 REPRESENTATION RECKLESSLY WITHOUT KNOWING
23 WHETHER IT WAS TRUE OR FALSE;

24 FOUR, THE CROSS-DEFENDANT MUST
25 HAVE MADE THE REPRESENTATION WITH AN INTENT
26 TO DEFRAUD THE CROSS-COMPLAINANT. THAT IS,
27 HE MUST HAVE MADE THE REPRESENTATION FOR THE
28 PURPOSE OF INDUCING THE CROSS-COMPLAINANT TO

1 RELY UPON IT AND TO ACT OR TO REFRAIN FROM
2 ACTING IN RELIANCE THEREON;

3 FIVE, THE CROSS-COMPLAINANT
4 MUST HAVE BEEN UNAWARE OF THE FALSITY OF THE
5 REPRESENTATION, HE MUST HAVE ACTED IN
6 RELIANCE UPON THE TRUTH OF THE
7 REPRESENTATION AND HE MUST HAVE BEEN
8 JUSTIFIED IN RELYING UPON THE
9 REPRESENTATION; AND FINALLY,

10 SIX, AS A RESULT OF HIS
11 RELIANCE UPON THE TRUTH OF THE
12 REPRESENTATION, THE CROSS-COMPLAINANT MUST
13 HAVE SUSTAINED DAMAGE.

14
15 ORDINARILY, EXPRESSIONS OF
16 OPINION ARE NOT TREATED AS REPRESENTATIONS
17 OF FACT UPON WHICH TO BASE ACTIONABLE FRAUD.
18 HOWEVER, WHEN ONE PARTY POSSESSES OR HOLDS
19 HIMSELF OUT AS POSSESSING SUPERIOR KNOWLEDGE
20 OR SPECIAL INFORMATION REGARDING THE SUBJECT
21 OF A REPRESENTATION AND THE OTHER PARTY IS
22 SO SITUATED THAT HE MAY REASONABLY RELY UPON
23 SUCH SUPPOSED SUPERIOR KNOWLEDGE OR SPECIAL
24 INFORMATION, A REPRESENTATION MADE BY THE
25 PARTY POSSESSING OR HOLDING HIMSELF OUT AS
26 POSSESSING SUCH KNOWLEDGE OR INFORMATION
27 WILL BE TREATED AS A REPRESENTATION OF FACT
28 ALTHOUGH IF MADE BY ANY OTHER PERSON, IT

1 MIGHT BE REGARDED AS AN EXPRESSION OF
2 OPINION.

3 ALSO, WHEREVER PARTIES STATE A
4 MATTER WHICH MIGHT OTHERWISE BE ONLY AN
5 OPINION AND DOES NOT STATE IT AS THE MERE
6 EXPRESSION OF HIS OWN OPINION, BUT GIVES IT
7 IN SUCH A MANNER AS TO INDICATE IT TO BE A
8 STATEMENT OF FACT SO THAT THE OTHER PARTY
9 MAY REASONABLY TREAT IT AS A FACT AND RELY
10 AND ACT UPON IT AS SUCH, THEN THE STATEMENT
11 WILL BE TREATED AS A REPRESENTATION OF FACT.
12

13 THE COURT: LET'S STAND UP AND STRETCH FOR A MOMENT.

14 MR. LEVY: YOUR HONOR, WHILE WE ARE STRETCHING, MAY
15 WE APPROACH THE BENCH?

16 THE COURT: ALL RIGHT.

17 (A CONFERENCE WAS HELD AT THE BENCH
18 WHICH WAS NOT REPORTED.)

19 THE COURT: LET'S CONTINUE. (READING.)

20 FRAUD AND DECEIT MAY OCCUR BY
21 CONCEALMENT. THE ELEMENTS ARE:

22 ONE, THE CROSS-DEFENDANT MUST
23 HAVE CONCEALED OR SUPPRESSED A MATERIAL
24 FACT;

25 TWO, THE CROSS-DEFENDANT MUST
26 HAVE BEEN UNDER A DUTY TO DISCLOSE THE FACT
27 TO THE CROSS-COMPLAINANT;

28 THREE, THE CROSS-DEFENDANT MUST

1 HAVE INTENTIONALLY CONCEALED OR SUPPRESSED
2 THE FACT WITH THE INTENT TO DEFRAUD THE
3 CROSS-COMPLAINANT;

4 FOUR, THE CROSS-COMPLAINANT
5 MUST HAVE BEEN UNAWARE OF THE FACT AND WOULD
6 NOT HAVE ACTED AS HE DID IF HE HAD KNOWN OF
7 THE CONCEALED OR SUPPRESSED FACT; AND
8 FINALLY,

9 FIVE, AS A RESULT OF THE
10 CONCEALMENT OR SUPPRESSION OF THE FACT, THE
11 CROSS-COMPLAINANT MUST HAVE SUSTAINED
12 DAMAGES.

13
14 EXCEPT AS YOU MAY OTHERWISE BE
15 INSTRUCTED, WHERE MATERIAL FACTS ARE KNOWN
16 TO ONE PARTY AND NOT TO THE OTHER, FAILURE
17 TO DISCLOSE THEM IS NOT ACTIONABLE FRAUD
18 UNLESS THERE IS SOME RELATIONSHIP BETWEEN
19 THE PARTIES WHICH GIVES RISE TO A DUTY TO
20 DISCLOSE SUCH KNOWN FACTS.

21 A DUTY TO DISCLOSE KNOWN FACTS
22 ARISES WHERE THE PARTY HAVING KNOWLEDGE OF
23 THE FACTS IS IN A FIDUCIARY OR CONFIDENTIAL
24 RELATIONSHIP WHICH IMPOSES UPON HIM A DUTY
25 OF DISCLOSURE.

26 A FIDUCIARY OR CONFIDENTIAL
27 RELATIONSHIP EXISTS WHENEVER UNDER THE
28 CIRCUMSTANCES TRUST AND CONFIDENCE

1 REASONABLY MAY BE AND IS REPOSED BY ONE
2 PERSON IN THE INTEGRITY AND FIDELITY OF
3 ANOTHER.

4 A DUTY TO DISCLOSE KNOWN FACTS
5 ARISES IN THE ABSENCE OF A FIDUCIARY OR A
6 CONFIDENTIAL RELATIONSHIP WHERE ONE PARTY
7 KNOWS OF MATERIAL FACTS AND ALSO KNOWS THAT
8 SUCH FACTS ARE NEITHER KNOWN NOR READILY
9 ACCESSIBLE TO THE OTHER PARTY.

10
11 A PARTY IS SUBJECT TO LIABILITY
12 FOR FRAUD IF HE INTENTIONALLY CONCEALS FACTS
13 WITHIN HIS KNOWLEDGE.

14 MOREOVER, WHERE ONE PARTY IS
15 UNDER NO DUTY TO SPEAK BUT NEVERTHELESS DOES
16 SO, HE IS BOUND TO SPEAK HONESTLY AND NOT TO
17 ENGAGE IN MISLEADING HALF-TRUTHS OR THE
18 SUPPRESSION OF FACTS WHICH MATERIALLY
19 QUALIFY THOSE STATED.

20
21 FRAUD AND DECEIT MAY OCCUR BY
22 MAKING A PROMISE WITHOUT THE INTENTION TO
23 PERFORM THAT PROMISE. THE ELEMENTS ARE:

24 ONE, THE CROSS-DEFENDANT MUST
25 HAVE MADE A PROMISE AS TO A MATERIAL MATTER
26 AND, AT THE TIME HE MADE IT, HE MUST HAVE
27 INTENDED NOT TO PERFORM IT;

28 TWO, THE CROSS-DEFENDANT MUST

1 HAVE MADE THE PROMISE WITH AN INTENT TO
2 DEFRAUD THE CROSS-COMPLAINANT, THAT IS, HE
3 MUST HAVE MADE THE PROMISE FOR THE PURPOSE
4 OF INDUCING THE CROSS-COMPLAINANT TO RELY
5 UPON IT AND TO ACT OR REFRAIN FROM ACTING IN
6 RELIANCE UPON IT;

7 THREE, THE CROSS-COMPLAINANT
8 MUST HAVE BEEN UNAWARE OF THE
9 CROSS-DEFENDANT'S INTENTION NOT TO PERFORM
10 THE PROMISE; HE MUST HAVE ACTED IN RELIANCE
11 UPON THE PROMISE AND HE MUST HAVE BEEN
12 JUSTIFIED IN RELYING UPON THE PROMISE MADE
13 BY THE CROSS-DEFENDANT; AND FINALLY,

14 FOUR, AS A RESULT OF HIS
15 RELIANCE UPON CROSS-DEFENDANT'S PROMISE, THE
16 CROSS-COMPLAINANT MUST HAVE SUSTAINED
17 DAMAGE.

18
19 EVIDENCE OF PRIOR OR SUBSEQUENT
20 CONDUCT MAY BE CONSIDERED IN DETERMINING
21 WHETHER THERE WAS AN INTENTION NOT TO
22 PERFORM A PROMISE WHEN IT WAS MADE.

23
24 THE REPRESENTATION MUST HAVE
25 BEEN MADE WITH THE INTENT TO INDUCE SOME
26 PARTICULAR PERSON OR PERSONS TO ACT IN
27 RELIANCE UPON IT AND THE PARTY MAKING THE
28 REPRESENTATION IS LIABLE ONLY TO THESE

1 PERSONS TO WHOM THE REPRESENTATION IS
2 LIABLE -- LET ME START THAT SENTENCE OVER.
3 START THAT SENTENCE OVER.

4 THE REPRESENTATION MUST HAVE
5 BEEN MADE WITH THE INTENT TO INDUCE SOME
6 PARTICULAR PERSON OR PERSONS TO ACT IN
7 RELIANCE UPON IT AND THE PERSON MAKING THE
8 REPRESENTATION IS LIABLE ONLY TO THOSE
9 PERSONS TO WHOM THE REPRESENTATION WAS MADE
10 WITH SUCH INTENT. IF OTHERS BECOME AWARE OF
11 THE REPRESENTATION AND ACT UPON IT, THERE IS
12 NO LIABILITY EVEN THOUGH THE PARTY WHO MADE
13 THE REPRESENTATION SHOULD REASONABLY HAVE
14 FORESEEN SUCH A POSSIBILITY.

15 A REPRESENTATION DOES NOT HAVE
16 TO BE MADE DIRECTLY TO THE PERSON WHO WAS
17 INTENDED TO ACT UPON IT, BUT MAY BE MADE TO
18 A THIRD PERSON WITH THE INTENTION THAT IT
19 SHALL BE COMMUNICATED TO THE PERSON WHO WAS
20 INTENDED TO ACT UPON IT.

21 ONE WHO MAKES A REPRESENTATION
22 WITH INTENT TO DEFRAUD THE PUBLIC OR A
23 PARTICULAR CLASS OF PERSONS IS DEEMED TO
24 HAVE INTENDED TO DEFRAUD EVERY PEOPLE IN
25 THAT CATEGORY WHO WAS ACTUALLY MISLED
26 THEREBY.

27
28 A PARTY CLAIMING TO HAVE BEEN

1 DEFRAUDED BY A FALSE REPRESENTATION MUST
2 HAVE RELIED UPON THE REPRESENTATION; THAT
3 IS, THE REPRESENTATION MUST HAVE BEEN A
4 PROXIMATE CAUSE OF HIS CONDUCT IN ENTERING
5 INTO THE TRANSACTION AND WITHOUT SUCH
6 REPRESENTATION HE WOULD NOT HAVE ENTERED
7 INTO SUCH TRANSACTION.

8 THE FRAUD, IF ANY, NEED NOT BE
9 THE SOLE PROXIMATE CAUSE IF IT APPEARS THAT
10 RELIANCE UPON THE REPRESENTATION
11 SUBSTANTIALLY INFLUENCED SUCH PARTY'S
12 ACTION, EVEN THOUGH OTHER INFLUENCES
13 OPERATED AS WELL.

14
15 A PARTY CLAIMING TO HAVE BEEN
16 DEFRAUDED BY A FALSE REPRESENTATION MUST NOT
17 ONLY HAVE ACTED IN RELIANCE THEREON BUT MUST
18 HAVE BEEN JUSTIFIED IN SUCH RELIANCE, THAT
19 IS, THE SITUATION MUST HAVE BEEN SUCH AS TO
20 MAKE IT REASONABLE FOR HIM IN THE LIGHT OF
21 HIS -- OF THE CIRCUMSTANCES AND HIS
22 INTELLIGENCE, EXPERIENCE AND KNOWLEDGE, TO
23 ACCEPT THE REPRESENTATION WITHOUT MAKING AN
24 INDEPENDENT INQUIRY OR INVESTIGATION.

25
26 IF UNDER THE COURT'S
27 INSTRUCTIONS YOU FIND THAT THE
28 CROSS-COMPLAINANT IS ENTITLED TO A VERDICT

1 AGAINST THE CROSS-DEFENDANTS,
2 CROSS-COMPLAINANT IS MR. MULL, THE
3 CROSS-DEFENDANTS ARE THE CHURCH UNIVERSAL
4 AND TRIUMPHANT AND CERTAIN PERSONS
5 AFFILIATED WITH THE CHURCH, IF YOU FIND THAT
6 THE CROSS-COMPLAINANT IS ENTITLED TO A
7 VERDICT AGAINST THE CROSS-DEFENDANTS, YOU
8 MUST THEN AWARD THE CROSS-COMPLAINANT
9 DAMAGES, IF ANY, PROXIMATELY CAUSED BY THE
10 FRAUD UPON WHICH YOU BASE YOUR FINDING OF
11 LIABILITY.

12 THE AMOUNT OF SUCH AWARD SHALL
13 INCLUDE:

14 THE DIFFERENCE, IF ANY, BETWEEN
15 THE ACTUAL VALUE OF THAT WITH WHICH THE
16 CROSS-COMPLAINANT PARTED AND THE ACTUAL
17 VALUE OF THAT WHICH HE RECEIVED. THIS IS
18 SOMETIMES REFERRED TO AS THE "OUT OF POCKET
19 LOSS."

20 ACTUAL VALUE MEANS MARKET
21 VALUE. MARKET VALUE MEANS THE HIGHEST PRICE
22 IN TERMS OF MONEY FOR WHICH REAL OR PERSONAL
23 PROPERTY WOULD SELL ON THE OPEN MARKET; THE
24 SELLER HAVING A REASONABLE TIME WITHIN WHICH
25 TO SELL, AND BEING WILLING TO SELL BUT NOT
26 FORCED TO DO SO; THE BUYER BEING READY,
27 WILLING AND ABLE TO BUY BUT NOT FORCED TO DO
28 SO, AND HAVING A REASONABLE TIME AND FULL

1 OPPORTUNITY TO INVESTIGATE THE PROPERTY IN
2 QUESTION AND TO DETERMINE ITS CONDITION,
3 SUITABILITY FOR USE, AND ALL OF THE THINGS
4 ABOUT THE PROPERTY THAT WOULD NATURALLY AND
5 REASONABLY AFFECT ITS MARKET VALUE.

6 AND NEXT, IN ADDITION TO HIS
7 "OUT OF POCKET LOSS," IF ANY,
8 CROSS-COMPLAINANT IS ENTITLED TO RECOVER ANY
9 ADDITIONAL DAMAGES ARISING FROM THE
10 PARTICULAR TRANSACTION, INCLUDING ANY OF THE
11 FOLLOWING:

12 THE AMOUNTS ACTUALLY AND
13 REASONABLY EXPENDED IN RELIANCE UPON THE
14 FRAUD, IF ANY;

15 AN AMOUNT WHICH WOULD
16 COMPENSATE THE CROSS-COMPLAINANT FOR LOSS OF
17 USE AND ENJOYMENT OF THE PROPERTY TO THE
18 EXTENT THAT ANY SUCH LOSS WAS PROXIMATELY
19 CAUSED BY THE FRAUD; AND NEXT,

20 AN AMOUNT WHICH WILL COMPENSATE
21 HIM FOR PROFITS OR OTHER GAINS WHICH MIGHT
22 REASONABLY HAVE BEEN EARNED BY USE OF THE
23 PROPERTY HAD HE RETAINED IT.

24
25 ONE WHO WILLFULLY DECEIVES
26 ANOTHER WITH INTENT TO INDUCE HIM TO ALTER
27 HIS POSITION TO HIS INJURY OR RISK IS LIABLE
28 FOR ANY DAMAGES WHICH HE HEREBY SUFFERS.

1 A CROSS-COMPLAINANT IS ENTITLED
2 TO RECOVER DAMAGES FOR SEVERE EMOTIONAL
3 DISTRESS IF A PROXIMATE CAUSE OF SUCH
4 EMOTIONAL DISTRESS WAS THE OUTRAGEOUS
5 UNPRIVILEGED CONDUCT OF THE CROSS-DEFENDANT
6 DONE EITHER WITH THE INTENT TO CAUSE
7 EMOTIONAL DISTRESS OR WITH RECKLESS
8 DISREGARD OF THE PROBABILITY OF CAUSING SUCH
9 EMOTIONAL DISTRESS.

10 THE ELEMENTS OF A CAUSE OF
11 ACTION FOR INTENTIONAL INFLICTION OF SEVERE
12 EMOTIONAL DISTRESS ARE:

13 ONE, THE CROSS-DEFENDANT
14 ENGAGED IN OUTRAGEOUS, UNPRIVILEGED CONDUCT;

15 TWO, WITH THE INTENT TO CAUSE,
16 OR WITH RECKLESS DISREGARD OF THE
17 PROBABILITY OF CAUSING EMOTIONAL DISTRESS;

18 THREE, THE CROSS-COMPLAINANT
19 SUFFERED SEVERE EMOTIONAL DISTRESS; AND

20 FOUR, SUCH OUTRAGEOUS,
21 UNPRIVILEGED CONDUCT OF THE CROSS-DEFENDANT
22 WAS A PROXIMATE CAUSE OF THE EMOTIONAL
23 DISTRESS SUFFERED BY THE CROSS-COMPLAINANT.

24
25 THE TERM "PHYSICAL HARM" AS
26 USED IN THESE INSTRUCTIONS INCLUDES NOT ONLY
27 PHYSICAL INJURY AND BODILY ILLNESS, BUT ALSO
28 THE PHYSICAL CONSEQUENCES OF SHOCK TO THE

1 NERVOUS SYSTEM.

2 SHOCK MEANS A SUDDEN PHYSICAL
3 OR MENTAL DISTURBANCE.

4
5 THE TERM "EMOTIONAL DISTRESS"
6 AS USED IN THESE INSTRUCTIONS IS OFTEN
7 DESCRIBED IN COMMON USAGE BY VARIOUS OTHER
8 TERMS SUCH AS MENTAL DISTRESS, MENTAL
9 SUFFERING OR MENTAL ANGUISH. IT INCLUDES
10 ALL HIGHLY UNPLEASANT MENTAL REACTIONS, SUCH
11 AS FRIGHT, HORROR, GRIEF, SHAME,
12 HUMILIATION, EMBARRASSMENT, ANGER, CHAGRIN,
13 DISAPPOINTMENT AND WORRY.

14
15 THE WORD "SEVERE" AS USED IN
16 THESE INSTRUCTIONS IN THE PHRASE "SEVERE
17 EMOTIONAL DISTRESS" MEANS SUBSTANTIAL OR
18 ENDURING AS DISTINGUISHED FROM TRIVIAL OR
19 TRANSITORY. SEVERE EMOTIONAL DISTRESS IS
20 EMOTIONAL DISTRESS OF SUCH SUBSTANTIAL
21 QUANTITY OR ENDURING QUALITY THAT NO
22 REASONABLE PERSON IN A CIVILIZED SOCIETY
23 SHOULD BE EXPECTED TO ENDURE IT.

24 IN DETERMINING THE SEVERITY OF
25 EMOTIONAL DISTRESS YOU SHOULD CONSIDER ITS
26 INTENSITY AND DURATION.

27
28 EXTREME AND OUTRAGEOUS CONDUCT

1 IS CONDUCT WHICH GOES BEYOND ALL POSSIBLE
2 BOUNDS OF DECENCY SO AS TO BE REGARDED AS
3 ATROCIOUS AND UTTERLY INTOLERABLE IN A
4 CIVILIZED COMMUNITY.

5 EXTREME AND OUTRAGEOUS CONDUCT
6 IS NOT MERE INSULTS, INDIGNITIES, THREATS,
7 ANNOYANCES, PETTY OPPRESSIONS OR OTHER
8 TRIVIALITIES. ALL PERSONS MUST NECESSARILY
9 BE EXPECTED AND REQUIRED TO BE HARDENED TO A
10 CERTAIN AMOUNT OF ROUGH LANGUAGE AND TO
11 OCCASIONAL ACTS THAT ARE DEFINITELY
12 INCONSIDERATE AND UNKIND.

13 EXTREME AND OUTRAGEOUS CONDUCT,
14 HOWEVER, IS CONDUCT WHICH WOULD CAUSE AN
15 AVERAGE MEMBER OF THE COMMUNITY TO
16 IMMEDIATELY REACT IN OUTRAGE.

17
18 THE EXTREME AND OUTRAGEOUS
19 CHARACTER OF THE CONDUCT OF THE
20 CROSS-DEFENDANT MAY ARISE FROM AN ABUSE OF
21 HIS POSITION, OR RELATIONSHIP TO A
22 CROSS-COMPLAINANT, WHICH GIVES SUCH A
23 CROSS-DEFENDANT ACTUAL OR APPARENT AUTHORITY
24 OVER SUCH CROSS-COMPLAINANT, OR POWER TO
25 AFFECT HIS INTEREST.

26
27 THE EXTREME AND OUTRAGEOUS
28 CHARACTER OF A CROSS-DEFENDANT'S CONDUCT MAY

1 ARISE FROM HIS KNOWLEDGE THAT A
2 CROSS-COMPLAINANT IS PECULIARLY SUSCEPTIBLE
3 TO EMOTIONAL DISTRESS BY REASON OF SOME
4 PHYSICAL OR MENTAL CONDITION OR PECULIARITY.
5 CONDUCT MAY BECOME EXTREME AND OUTRAGEOUS
6 WHEN A CROSS-DEFENDANT PROCEEDS IN THE FACE
7 OF SUCH KNOWLEDGE, WHERE IT WOULD NOT BE SO
8 IF HE DID NOT KNOW.

9
10 A CROSS-DEFENDANT INTENDED TO
11 INFLECT EMOTIONAL DISTRESS IF IT IS
12 ESTABLISHED THAT HE DESIRED TO CAUSE SUCH
13 DISTRESS OR KNEW THAT SUCH DISTRESS WAS
14 SUBSTANTIALLY CERTAIN TO RESULT FROM HIS
15 CONDUCT.

16 A CROSS-DEFENDANT'S CONDUCT IS
17 IN RECKLESS DISREGARD OF THE PROBABILITY OF
18 CAUSING EMOTIONAL DISTRESS IF HE HAS
19 KNOWLEDGE OF A HIGH DEGREE OF PROBABILITY
20 THAT EMOTIONAL DISTRESS WILL RESULT AND ACTS
21 WITH DELIBERATE DISREGARD OF THAT
22 PROBABILITY OR WITH A WANTON DISREGARD OF
23 THE PROBABLE RESULTS.

24
25 A CROSS-COMPLAINANT WHO HAS
26 SUFFERED A SUBSTANTIAL FINANCIAL INJURY
27 WHICH WAS PROXIMATELY CAUSED BY A
28 CROSS-DEFENDANT'S EXTREME AND OUTRAGEOUS

1 INTENTIONAL OR RECKLESS WRONGFUL CONDUCT, IS
2 ENTITLED TO RECOVER DAMAGES FROM THAT
3 CROSS-DEFENDANT FOR ANY MENTAL OR EMOTIONAL
4 DISTRESS PROXIMATELY RESULTING FROM SUCH
5 FINANCIAL INJURY.

6
7 IF UNDER THE COURT'S
8 INSTRUCTIONS YOU FIND THE CROSS-COMPLAINANT
9 IS ENTITLED TO A VERDICT AGAINST
10 CROSS-DEFENDANT, YOU MUST THEN AWARD
11 CROSS-COMPLAINANT DAMAGES IN AN AMOUNT THAT
12 WILL REASONABLY COMPENSATE HIM FOR ALL LOSS
13 OR HARM, PROVIDED THAT YOU FIND IT WAS OR
14 WILL BE SUFFERED BY HIM AND PROXIMATELY
15 CAUSED BY THE CROSS-DEFENDANT'S CONDUCT.

16 THE AMOUNT OF SUCH AWARD SHALL INCLUDE:

17 REASONABLE COMPENSATION FOR ANY
18 PAIN, DISCOMFORT, FEARS, ANXIETY AND OTHER
19 EMOTIONAL DISTRESS SUFFERED BY THE
20 CROSS-COMPLAINANT AND FOR SIMILAR SUFFERING
21 REASONABLY CERTAIN TO BE EXPERIENCED IN THE
22 FUTURE FROM THE SAME CAUSE.

23 NO DEFINITE STANDARD OR METHOD
24 OF CALCULATION IS PRESCRIBED BY LAW BY WHICH
25 TO FIX REASONABLE COMPENSATION FOR PAIN AND
26 SUFFERING. NOR IS THE OPINION OF ANY
27 WITNESS REQUIRED AS TO THE AMOUNT OF SUCH
28 REASONABLE COMPENSATION. IN MAKING AN AWARD

1 FOR PAIN AND SUFFERING YOU SHALL EXERCISE
2 YOUR AUTHORITY WITH CALM AND REASONABLE
3 JUDGMENT AND THE DAMAGES YOU FIX SHALL BE
4 JUST AND REASONABLE IN THE LIGHT OF THE
5 EVIDENCE.

6 REASONABLE COMPENSATION FOR ANY
7 FINANCIAL LOSS SUFFERED BY THE
8 CROSS-COMPLAINANT WHICH WAS REASONABLY --
9 PARDON ME -- WHICH WAS PROXIMATELY CAUSED BY
10 EMOTIONAL DISTRESS.

11
12 WHEN ONE PERSON RENDERS
13 SERVICES TO ANOTHER AT THE OTHER'S REQUEST
14 AND FROM WHICH THE LATTER DERIVES A BENEFIT,
15 ORDINARILY AN OBLIGATION ARISES TO PAY THE
16 REASONABLE VALUE OF THE SERVICES RENDERED.

17 THE CIRCUMSTANCES MUST BE SUCH
18 AS TO WARRANT THE INFERENCE THAT IT WAS THE
19 EXPECTATION OF BOTH PARTIES DURING THE TIME
20 THE SERVICES WERE RENDERED THAT COMPENSATION
21 SHOULD BE MADE.

22 WHERE A PARTY REQUESTS SERVICES
23 BUT FAILS TO PAY THE REASONABLE VALUE OF
24 SUCH SERVICES, THAT PARTY MAY BE DEEMED TO
25 HAVE BEEN UNJUSTLY ENRICHED AT THE EXPENSE
26 OF THE PARTY PROVIDING THE SERVICES.

27
28 YOU ARE INSTRUCTED THAT IF

1 CROSS-COMPLAINANT MULL IS ENTITLED TO
2 RECOVER IN QUANTUM MERUIT, HIS DAMAGES ARE
3 TO BE MEASURED AS THE REASONABLE VALUE OF
4 THE BUILDING DESIGN SERVICES HE RENDERED TO
5 THE CHURCH.

6
7 ALSO FOR THE BREACH OF AN
8 OBLIGATION NOT ARISING FROM A CONTRACT, THE
9 MEASURE OF DAMAGES, EXCEPT WHERE OTHERWISE
10 EXPRESSLY PROVIDED BY THE LAW, IS THE AMOUNT
11 WHICH WILL COMPENSATE FOR ALL OF THE
12 DETRIMENT PROXIMATELY CAUSED THEREBY WHETHER
13 IT COULD HAVE BEEN ANTICIPATED OR NOT.

14
15 THE REASONABLE VALUE OF
16 MEDICAL, HOSPITAL AND NURSING CARE, SERVICES
17 AND SUPPLIES REASONABLY REQUIRED AND
18 ACTUALLY GIVEN IN THE TREATMENT OF THE
19 PLAINTIFF TO THE PRESENT TIME AND TO THE --
20 AND THE PRESENT CASH VALUE OF THE REASONABLE
21 VALUE OF SIMILAR ITEMS REASONABLY CERTAIN TO
22 BE REQUIRED AND GIVEN IN THE FUTURE.

23
24 FURTHER, THE REASONABLE VALUE
25 OF WORKING TIME LOST TO DATE.

26 IN DETERMINING THIS AMOUNT, YOU
27 SHOULD CONSIDER EVIDENCE OF PLAINTIFF'S
28 EARNING CAPACITY, HIS EARNINGS, HOW HE

1 ORDINARILY OCCUPIED HIMSELF, AND FIND WHAT
2 HE WAS REASONABLY CERTAIN TO HAVE EARNED IN
3 THE TIME LOST IF HE HAD NOT BEEN INJURED.

4 A PERSON'S ABILITY TO WORK MAY
5 HAVE A MONETARY VALUE EVEN THOUGH HE IS NOT
6 EMPLOYED BY ANOTHER.

7 ALSO, THE REASONABLE VALUE OF
8 SERVICES PERFORMED BY ANOTHER IN DOING
9 THINGS FOR THE PLAINTIFF WHICH, EXCEPT FOR
10 HIS INJURY, PLAINTIFF WOULD ORDINARILY DO
11 FOR HIMSELF.

12
13 THE PRESENT CASH VALUE OF
14 EARNING CAPACITY REASONABLY CERTAIN TO BE
15 LOST IN THE FUTURE AS A RESULT OF THE INJURY
16 IN QUESTION.

17
18 FURTHER, REASONABLE
19 COMPENSATION FOR ANY PAIN, DISCOMFORT,
20 FEARS, ANXIETY AND OTHER MENTAL AND
21 EMOTIONAL DISTRESS SUFFERED BY THE PLAINTIFF
22 AND OF WHICH HIS INJURY WAS A PROXIMATE
23 CAUSE AND FOR SIMILAR SUFFERING REASONABLY
24 CERTAIN TO BE EXPERIENCED IN THE FUTURE FROM
25 THE SAME CAUSE.

26 NO DEFINITE STANDARD OR METHOD
27 OF CALCULATION IS PRESCRIBED BY LAW BY WHICH
28 TO FIX REASONABLE COMPENSATION FOR PAIN AND

1 SUFFERING. NOR IS THE OPINION OF ANY
2 WITNESS REQUIRED AS TO THE AMOUNT OF SUCH
3 REASONABLE COMPENSATION. FURTHERMORE, THE
4 ARGUMENT OF COUNSEL AS TO THE AMOUNT OF
5 DAMAGES IS NOT EVIDENCE OF REASONABLE
6 COMPENSATION. IN MAKING AN AWARD FOR PAIN
7 AND SUFFERING YOU SHALL EXERCISE YOUR
8 AUTHORITY WITH CALM AND REASONABLE JUDGMENT
9 AND THE DAMAGES YOU FIX SHALL BE JUST AND
10 REASONABLE IN THE LIGHT OF THE EVIDENCE.

11
12 DAMAGES MAY BE AWARDED IN A
13 JUDICIAL PROCEEDING FOR DETRIMENT RESULTING
14 AFTER THE COMMENCEMENT THEREOF OR CERTAIN TO
15 RESULT IN THE FUTURE.

16
17 IN AN ACTION FOR THE BREACH OF
18 AN OBLIGATION NOT ARISING FROM CONTRACT AND
19 IN EVERY CASE OF OPPRESSION, FRAUD OR
20 MALICE, INTEREST MAY BE GIVEN IN THE
21 DISCRETION OF THE JURY.

22
23 IF YOU FIND THAT THE DEFENDANT
24 SUFFERED ACTUAL DAMAGES AS A PROXIMATE
25 RESULT OF THE CONDUCT OF THE PLAINTIFFS --
26 EXCUSE ME ONE MOMENT. I USUALLY DON'T HAVE TO EDIT THINGS
27 WHILE I AM READING THEM. ALL RIGHT. (READING.)

28 IF YOU FIND THAT THE

1 CROSS-COMPLAINANT, MR. MULL, SUFFERED ACTUAL
2 DAMAGES AS A PROXIMATE RESULT OF THE CONDUCT
3 OF THE CROSS-DEFENDANTS, OR ANY OF THEM, ON
4 WHICH YOU BASE A FINDING OF LIABILITY, YOU
5 MAY THEN CONSIDER WHETHER YOU SHOULD AWARD
6 ADDITIONAL DAMAGES AGAINST THE
7 CROSS-DEFENDANT CHURCH AND THE
8 CROSS-DEFENDANT -- THE NAMED
9 CROSS-DEFENDANTS, THE INDIVIDUAL
10 CROSS-DEFENDANTS, OR ANY OF THEM, FOR THE
11 SAKE OF EXAMPLE AND BY WAY OF PUNISHMENT.
12 YOU MAY IN YOUR DISCRETION AWARD SUCH
13 ADDITIONAL DAMAGES, KNOWN AS PUNITIVE OR
14 EXEMPLARY DAMAGES, IF, BUT ONLY IF, YOU FIND
15 BY A PREPONDERANCE OF THE EVIDENCE THAT SAID
16 CROSS-DEFENDANTS, OR ANY OF THEM, WERE
17 GUILTY OF OPPRESSION, FRAUD OR ACTUAL MALICE
18 IN THE CONDUCT UPON WHICH YOU BASE YOUR
19 FINDING OF LIABILITY.

20 "MALICE" MEANS CONDUCT WHICH IS
21 INTENDED TO CAUSE INJURY WITH A CONSCIOUS
22 DISREGARD FOR THE RIGHTS OR SAFETY OF
23 OTHERS. A PERSON ACTS WITH CONSCIOUS
24 DISREGARD OF THE RIGHTS AND SAFETY OF OTHERS
25 WHEN HE OR SHE IS AWARE OF THE PROBABLE
26 DANGEROUS CONSEQUENCES OF HIS OR HER CONDUCT
27 AND WILLFULLY AND DELIBERATELY FAILS TO
28 AVOID THOSE CONSEQUENCES.

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"OPPRESSION" MEANS SUBJECTING THAT PERSON TO CRUEL AND UNJUST HARDSHIP IN CONSCIOUS DISREGARD OF HIS RIGHTS.

"FRAUD," AS USED IN THIS INSTRUCTION, MEANS AN ACT OF TRICKERY OR DECEIT, INTENTIONAL MISREPRESENTATION, CONCEALMENT OR NONDISCLOSURE COMMITTED FOR THE PURPOSE OF CAUSING INJURY OR DEPRIVING A PERSON OF HIS LEGAL RIGHTS.

THE LAW PROVIDES NO FIXED STANDARDS AS TO THE AMOUNT OF SUCH PUNITIVE DAMAGES, BUT LEAVES THE AMOUNT TO THE JURY'S SOUND DISCRETION, EXERCISED WITHOUT PASSION OR PREJUDICE.

IN ARRIVING AT ANY AWARD OF PUNITIVE DAMAGES, YOU ARE TO CONSIDER THE FOLLOWING:

THE REPREHENSIBILITY OF THE CONDUCT OF THE CROSS-DEFENDANTS, OR ANY OF THEM;

THE AMOUNT OF PUNITIVE DAMAGES WHICH WILL HAVE A DETERRENT EFFECT ON THE CROSS-DEFENDANTS, OR ANY OF THEM, IN THE LIGHT OF THEIR FINANCIAL CONDITION;

ALSO, THAT THE PUNITIVE DAMAGES MUST BEAR A REASONABLE RELATION TO THE ACTUAL DAMAGES.

IF YOU FIND THAT

1 CROSS-COMPLAINANT IS ENTITLED TO AN AWARD OF
2 PUNITIVE DAMAGES AGAINST THE
3 CROSS-DEFENDANTS, OR ANY OF THEM, YOU SHALL
4 STATE THE AMOUNT OF PUNITIVE DAMAGES
5 SEPARATELY IN YOUR VERDICT.

6
7 AND THERE WILL BE FORMS OF
8 VERDICTS WHICH YOU WILL BE GIVEN WHICH I
9 WILL EXPLAIN TO YOU IN A FEW MINUTES.

10
11 PUNITIVE DAMAGES MAY BE AWARDED
12 AGAINST A CORPORATION FOR ACTS OF THE
13 EMPLOYEE, ONLY IF:

14 THE CORPORATION HAD ADVANCE
15 KNOWLEDGE OF THE UNFITNESS OF THE EMPLOYEE
16 AND WITH A CONSCIOUS DISREGARD OF THE RIGHTS
17 AND SAFETY OF OTHERS EMPLOYED SUCH
18 EMPLOYEES, OR THE CORPORATION AUTHORIZED OR
19 RATIFIED THE CONDUCT WHICH IS FOUND TO BE
20 THE BASIS FOR PUNITIVE OR EXEMPLARY DAMAGES.

21 IF THE EMPLOYER IS A
22 CORPORATION, THE ADVANCE KNOWLEDGE AND
23 CONSCIOUS DISREGARD, AUTHORIZATION,
24 RATIFICATION, OR ACT OF OPPRESSION, FRAUD OR
25 MALICE MUST BE ON THE PART OF AN OFFICER,
26 DIRECTOR, OR MANAGING AGENT OF THE
27 CORPORATION.
28

1 ALTHOUGH THERE IS MORE THAN ONE
2 CROSS-DEFENDANT IN THIS SUIT, IT DOES NOT
3 FOLLOW FROM THAT FACT ALONE THAT IF ONE IS
4 LIABLE ALL ARE LIABLE. EACH CROSS-DEFENDANT
5 IS ENTITLED TO A FAIR AND SEPARATE
6 CONSIDERATION OF THAT CROSS-DEFENDANT'S
7 DEFENSE AND IS NOT TO BE PREJUDICED BY YOUR
8 DECISION AS TO THE OTHERS. UNLESS OTHERWISE
9 STATED, THE INSTRUCTIONS APPLY TO THE CASE
10 OF EACH CROSS-DEFENDANT.

11 YOU SHOULD DECIDE EACH
12 CROSS-DEFENDANT'S CASE SEPARATELY.

13
14 I HAVE NOT INTENDED BY ANYTHING
15 I HAVE SAID OR DONE, OR BY ANY QUESTIONS
16 THAT I MAY HAVE ASKED, TO SUGGEST HOW YOU
17 SHOULD DECIDE ANY QUESTIONS OF FACT, OR THAT
18 I BELIEVE OR DISBELIEVE ANY WITNESS.

19 IF ANYTHING I HAVE DONE OR SAID
20 HAS SEEMED SO TO INDICATE, YOU MUST
21 DISREGARD IT AND FORM YOUR OWN OPINION.

22
23 THE PURPOSE OF THE COURT'S
24 INSTRUCTIONS IS TO INSTRUCT YOU AS TO THE
25 APPLICABLE LAW SO THAT YOU MAY ARRIVE AT A
26 JUST AND LAWFUL VERDICT. WHETHER SOME
27 INSTRUCTIONS APPLY WILL DEPEND UPON WHAT YOU
28 FIND TO BE THE FACTS. EVEN THOUGH I HAVE

1 INSTRUCTED YOU IN VARIOUS SUBJECTS INCLUDING
2 DAMAGES YOU MUST NOT TREAT THE INSTRUCTIONS
3 AS INDICATING THE COURT'S OPINION ON HOW YOU
4 SHOULD DECIDE ANY ISSUE IN THIS CASE OR AS
5 TO WHICH PARTY IS ENTITLED TO YOUR VERDICT.

6
7 IN THE JURY ROOM IT IS YOUR
8 DUTY TO DISCUSS THE CASE IN ORDER TO REACH
9 AN AGREEMENT IF YOU CAN.

10 EACH OF YOU MUST DECIDE THE
11 CASE FOR YOURSELF, BUT SHOULD DO SO ONLY
12 AFTER CONSIDERING THE VIEWS OF EACH JUROR.

13 YOU SHOULD NOT HESITATE TO
14 CHANGE AN OPINION IF YOU ARE CONVINCED THAT
15 IT IS WRONG. HOWEVER, YOU SHOULD NOT BE
16 INFLUENCED TO DECIDE ANY QUESTION IN A
17 PARTICULAR WAY SIMPLY BECAUSE A MAJORITY OF
18 THE JURORS, OR ANY OF THEM, FAVOR SUCH A
19 DECISION.

20
21 THE ATTITUDE AND CONDUCT OF
22 JURORS AT THE BEGINNING OF THEIR
23 DELIBERATIONS ARE VERY IMPORTANT. IT IS
24 RARELY HELPFUL FOR A JUROR, ON ENTERING THE
25 JURY ROOM, TO EXPRESS AN EMPHATIC OPINION ON
26 THE CASE OR TO ANNOUNCE A DETERMINATION TO
27 STAND FOR A CERTAIN VERDICT. WHEN ONE DOES
28 THAT AT THE OUTSET, HIS SENSE OF PRIDE MAY

1 BE AROUSED, AND ONE MAY HESITATE TO CHANGE A
2 POSITION EVEN IF SHOWN THAT IT IS WRONG.
3 REMEMBER THAT YOU ARE NOT PARTISANS OR
4 ADVOCATES IN THIS MATTER. YOU MUST BE
5 IMPARTIAL JUDGES OF THE FACTS.

6
7 THE LAW FORBIDS YOU TO
8 DETERMINE ANY ISSUE IN THIS CASE BY CHANCE
9 SUCH AS THE FLIP OF A COIN, THE DRAWING OF
10 LOTS OR BY ANY OTHER CHANCE DETERMINATION.
11 FOR EXAMPLE, IF YOU DETERMINE THAT A PARTY
12 IS ENTITLED TO RECOVER, YOU MUST NOT ARRIVE
13 AT THE AMOUNT OF DAMAGES TO BE AWARDED OR
14 ANY -- TO BE AWARDED BY AGREEING IN ADVANCE
15 TO DETERMINE AN AVERAGE AND THEN TO MAKE
16 THAT YOUR VERDICT, WITHOUT FURTHER EXERCISE
17 OF YOUR INDEPENDENT CONSIDERATION, JUDGMENT
18 AND DECISION.

19 DO NOT DO THOSE THINGS.

20
21 THE INSTRUCTIONS WHICH I AM NOW
22 GIVING TO YOU WILL BE MADE AVAILABLE TO YOU
23 IN WRITTEN FORM FOR YOUR DELIBERATIONS.

24 YOU WILL FIND THAT THE
25 INSTRUCTIONS MAY BE TYPED, PRINTED OR
26 HANDWRITTEN. PORTIONS MAY HAVE BEEN ADDED
27 OR DELETED. YOU MUST DISREGARD ANY DELETED
28 PART IN THE INSTRUCTION AND YOU MUST NOT

1 SPECULATE AS TO WHAT IT WAS OR AS TO THE
2 REASONS FOR THEIR DELETION. YOU ARE NOT TO
3 BE CONCERNED FOR THE REASONS FOR ANY
4 MODIFICATION.

5 THESE PAPERS HAVE BEEN MARKED
6 UP.

7 EVERY PART OF THE TEXT OF AN
8 INSTRUCTION, WHETHER TYPED, PRINTED OR
9 HANDWRITTEN, IS OF EQUAL IMPORTANCE. YOU
10 ARE TO BE GOVERNED ONLY BY THE INSTRUCTIONS
11 IN THEIR FINAL WORDING.

12
13 YOU SHALL NOW RETIRE AND SELECT
14 ONE OF YOUR NUMBER TO ACT AS FOREMAN. HE OR
15 SHE WILL PRESIDE OVER YOUR DELIBERATIONS.
16 EACH JUROR SHOULD DELIBERATE AND VOTE ON
17 EACH ISSUE. NINE OR MORE JURORS MAY REACH A
18 VERDICT. AS SOON AS NINE OR MORE HAVE
19 AGREED UPON A VERDICT SO THAT EACH MAY STATE
20 TRUTHFULLY THAT THE VERDICT EXPRESSES HIS OR
21 HER VOTE HAVE THE VERDICT SIGNED AND DATED
22 BY YOUR FOREMAN AND THEN RETURN WITH IT TO
23 THIS ROOM. AND YOU SHOULD RETURN ANY
24 UNSIGNED VERDICT FORMS, ALSO.

25
26 YOU ARE GOING TO BE SUPPLIED WITH FOUR
27 DIFFERENT VERDICT FORMS. WHEN YOU LOOK AT THEM, I BELIEVE
28 THAT THEY WILL BE VIRTUALLY SELF-EXPLANATORY.

1 TWO OF THE FORMS DEAL WITH THE COMPLAINT OF THE
2 CHURCH AGAINST MR. MULL BASED ON THE PROMISSORY NOTE. ONE
3 OF THE FORMS PROVIDES THAT YOU FIND IN FAVOR OF THE CHURCH
4 AND AGAINST MR. MULL. AND THERE IS A BLANK WHERE YOU CAN
5 INSERT THE AMOUNT OF YOUR VERDICT IF THAT IS YOUR VERDICT.
6 THE OTHER FORM FINDS IN FAVOR OF MR. MULL AND AGAINST THE
7 CHURCH ON THE PROMISSORY NOTE CLAIM.

8 WHEN YOU HAVE REACHED A VERDICT AS TO THAT,
9 YOUR FOREMAN SHOULD SIGN AND DATE ONLY THE PAGE THAT
10 CORRESPONDS TO THE VERDICT THAT YOU HAVE REACHED. LEAVE THE
11 OTHER PAGE UNSIGNED. AND IF YOU FIND IN FAVOR OF THE CHURCH
12 ON THE PROMISSORY NOTE, THEN INSERT THE AMOUNT OF THE
13 VERDICT THAT YOU FIND.

14 THE NEXT TWO PAGES HAVE TO DO WITH MR. MULL'S
15 CROSS-COMPLAINT AGAINST THE CHURCH UNIVERSAL AND TRIUMPHANT,
16 AND ELIZABETH CLARE PROPHET, EDWARD FRANCIS AND MONROE
17 SHEARER. THE FORMS I THINK ARE SELF-EXPLANATORY. I DON'T
18 BELIEVE YOU WILL HAVE ANY DIFFICULTY WITH THEM.

19 IF YOU HAVE ANY QUESTIONS, YOU CAN WRITE YOUR
20 QUESTION AND I WILL TRY TO RESPOND TO IT. BUT ONCE AGAIN,
21 WHEN YOU HAVE REACHED A VERDICT, YOUR FOREMAN SHOULD
22 COMPLETE THE FORM OF VERDICT THAT CORRESPONDS TO THE VERDICT
23 YOU'VE REACHED, AND DATE AND SIGN THAT. SO FILL IT OUT AS
24 YOU DECIDE THE CASE.

25 I DON'T THINK YOU WILL HAVE A PROBLEM WITH IT.
26 ALL FOUR OF THESE PAGES, THESE FORMS OF VERDICT, MUST BE
27 BROUGHT BACK WITH YOU TO THIS ROOM WHEN YOU HAVE COMPLETED
28 YOUR DELIBERATIONS.

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(THE COURT ATTENDANT WAS SWORN TO TAKE
CHARGE OF THE JURY DURING ITS
DELIBERATIONS.)

(THE COURT ATTENDANT WAS SWORN TO TAKE
CHARGE OF THE ALTERNATE JURORS.)

(AT 10:50 A.M. THE JURY RETIRED TO
COMMENCE DELIBERATIONS.)

(AT 12:00 P.M., A RECESS WAS TAKEN UNTIL
1:30 P.M. OF THE SAME DAY.)

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LOS ANGELES, CALIFORNIA; THURSDAY, MARCH 20, 1986 *

1:30 P.M.

DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

(AT 1:30 P.M. THE JURY RETIRED TO
RESUME DELIBERATIONS.)

(AT 3:55 P.M., AN ADJOURNMENT WAS TAKEN
UNTIL MONDAY, MARCH 24, 1986, AT
9:15 A.M.)

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LOS ANGELES, CALIFORNIA; MONDAY, MARCH 24, 1986 *

9:15 A.M.

DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

(AT 9:15 A.M. THE JURY RETIRED TO
RESUME DELIBERATIONS.)

(AT 12:00 P.M., A RECESS WAS TAKEN UNTIL
1:30 P.M. OF THE SAME DAY.)

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LOS ANGELES, CALIFORNIA; MONDAY, MARCH 24, 1986 *

1:30 P.M.

DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

(AT 1:30 P.M. THE JURY RETIRED TO
RESUME DELIBERATIONS.)

(AT 3:45 P.M., AN ADJOURNMENT WAS TAKEN
UNTIL TUESDAY, MARCH 25, 1986, AT
9:00 A.M.)

1 LOS ANGELES, CALIFORNIA; TUESDAY, MARCH 25, 1986 *

2 9:00 A.M.

3 DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

4
5 (AT 9:00 A.M. THE JURY RETIRED TO
6 RESUME DELIBERATIONS.)

7
8 (APPEARANCES AS HERETOFORE NOTED
9 EXCEPT LYLE FRANCIS MIDDLETON AND
10 JONATHAN FRANK ARE NOT PRESENT.)

11
12 (AT 11:30 A.M. THE JURY RETURNED TO
13 THE COURTROOM AND THE FOLLOWING
14 PROCEEDINGS WERE HELD:)

15
16 THE COURT: GOOD MORNING, LADIES AND GENTLEMEN.

17 I HAVE YOUR REQUEST. LET ME DISCUSS A COUPLE
18 OF THINGS WITH YOU.

19 FIRST OF ALL, YOUR REQUEST CONCERNS FIVE
20 DEPOSITIONS. AND IT IS MY UNDERSTANDING THAT THERE ARE
21 DEPOSITIONS ONLY OF TWO OF THOSE PERSONS, ELIZABETH CLARE
22 PROPHET AND GREGORY MULL. AND I UNDERSTAND THAT THERE ARE
23 NOT DEPOSITIONS OF THE OTHER THREE PERSONS WHO -- WHOSE
24 NAMES YOU HAVE WRITTEN ON THIS SHEET, EDWARD FRANCIS, MONROE
25 SHEARER AND LINDA MULL.

26 NOW, SOMETHING ELSE. DO YOU MEAN DEPOSITIONS
27 OR TESTIMONY -- I WANT TO BE SURE YOU MEAN DEPOSITIONS.

28 THE FOREPERSON (CAROLE L. SNOW): YES.

1 THE COURT: MISS SNOW, YOU ARE QUITE SPECIFIC ON
2 THAT?

3 THE FOREPERSON: YES.

4 THE COURT: FIRST OF ALL, AS YOU NO DOUBT AWARE,
5 NOT ALL OF THE DEPOSITIONS OF ELIZABETH CLARE PROPHET AND
6 GREGORY MULL WERE READ INTO EVIDENCE. ONLY CERTAIN
7 PORTIONS. THEREFORE, THE REMAINING PORTIONS WERE NOT
8 INTRODUCED INTO EVIDENCE IN THE COURSE OF THE TRIAL. OF
9 COURSE, IT IS TRUE ALSO THAT BOTH OF THOSE PERSONS WERE
10 AVAILABLE TO TESTIFY HERE.

11 IT OFTENTIMES HAPPENS THAT JURORS BEGIN TO TALK
12 ABOUT THE EVIDENCE AND THEY MAY REACH A MOMENT WHEN THEY ARE
13 NOT IN AGREEMENT AS TO WHAT THE EVIDENCE WAS. BUT BY
14 FURTHER DISCUSSION, THEY COULD CLEAR IT UP IN THEIR OWN
15 MINDS. SOMETIMES THAT DOES NOT SUCCEED. BUT THAT IS UP TO
16 YOU ALL.

17 I THINK IT WOULD BE OF ASSISTANCE TO YOU AND TO
18 THE COURT IF YOU WOULD CONTINUE YOUR DISCUSSIONS ON WHATEVER
19 SPECIFIC TOPICS CONCERN YOU.

20 AND THEN IF IT IS STILL YOUR WISH TO MAKE A
21 FURTHER REQUEST THAT PORTIONS OF THE DEPOSITIONS OF
22 ELIZABETH CLARE PROPHET AND/OR GREGORY MULL BE READ, AND
23 THAT CAN BE DONE, BUT IT WOULD BE OF ASSISTANCE IF YOU WOULD
24 SPECIFY THE SUBJECT MATTER SO THAT COUNSEL AND I COULD KNOW
25 WHAT PORTIONS OF THOSE DEPOSITIONS YOU WISH TO HAVE READ.

26 I WILL BE GLAD TO ACCOMMODATE YOU AND I AM NOT
27 TELLING YOU NOT TO DO THAT AT ALL. I AM TELLING YOU THAT I
28 THINK YOU OUGHT TO TALK ABOUT IT JUST A BIT FURTHER, SEE IF

1 YOU CAN RESOLVE THE QUESTION OR QUESTIONS IN YOUR OWN MINDS.
2 AND IF YOU CANNOT, THEN IT IS OKAY TO MAKE A FURTHER
3 REQUEST, BUT WITH A LITTLE MORE SPECIFICITY SO THAT WE KNOW
4 WHAT YOU WOULD LIKE TO HAVE READ.

5 AND YOU CAN DO THAT, I BELIEVE, IF YOU NEED TO
6 DO IT, BY IDENTIFYING THE SUBJECT MATTER THAT WAS READ. AND
7 BEAR IN MIND THAT AGAIN THAT ONLY CERTAIN PORTIONS OF THOSE
8 TWO DEPOSITIONS WERE READ. BUT WE CAN READ BACK TO YOU SOME
9 OR ALL OF WHAT WAS READ TO YOU IN THE COURSE OF THE TRIAL IF
10 YOU FEEL THAT IT WOULD HELP YOU. OKAY?

11 THE FOREPERSON: OKAY.

12 THE COURT: NOW, THE TAPE RECORDER. THE TAPE WAS
13 RECEIVED IN EVIDENCE AS I RECALL.

14 MR. KLEIN: YES, YOUR HONOR.

15 THE FOREPERSON: TWO TAPES.

16 THE COURT: DO YOU WANT A CASSETTE PLAYER? IS THAT
17 WHAT YOU'D LIKE TO HAVE?

18 THE FOREPERSON: UH-HUH.

19 THE COURT: ALL RIGHT. WE DON'T HAVE ONE HERE RIGHT
20 NOW, BUT WE WILL TAKE STEPS PROMPTLY TO TRY TO GET AHOLD OF
21 A CASSETTE PLAYER SO IT CAN BE PLAYED.

22 THE FOREPERSON: CAN I ASK YOU ONE QUESTION? ARE WE
23 ENTITLED TO ANY INFORMATION --

24 THE COURT: SPEAK UP A LITTLE LOUDER.

25 THE FOREPERSON: ARE WE ENTITLED TO ANY INFORMATION
26 THAT WASN'T OFFERED IN EVIDENCE IF WE HAVE QUESTIONS?

27 THE COURT: THE ANSWER IS NO. WE HAVE RATHER
28 SPECIFIC RULES IN OUR COURTS. AND VERY HIGH AMONG THEM IS

1 THE RULE THAT THE JURY MUST DECIDE THE CASE ON THE BASIS OF
2 THE EVIDENCE PRODUCED, AND NOT ON THE BASIS OF EVIDENCE THAT
3 WAS NOT INTRODUCED OR QUESTIONS THAT -- OR RATHER
4 INFORMATION THAT DID NOT COME INTO THE TRIAL.

5 IT PROBABLY HAPPENS IN MANY, MANY CASES THAT
6 ONE OR MORE JURORS WILL WONDER ABOUT SOME TOPIC THAT WAS NOT
7 DISCUSSED FULLY OR PERHAPS NOT DISCUSSED AT ALL. BUT YOUR
8 DUTY IS TO DECIDE THE CASE ON THE BASIS OF THE EVIDENCE
9 RECEIVED IN THE COURSE OF THE TRIAL AND PURSUANT TO THE
10 INSTRUCTIONS CONCERNING THE LAW WHICH I HAVE GIVEN TO YOU.

11 I MIGHT MENTION TO YOU, FOR WHATEVER IT IS
12 WORTH AS AN ASIDE, THAT THE VERY SAME RULE APPLIES IN THOSE
13 CASES WHERE THERE IS NO JURY AND THE JUDGE ALONE HAS TO
14 DECIDE THE CASE. YOU KNOW, SOME CASES ARE TRIED WITH A
15 JURY, SOME ARE TRIED WITHOUT A JURY. WE ALL KNOW THIS.

16 AND THE SAME IS TRUE IN THE SITUATION OF THERE
17 BEING NO JURY AND THE JUDGE HAS TO DECIDE THE CASE. THE
18 JUDGE IN THAT CASE HAS TO FOLLOW THE SAME RULES, AND THAT IS
19 DECIDE THE CASE ON THE BASIS OF THE EVIDENCE RECEIVED AND
20 THE APPLICABLE AND APPROPRIATE RULES OF LAW. OKAY.

21 (AT 11:38 A.M. THE JURY RETIRED FOR
22 FURTHER DELIBERATIONS.)

23
24 (AT 12:00 P.M., A RECESS WAS TAKEN UNTIL
25 1:30 P.M. OF THE SAME DAY.)
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LOS ANGELES, CALIFORNIA; TUESDAY, MARCH 25, 1986 *

1:30 P.M.

DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

(AT 1:30 P.M. THE JURY RETIRED TO
RESUME DELIBERATIONS.)

(AT 4:18 P.M., AN ADJOURNMENT WAS TAKEN
UNTIL WEDNESDAY, MARCH 26, 1986, AT
9:00 A.M.)

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LOS ANGELES, CALIFORNIA; WEDNESDAY, MARCH 26, 1986 *

9:10 A.M.

DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

(AT 9:10 A.M. THE JURY RETIRED TO
RESUME DELIBERATIONS.)

(AT 12:00 P.M., A RECESS WAS TAKEN UNTIL
1:30 P.M. OF THE SAME DAY.)

1 LOS ANGELES, CALIFORNIA; WEDNESDAY, MARCH 26, 1986 *

2 1:30 P.M.

3 DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

4
5 (AT 1:30 A.M. THE JURY RETIRED TO
6 RESUME DELIBERATIONS.)

7
8 (AT 4:05 P.M., AN ADJOURNMENT WAS TAKEN
9 UNTIL THURSDAY, MARCH 27, 1986, AT
10 9:00 A.M.)

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LOS ANGELES, CALIFORNIA; THURSDAY, MARCH 27, 1986 *

9:10 A.M.

DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

(AT 9:10 A.M. THE JURY RETIRED TO
RESUME DELIBERATIONS.)

(AT 12:00 P.M., A RECESS WAS TAKEN UNTIL
1:30 P.M. OF THE SAME DAY.)

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LOS ANGELES, CALIFORNIA; THURSDAY, MARCH 27, 1986 *

1:30 P.M.

DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

(AT 1:30 A.M. THE JURY RETIRED TO
RESUME DELIBERATIONS.)

(AT 4:06 P.M., AN ADJOURNMENT WAS TAKEN
UNTIL FRIDAY, MARCH 28, 1986, AT
9:00 A.M.)

1 LOS ANGELES, CALIFORNIA; FRIDAY, MARCH 28, 1986 *

2 9:10 A.M.

3 DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

4
5 (AT 9:10 A.M. THE JURY RETIRED TO
6 RESUME DELIBERATIONS.)

7
8 (AT 12:00 P.M., A RECESS WAS TAKEN UNTIL
9 1:30 P.M. OF THE SAME DAY.)

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1 LOS ANGELES, CALIFORNIA; FRIDAY, MARCH 28, 1986 *

2 1:30 P.M.

3 DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

4
5 (AT 1:30 A.M. THE JURY RETIRED TO
6 RESUME DELIBERATIONS.)

7
8 (AT 3:30 P.M., AN ADJOURNMENT WAS TAKEN
9 UNTIL MONDAY, MARCH 31, 1986, AT
10 9:00 A.M.)

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LOS ANGELES, CALIFORNIA; MONDAY, MARCH 31, 1986 *

9:10 A.M.

DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

(AT 9:10 A.M. THE JURY RETIRED TO
RESUME DELIBERATIONS.)

(AT 12:00 P.M., A RECESS WAS TAKEN UNTIL
1:30 P.M. OF THE SAME DAY.)

1 LOS ANGELES, CALIFORNIA; MONDAY, MARCH 31, 1986 *

2 1:30 P.M.

3 DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

4
5 (AT 1:30 A.M. THE JURY RETIRED TO
6 RESUME DELIBERATIONS.)

7
8 (AT 3:55 P.M., AN ADJOURNMENT WAS TAKEN
9 UNTIL TUESDAY, APRIL 1, 1986, AT
10 9:00 A.M.)

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1 LOS ANGELES, CALIFORNIA; TUESDAY, APRIL 1, 1986 *

2 9:10 A.M.

3 DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

4
5 (AT 9:10 A.M. THE JURY RETIRED TO
6 RESUME DELIBERATIONS.)

7
8 (APPEARANCES AS HERETOFORE NOTED
9 EXCEPT LAWRENCE LEVY IS NOT
10 PRESENT.)

11
12 (AT 11:50 A.M. THE JURY RETURNED TO
13 THE COURTROOM AND THE FOLLOWING
14 PROCEEDINGS WERE HELD:)

15
16 THE COURT: GOOD MORNING.

17 I HAVE RECEIVED A QUESTION FROM YOU WHICH I'LL
18 ANSWER. THE QUESTION IS, "MAY WE CONSIDER AWARDING LEGAL
19 COST PART OF OUR VERDICT?"

20 AND THE ANSWER IS NO. YOU SHALL NOT CONSIDER
21 THE COST OF ATTORNEYS' FEES OR OTHER COST THAT MIGHT HAVE
22 BEEN INCURRED RELATIVE TO THIS LITIGATION. IF IN ACCORDANCE
23 WITH THE INSTRUCTIONS WHICH I HAVE GIVEN TO YOU YOU
24 DETERMINE THAT THE PLAINTIFF IS ENTITLED TO AN AWARD, THEN
25 YOU SHALL CONSIDER THE VARIOUS INSTRUCTIONS WHICH I HAVE
26 GIVEN TO YOU WHICH DEAL WITH THE VARIOUS ELEMENTS OF THE
27 AWARD AND HOW YOU GO ABOUT THAT TASK.

28 AND THAT DOES NOT INCLUDE PROVISIONS FOR LEGAL

1 FEES OR OTHER COST THAT MIGHT BE INCURRED IN CONNECTION WITH
2 THIS LITIGATION.

3 DOES THAT ANSWER YOUR QUESTION?

4 THE FOREPERSON: ABSOLUTELY.

5 THE COURT: OKAY. YOU WILL NOTE MR. KLEIN IS HERE.
6 I SHOULD TELL YOU THAT I HAVE DISCUSSED THIS QUESTION WITH
7 MR. KLEIN AND ALSO WITH MR. LEVY. MR. LEVY'S OFFICE IS NOT
8 CLOSE TO DOWNTOWN. AND HE THOUGHT THAT RATHER THAN DELAY MY
9 RESPONDING TO YOUR QUESTION, THAT WE MIGHT JUST AS WELL GO
10 AHEAD AND DO THIS IN HIS ABSENCE.

11 OKAY. PLEASE CONTINUE.

12 (AT 11:54 A.M. THE JURY RETIRED FOR
13 FURTHER DELIBERATIONS.)

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15 (AT 12:00 P.M., A RECESS WAS TAKEN UNTIL
16 1:30 P.M. OF THE SAME DAY.)
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1 LOS ANGELES, CALIFORNIA; TUESDAY, APRIL 1, 1986 *

2 1:30 P.M.

3 DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

4
5 (AT 1:30 P.M. THE JURY RETIRED TO
6 RESUME DELIBERATIONS.)

7
8 (APPEARANCES AS HERETOFORE NOTED.)

9
10 (AT 4:09 P.M. THE JURY RETURNED TO
11 THE COURTROOM AND THE FOLLOWING
12 PROCEEDINGS WERE HELD:)

13
14 THE COURT: GOOD AFTERNOON.

15 WE HEARD YOUR TWO BUZZES. I ASSUME BY THAT
16 THAT MEANS YOU DO HAVE A VERDICT; IS THAT CORRECT?

17 THE FOREPERSON: THAT IS CORRECT.

18 THE COURT: OKAY. THE SITUATION IS THIS: FOR US TO
19 TAKE THE VERDICT, WE HAVE TO GIVE SEVERAL PEOPLE SOME NOTICE
20 AND TIME. IN VIEW OF THE HOUR AND THE LATE AFTERNOON
21 TRAFFIC, IT ISN'T GOING TO WORK REALISTICALLY. THERE IS NO
22 POINT IN KIDDING OURSELVES ABOUT THAT.

23 SO EVERYBODY IS GOING TO BE HERE AT NINE
24 O'CLOCK IN THE MORNING. AND IT IS ESSENTIAL AND IT REALLY
25 IS IMPORTANT THAT EVERY ONE OF YOU BE HERE AT NINE IN THE
26 MORNING.

27 YOU WILL NOT BE DETAINED VERY LONG. BUT IT IS
28 TRULY ESSENTIAL THAT YOU BE HERE, EACH AND EVERY ONE OF YOU,

1 BECAUSE WE CANNOT TAKE THE VERDICT UNTIL AND UNLESS
2 EVERYBODY IS HERE.

3 SO I WANT TO MAKE THAT CLEAR. EVEN THOUGH YOU
4 HAVE REACHED APPARENTLY A VERDICT AMONG YOURSELVES, BEFORE
5 WE CAN RECEIVE IT, WE HAVE TO HAVE EVERYBODY PRESENT. I AM
6 SORRY AND WE ARE ALL SORRY IF THAT CAUSES ANY OF YOU ANY
7 INCONVENIENCE. TRULY SORRY ABOUT THAT.

8 YOU'VE ALL BEEN SO COOPERATIVE. AND I
9 APPRECIATE IT VERY MUCH AND I AM SURE THAT EVERYBODY
10 INVOLVED IN THIS CASE APPRECIATES IT VERY MUCH. BUT GIVEN
11 THE TIMING, THESE ARE THE REALITIES. THIS IS THE SITUATION
12 IN WHICH WE FIND OURSELVES. SO THAT IS WHERE WE ARE. SO
13 HAVE A PLEASANT EVENING.

14 AGAIN, DO NOT DISCUSS THIS, DON'T TALK ABOUT
15 THIS WITH ANYBODY. YOU ARE NOT AT LIBERTY TO DISCUSS YOUR
16 DELIBERATIONS OR WHATEVER DECISION YOU'VE REACHED EXCEPT
17 AMONG YOURSELVES WHEN YOU ARE IN THAT ROOM. SO BE CAREFUL
18 NOW.

19 BE HERE TOMORROW MORNING. WE WILL ACCOMMODATE
20 YOU FIRST THING AND YOU WILL NOT BE DETAINED LONG. BUT WE
21 NEED YOU HERE THEN. OKAY. THANK YOU VERY MUCH.

22 JUROR NO. 3: DO WE REPORT TO THE JURY ROOM OR
23 OUTSIDE?

24 THE COURT ATTENDANT: THE SAME AS YOU HAVE BEEN
25 DOING.

26 (AT 4:13 P.M., AN ADJOURNMENT WAS TAKEN
27 UNTIL WEDNESDAY, APRIL 2, 1986, AT
28 9:00 A.M.)

1 LOS ANGELES, CALIFORNIA; WEDNESDAY, APRIL 2, 1986 *

2 9:26 A.M.

3 DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

4 (APPEARANCES AS HERETOFORE NOTED

5 AND LAWRENCE LEVY AND LYLE

6 FRANCIS MIDDLETON ARE ALSO

7 PRESENT.)

8 (AT 9:26 A.M. THE JURY RETURNED TO

9 THE COURTROOM AND THE FOLLOWING

10 PROCEEDINGS WERE HELD:)

11 THE COURT: GOOD MORNING. LADIES AND GENTLEMEN.

12 HAVE YOU REACHED A VERDICT?

13 (THE JURORS ANSWERED COLLECTIVELY

14 IN THE AFFIRMATIVE.)

15 THE COURT: PLEASE HAND IT TO THE COURT ATTENDANT.

16 THANK YOU.

17 THE COURT ATTENDANT: YOU'RE WELCOME.

18 THE COURT: LET ME BE SURE I UNDERSTAND SOMETHING. I

19 SEE NUMBERS THAT ARE REPEATED. SO DO I UNDERSTAND THAT IT

20 IS YOUR VERDICT THAT THERE BE A CERTAIN AMOUNT OF DOLLARS

21 AWARDED AS COMPENSATORY DAMAGES AND THE SAME AMOUNT SHALL

22 ALSO BE AWARDED, OR IS IT ONE AMOUNT?

23 JUROR NO. 3: DOUBLE.

24 THE COURT: TWO TIMES?

25 JUROR NO. 3: YES.

26 THE COURT: IS THAT CORRECT?

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1 THE FOREPERSON: YOU HAVE THREE FIGURES DOWN THERE
2 WHICH ARE IDENTICAL.

3 THE COURT: THERE ARE THREE FIGURES WHICH ARE
4 IDENTICAL.

5 THE FOREPERSON: RIGHT.

6 THE COURT: IS IT YOUR VERDICT THAT EACH AND ALL OF
7 THOSE THREE FIGURES SHALL BE AWARDED?

8 JUROR NO. 3: YES.

9 THE FOREPERSON: CORRECT.

10 THE COURT: FINE. I JUST WANTED TO BE SURE. AND IT
11 IS JUST COINCIDENTAL THAT THE NUMBERS HAPPEN TO BE THE SAME.

12 THE FOREPERSON: NOT NECESSARILY, BUT THEY ARE THE
13 SAME.

14 THE COURT: BEG YOUR PARDON?

15 THE FOREPERSON: NOT NECESSARILY COINCIDENTAL, BUT
16 THEY ARE THE SAME.

17 THE COURT: ALL RIGHT. THANK YOU VERY MUCH.

18 THE CLERK: TITLE OF COURT AND CAUSE:

19 "WE, THE JURY IN THE
20 ABOVE-ENTITLED ACTION, FIND FOR THE
21 CROSS-COMPLAINANT, GREGORY MULL, AND AGAINST
22 THE CROSS-DEFENDANTS, (MARK AN "X" OPPOSITE
23 NAMES OF DEFENDANTS WHOM YOU FIND TO BE
24 LIABLE.)"

25 I WILL READ THE NAMES THAT HAVE
26 AN "X" NEXT TO THEIR NAMES.

27 "CHURCH UNIVERSAL AND
28 TRIUMPHANT INCORPORATED, A MONTANA

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CORPORATION.

"ELIZABETH CLARE PROPHET.

"AND ASSESS COMPENSATORY
DAMAGES IN THE SUM OF \$521,000 -- STRIKE
THAT, \$521,100.

"WE FURTHER ASSESS PUNITIVE
DAMAGES AGAINST THE FOLLOWING DEFENDANTS IN
THE SUM WRITTEN NEXT TO THEIR NAMES:

"CHURCH UNIVERSAL AND
TRIUMPHANT INCORPORATED, A MONTANA
CORPORATION, \$521,000 -- STRIKE THAT,
\$521,100.

"ELIZABETH CLARE PROPHET,
\$521,100.

"EDWARD L. FRANCIS, ZERO.

"MONROE SHEARER, ZERO.

"DATED APRIL 1, 1986.

"CAROLE L. SNOW, FOREMAN."

TITLE OF COURT AND CAUSE:

"WE, THE JURY IN THE
ABOVE-ENTITLED ACTION, FIND FOR THE
DEFENDANT, GREGORY MULL, AND AGAINST THE
PLAINTIFF, CHURCH UNIVERSAL AND TRIUMPHANT
INCORPORATED, A MONTANA CORPORATION.

"DATED APRIL 1, 1986.

"CAROLE L. SNOW, FOREMAN."

LADIES AND GENTLEMEN OF THE JURY, IS THIS YOUR
VERDICT?

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(THE JURORS ANSWERED COLLECTIVELY
IN THE AFFIRMATIVE.)

MR. KLEIN: YOUR HONOR, I WOULD ASK THAT THE JURY BE
POLLED.

THE COURT: VERY WELL.

THE CLERK: AS TO THE VERDICT FINDING FOR THE
CROSS-COMPLAINANT, MR. MULL, AND AGAINST THE CHURCH
UNIVERSAL AND ELIZABETH CLARE PROPHET, AS CROSS-DEFENDANTS,
WHEN I READ YOUR NAME, IF THIS WAS YOUR VERDICT, PLEASE
ANSWER "YES." IF IT WAS NOT, ANSWER "NO."

JUROR NUMBER 1, MR. CHEANEY.

JUROR CHEANEY: YES.

THE CLERK: JUROR NUMBER 2, MR. ULBRICH.

JUROR ULBRICH: YES.

THE CLERK: JUROR NUMBER 3, MR. KAUFMAN.

JUROR KAUFMAN: YES.

THE CLERK: JUROR NUMBER 4, MR. CHENEY.

JUROR CHENEY: YES.

THE CLERK: JUROR NUMBER 5.

JUROR LIDESMA: YES.

THE CLERK: JUROR NUMBER 6.

JUROR SANFRANCISCO: YES.

THE CLERK: JUROR NUMBER 7.

JUROR LEVINE: YES.

THE CLERK: JUROR NUMBER 8.

JUROR GIBSON: YES.

THE CLERK: JUROR NUMBER 9.

JUROR SWANHART: YES.

1 THE CLERK: JUROR NUMBER 10.
2 JUROR DURAN: YES.
3 THE CLERK: JUROR NUMBER 11.
4 JUROR SNOW: NO.
5 THE CLERK: JUROR NUMBER 12.
6 JUROR IRIKAWA: YES.
7 THE CLERK: AS FOR THE VERDICT FINDING FOR THE
8 DEFENDANT AND AGAINST THE PLAINTIFF, IF THIS WAS YOUR
9 VERDICT, PLEASE ANSWER "YES." IF NOT, PLEASE ANSWER "NO."
10 JUROR NUMBER 1.
11 JUROR CHEANEY: YES.
12 THE CLERK: JUROR NUMBER 2.
13 JUROR ULBRICH: YES.
14 THE CLERK: JUROR NUMBER 3.
15 JUROR KAUFMAN: YES.
16 THE CLERK: JUROR NUMBER 4.
17 JUROR CHENEY: YES.
18 THE CLERK: JUROR NUMBER 5.
19 JUROR LIDESMA: YES.
20 THE CLERK: JUROR NUMBER 6.
21 JUROR SANFRANCISCO: YES.
22 THE CLERK: JUROR NUMBER 7.
23 JUROR LEVINE: YES.
24 THE CLERK: JUROR NUMBER 8.
25 JUROR GIBSON: YES.
26 THE CLERK: JUROR NUMBER 9.
27 JUROR SWANHART: YES.
28 THE CLERK: JUROR NUMBER 10.

1 JUROR DURAN: YES.

2 THE CLERK: JUROR NUMBER 11.

3 JUROR SNOW: NO.

4 THE CLERK: JUROR NUMBER 12.

5 JUROR IRIKAWA: YES.

6 THE CLERK: YOUR HONOR, 11 ANSWERED IN THE

7 AFFIRMATIVE AND ONE IN THE NEGATIVE.

8 THE COURT: LADIES AND GENTLEMEN, I WANT TO THANK ALL
9 OF YOU VERY MUCH FOR YOUR VALUABLE SERVICE. I WANT TO THANK
10 YOU FOR YOUR ATTENDANCE, I WANT TO THANK YOU FOR YOUR
11 ATTENTION.

12 AS I STATED MANY WEEKS AGO, IF IT WERE NOT FOR
13 GOOD PEOPLE SUCH AS YOURSELVES CONTRIBUTING OF YOUR TIME AND
14 ENERGIES TO SERVE AS JURORS, WE COULD NOT HAVE JURY TRIALS
15 AS WE DO HAVE THEM AND AS WE HAVE HAD THEM SINCE THE BIRTH
16 OF THIS NATION. IT IS IMPORTANT THAT YOU'VE BEEN HERE.

17 I REALIZE, AND MY COLLEAGUES REALIZE, THAT THIS
18 TAKES YOU AWAY FROM YOUR OTHER ACTIVITIES, YOUR FAMILIES AND
19 FRIENDS, AND YOUR OFFICES, AND YOUR BUSINESSES AND YOUR
20 EMPLOYMENT. BUT IT IS IMPORTANT THAT YOU HAVE BEEN HERE.
21 AND I THANK YOU VERY MUCH FOR THAT.

22 I WANT TO THANK OUR ALTERNATE JURORS. AS YOU
23 WILL RECALL, WHEN WE STARTED, I HAD NO WAY OF KNOWING, NOR
24 COULD ANYBODY, WHETHER ULTIMATELY YOU WOULD BE INVOLVED IN
25 THE FINAL DECISION MAKING OR NOT. BUT BELIEVE ME, IT'S BEEN
26 VERY IMPORTANT THAT YOU HAVE BEEN HERE. AND I THANK YOU
27 VERY MUCH.

28 WHEN YOU LEAVE HERE, YOUR TOUR OF DUTY IS

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COMPLETED.

HAVE ANY OF YOU EVER SEEN THE INSIDE OF A
JUDGE'S CHAMBERS? COME ON AND I WILL SHOW YOU WHAT IT LOOKS
LIKE.

(AT 9:35 A.M., THE PROCEEDINGS
WERE CONCLUDED FOR THE DAY.)

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1 LOS ANGELES, CALIFORNIA; MONDAY, APRIL 7, 1986

2 9:20 P.M.

3 DEPARTMENT NO. 50

HON. ALFRED L. MARGOLIS, JUDGE

4 (APPEARANCES AS NOTED ON TITLE PAGE.)

5
6 THE COURT: GOOD MORNING.

7 DO YOU WANT TO BE HEARD?

8 MR. KLEIN: YES, YOUR HONOR. AS THE PAPERS THAT WE
9 HAVE GIVEN TO THE COURT WOULD INDICATE, WE WOULD LIKE TO
10 APPLY FOR A TEMPORARY STAY OF ENFORCEMENT.

11 FIRST, FOR MY CLIENTS TO BE ABLE TO CONSIDER
12 THEIR COURSE OF ACTION AND, SECONDLY, I THINK QUITE FRANKLY
13 THEY ARE SERIOUSLY CONSIDERING APPEAL. AND THEY HAVE
14 INQUIRED INTO WHAT THEY HAVE TO DO TO GET A BOND TO APPEAL.

15 THE COURT: AS ANY OTHER JUDGMENT DEBTOR.

16 MR. KLEIN: YES. AND THEY HAVE FOUND OUT THAT WHAT
17 THEY ARE GOING TO HAVE TO DO IS SOMETHING AS FAR AS THEIR
18 LAND AND THAT IS NOT SOMETHING THEY CAN DO IN A DAY OR SO.
19 THEY HAVE TO GET -- YOU CAN'T JUST PUT LAND IN EVEN IF YOU
20 HAVE LAND IN THE VALUE OF THE AMOUNT. YOU CAN'T JUST PUT
21 THAT IN. YOU HAVE GOT TO GET CASH FOR A GOOD PART OF WHAT
22 THEY HAVE TO PAY.

23 THE COURT: NONE OF WHAT YOU HAVE SAID, HOWEVER, MR.
24 KLEIN, CAN BE DESCRIBED AS A REVELATION OF SOMETHING NEW,
25 SURPRISING OR SOMETHING OF WHICH YOUR CLIENTS HAVE JUST
26 BECOME AWARE WITHIN THE PAST SEVERAL DAYS.

27 MR. KLEIN: WELL, WHAT THEY HAVE BECOME AWARE OF IS
28 THEY HAVE TO PUT UP ONE-AND-A-HALF TIMES THE VERDICT -- THE

1 JUDGMENT AND THEY DON'T HAVE THAT CASH. AND THEY COULDN'T
2 KNOW UNTIL THE JURY CAME BACK HOW MUCH MONEY THEY WOULD
3 NEED. AND THEY SIMPLY DO NOT HAVE THE KIND OF MONEY THAT
4 THEY WOULD NEED IN ORDER TO PUT UP A BOND.

5 THE COURT: DO YOU WANT TO BE HEARD?

6 MR. LEVY: YES, YOUR HONOR.

7 IT WOULD APPEAR THAT WITH A LIKELIHOOD OF A
8 VERDICT GOING AGAINST THEM, THEY WOULD HAVE, AT LEAST
9 THROUGH COUNSEL, HAVE INQUIRED AS TO WHAT IT WAS THEY WERE
10 GOING TO HAVE TO DO.

11 IT APPEARS THAT THEY HAVE SUFFICIENT LAND
12 HOLDINGS AND -- BY VIRTUE OF THE FACT THAT ONE OF THE
13 DOCUMENTS THAT CAME INTO EVIDENCE, THAT BEING THEIR COMPUTER
14 PRINT-OUT, WHICH LISTED, AMONG OTHER THINGS, THEIR 10 OR 12
15 OR 15 BANKS IN WHICH THEY HAD DEPOSITS, THEIR LAND HOLDINGS,
16 THEIR REAL ESTATE, A VERITABLE FORTUNE IN JEWELRY THAT IS IN
17 THE CORPORATION WHICH IS BEING HELD SOLELY FOR THE BENEFIT
18 OF ELIZABETH CLARE PROPHET.

19 IT WOULD APPEAR THEY HAVE NOT ONLY SUFFICIENT
20 ASSETS TO SATISFY THE JUDGMENT IN FULL AT THIS TIME, BUT
21 ENOUGH EQUITY AND REAL PROPERTY AND ENOUGH CASH ON HAND TO
22 BE ABLE TO COMPLY WITH THE STATUTE AND POST, SINCE THIS IS A
23 MONEY JUDGMENT, EITHER TWICE THE AMOUNT IN CASH OR ONE-HALF
24 TIMES THE AMOUNT BY WAY OF AN ADMITTED SURETY.

25 NOTHING IN WHAT MR. KLEIN HAS INFORMED ME OF OR
26 BY WAY OF THE EVIDENCE THAT CAME DOWN AT THE TRIAL WOULD
27 APPEAR TO MAKE IT A CONDITION SO NEW TO THE PROCEEDINGS THAT
28 THEY SHOULD BE ENTITLED TO STAY ENFORCEMENT OF THE JUDGMENT.

1 I WOULD NOT BE IN FAVOR OF STAYING THE JUDGMENT
2 TO GIVE THEM SOME 70 DAYS TO BURY ASSETS OR WHATEVER ELSE IT
3 MIGHT BE THAT THEY HAVE IN MIND DOING.

4 MR. KLEIN: YOUR HONOR, IF I JUST MIGHT BE HEARD.

5 THE EVIDENCE IN THE TRIAL WAS THAT THE CHURCH
6 HAD A SIGNIFICANT AMOUNT OF LAND. AND I AM NOT DENYING
7 THAT. I AM SIMPLY SAYING THAT IN CHECKING WHAT YOU NEED FOR
8 A BOND, YOU CANNOT JUST PUT UP LAND. YOU'VE GOT -- YOU CAN
9 PUT UP A CERTAIN PART OF LAND, BUT YOU ALSO HAVE TO HAVE A
10 CERTAIN AMOUNT OF MONEY.

11 THERE IS NO EVIDENCE WHATSOEVER IN THIS CASE AS
12 TO THE ACTUAL MONEY THEY HAVE IN THE BANK. THOSE -- THE
13 DOCUMENT TO WHICH MR. LEVY REFERS SIMPLY SAID THEY HAD BANK
14 ACCOUNTS. THERE IS ABSOLUTELY NO EVIDENCE THAT THERE IS --
15 OF HOW MUCH MONEY THERE IS IN THOSE ACCOUNTS.

16 AND MY CLIENTS HAVE REPRESENTED TO ME, AND I
17 WILL REPRESENT TO THE COURT, THAT THEY DO NOT COME CLOSE TO
18 POSSESSING THE READY CASH THAT WOULD BE NECESSARY TO POST
19 THIS BOND.

20 THE COURT: THAT IS JUST THE POINT, MR. KLEIN. YOUR
21 CLIENTS HAVE NOT MADE THE KIND OF PRESENTATION WHICH WOULD
22 CAUSE ME TO CONSIDER GRANTING YOUR REQUEST FOR A STAY ORDER.

23 YOU HAVE CREDIBILITY HERE. BUT YOUR GENERAL
24 STATEMENTS THAT YOUR CLIENTS JUST DON'T HAVE IT OR IT WOULD
25 BE INCONVENIENT FOR THEM TO COMPLY WITH THE PROVISIONS OF
26 THE CODE OF CIVIL PROCEDURE WITHOUT MORE ARE JUST NOT
27 SUFFICIENT.

28 EVEN THE EVIDENCE ADDUCED AT TRIAL, WHILE IT

1 DOES NOT ESTABLISH THE BALANCES IN THE MANY ACCOUNTS THAT
2 WERE IDENTIFIED, YET THAT EVIDENCE AT LEAST ESTABLISHES
3 THAT YOUR CLIENTS HAVE A NUMBER OF DIFFERENT ACCOUNTS.

4 IF -- AND I AM NOT SUGGESTING YOU DO THIS, NOT
5 AT ALL -- BUT IF, FOR EXAMPLE, THERE WAS PRESENTED COMPLETE
6 SCHEDULES OF ASSETS OF ELIZABETH CLARE PROPHET AND THE
7 CHURCH AND RELATED ENTITIES THAT THEY CONTROL THAT COULD BE
8 TRACED, AND IF ALL OF THAT WAS PRESENTED UNDER THE PENALTY
9 OF PERJURY, THEN THAT WOULD TRIGGER THE BEGINNING OF MY
10 CONSIDERATION OF YOUR REQUEST.

11 AND I AM EXPRESSING MYSELF CAREFULLY BECAUSE I
12 DON'T WANT TO MISLEAD YOU. I AM NOT AT ALL SUGGESTING THAT
13 GIVEN THAT KIND OF INFORMATION UNDER PENALTY OF PERJURY,
14 THAT YOUR REQUEST WOULD BE GRANTED. I AM NOT, REPEAT NOT,
15 SAYING THAT TO YOU EITHER DIRECTLY OR BY INFERENCE. AND I
16 WANT TO HAVE NO MISUNDERSTANDING WITH YOU ABOUT THAT.

17 THE KIND OF RELIEF THAT YOU SEEK THIS MORNING
18 IS EXTRAORDINARY. JUDGMENTS ARE ENTERED ALL THE TIME WHICH
19 CAUSE JUDGMENT DEBTORS SOME DIFFICULTIES. AND THIS KIND OF
20 RELIEF IS CLEARLY THE EXCEPTION AND NOT THE RULE.

21 THERE IS NO QUESTION THAT YOUR CLEINTS HAVE
22 SUBSTANTIAL ASSETS. THERE IS NO QUESTION THAT THEY HAVE HAD
23 THE ADVICE OF COMPETENT COUNSEL FOR SOME TIME. THERE IS NO
24 QUESTION THAT YOU AND, I TRUST, THEY UNDERSTOOD A LONG TIME
25 BEFORE TODAY THAT IF A SUBSTANTIAL JUDGMENT WERE ENTERED
26 AGAINST THEM, THEY WOULD HAVE TO TAKE CERTAIN STEPS OR THEY
27 WOULD BE WELL ADVISED TO TAKE CERTAIN STEPS.

28 NONE OF THIS IS NEW AND THAT IS WHY I MADE THE

1 OBSERVATION THAT I MADE A FEW MINUTES AGO. NONE OF THIS IS
2 NEW, NONE OF IT COMES AS A SURPRISE, NONE OF THIS WAS
3 UNKNOWN. THAT IS WHY IT BECOMES VERY, VERY DIFFICULT TO
4 APPROACH YOUR REQUEST FAVORABLY.

5 THERE ARE JUST NO GROUNDS TO GRANT IT THAT I
6 SEE EXCEPT THAT YOU SAY, WELL, IT WOULD TAKE SOME TIME, AND,
7 WELL, IT WOULD BE SOMEWHAT INCONVENIENT AND, WELL, WE DON'T
8 THINK THEY HAVE ENOUGH LIQUID ASSETS.

9 THEY MAY OR MAY NOT. THAT DOES NOT JUSTIFY THE
10 GRANTING OF THE KIND OF RELIEF THAT YOU SEEK.

11 MR. KLEIN: YOUR HONOR, WHAT IS NEW IS THE FACT THAT
12 THEY COULD NOT POSSIBLY KNOW WHAT THE NUMBER IS GOING TO BE
13 AS FAR AS THE CASH. AS I SAY, THEY DON'T DENY THAT THERE
14 ARE SUFFICIENT SIGNIFICANT ASSETS IN LAND.

15 THE COURT: THAT IS TRUE IN ANY TRIAL IN WHICH THE
16 JURY DELIBERATES.

17 MR. KLEIN: CORRECT.

18 THE COURT: THAT IS ALWAYS TRUE.

19 MR. KLEIN: CORRECT.

20 THE COURT: THE JUDGMENT -- PARDON ME -- THE VERDICT
21 IN THIS CASE CERTAINLY MUST HAVE BEEN -- LET ME START THAT
22 SENTENCE OVER.

23 THE POTENTIAL VERDICT IN THIS CASE CERTAINLY
24 MUST HAVE BEEN CONSIDERED BY YOUR CLIENTS TO HAVE BEEN A
25 GREAT DEAL LARGER THAN THE VERDICT RETURNED BY THE JURY.
26 WHAT I AM SAYING IS THAT THEY MUST HAVE UNDERSTOOD THAT THEY
27 WERE AT RISK OF A MUCH LARGER VERDICT BEING RETURNED AGAINST
28 THEM.

1 MR. KLEIN: WELL, YOUR HONOR, I THINK IN ANY CASE YOU
2 HAVE TO WORRY ABOUT WHAT IS THE WORST VERDICT.

3 BUT IT PUTS THEM IN A POSITION, AS I SAID,
4 SINCE THEIR ASSETS ARE BASICALLY LAND, OF BEFORE A VERDICT
5 COMING IN, GOING OUT AND SELLING THEIR LAND, WHICH IS
6 SOMETHING THAT IS A TREMENDOUS HARDSHIP. AND I DON'T KNOW
7 THAT A DEFENDANT SHOULD BE EXPECTED TO SELL THEIR LAND
8 BEFORE A JURY COMES BACK AND TELLS THEM --

9 THE COURT: OH, COME ON. THAT WASN'T THEIR CHOICE.
10 THE MOVE THAT THEY MIGHT HAVE TAKEN EARLIER WAS TO HAVE SOME
11 STAND-BY ARRANGEMENTS FOR CASH AND/OR GUARANTYS AND/OR
12 SALES. BUT THERE ARE VARIOUS KINDS OF STAND-BY ARRANGEMENTS
13 WHICH THEY MIGHT HAVE ARRANGED.

14 I DON'T SEE ANYTHING HERE SO SPECIAL,
15 DIFFERENT, EXTRAORDINARY TO JUSTIFY THE KIND OF RELIEF THAT
16 YOU SEEK.

17 MR. KLEIN: WOULD THE COURT --

18 THE COURT: EXCEPT GEE, A JUDGMENT HAS BEEN ENTERED.

19 MR. KLEIN: WOULD THE COURT AGREE TO GIVE ME SOME
20 ADDITIONAL TIME TO PROVIDE THE SCHEDULE OF ASSETS THAT THE
21 COURT REFERRED TO, UNDERSTANDING WHAT THE COURT HAS SAID
22 ABOUT THAT?

23 THE COURT: NO, I AM NOT. I AM NOT GOING TO DELAY
24 THIS THING ANY FURTHER. I MENTIONED THAT AND I AM ALMOST
25 SORRY I DID MENTION IT. BUT IT WAS JUST FOR YOUR
26 INFORMATION -- THAT WITHOUT THAT KIND OF VERIFIED
27 INFORMATION, THERE IS VERY LITTLE TO GO ON.

28 BUT EVEN WITH IT, LET'S SUPPOSE THAT SOMEHOW

1 THE SCHEDULES SUBMITTED UNDER PENALTY OF PERJURY ESTABLISH
2 SUBSTANTIAL HOLDINGS OF REAL PROPERTY AND RELATIVELY
3 INSUBSTANTIAL LIQUID ASSETS. SUPPOSE THAT. SO WHAT? THAT
4 IS THE CASE WITH MANY JUDGMENT DEBTORS.

5 MR. KLEIN: MY POINT, YOUR HONOR, IS THAT I THINK IT
6 IS VERY LIKELY THAT THE CHURCH WILL APPEAL THIS VERDICT.
7 AND IF THEY HAVE --

8 THE COURT: THAT IS THEIR OPTION.

9 MR. KLEIN: AND IF THEY HAVE THE ASSETS, THE LAND
10 ASSETS, IF IT IS SIMPLY A MATTER OF GIVING THEM SOME TIME SO
11 THAT THEY CAN EITHER SELL THE LAND OR MORTGAGE THE LAND TO
12 GET THE MONEY -- THAT IN EFFECT IT WORKS A TREMENDOUS
13 HARDSHIP ON THEM. IF COUNSEL IS WORRIED ABOUT THE LAND
14 SOMEHOW DISAPPEARING, PERHAPS WE CAN WORK SOMETHING OUT IN
15 THAT WAY IF THAT IS WHAT THE PROBLEM HERE IS.

16 BUT IT IS SIMPLY A CASE WHERE THE CHURCH HAS
17 THE LAND, THEY CAN EVENTUALLY RAISE AND MAKE THIS BOND, I
18 BELIEVE, AND THEY JUST ASK FOR AN OPPORTUNITY TO DO IT.

19 THE COURT: BEAR IN MIND THAT THE JUDGMENT IS AGAINST
20 NOT ONLY THE CHURCH, BUT ELIZABETH CLARE PROPHET.

21 MR. KLEIN: I UNDERSTAND THAT.

22 THE COURT: AND, THEREFORE, IT POTENTIALLY CAN REACH
23 NOT ONLY ASSETS STANDING IN HER NAME, BUT ALSO ASSETS WHICH
24 CAN BE TRACED OR REACHED TO SATISFY A JUDGMENT AGAINST HER.

25 MR. KLEIN: I APPRECIATE THAT.

26 THE COURT: WHETHER STANDING IN THE NAME OF SOME
27 OTHER PERSON OR ENTITY OR HOWEVER HELD.

28 MR. KLEIN: AS I SAID, IT IS A DIFFERENT SITUATION.

1 YOU HAVE THE CHURCH ON ONE HAND, YOU HAVE ELIZABETH CLARE
2 PROPHET ON THE OTHER. I UNDERSTAND THAT. THEY HAVE THEIR
3 OWN SITUATION IN TRYING TO MAKE THIS BOND.

4 I AM TALKING ABOUT THE CHURCH HAVING
5 SIGNIFICANT LAND. THERE IS NO QUESTION ABOUT IT BUT NOT
6 BEING ABLE TO TURN THAT INTO CASH OVERNIGHT.

7 THE COURT: BEAR IN MIND THAT SHE IS A JUDGMENT
8 DEBTOR. AND I WOULD URGE YOU TO THINK ABOUT THAT, AND ALL
9 THAT THAT MEANS AND I INTEND MY SUGGESTION TO YOU
10 CONSTRUCTIVELY.

11 MR. KLEIN: I UNDERSTAND, YOUR HONOR.

12 THE COURT: THIS IS NOT JUST A SITUATION OF JUDGMENT
13 AGAINST THE CHURCH.

14 MR. KLEIN: OH, I AM QUITE AWARE OF THAT, YOUR HONOR.
15 I UNDERSTAND THE DIFFERENCE AND --

16 THE COURT: I WOULD SUGGEST THAT FAR MORE USEFUL AND
17 FAR MORE PROMISING, IF ANYTHING IS PROMISING, THAN FOR YOU
18 TO COME BACK HERE WOULD BE FOR YOU TO TALK WITH
19 PLAINTIFF'S -- OR MR. MULL'S COUNSEL, TALK WITH MR. LEVY AND
20 MR. MIDDLETON, ABOUT HOW YOU CAN SECURE THE JUDGMENT,
21 INCLUDING ACCUMULATED INTEREST FOR SOME PERIOD OF TIME.

22 AND I WOULD SUGGEST TO YOU THAT YOUR PROSPECTS
23 OF ACHIEVING THE KIND OF HELP THAT YOU SEEK THIS MORNING ARE
24 FAR BETTER BY YOUR WORKING OUT SOMETHING WITH THEM THAN YOUR
25 COMING BACK HERE. AND I TELL YOU THIS IN THE SPIRIT OF
26 TRYING TO BE CONSTRUCTIVE.

27 I DON'T THINK THIS IS A SITUATION IN WHICH THE
28 AUTHORITY THAT IS GRANTED IN CODE OF CIVIL PROCEDURE SECTION

1 918 OUGHT TO BE EXERCISED.

2 MR. KLEIN: MIGHT I ASK WHEN WOULD THE COURT THINK
3 THAT SECTION 918 WOULD BE APPLICABLE?

4 THE COURT: THERE ARE OTHER SITUATIONS AND I DON'T
5 THINK THAT OUR TIME RIGHT NOW IS WELL SPENT TALKING
6 GENERALLY ABOUT VARIOUS PROVISIONS OF THE LAW. I THINK THAT
7 YOUR TIME AND ENERGIES RIGHT NOW ARE BETTER SPENT DOING WHAT
8 I SUGGEST.

9 MR. KLEIN: YES, YOUR HONOR.

10 MR. LEVY: MAY I INQUIRE, YOUR HONOR?

11 YOU MENTIONED INTEREST THAT WILL ACCUMULATE.
12 AS PART OF OUR PRAYER, WE INCLUDED A SECTION FOR PREJUDGMENT
13 INTEREST. MY INQUIRY IS AS TO WHETHER OR NOT THAT MIGHT BE
14 COMPUTED AND GO ALONG WITH A NOTICE OF ENTRY OF JUDGMENT OR
15 HOW THE COURT VIEWS OUR REQUEST FOR PREJUDGMENT INTEREST.

16 THE COURT: ON WHAT BASIS SHOULD PREJUDGMENT INTEREST
17 BE INCLUDED IN THE JUDGMENT?

18 MR. LEVY: WELL, ON THE BASIS THAT A PORTION OF IT,
19 OF THE JUDGMENT, WENT FOR A CAUSE OF ACTION CALLED QUANTUM
20 MERUIT.

21 THE COURT: HOW MUCH?

22 MR. LEVY: IT IS ONE OF FIVE CAUSES OF ACTION. I
23 CAN'T SAY --

24 THE COURT: HOW MUCH?

25 MR. LEVY: YOU ARE ABSOLUTELY RIGHT. I CAN'T
26 ALLOCATE THE EXACT AMOUNT.

27 THE COURT: GENERAL FORMS OF VERDICT WERE GIVEN TO
28 THE JURY AS I RECALL.

1 MR. LEVY: THAT IS CORRECT.

2 THE COURT: AND I SUGGEST THAT YOU THINK ABOUT THIS.
3 I DON'T KNOW HOW WE CAN ISOLATE AN AMOUNT RIGHT NOW. AND
4 THE REASON I ASKED YOU THE QUESTION AND THE WAY I DID, MR.
5 LEVY, WAS TO TRY TO FIND OUT ON WHAT LEGAL BASIS PREJUDGMENT
6 INTEREST MIGHT BE AWARDED BECAUSE, AS I SIT HERE RIGHT NOW,
7 I CAN'T COME UP WITH A BASIS.

8 BUT I HAVEN'T MULLED IT OVER -- PARDON ME -- I
9 HAVEN'T THOUGHT ABOUT IT. YOU HAVE. I HAVEN'T. YOU JUST
10 BROUGHT UP THE SUBJECT A MOMENT AGO. BUT AS I SIT HERE
11 RIGHT NOW AND THINKING ABOUT IT VERY QUICKLY, I CAN'T AT
12 THIS MOMENT COME UP WITH A BASIS FOR INCLUDING PREJUDGMENT
13 INTEREST IN THIS JUDGMENT.

14 MR. MIDDLETON: WE HAVE AN ARGUMENT FOR THAT, YOUR
15 HONOR.

16 THE COURT: I HAD IN MIND POST-JUDGMENT INTEREST WHEN
17 I MADE THE COMMENT TO MR. KLEIN A MOMENT AGO. O.

18 YES, SIR.

19 MR. MIDDLETON: I DO HAVE AN ARGUMENT FOR THAT.
20 EXCUSE MY VOICE.

21 IN ANY TYPE OF CAUSE OF ACTION, THERE ARE
22 STATUTE OF LIMITATIONS WITHIN WHICH AN ACTION MUST BE
23 BROUGHT. AND IF AN ACTION IS NOT BROUGHT WITHIN THAT PERIOD
24 OF TIME, YOU LOSE YOUR CAUSE OF ACTION.

25 SO THAT THE TIME OF THE FILING HAS TO DO WITH
26 THE TIME FROM WHICH I BELIEVE INTEREST SHOULD RUN BECAUSE OF
27 THE FACT THAT OUR COURT SYSTEM IS SUCH A FASHION THAT
28 SOMETHING MAY NOT GET HEARD FOR FOUR OR FIVE YEARS. THE

1 DATE, THE ACTUAL DATE THAT JUDGMENT TAKES EFFECT, HAS TO BE
2 AT THE TIME OF THE FILING BECAUSE OF THE FACT THAT IF YOU
3 HAD WAITED UNTIL THE STATUTE RAN, YOU WOULDN'T HAVE ANY
4 FILING AT ALL. YOU COULDN'T EVEN GET A JUDGMENT.

5 AND I DON'T LIKEN IT TO MUCH DIFFERENT TO
6 SOMEONE GOING TO A BANK AND BORROWING A SUM OF MONEY, TWO-
7 OR THREE HUNDRED THOUSAND DOLLARS OR WHATEVER IT MIGHT BE.
8 AND IF THE BANK FILES A CAUSE OF ACTION AGAINST SOMEONE, ARE
9 THEY NOT ENTITLED TO PREJUDGMENT INTEREST?

10 THE COURT: THERE ARE VARIOUS REASONS WHY CASES DON'T
11 COME UP FOR TRIAL EARLIER THAN THEY DO. AND WE COULD SPEND
12 AN EXTRAVAGANT AMOUNT OF TIME TALKING ABOUT THAT JUST AS WE
13 COULD TALK ABOUT THE GENERAL RAMIFICATIONS OF SECTION 918 OF
14 THE CODE OF CIVIL PROCEDURE, WHICH I OPTED NOT TO DO A FEW
15 MINUTES AGO AND I AM GOING TO DO THE SAME THING HERE.

16 I JUST DON'T THINK THAT THAT OUGHT TO INURE TO
17 THE DETRIMENT OF THE JUDGMENT DEBTOR IN THIS CASE. BUT
18 ABSENT SOME LEGAL BASIS FOR INCLUDING PREJUDGMENT INTEREST,
19 I THINK IT OUGHT NOT TO BE INCLUDED. THAT IS MY --

20 MR. LEVY: WE WILL DO OUR BEST TO CONCOCT A LIKELY
21 REASON FOR IT TO BE INCLUDED, YOUR HONOR.

22 THE COURT: THAT IS MY REACTION TO YOUR QUESTION.

23 MR. MIDDLETON: THANK YOU, YOUR HONOR.

24 MR. LEVY: THANK YOU.

25 MR. KLEIN: THANK YOU, YOUR HONOR.

26 THE COURT: BUT, MR. KLEIN, I HOPE THAT YOU WILL
27 EXPLORE THIS SUBJECT WITH COUNSEL FOR MR. MULL.

28 MR. KLEIN: I WILL, YOUR HONOR.

1 THE COURT: AND I HOPE, TOO, THAT THEY WILL APPROACH
2 CONSTRUCTIVELY THE PROSPECT OF WORKING OUT SOME ARRANGEMENT
3 BECAUSE IF YOU CAN DO THAT, YOU WILL ALL BE BETTER OFF.
4 BECAUSE THAT WILL MEAN, AMONG OTHER THINGS, THAT ONCE THE
5 JUDGMENT BECOMES FINAL, IF IT -- ASSUMING IT BECOMES FINAL,
6 WHENEVER IT DOES, IF IT DOES, THAT MR. MULL WILL HAVE A
7 READY, AVAILABLE AND HOPEFULLY TROUBLE FREE MEANS FOR
8 COLLECTING IT. SO THERE IS SOMETHING IN IT FOR MR. MULL.

9 MR. LEVY: WE ARE NOT ADVERSE TO WORKING TOGETHER TO
10 DOING SOMETHING THAT IS REASONABLE FOR ALL THE PARTIES, YOUR
11 HONOR.

12 THE COURT: OKAY. GOOD LUCK TO ALL OF YOU.

13 MR. LEVY: THANK YOU.

14 MR. KLEIN: THANK YOU, YOUR HONOR.

15 MR. MIDDLETON: THANK YOU, YOUR HONOR.

16 THE COURT: THE APPLICATION OF THE JUDGMENT DEBTORS
17 IS DENIED.

18 NOTICE IS WAIVED?

19 MR. KLEIN: YES, YOUR HONOR.

20 MR. LEVY: NOTICE WAIVED, YOUR HONOR.

21 MR. MIDDLETON: NOTICE WAIVED.
22
23
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1 LOS ANGELES, CALIFORNIA; FRIDAY, MAY 30, 1986 *

2 1:25 P.M.

3 DEPARTMENT 50

HON. ALFRED L. MARGOLIS, JUDGE

4 (APPEARANCES AS HERETOFORE NOTED

5 AND JONATHAN FRANK IS ALSO PRESENT.)

6
7 THE COURT: GOOD AFTERNOON.

8 MR. LEVY: GOOD AFTERNOON, YOUR HONOR.

9 MR. KLEIN: GOOD AFTERNOON, YOUR HONOR.

10 MR. FRANK: GOOD AFTERNOON.

11 THE COURT: MR. KLEIN, DO YOU WANT TO BE HEARD
12 BRIEFLY?

13 MR. KLEIN: YOUR HONOR, I HAVE SAID ALL I HAVE TO SAY
14 IN THE MOTION BEFORE THE COURT. I WOULD ONLY NOTE TO THE
15 COURT THAT THE MOLKO CASE, AT THIS POINT, THE PETITION HAS
16 BEEN SUBMITTED TO THE SUPREME COURT FOR REVIEW; BUT MY
17 UNDERSTANDING AS OF YESTERDAY IS THAT THE SUPREME COURT
18 HASN'T ACTED ON IT. SO AT THIS POINT THE CASE IS NOT
19 VACATED.

20 OTHER THAN THAT, UNLESS THE COURT HAS A
21 PARTICULAR INQUIRY OF ME, I WOULD SUBMIT ON THE PAPERS.

22 THE COURT: LET ME ASK YOU A QUESTION. I NOTICED
23 THAT WHILE YOUR NAME IS ON THE MEMORANDUM OF POINTS AND
24 AUTHORITIES, YOU DID NOT SIGN IT. DID YOU READ IT BEFORE IT
25 WAS SUBMITTED?

26 MR. KLEIN: I CERTAINLY DID.

27 THE COURT: OKAY.

28 MR. KLEIN: THANK YOU.

1 THE COURT: YES.

2 MR. LEVY: ONLY VERY BRIEFLY, YOUR HONOR.

3 I THINK THAT THE MOVING PAPERS FROM THE
4 PLAINTIFFS CHURCH/ELIZABETH CLARE PROPHET RELY VERY HEAVILY
5 ON THE MOLKO CASE AND IT IS MY INTERPRETATION OF MY READING
6 OF THE MOLKO DECISION THAT THE MOVING PAPERS HERE FOR THE
7 NEW TRIAL AND FOR JUDGMENT N.O.V. COME SO CLOSE TO A
8 MISINTERPRETATION OF THAT DECISION AS TO REALLY MAKE BOTH OF
9 THEIR MOTIONS ALMOST FRIVOLOUS.

10 IN THE MOLKO DECISION, THE COURT LOOKED AT THE
11 FACTUAL SITUATION. THE FACTUAL SITUATION WAS SUCH WHERE A
12 YOUNG MAN WHO, AFTER A FIVE-MONTH PERIOD OF ASSOCIATION WITH
13 THE UNIFICATION CHURCH, APPEARED TO FRAME HIS COMPLAINT ON
14 EMOTIONAL DISTRESS CAUSED BY JOINING A CHURCH AFTER HE FOUND
15 OUT WHO THE CHURCH WAS. HIS ASSOCIATION WAS SOME FIVE
16 MONTHS.

17 IN THE CASE THAT IS HEREIN, THE CHURCH
18 UNIVERSAL AND MR. MULL CASE, THE FACTS ARE SO VASTLY
19 DIFFERENT THAT I THINK TO TRY TO COMPARE ONE WITH THE OTHER
20 IS IN FACT A MISUSE OF WHAT THE MOLKO DECISION ACTUALLY
21 SAYS.

22 IN THE MULL CASE, WE'RE TALKING ABOUT FACTS AND
23 CIRCUMSTANCES THAT OCCUR AFTER A MAN HAS BEEN ASSOCIATED
24 WITH THE CHURCH FOR SOME LENGTH OF TIME. NOWHERE IN ANY OF
25 OUR MOVING PAPERS OR IN ANY OF THE THINGS WE ATTEMPTED TO
26 PROVE DID WE SAY OR ALLEGE OR OFFER EVIDENCE THAT
27 INDOCTRINATION AND RECRUITMENT WERE IN AND OF THEMSELVES
28 WERE THE FACTORS THAT CAUSED THE LOSS AND DAMAGES BY MR.

1 MULL.

2 I THINK TO TRY TO MAKE SUCH A QUANTUM LEAP AND
3 MISREAD AN APPELLATE DECISION IN LIGHT OF AN ARGUMENT THAT,
4 SURPRISINGLY, COUNSEL FOR THE MOVING PARTIES PUTS FORTH
5 WHEREIN THEIR IS A CASE THAT SAYS, AND I CITE IT IN MY
6 OPPOSITION, IT SAYS THAT THE FIRST AMENDMENT NEVER WAS
7 INTENDED NOR IS IT NOW TO BE USED TO SHIELD WRONG DOERS
8 WHETHER THEY BE A CHURCH OR NOT.

9 NOW, TO TRY TO MISCONSTRUE THE FACTS OF ONE
10 CASE WITH ANOTHER, TO TRY TO MISCHARACTERIZE IN ORDER TO
11 PROLONG OR IN ORDER TO PUT FORTH A MOVE TO CHANGE A JURY'S
12 VERDICT IN MY OPINION IS NOTHING BUT FRIVOLOUSNESS CARRIED
13 TO ITS FURTHEST EXTENT.

14 AND AT LEAST AS FAR AS THE COSTS INVOLVED IN
15 OPPOSING BOTH THE MOTION FOR A NEW TRIAL AND THE JUDGMENT
16 N.O.V., I WOULD BE INCLINED TO THINK THAT THIS COURT MIGHT
17 WELL CONSIDER SANCTIONS UPON THE MOVING PARTIES.

18 I BELIEVE THAT WHAT THEY HAVE DONE IS
19 MISCHARACTERIZED TO SUCH AN ENORMOUS DEGREE BOTH THE FACTS
20 AND THE LAW THAT EMANATES FROM MOLKO AND TRIED TO OVERLAY
21 THEM ON THE MULL DECISION THAT THEIR MOTIVATION IS CERTAINLY
22 SUBJECT TO QUESTION.

23 AND I WOULD LEAVE IT TO THIS COURT TO MAKE A
24 DETERMINATION AS TO WHETHER OR NOT SANCTIONS, AT LEAST IN
25 THE AMOUNT OF COSTS FOR THE OPPOSITION THAT WAS NECESSARY,
26 SHOULD BE CONSIDERED.

27 THE COURT: MR. KLEIN.

28 MR. KLEIN: YES, YOUR HONOR.

1 WITH RESPECT TO THE MOLKO CASE, YOUR HONOR,
2 COUNSEL HAS GIVEN A VERY BROAD -- A VERY NARROW READING OF
3 IT BY ASSERTION THAT IT ONLY APPLIES TO A SITUATION WHERE
4 SOMEONE'S RECRUITING.

5 WHAT I WOULD SUBMIT AND HAVE SUBMITTED IN MY
6 PAPERS TO THIS COURT IS THAT IN MOLKO, THE EXPERT, WHO IS
7 THE SAME EXPERT WHO TESTIFIED HERE, MRS. SINGER, DR. SINGER,
8 TESTIFIED IN THAT CASE, IN HER DECLARATION IN THAT CASE,
9 THAT ALTHOUGH AFTER TWO OR THREE WEEKS THE PLAINTIFFS KNEW
10 THE TRUTH, KNEW THEY HAD BEEN MISLED, THAT THEY COULD NOT
11 LEAVE THE CHURCH AND THEY HAD TO GO ON WITH THE FRAUD
12 BECAUSE AT THAT POINT THEY WERE UNDER THE MIND CONTROL OF
13 THE CHURCH.

14 WHAT I WOULD SUBMIT TO THE COURT IS ANALOGOUS
15 IN THAT SITUATION AND THIS SITUATION IS THAT MR. MULL, IT IS
16 UNDISPUTED THAT AFTER APPROXIMATELY THREE WEEKS, HE KNEW
17 PRECISELY WHAT THE CHURCH'S POSITION WAS WITH RESPECT TO THE
18 MONEY. HE KNEW THE CHURCH WAS SAYING --

19 THE COURT: WERE THERE CONTRACT ISSUES IN THE MOLKO
20 CASE?

21 MR. KLEIN: NOT A CONTRACT ANYMORE THAN -- THERE WAS
22 NOT A SPECIFIC CONTRACT ISSUE IN THE MOLKO CASE.

23 THE COURT: I ASSUME THE ANSWER IS "NO."

24 MR. KLEIN: WELL, THERE IS AN IMPLIED CONTRACT, I
25 GUESS, TO SOME EXTENT. BUT THE COURT DOESN'T DISCUSS
26 CONTRACT AT ALL IN MOLKO.

27 BUT MY POSITION WOULD BE, YOUR HONOR, THAT WHAT
28 THEY SAID, WHAT THE COURT SAID IN MOLKO IS THAT THE ISSUE IS

1 JUSTIFIABLE RELIANCE. THEY SAID, "WE WILL ASSUME THAT THE
2 REPRESENTATION OF THE CHURCH WAS FALSE, WE WILL ASSUME THEY
3 KNEW IT." AND THE ISSUE IN MOLKO WAS JUSTIFIABLE RELIANCE.

4 AND THE COURT SAID, "IN DETERMINING JUSTIFIABLE
5 RELIANCE, WE WILL NOT CONSIDER ANYTHING SAID BY DR. SINGER
6 OR DR. BENSON. THAT IS INAPPROPRIATE TO BE CONSIDERED IN
7 DETERMINING WHETHER THERE WAS JUSTIFIABLE RELIANCE."

8 WHAT I WOULD SUBMIT IN THIS CASE, IF YOU THROW
9 OUT WHAT WAS SAID BY DR. SINGER ON THE SAME THEORY THAT IF
10 IT WASN'T APPROPRIATE IN THAT CASE, IT IS NOT APPROPRIATE IN
11 THIS CASE, THE TESTIMONY WITH RESPECT TO BEING UNDER MIND
12 CONTROL, THAT WHAT YOU HAVE LEFT IS MR. MULL WHO, AFTER
13 THREE WEEKS, KNEW THAT THE CHURCH WASN'T GOING TO PAY HIM.

14 HE STILL HAD HIS BUSINESS IN SAN FRANCISCO. HE
15 STILL WAS GOING BACK TO SAN FRANCISCO THREE DAYS A WEEK.
16 AND YET DESPITE THAT, HE CONTINUES TO REMAIN IN CALABASAS
17 HE CONTINUES TO WORK FOR THE CHURCH, HE CONTINUES TO
18 SOLICIT, HE CONTINUES TO BELIEVE.

19 AND IN THAT REGARD, YOUR HONOR, I WOULD SAY IS
20 EXACTLY THE SAME DISCUSSION THAT WENT ON IN THE MOLKO CASE,
21 ABOUT SOMEBODY WHO DID NOT RELY BASED UPON THEIR OWN
22 TESTIMONY.

23 AND ONCE -- HE COULD HAVE LEFT IF RELIANCE --
24 IF HE WAS RELYING ON THE CHURCH'S PROMISE THAT THEY WERE
25 GOING TO PAY HIM. THEN HE CERTAINLY WOULD HAVE LEFT AFTER
26 THREE WEEKS WHEN HE REALIZED THEY WEREN'T. BUT HE STAYED.
27 AND I WOULD SUBMIT THAT THAT -- THAT WHEN YOU THROW OUT THAT
28 TESTIMONY OF THOSE EXPERTS, YOU GET THE SAME SITUATIONS YOU

1 HAVE IN MOLKO.

2 I WOULD ALSO POINT OUT THAT THERE IS TWO OTHER
3 ISSUES THAT ARE INVOLVED IN THIS -- OUR MOTION. ONE IS ON
4 EMOTIONAL DISTRESS.

5 THE COURT IN MOLKO SPECIFICALLY DISCUSSED THAT
6 YOU CAN'T HAVE EMOTIONAL DISTRESS, INTENTIONAL INFLICTION OF
7 EMOTIONAL DISTRESS, WHEN ON THE BASIS OF THREATS OF DIVINE
8 RETRIBUTION, ON THE BASIS OF DAMAGE DONE AS A RESULT OF MIND
9 CONTROL SUCH AS DR. SINGER TESTIFIED.

10 I WOULD SUBMIT IF YOU WERE TO DO THE SAME THING
11 IN THIS CASE WITH RESPECT TO THE EMOTIONAL DISTRESS CAUSE OF
12 ACTION. SAY THAT ANY THREATS OF DIVINE RETRIBUTION ARE NOT
13 ENOUGH FOR SUCH A CAUSE OF ACTION, TO BRING SUCH A CAUSE OF
14 ACTION, AND THAT ANY THREATS OF WHAT WILL HAPPEN IF YOU
15 LEAVE, SUCH AS DISEASE OR YOU WILL DIE OR THINGS LIKE THAT,
16 ARE NOT ENOUGH SUCH AS MOLKO.

17 YOU ARE NOT LEFT IN THIS CASE WITH A CAUSE OF
18 ACTION ON EMOTIONAL DISTRESS BASED ON THE TESTIMONY IN THE
19 CASE.

20 LASTLY, I WOULD SAY THAT COUNSEL HAS AIMED HIS
21 ENTIRE ARGUMENT IN SAYING THAT IT IS FRIVOLOUS ON JUST THE
22 MOLKO CASE. OUR MOTION FOR A NEW TRIAL GOES WELL BEYOND
23 JUST THE MOLKO CASE.

24 WE TALK ABOUT THE MENTIONING OF JONESTOWN,
25 WHICH THE COURT HAD -- WE WENT ON THE RECORD DURING THE
26 TRIAL ON THAT AS TO WHETHER IT WAS AN ISSUE WORTHY OF OUR
27 REQUEST FOR NEW TRIAL.

28 AND ALTHOUGH THE COURT DENIED THAT REQUEST, I

1 WOULD SUBMIT IT WAS NOT AN OBVIOUS OR FRIVOLOUS REQUEST
2 BASED ON THE JONESTOWN REFERENCE. AND I STILL BELIEVE IT IS
3 A SIGNIFICANT ISSUE ON APPEAL.

4 IN RESPECT TO OTHER THINGS THAT ARE GOING TO BE
5 BROUGHT UP ON APPEAL, THERE ARE QUESTIONS RAISED ON THE
6 REINCARNATION ISSUE AND HAVING TESTIMONY FROM A VERY KEY
7 WITNESS MAKING HIM SAY THAT HE THINKS HE WAS CAPTAIN COOK IN
8 ANOTHER LIFE. AND HIS QUESTION AS TO WHETHER THAT -- HOW
9 PREJUDICIAL THAT WAS TO OUR CASE.

10 AND MY POINT SIMPLY IS THAT THERE ARE A LOT OF
11 OTHER ISSUES THAT WE ARE BRINGING UP IN OUR NEW TRIAL MOTION
12 SEPARATE AND DISTINCT FROM MOLKO, AND IT WOULD BE IMPROPER
13 TO CHARACTERIZE THIS AS ONLY BASED ON MOLKO AND THAT IS ALL
14 I WOULD HAVE TO SAY ON THAT, YOUR HONOR.

15 THE COURT: ALL RIGHT.

16 MR. KLEIN: THANK YOU.

17 MR. LEVY: BRIEFLY, YOUR HONOR, I WOULD REMIND THE
18 COURT THAT IN THE MOVING PAPERS, EVEN IN THE MOTION FOR NEW
19 TRIAL, MOLKO IS MENTIONED SOMEWHAT PROMINENTLY BY COUNSEL
20 FOR THE CHURCH.

21 WITH REGARD TO THE APPELLATE DECISION AND
22 JUSTIFIABLE RELIANCE, IN ONE CASE WE TALK ABOUT A YOUNG MAN
23 WHO, AFTER A MONTH AT A REMOVED CAMP, CAMP K OF THE
24 UNIFICATION CHURCH, WAS TOLD THAT IT WAS THE UNIFICATION
25 CHURCH AND JOINED NEVERTHELESS.

26 OUR ISSUE WAS NEVER WHETHER GREGORY MULL KNEW
27 WHETHER IT WAS CHURCH UNIVERSAL AND TRIUMPHANT. OUR ISSUES
28 WERE THOSE THINGS THAT HAPPENED TO HIM AFTER HE KNEW WHO

1 THEY WERE AND AFTER HE BECAME A PARTY AND A MEMBER.

2 AND THE REASON I HESITATE ON MEMBERS IS BECAUSE
3 OF THE EQUIVOCAL TESTIMONY OF ELIZABETH CLARE PROPHET, WHO
4 AT ONE PLACE TESTIFIED THAT THE CHURCH HAD NO MEMBERS. AND
5 AT ANOTHER THERE WERE OTHER OFFICIALS WHO TESTIFIED THAT
6 THEY HAD A LARGE -- THEY HAD A MEMBERSHIP.

7 SO IF I SEARCH FOR A WORD AS TO MEMBER OR
8 PARISHIONER OR WHATEVER, THAT CAUSES OF ACTION THAT WE PUT
9 FORWARD WITH REGARD TO THE INTENTIONAL INFLICTION OF
10 EMOTIONAL DISTRESS, WHILE THEY TOUCHED BRIEFLY ON SOME OF
11 THE THINGS WHEREBY ELIZABETH CLARE PROPHET GAINED A POSITION
12 OF UNDUE INFLUENCE, THAT THE GRAVAMEN OF ALL OF OUR CAUSES
13 OF ACTION RELATE TO INCIDENTS THAT OCCURRED AFTER GREGORY
14 MULL KNEW WHO THE CHURCH WAS, KNEW WHO THE PARTICIPANTS WERE
15 AND THEN WAS VICTIMIZED BY THE CHURCH.

16 NOW WITH REGARD TO THE MOVING PAPERS AND WHY I
17 BELIEVE THERE IS SUCH A MISCHARACTERIZATION. HERE AGAIN MR.
18 KLEIN WOULD LEAD US TO BELIEVE THAT THREE WEEKS AFTER
19 GREGORY MULL, I'LL USE HIS WORDS, WAS CONNECTED WITH THE
20 CHURCH, HE COULD HAVE LEFT.

21 LET'S RECALL THAT THIS IS ALMOST SIX YEARS DOWN
22 THE ROAD OF HIS AFFILIATION WHERE HE HAS COME TO TRUST AND
23 TO BELIEVE IN AND TO RELY ON THE CHURCH AND THE CHURCH MAKES
24 HIM AN OFFER. GREGORY MULL DID NOT FIGHT HIS WAY ONTO THE
25 PROPERTY OF THE CHURCH AND FORCE THEM TO ALLOW HIM TO DO
26 ARCHITECTURAL WORK.

27 THERE WAS AN IMPLIED IN LAW AGREEMENT. THAT IS
28 AGAIN THE GRAVAMEN OF A CAUSE OF ACTION FOR QUANTUM MERUIT.

1 THE CIRCUMSTANCES SET UP AN IMPLIED IN LAW
2 CONTRACT OR, IF YOU WILL, THE AGREEMENT THAT THEIR MOVING
3 PAPERS SAYS WAS LACKING IN ORDER FOR THERE TO BE AN AWARD
4 FOR QUANTUM MERUIT.

5 NOW THE MOVING PARTIES CITE A CASE THAT SAYS
6 THAT IF ANY CAUSE OF ACTION IS SUFFICIENT TO WARRANT A
7 VERDICT, THEN EVEN THOUGH SOME OF THE OTHER CAUSES OF ACTION
8 MAY NOT HOLD, A COURT CANNOT OVERTURN THE VERDICT BECAUSE
9 SOME OTHER CAUSE OF ACTION MAY NOT IN AND OF ITSELF SUPPORT
10 A GENERAL VERDICT.

11 I THINK A READING OF THE MOVING PAPERS ON BOTH
12 THE MOTION FOR A NEW TRIAL AND THE JUDGMENT N.O.V. ARE -- IF
13 ONE JUST SIMPLY READS THE CONTENT OF THEM. THEY ARE SO
14 MANIPULATIVE, THEY DISTORT, THEY MISREPRESENT THE MOLKO
15 DECISION, THEY MISCHARACTERIZE THE EVIDENCE IN THE MULL
16 TRIAL, AND THEY DO IT -- IT'S REplete WITH THOSE
17 MISCHARACTERIZATIONS.

18 AND THAT'S WHAT I CALL BEING -- HAVING A
19 FRIVOLOUS ATTITUDE.

20 I THINK MR. KLEIN AND CO-COUNSEL WITH HIM KNOW
21 FULL WELL WHAT MOLKO STANDS FOR AND WHAT IT DOESN'T STAND
22 FOR. AND I THINK TO ATTEMPT TO USE A CASE THAT DOESN'T
23 SUPPORT YOUR OWN ARGUMENT IS TO DO VIOLENCE TO THE JUDICIAL
24 SYSTEM AND THEREBY IT'S FRIVOLOUS.

25 AND IN THAT REGARD, AND IF I LIMIT IT AND STOP
26 JUST THERE, I DO NOT THINK THEY HAVE SHOWN SUFFICIENT REASON
27 FOR EITHER A NEW TRIAL OR A JUDGMENT N.O.V. I THINK THAT
28 THEIR MOVING PAPERS -- AND I CAN'T CONCEIVE THAT THEY WERE

1 HAPHAZARDLY DONE. THAT IS WHY I SUGGEST THAT THERE MAY
2 BE --

3 THE COURT: HAPHAZARDLY, NO. BUT I WOULD WISH THAT
4 MR. KLEIN'S SUPERVISION OF THAT PROJECT HAD BEEN STRONGER.

5 MR. LEVY: I WOULD SAY THE MOTIVATION WAS THERE. AS
6 THIS COURT SUGGESTED. MOTIVATION MIGHT BE PRESENT WITH
7 REGARD TO SOME OF THE TESTIMONY OF SOME OF THE WITNESSES.

8 I WOULD SAY MOTIVATION WAS SUFFICIENT TO
9 ATTEMPT FOR WHATEVER REASONS I WON'T EVEN IMAGINE WHAT
10 THEY ARE, BUT THE MOTIVATION WAS SUFFICIENT TO TRY TO TWIST
11 THE MOLKO CASE SITUATION AND MISCHARACTERIZE THE FACTS
12 SUFFICIENTLY THAT I BELIEVE BOTH MOTIONS ARE FRIVOLOUS AND I
13 THINK THAT MR. MULL IS ENTITLED TO SANCTIONS FOR HAVING TO
14 OPPOSE BOTH OF THOSE MOTIONS.

15 MR. KLEIN: IF I MAY JUST RESPOND FOR ONE MOMENT. I
16 AM NOT GOING TO GO OVER IT ALL AGAIN, YOUR HONOR. BUT I
17 STRONGLY BELIEVE THE MOLKO DECISION WAS A RELEVANT DECISION
18 IN THIS MATTER.

19 I WILL MAKE IT CLEAR ON THE RECORD THAT I NOT
20 ONLY READ, BUT ACTIVELY PARTICIPATED IN THE WRITING OF OUR
21 MOTION. IT WAS NOT SOMETHING THAT WAS WRITTEN AND THEN I
22 TOOK A GLANCE AT. I TAKE RESPONSIBILITY FOR ANYTHING IN
23 THERE.

24 AND LASTLY, I WOULD POINT OUT AS I SAY, THAT
25 IT IS UNFAIR, ALTHOUGH I BELIEVE MOLKO IS A VERY APT CASE,
26 BUT THERE ARE A NUMBER OF OTHER POINTS IN THAT MOTION AND I
27 THINK IT IS UNFAIR TO CHARACTERIZE IT AS JUST BEING MOLKO.

28 AND LASTLY, I WOULD POINT OUT THAT COUNSEL.

1 ALTHOUGH I DO NOT BELIEVE HIS MOTION FOR COSTS IS ONE THAT
2 SHOULD BE GRANTED BY THIS COURT. BUT I'D ALSO POINT OUT THAT
3 IT WASN'T A NOTICED MOTION. I JUST LOOKED AT HIS PAPERS AND
4 IT IS NOT SOMETHING HE MADE ANY MENTION OF WHEN HE OPPOSED
5 THESE MOTIONS, THE FACT THAT HE THOUGHT IT WAS FRIVOLOUS AND
6 SHOULD GET COSTS.

7 THAT IS ALL I HAVE TO SAY AT THIS POINT YOUR
8 HONOR.

9 THE COURT: I'M GOING TO TAKE THE MOTIONS UNDER
10 SUBMISSION. I WILL TAKE ANOTHER LOOK AT THE PAPERS WHICH
11 HAVE BEEN FILED IN THE LIGHT OF OUR HEARING THIS AFTERNOON
12 AND YOU'LL HEAR FROM ME ABOUT THE MOTIONS.

13 MR. KLEIN: THANK YOU, YOUR HONOR.

14 MR. LEVY: YOUR HONOR, THERE IS ONE MORE MATTER.

15 MR. MIDDLETON: I THINK WE HAVE A STIPULATION BETWEEN
16 COUNSEL, YOUR HONOR, THAT WITH REGARD TO EXHIBIT NUMBER 113.
17 THAT COUNSEL FOR PLAINTIFF (SIC) CAN INSPECT AND/OR
18 PHOTOCOPY THAT. AND WE'D LIKE THAT REFLECTED IN THE
19 MINUTES, ON THE MINUTE ORDER SO THAT WE CAN HAVE ACCESS TO
20 THAT. I BELIEVE THEY ARE NO LONGER HERE; IS THAT CORRECT?

21 MR. KLEIN: I HAVE NO PROBLEM WITH THAT. SO
22 STIPULATED.

23 THE COURT: IS THAT AGREEABLE?

24 MR. KLEIN: YES, YOUR HONOR.

25 MR. LEVY: YOUR HONOR IF I MAY. IF THE NUMBER WE
26 SUGGESTED, 113, SHOULD IT TURN OUT TO BE 114 OR 123 OR
27 WHATEVER --

28 MR. MIDDLETON: IT IS 112 AND 113. I BELIEVE IT IS

1 113. THERE ARE TWO CHARTS OF ACCOUNT.

2 MR. LEVY: EITHER 112 OR 113.

3 MR. KLEIN: I HAVE NO PROBLEM. IS COUNSEL SAYING HE
4 IS GOING TO XEROX IT IN THIS BUILDING?

5 MR. LEVY: ABSOLUTELY. WE WOULDN'T TAKE IT OUT OF
6 THE BUILDING.

7 MR. KLEIN: I HAVE NO PROBLEM WITH THAT. I WOULD
8 STIPULATE WHATEVER NUMBER IT IS.

9 THE COURT: DO YOU WANT TO IDENTIFY THE DOCUMENT?

10 MR. MIDDLETON: LET'S SAY EXHIBITS NUMBER 112 AND 113
11 AND THEY ARE LISTED AS CHART OF ACCOUNTS. BOTH OF THEM ARE.
12 ONE IS AN OLDER ONE, ONE IS A NEWER ONE.

13 THE COURT: VERY WELL.

14 MR. MIDDLETON: THAT CAN BE REFLECTED AS PART OF THE
15 MINUTES. THANK YOU, YOUR HONOR.

16 MR. KLEIN: THANK YOU, YOUR HONOR.

17 MR. LEVY: THANK YOU.

18 (PROCEEDINGS CONCLUDED.)

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 50

HON. ALFRED L. MARGOLIS, JUDGE

CHURCH UNIVERSAL & TRIUMPHANT,)
INC., A MONTANA CORPORATION,)

PLAINTIFF,)

VS.)

GREGORY MULL,)

DEFENDANT.)

NO. C 358191

REPORTER'S CERTIFICATE

AND RELATED CROSS-ACTIONS.)

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS

I, KATHLEEN H. ADAMS, OFFICIAL REPORTER OF THE
SUPERIOR COURT OF THE STATE OF CALIFORNIA, FOR THE COUNTY OF
LOS ANGELES, DO HEREBY CERTIFY THAT THE FOREGOING PAGES, 1
THROUGH 40, 43 THROUGH 943, AND 1220 THROUGH 2891 INCLUSIVE,
COMPRISE A FULL, TRUE AND CORRECT TRANSCRIPT OF THE
PROCEEDINGS HELD IN THE ABOVE-ENTITLED MATTER, AS DESIGNATED
BY COUNSEL TO BE INCLUDED IN THE TRANSCRIPT ON APPEAL,
REPORTED BY ME ON JANUARY 30, 1986; FEBRUARY 4, 5, 6, 10,
11, 12, 13, 18, 19, 20, 24, 25 AND 26, 1986; MARCH 4, 5, 6,
10, 11, 12, 13, 17, 18, 19, 20, 24, 25, 26, 27, 28 AND 31,
1986; APRIL 1, 2 AND 7, 1986; AND MAY 30, 1986.

DATED THIS 30TH DAY OF SEPTEMBER, 1987.

/s/ Kathleen H. Adams, CSR #2853
OFFICIAL REPORTER

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 50

HON. ALFRED L. MARGOLIS, JUDGE

CHURCH UNIVERSAL, INC, ET AL.,)
)
) PLAINTIFFS,)
)
) VS.)
)
) GREGORY MULL,)
)
) DEFENDANT.)

NO. C358191

REPORTER'S CERTIFICATE

STATE OF CALIFORNIA)
) SS
COUNTY OF LOS ANGELES)

I, BRIDGET F. GEORGE, OFFICIAL REPORTER OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, FOR THE COUNTY OF LOS ANGELES, DO HEREBY CERTIFY THAT THE FOREGOING PAGES, 41 THROUGH 41-4, INCLUSIVE, COMPRISE A TRUE AND CORRECT TRANSCRIPT OF THE PROCEEDINGS HELD IN THE ABOVE-ENTITLED MATTER, AS DESIGNATED BY COUNSEL TO BE INCLUDED IN THE TRANSCRIPT ON APPEAL, REPORTED BY ME ON FEBRUARY 6, 1986.

DATED THIS 8TH DAY OF OCTOBER, 1987.

Bridget F. George

OFFICIAL REPORTER CSR #6148

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 50 HON. ALFRED L. MARGOLIS, JUDGE

CHURCH UNIVERSAL & TRIUMPHANT,)
INC., A MONTANA CORPORATION,)

PLAINTIFF,)

VS.)

GREGORY MULL,)

DEFENDANT.)

NO. C 358191

REPORTER'S CERTIFICATE

AND RELATED CROSS-ACTIONS.)

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS

I, CELESTE HALE, OFFICIAL REPORTER OF THE
SUPERIOR COURT OF THE STATE OF CALIFORNIA, FOR THE COUNTY OF
LOS ANGELES, DO HEREBY CERTIFY THAT THE FOREGOING PAGE 42
COMPRISES A FULL, TRUE AND CORRECT TRANSCRIPT OF THE
PROCEEDINGS HELD IN THE ABOVE-ENTITLED MATTER, AS DESIGNATED
BY COUNSEL TO BE INCLUDED IN THE TRANSCRIPT ON APPEAL,
REPORTED BY ME ON THURSDAY, FEBRUARY 6, 1986.

DATED THIS 30TH DAY OF OCTOBER, 1987.

/s/ Celeste Hale by Kathleen H. Adams, CSR #1310
OFFICIAL REPORTER

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

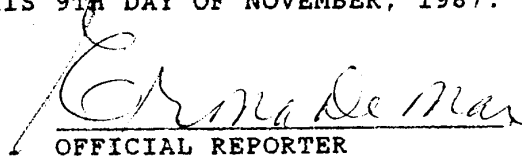
CHURCH UNIVERSAL & TRIUMPHANT,)
INC., ETC., ET AL.,)
)
PLAINTIFFS-APPELLANTS,)
)
VS.)
GREGORY MULL,)
)
RESPONDENT.)

NO. C 358 191
REPORTER'S
CERTIFICATE

STATE OF CALIFORNIA)
) SS
COUNTY OF LOS ANGELES)

I, ERMA DEMAR, OFFICIAL REPORTER OF THE SUPERIOR COURT
OF THE STATE OF CALIFORNIA, FOR THE COUNTY OF LOS ANGELES,
DO HEREBY CERTIFY THAT THE FOREGOING PAGES, 944 THROUGH 1219 &
1219-1 THROUGH 1219-13 COMPRISE A FULL, TRUE, AND CORRECT
TRANSCRIPT OF THE PROCEEDINGS REPORTED BY ME ON FEBRUARY 24 &
25, 1986 IN THE ABOVE-ENTITLED MATTER.

DATED THIS 9TH DAY OF NOVEMBER, 1987.

 CSR NO. 2117
OFFICIAL REPORTER

STIPULATION OF COUNSEL

IT IS HEREBY STIPULATED THAT THE FOREGOING TRANSCRIPT ON APPEAL IS A TRUE AND CORRECT TRANSCRIPT OF THE DESIGNATED RECORD ON APPEAL IN SAID ACTION.

DATED THIS _____ DAY OF _____, 19____.

ATTORNEY FOR APPELLANT

DATED THIS _____ DAY OF _____, 19____.

ATTORNEY FOR RESPONDENT

JUDGE'S CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING TRANSCRIPT ON APPEAL (HAS BEEN CORRECTED AND IS NOW TRUE AND CORRECT) (IS TRUE AND CORRECT), AND THE SAME IS HEREBY SETTLED, ALLOWED, AND MADE A PART OF THE RECORD IN THIS CASE.

DATED THIS _____ DAY OF _____, 19____.

JUDGE

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CLERK'S CERTIFICATE

STATE OF CALIFORNIA)
) SS
COUNTY OF LOS ANGELES)

NO. C 358191

NOTICE OF COMPLETION OF REPORTER'S TRANSCRIPT ON
APPEAL IN THE WITHIN-CONTAINED MATTER HAVING BEEN MAILED TO
THE ATTORNEYS REPRESENTING THE APPELLANT AND THE RESPONDENT,
AND NO REQUEST FOR CORRECTION OF THE TRANSCRIPT ON APPEAL
HAVING BEEN FILED, AND THE TIME FOR SAID FILING HAVING
EXPIRED;

PURSUANT TO RULE 8(A) OF THE CALIFORNIA RULES OF
COURT, I HEREBY CERTIFY THAT THE FOREGOING RECORD,
CONSISTING OF _____ PAGES, IS A TRUE AND CORRECT
TRANSCRIPT ON APPEAL, AS DESIGNATED BY COUNSEL.

DATED THIS _____ DAY OF _____, 19_____.

FRANK ZOLIN, COUNTY CLERK/EXECUTIVE OFFICER
OF THE SUPERIOR COURT OF CALIFORNIA,
COUNTY OF LOS ANGELES.

BY: _____ DEPUTY