

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

4 Mario F. Moreno
5 100 Watchtower Drive
6 Patterson, NY 12563-9204
7 Telephone: (845) 306-1000
8 Facsimile: (845) 306-0709

9 Attorney for Watchtower Bible and Tract
10 Society of New York, Inc. (sued as "Defendant
11 Doe 3, Supervisory Organization")

12 **SUPERIOR COURT OF CALIFORNIA**
13 **COUNTY OF SAN DIEGO**

14 JOHN DORMAN, INDIVIDUALLY, AND)
15 JOEL GAMBOA, INDIVIDUALLY)

16 Plaintiffs,)

17 vs.)

18 DEFENDANT DOE 1 LA JOLLA CHURCH,)
19 DEFENDANT DOE 2 LINDA VISTA)
20 CHURCH AND DEFENDANT DOE 3)
21 SUPERVISORY ORGANIZATION,)
22 DEFENDANT DOE 4, PERPETRATOR,)
23 AND DOES 5 THROUGH 100, INCLUSIVE)

24 Defendants.)
25)

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

**DEFENDANT WATCHTOWER'S
LODGMET OF EXHIBITS IN
SUPPORT OF SEPARATE STATEMENT
OF FACTS IN REPLY TO PLAINTIFFS'
OPPOSITION TO DEFENDANTS'
MOTIONS FOR SUMMARY JUDGMENT**

JUDGE: STEVEN R. DENTON
DEPT.: C-73
DATE: December 16, 2011
TIME: 10:30 a.m.

TRIAL DATE: April 20, 2012

1 Watchtower Bible and Tract Society of New York, Inc. (sued as "Defendant Doe 3,
2 Supervisory Organization") hereby lodges the following documents in Support of Separate
3 Statement of Facts in Reply to Plaintiffs' Opposition to Defendants' Motions For Summary
4 Judgment.

5 Exhibit A: Second Affidavit of Allen Shuster.

6 Exhibit B: True and correct copies of pages 1, 16, 17, 20, 171, and 173 of the deposition of
7 Gonzalo Campos.

8 Exhibit C: Affidavit of Ralph Schaefer.

9 Exhibit D: Affidavit of Ramon Preciado.

10 DATED: December 6, 2011

11 Watchtower Bible and Tract Society of
12 New York, Inc., Legal Department

13 By: 

14 Mario F. Moreno
15 Attorney for Defendant Watchtower
16 Bible and Tract Society of New York,
17 Inc. (sued as "Doe 3, Supervisory
18 Organization")
19
20
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EXHIBIT A

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

4 Mario F. Moreno
5 100 Watchtower Drive
6 Patterson, NY 12563-9204
7 Telephone: (845) 306-1000
8 Facsimile: (845) 306-0709

9 Attorney for Defendant Watchtower Bible and
10 Tract Society of New York Inc. (sued as
11 "Defendant Doe 3, Supervisory Organization")

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **COUNTY OF SAN DIEGO**

14 **JOHN DORMAN, Individually, and JOEL**
15 **GAMBOA, Individually,**

16 Plaintiffs,

17 v.

18 **DEFENDANT DOE 1, La Jolla Church,**
19 **DEFENDANT DOE 2, Linda Vista Church,**
20 **and DEFENDANT DOE 3, Supervisory**
21 **Organization, DEFENDANT DOE 4,**
22 **Perpetrator, and DOES 5 through 100,**
23 **inclusive,**

24 Defendants.

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

SECOND AFFIDAVIT OF
ALLEN SHUSTER

25 I, Allen Shuster, after being duly sworn, deposes and states that if called to testify in this
26 matter I would competently testify as follows:

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

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

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

1 3. On April 23, 1976, I began serving at the U.S. Branch Offices of Jehovah's
2 Witnesses in New York, and I have served in the Service Department of the U.S. Branch Offices
3 since February 5, 1981. I provide spiritual assistance to congregation elders who call or write
4 the Service Department for help, and I supervise other elders in the Service Department. I also
5 review the qualifications for the appointment of elders and ministerial servants to congregations
6 of Jehovah's Witnesses in the United States.

7 4. My duties in the Service Department require that I be familiar with and keep
8 current with the beliefs and practices of Jehovah's Witnesses, and that I be familiar with and
9 keep current with the internal governance and organization of Jehovah's Witnesses from the
10 U.S. branch offices to the congregation level, including the qualifications and roles of
11 congregation members, elders, ministerial servants, and regular and auxiliary pioneers within
12 the congregation.

13 5. When one is baptized as one of Jehovah's Witnesses—whether man, woman, or
14 even young boy or girl—he or she is considered an ordained minister of the Good News.
15

16 6. However, that 'ordination' is limited, and denotes their role as a Witness of their
17 God, Jehovah. It does not, however, give the newly baptized one authority to take the lead in
18 teaching, providing pastoral care, and supervising and organizing a congregation; that can only
19 occur when a male Witness is appointed to serve as an Elder.
20

21 7. Furthermore, within the faith of Jehovah's Witnesses, when a person is baptized
22 as one of Jehovah's Witnesses, he is also considered a congregation "member" and a
23 "publisher." Thus, the terms member, publisher, and ordained minister mean the same and are
24 interchangeable within the faith of Jehovah's Witnesses, but the term "publisher" is most often
25 used when referring to a baptized Witness.
26
27
28

1 8. The public preaching of the Good News of God's Kingdom (i.e. field ministry)
2 for which Jehovah's Witnesses' men, women, and children are well known, is not controlled or
3 monitored by the elders, the congregation, the Service Department, or Watchtower. Their field
4 ministry activity, and the time and manner in which they perform it, is done willingly and
5 without constraint since it is a personal matter between them and their God, and there is no hour
6 or literature placement requirement. Congregation publishers are not required to complete or
7 turn in any forms or reports regarding their field ministry activity to anyone, nor are they
8 required to engage in the field ministry in any specific territory. Nor is it a prerequisite for
9 publishers to conform to any dress code or grooming requirement established by Watchtower.
10 However, congregation members are encouraged to follow the Bible's guidelines for well-
11 arranged and modest dress and grooming. The primary purpose of the preaching of the field
12 ministry is to preach the Good News of God's Kingdom and honor Jehovah God.
13

14 9. Jehovah's Witnesses do not engage in their field ministry activity as
15 representatives or on behalf of Watchtower or any congregation of Jehovah's Witnesses. They
16 engage in the field ministry in personal response to Jesus' command at Matthew 28:19-20, not a
17 response to any command from Watchtower or any congregation of Jehovah's Witnesses. But
18 all unbaptized and baptized publishers may participate in the field service and in meetings for
19 field service with other congregation publishers. Since baptized publishers are congregation
20 members, they have greater privileges and responsibilities than unbaptized publishers, who
21 Jehovah's Witnesses do not yet consider as congregation members.
22

23 10. Before Jehovah's Witnesses engage in their field ministry, they generally meet
24 for about 10 to 15 minutes with a small group of other congregation members. This brief
25 meeting is known as a "meeting for field service" and it is generally conducted by an elder or
26 ministerial servant. On those few occasions when an elder or ministerial servant is unavailable,
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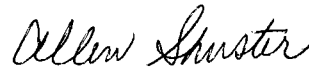
1 a baptized male (or a baptized female if a baptized male is unavailable), will conduct the brief
2 meeting for field service. The purpose of the meeting for field service is to provide
3 encouragement and share a helpful suggestion related to the public ministry. Jehovah's
4 Witnesses are not required to attend a meeting for field service before participating in the public
5 ministry.

6 11. Regular and auxiliary pioneers are not revered; both have a greater privilege and
7 responsibility of field service, but neither is considered to be a position of authority within the
8 religious organization of Jehovah's Witnesses, as in the case of an Elder or Ministerial Servant.
9 During the 1980's, regular pioneers set as a goal to average 90 hours per month in field service,
10 and auxiliary pioneers set as a goal to average 60 hours per month field service.

11 12. The purpose of the Theocratic Ministry School and Service Meeting is to help
12 publishers to progress in their teaching and field ministry activity, not to ensure uniformity and
13 consistency in the distribution of literature. But publishers are not required to attend meetings
14 nor are they required to receive training with regard to their teaching and field ministry activity,
15 and they are not graded or evaluated on their teaching or field ministry by elders or anyone else.

16 SIGNED this the 7 day of December, 2011.

17 I declare under penalty of perjury under the laws of the State of California that the foregoing is
18 true and correct to the best of my information, belief, and knowledge.

19 

20 Allen Shuster

21 STATE OF NEW YORK)
22) ss.:
23 COUNTY OF PUTNAM)

24 SUBSCRIBED AND SWORN TO BEFORE ME on the 7 day of December, 2011, to certify
25 which witness my hand and official seal.

26 A. HERNAN STEELE
27 NOTARY PUBLIC-STATE OF NEW YORK
28 No. 01-ST6106293
Qualified in Putnam County 12
Commission Expires March 01, 2008

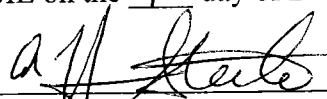

Notary Public, State of New York

EXHIBIT B

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

John Dorman, Individually, and)
Joel Gamboa, Individually,)
)
Plaintiffs,)

) CASE NUMBER: 37-2010-000
) 92450-CU-PO-CTL

v.)

Defendant Doe 1, La Jolla)
Church; Defendant Doe 2, Linda)
Vista Church; Defendant Doe 3,)
Supervisory Organization;)
Defendant Doe 4, Perpetrator,)
and Does 5 through 100,)
Inclusive,)
)
Defendants.)

-----)

DEPOSITION OF
GONZALO CAMPOS

ZONA RIO, TIJUANA B.C., MEXICO

SEPTEMBER 2, 2011

ATKINSON-BAKER, INC.
COURT REPORTERS
(800) 288-3376
www.depo.com

REPORTED BY: GLORIA D. MAZON, CSR NO. 9356

FILE NO.: A507DA0

1	A	Yes.	11:39:07
2	Q	In what year?	11:39:08
3	A	In 1980.	11:39:11
4	Q	And you were about 17 years old then?	11:39:15
5	A	Yes.	11:39:18
6	Q	And you were still associated with the Linda	11:39:19
7		Vista Congregation at that time?	11:39:22
8	A	Yes.	11:39:32
9	Q	And prior to becoming a baptized member of the	11:39:33
10		congregation, did you attend the preaching work that's	11:39:38
11		done by Jehovah's Witnesses?	11:39:40
12	A	Yes.	11:39:59
13	Q	And what age were you, when you started	11:40:00
14		participating in preaching?	11:40:03
15	A	After having been baptized too.	11:40:16
16	Q	So you weren't a publisher in the congregation,	11:40:19
17		before you were baptized?	11:40:21
18	A	Yes.	11:40:26
19	Q	For how long before your baptism, were you a	11:40:27
20		publisher in the congregation?	11:40:31
21	A	I don't remember if it was about six months or	11:40:40
22		a year.	11:40:44
23	Q	After your baptism as one of the Jehovah's	11:40:47
24		Witnesses in the Linda Vista Congregation, did you ever	11:40:50
25		serve as a ministerial servant?	11:40:53

1 Q So does 1986 sound about right, when you moved 11:47:40
2 from Linda Vista to La Jolla Congregation? 11:47:43
3 A Yes. 11:47:58
4 Q And when you started attending meetings at the 11:48:00
5 La Jolla Congregation, what was the reason for your 11:48:04
6 changing from Linda Vista to La Jolla Congregation? 11:48:09
7 A Because the Linda Vista Congregation was -- it 11:48:51
8 had a lot of publishers and they started to divide up and 11:48:59
9 it was more convenient for me to go to La Jolla, because 11:49:05
10 that's where I lived or that's where I was; that was what 11:49:18
11 pertained to me. 11:49:22
12 Q So you lived closer to the La Jolla 11:49:25
13 Congregation, than you did to Linda Vista. 11:49:27
14 Is that why you moved to that congregation? 11:49:30
15 A Yes. 11:49:40
16 Q And when you started associating at the La 11:49:42
17 Jolla Congregation, were you an elder? 11:49:44
18 A No. 11:49:52
19 Q Were you a ministerial Servant? 11:49:53
20 A No. 11:50:02
21 Q Were you a regular or auxiliary pioneer? 11:50:02
22 A No. 11:50:09
23 Q Prior to your moving to La the Jolla 11:50:10
24 Congregation, did there come a time when you lived in the 11:50:11
25 home with Arturo Jemio? 11:50:15

REPORTER'S CERTIFICATE

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I, GLORIA D. MAZON, CSR No. 9356, Certified
Shorthand Reporter, certify;
That the foregoing proceedings were taken before me
at the time and place therein set forth, at which time
the witness was put under oath by me;

That the testimony of the witness, the questions
propounded, and all objections and statements made at the
time of the examination were recorded stenographically by
me and were thereafter transcribed;

That the foregoing is a true and correct transcript
of my shorthand notes so taken.

I further certify that I am not a relative or
employee of any attorney of the parties, nor financially
interested in the action.

I declare under penalty of perjury under the laws
of California that the foregoing is true and correct.

Dated this _____ day of _____, 2011

GLORIA D. MAZON C.S.R. No. 9356

EXHIBIT C

1 **THE McCABE LAW FIRM, APC**

2 James M. McCabe SBN 51040

3 4817 Santa Monica Avenue

4 San Diego, CA 92107

5 Telephone: (619) 224-2848

6 Facsimile: (619) 224-0089

7 Attorney for Church Defendants

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

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

12 Plaintiffs,

13 v.

14 **DEFENDANT DOE 1, Linda Vista Church,**
15 **DEFENDANT DOE 2, Linda Vista Church,**
16 **and DEFENDANT DOE 3, Supervisory**
17 **Organization, DEFENDANT DOE 4,**
18 **Perpetrator, and DOES 5 through 100,**
19 **inclusive,**

20 Defendants.

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

AFFIDAVIT OF RALPH SCHAEFER

21 Ralph Schaefer, being duly sworn, deposes and states that if called to testify in this
22 matter I would competently testify as follows:

23 1. I am a member of the Worldwide Order of Special Full-Time Servants of Jehovah's
24 Witnesses since December 31, 1959.

25 2. Since August 1, 1970, I have served in the Service Department at the U.S. Branch
26 Offices of Jehovah's Witnesses in Patterson, New York. I provide spiritual assistance to
27 congregation elders who call or write the Service Department for help. Prior to March 2001, the
28 spiritual assistance provided by the Service Department, along with the appointment of elders,
was communicated to congregations of Jehovah's Witnesses through the Watchtower Bible and
Tract Society of New York, Inc. Since March 2001, this has been communicated through the

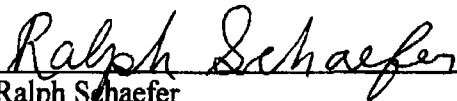
1 Christian Congregation of Jehovah's Witnesses.

2 3. As part of my work in the Service Department, I have custody, control and access to
3 the records of all those Jehovah's Witnesses who have ever served as "regular pioneers."

4 4. I have thoroughly searched these records maintained by the Service Department and
5 those records show that Gonzalo Campos never served as a regular pioneer in any congregation
6 of Jehovah's Witnesses.

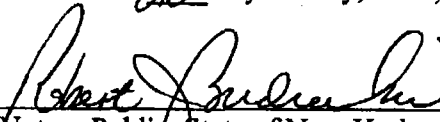
7 This is a true and correct statement signed under the penalty of perjury.

8 DATED: May 20, 2011

9
10 
11 Ralph Schaefer

12 STATE OF NEW YORK)
13) ss.:
14 COUNTY OF PUTNAM)

15 SUBSCRIBED AND SWORN TO BEFORE ME on the 20th day of May, 2011, to certify
16 which witness my hand and official seal.

17 
18 Notary Public, State of New York

19 ROBERT J. BUDRECKI
20 Notary Public, State Of New York
21 No. 01BU6003185
22 Qualified in Putnam County
23 Commission Expires 02/23/2014

EXHIBIT D

1 **LAW OFFICE OF ROCKY K. COPLEY**
2 Rocky K. Copley (SBN 101628)
3 225 Broadway, Suite 2100
4 San Diego, CA 92101
5 Telephone: (619) 232-3131
6 Facsimile: (619) 232-1690

7 Attorney for Defendant Doe 2 Linda Vista Church

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

11 **JOHN DORMAN, Individually, and JOEL**
12 **GAMBOA, Individually,**

13 **Plaintiffs,**

14 **v.**

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

21 **Defendants.**

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

AFFIDAVIT OF RAMON PRECIADO

22 I, Ramon Preciado, after being duly sworn, depose and state that if called to testify I
23 would do so as follows:

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

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

26 2. I was a member of the Linda Vista Spanish Congregation of Jehovah's Witnesses
27 (hereinafter "Linda Vista Spanish Congregation"), from 1974 to 1986, and served as a
28 Ministerial Servant from about 1981 until about the end of 1984 or beginning of 1985 when I
was appointed as an Elder in that same congregation.

1 3. I met Gonzalo Campos (hereinafter "Campos") when he was a teenager and he
2 first began to associate with the Linda Vista Spanish Congregation in about 1979 or 1980, along
3 with his mother.

4 4. I studied the Bible with Campos when he was teenager attending meetings at the
5 Linda Vista Spanish Congregation with his mother, and eventually I invited him to accompany
6 the Linda Vista Spanish Congregation in the field ministry as an approved associate of
7 Jehovah's Witnesses.

8 5. I am aware that Campos was later baptized as one of Jehovah's Witnesses in
9 1980, and he continued to attend meetings as a baptized publisher with the Linda Vista Spanish
10 Congregation.
11

12 6. I am aware that by 1986 the Linda Vista Spanish Congregation had grown larger
13 in number and the La Jolla Spanish Congregation was formed in November 1986 as an offshoot
14 of the Linda Vista Spanish Congregation.
15

16 7. I am aware that when the La Jolla Spanish Congregation was formed, my family,
17 Campos and his mother, and other former members of the Linda Vista Spanish Congregation
18 who lived closer to the La Jolla Spanish Congregation's territory began to associate with the
19 newly formed congregation because it was more convenient.

20 8. I am aware that Campos never served as a Ministerial Servant, Elder, or Regular
21 Pioneer while he was associated with the Linda Vista Spanish Congregation, so he was still a
22 baptized publisher when he began associating with the newly formed La Jolla Spanish
23 Congregation in late 1986.
24

25 9. I am aware that Campos was eventually appointed as a Ministerial Servant in the
26 La Jolla Spanish Congregation on December 22, 1988, while I was serving as an Elder in that
27 same congregation.
28

1 10. I am aware that the La Jolla Spanish Congregation, now known as the Playa
2 Pacifica Spanish Congregation, is made up of individuals and families who regularly share
3 together to worship at the Kingdom Hall of Jehovah's Witnesses located at 4243 Ingraham
4 Street, San Diego, California.

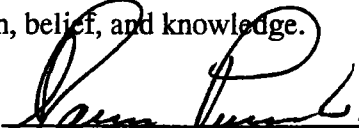
5 11. I am aware that at times members of the Playa Pacifica Spanish Congregation
6 served as regular pioneers, but I am also aware that Gonzalo Campos never did so.

7 12. I am aware that Campos was eventually appointed as an Elder in the Playa
8 Pacifica Spanish Congregation in 1993.

9 13. I have been an elder in four congregations including Linda Vista Spanish, La
10 Jolla Spanish and Playa Pacifica Spanish congregations and I am aware that nearly all of the
11 elders in these congregations were married and most had children.
12

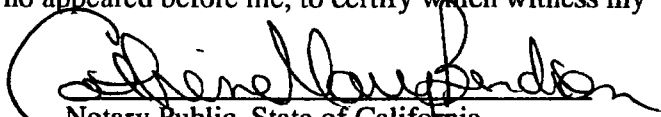
13
14 SIGNED this the 22 day of September, 2011.

15
16 I declare under penalty of perjury under the laws of the State of California that the foregoing is
17 true and correct to the best of my information, belief, and knowledge.

18 
19 _____
Ramon Preciado

20 STATE OF CALIFORNIA)
21) ss.:
22 COUNTY OF SAN DIEGO)

23 SUBSCRIBED AND SWORN TO BEFORE ME, Catherine Mary Bendixen, a Notary Public,
24 on the 22 day of September, 2011, by Ramon Preciado, proved to me on the basis of
25 satisfactory evidence to be the person who appeared before me, to certify which witness my
26 hand and official seal.

27 
28 _____
Notary Public, State of California

