

Secrets of
Pedophilia
in an.
American
Religion

Jehovah's Witnesses in Crisis

BARBARA ANDERSON

Court Documents

Bradley et al

vs

Jehovah's Witnesses

CONTENTS

CASE # A461675

**DISTRICT COURT OF THE STATE OF NEVADA
FOR THE COUNTY OF CLARK**

Filed: 2003

**DAWN BRADLEY; AMANDA CIRONE; ANNETTE REED; DONNA WILKES;
AND LORI L.,
Plaintiffs,**

vs.

**WATCHTOWER BIBLE AND TRACT SOCIETY OF NEW YORK, INC.;
JEHOVAH'S WITNESSES NEVADA CIRCUIT; YERINGTON ENGLISH
CONGREGATION OF JEHOVAH'S WITNESSES, INC.; WATCH TOWER
BIBLE AND TRACT SOCIETY OF PENNSYLVANIA; WATCHTOWER
ENTERPRISES, INC., WATCHTOWER FOUNDATION, INC.; WATCHTOWER
ASSOCIATES, LTD.; KINGDOM SUPPORT SERVICES, INC.; CHRISTIAN
CONGREGATION OF JEHOVAH'S WITNESSES; RELIGIOUS ORDER OF
JEHOVAH'S WITNESSES; DANIEL STEVEN FITZWATER; CHARLES
KATTNIG,**

Defendants.

	Page
FIRST AMENDED COMPLAINT, Filed 3/20/03	3
ANSWER TO FIRST AMENDED COMPLAINT, Filed 4/24/03	15
DEFENDANT'S RESPONSE TO COMPLAINT, Filed 12/31/03	24
MOTION TO DISMISS, Filed 12/31/03	27
STIPULATION AND ORDER TO DISMISS ACTION, Filed 2/3/05	30
NOTICE OF ENTRY OF ORDER, Filed 2/16/05	33

1 **ACOMP**
 DOUGLAS M. COHEN, ESQ.
 2 Nevada Bar #1214
JONES VARGAS
 3 Third Floor South
 3773 Howard Hughes Parkway
 4 Las Vegas, NV 89109
 Telephone: (702) 862-3300
 5 Facsimile: (702) 737-7705

6 GREGORY S. LOVE, ESQ.
LOVE & NORRIS
 7 314 Main Street, Suite 300
 Fort Worth, Texas 76102-7423
 8 Telephone: (817) 335-2800

9 HARTLEY HAMPTON, ESQ.
FIBICH, HAMPTON, LEEBRON & GARTH
 10 1401 McKinney, Suite 1800
 Five Houston Center
 11 Houston, Texas 77010
 Telephone: (713) 751-0025
 12 *Attorneys for Plaintiffs*

District Court

CLARK COUNTY, NEVADA

15
 16 DAWN BRADLEY, AMANDA CRONE,
 ANNETTE REED, DONNA WILKES, and
 17 LORI L.,

Plaintiffs,

18 vs.

19 WATCHTOWER BIBLE AND TRACT SOCIETY
 OF NEW YORK, INC.; JEHOVAH'S WIT-
 20 NESSES NEVADA CIRCUIT; YERINGTON
 ENGLISH CONGREGATION OF JEHOVAH'S
 21 WITNESSES, INC.; WATCH TOWER BIBLE
 AND SOCIETY OF PENNSYLVANIA; WATCH-
 22 TOWER ENTERPRISES, INC.; WATCHTOWER
 FOUNDATION, INC.; WATCHTOWER ASSO-
 23 CIATES, LTD.; KINGDOM SUPPORT
 SERVICES, INC.; CHRISTIAN CONGREGA-
 24 TION OF JEHOVAH'S WITNESSES;
 RELIGIOUS ORDER OF JEHOVAH'S WIT-
 25 NESSES; DANIEL STEVEN FITZWATER and
 CHARLES KATTNIG,

Defendants.

FILED
 MAR 20 3 59 PM '03
Shirley S. Lawrence
 CLERK

Case No. A461675

Department No. VII

FIRST AMENDED COMPLAINT

JONES VARGAS
 3773 Howard Hughes Parkway - Third Floor South
 Las Vegas, Nevada 89109
 Tel: (702) 862-3300 Fax: (702) 737-7705

JONES VARGAS
3773 Howard Hughes Parkway - Third Floor South
Las Vegas, Nevada 89109
Tel: (702) 862-3300 Fax: (702) 737-7705

1 Plaintiffs, DAWN BRADLEY, AMANDA CIRONE, ANNETTE REED, DONNA
2 WILKES and LORI L. complain as follows:

- 3 1. Plaintiff DAWN BRADLEY is a resident of Nevada.
- 4 2. Plaintiff AMANDA CIRONE is a resident of Nevada.
- 5 3. Plaintiff ANNETTE REED is a resident of Nevada.
- 6 4. Plaintiff DONNA WILKES is a resident of Oregon.
- 7 5. Plaintiff LORI L. is a resident of Nevada.

8 6. Defendant JEHOVAH'S WITNESSES NEVADA CIRCUIT is a corporation
9 organized and existing under the laws of the State of Nevada. At all material times, the
10 Jehovah's Witnesses Nevada Circuit maintained its offices in Las Vegas, Clark County,
11 Nevada.

12 7. Defendant YERINGTON ENGLISH CONGREGATION OF JEHOVAH'S
13 WITNESSES, INC. is a corporation existing under the laws of the State of Nevada. At all
14 material times, the Yerington English Congregation of Jehovah's Witnesses, Inc.
15 maintained its offices and conducted business within the State of Nevada through its
16 agents and servants.

17 8. Defendant WATCHTOWER BIBLE AND TRACT SOCIETY OF NEW
18 YORK, INC., a corporation organized and existing under the laws of the State of New
19 York, has conducted business within the State of Nevada through its agents, servants, and
20 its alter egos.

21 9. Defendant WATCH TOWER BIBLE AND TRACT SOCIETY OF PENN-
22 SYLVANIA, a corporation organized and existing under the laws of the State of
23 Pennsylvania, has conducted business within the State of Nevada through its agents,
24 servants, and its alter egos.

25 10. Defendant WATCHTOWER ENTERPRISES, INC., a limited liability
26 company organized and existing under the laws of the State of New York, has conducted
27 business within the State of Nevada through its agents, servants, and its alter egos.

28 ...

JONES VARGAS
3773 Howard Hughes Parkway - Third Floor South
Las Vegas, Nevada 89109
Tel: (702) 862-1300 Fax: (702) 737-7705

1 11. Defendant WATCHTOWER FOUNDATION, INC., a corporation organized
2 and existing under the laws of the State of New York has conducted business within the
3 State of Nevada through its agents, servants, and its alter egos.

4 12. Defendant WATCHTOWER ASSOCIATES, LTD., a corporation organized
5 and existing under the laws of the State of New York, has conducted business within the
6 State of Nevada through its agents, servants, and its alter egos.

7 13. Defendant KINGDOM SUPPORT SERVICES, INC., a corporation organized
8 and existing under the laws of the State of New York has conducted business within the
9 State of Nevada through its agents, servants, and its alter egos.

10 14. Defendant CHRISTIAN CONGREGATION OF JEHOVAH'S WITNESSES,
11 a corporation organized and existing under the laws of the State of New York, has
12 conducted business within the State of Nevada through its agents, servants, and its alter
13 egos.

14 15. Defendant RELIGIOUS ORDER OF JEHOVAH'S WITNESSES, a
15 corporation organized and existing under the laws of the State of New York, has conducted
16 business within the State of Nevada through its agents, servants, and its alter egos.

17 16. Defendant DANIEL STEVEN FITZWATER currently resides at the Northern
18 Nevada Correctional Center in Carson City, Ormsby County, Nevada.

19 17. Defendant CHARLES KATTNIG currently resides at 2832 S. Maryland
20 Pkwy, Las Vegas, Clark County, Nevada.

21 18. The Defendant entities are collectively referred to herein as the
22 "WATCHTOWER DEFENDANTS" because each is the alter ego of each other and
23 operate as a single business enterprise.

24 19. The WATCHTOWER DEFENDANTS' organization has a hierarchical
25 structure in which the GOVERNING BODY sits at the top of a strict chain of command
26 that extends over each individual and Defendant entity in the organization. These
27 individuals and entities act as agents, servants and alter egos of each other. Authority for
28 any actions by the organization or its members must derive from the GOVERNING

1 BODY. The GOVERNING BODY is a small group of men who operate out of various
2 entities within the hierarchical structure. At all times material hereto, the WATCHTOWER
3 DEFENDANTS acted as agents and the alter egos of each other. Alternatively, the
4 WATCHTOWER DEFENDANTS were all engaged, at all material times, in a single
5 business enterprise.

6 20. All of the Defendants are the agents and servants of each other and are
7 vicariously liable for each other's acts. The WATCHTOWER DEFENDANTS are so
8 organized and controlled and their affairs are so conducted that they are merely one
9 instrumentality or adjuncts to each other and alter egos of each other.

10 21. Through its hierarchical structure, the WATCHTOWER DEFENDANTS
11 assume complete responsibility for the development, protection and discipline of its
12 membership, especially the children of members. All male members, whether Elders,
13 Ministerial Servants, Pioneers and/or Publishers, are appointed and empowered by the
14 GOVERNING BODY to carry out this responsibility.

15 22. To further their goals, the WATCHTOWER DEFENDANTS authorize male
16 members to develop relationships of trust with women, children and families and to
17 assume the role of counselor and advocate for any problems that might arise, including
18 claims of child abuse. It is the responsibility of the Elders and those higher up in the chain
19 of command, all the way up to the GOVERNING BODY, to decide if abuse has occurred
20 and how it should be handled.

21 23. At all material times, the victim and/or accuser has been prohibited from
22 warning others or speaking about the matter to anyone under penalty of discipline by the
23 WATCHTOWER DEFENDANTS. Victim/accusers are not permitted to report suspected
24 abuse to outside authorities or to other Publishers within the organization, despite secular
25 duties regarding the reporting of sexual abuse. Violation of this policy can lead to severe
26 sanctions.

27 24. At all material times, the WATCHTOWER DEFENDANTS vested Defendant
28 CHARLES KATTNIG with leadership authority within the WATCHTOWER

1 DEFENDANTS' organization, including the position of Presiding Elder and Overseer
2 appointed to the Defendant YERINGTON CONGREGATION OF JEHOVAH'S
3 WITNESSES. The WATCHTOWER DEFENDANTS at all times held Defendant
4 CHARLES KATTNIG to be a leader in good standing whose authority was to be obeyed.
5 Consequently, Defendant CHARLES KATTNIG occupied a special relationship of trust
6 and confidence, which he had established as a spiritual leader and counselor to women and
7 children in the congregation.

8 25. Beginning in 1966 and continuing until at least 1973, Defendant CHARLES
9 KATTNIG continuously molested his granddaughter, Plaintiff LORI L, and between 1975
10 and 1978 continuously molested, Plaintiff ANNETTE REED.

11 26. Prior to 1966 and continuing thereafter, the WATCHTOWER DEFENDANTS
12 knew and/or should have known that Defendant CHARLES KATTNIG was sexually
13 molesting young girls in the WATCHTOWER DEFENDANTS'S organization, including
14 Plaintiffs LORI L, ANNETTE REED, and others. Notwithstanding, the WATCHTOWER
15 DEFENDANTS failed to notify anyone that Defendant CHARLES KATTNIG was using
16 his position of authority to sexually molest young children. The WATCHTOWER
17 DEFENDANTS further failed to take any steps to inform other Publishers of this fact or
18 otherwise protect the victims and potential victims. In fact, the WATCHTOWER
19 DEFENDANTS actively and fraudulently concealed this information from Plaintiffs and
20 other victims and continued to allow Defendant CHARLES KATTNIG uninhibited access
21 to these victims in his role as Presiding Overseer and Elder with leadership authority over
22 women and children.

23 27. From 1974 until the present date, the WATCHTOWER DEFENDANTS
24 vested Defendant DANIEL STEVEN FITZWATER with leadership authority within the
25 WATCHTOWER DEFENDANTS' organization and at all times held him out to be in
26 good standing as a Publisher or leader with higher authority. Consequently, Defendant
27 DANIEL STEVEN FITZWATER occupied a special relationship of trust and confidence,
28

1 which he had established as a spiritual leader and counselor to women and children in the
2 organization.

3 28. Beginning in 1974 and continuing until at least 1983, Defendant DANIEL
4 STEVEN FITZWATER continuously sexually molested his stepdaughter, Plaintiff DAWN
5 BRADLEY, and between 1976 and 1978, he sexually molested Plaintiff DONNA
6 WILKES. The abuse of these Plaintiffs occurred in Nevada and elsewhere.

7 29. While vested with the authority of a Publisher within the WATCHTOWER
8 DEFENDANTS' organization and active in the Yerington Congregation between 1978 and
9 1983, Defendant DANIEL STEVEN FITZWATER continued to sexually molest Plaintiff
10 DAWN BRADLEY in Nevada. He also sexually molested Plaintiffs ANNETTE REED
11 and AMANDA CIRONE in Nevada.

12 30. Prior to 1974, the WATCHTOWER DEFENDANTS knew and/or should have
13 known that Defendant DANIEL STEVEN FITZWATER was sexually molesting Plaintiff
14 DAWN BRADLEY and others. Notwithstanding, the WATCHTOWER DEFENDANTS
15 failed to notify anyone that Defendant DANIEL STEVEN FITZWATER was sexually
16 molesting young girls. The WATCHTOWER DEFENDANTS further failed to take any
17 steps to inform other Publishers of this fact or otherwise protect the victims and potential
18 victims. In fact, the WATCHTOWER DEFENDANTS actively and fraudulently concealed
19 this information from Plaintiffs and other victims and continued to allow Defendant
20 DANIEL STEVEN FITZWATER uninhibited and increased access to these victims in his
21 role as male Publisher with leadership authority over women and children, elevating him
22 first, in 1983, to the positions of Ministerial Servant and full-time Pioneer in the
23 WATCHTOWER DEFENDANTS' organization, and ultimately to Elder. Predictably,
24 Defendant DANIEL STEVEN FITZWATER continued to sexually molest numerous
25 young girls during this time period.

26 31. Plaintiffs and their parents sought the advice and protection of the Elders and
27 told the Elders of the congregations about the abuses perpetrated by Defendant DANIEL
28 STEVEN FITZWATER and CHARLES KATTNIG. The WATCHTOWER

1 DEFENDANTS assumed the role of advocate and counselor to Plaintiffs and their
 2 families. Pursuant to this role, the WATCHTOWER DEFENDANTS instructed Plaintiffs
 3 and their families to keep the abuse matters within the WATCHTOWER DEFENDANTS'
 4 organization and not disclose the abuses to any other Publishers or outside authorities.
 5 Their protection was to be provided by the WATCHTOWER DEFENDANTS. However,
 6 the WATCHTOWER DEFENDANTS not only failed to provide such protection, they
 7 aided and abetted the perpetrator and ratified his conduct, in further damage to Plaintiffs.

8 32. In the spring of 1997, Defendant DANIEL STEVEN FITZWATER was
 9 arrested and charged with two (2) counts of sexual lewdness with a child. In April of
 10 1998, Defendant DANIEL STEVEN FITZWATER was convicted on both counts and
 11 sentenced to prison at the Northern Nevada Correctional Center in Carson City, Nevada.
 12 Nevertheless, the WATCHTOWER DEFENDANTS continue to promote his status as a
 13 Publisher in good standing.

14 33. The WATCHTOWER DEFENDANTS directly and vicariously caused
 15 foreseeable harm to Plaintiffs by, among other things:

- 16 (a) callously aiding, abetting and ratifying the abuse of children by Publishers
 17 and Elders.
- 18 (b) blaming, humiliating, sanctioning and/or disciplining victims/accusers of
 19 sexual abuse instead of the perpetrators.
- 20 (c) negligently failing to report such sexual abuse or suspicions of such abuse,
 21 including the abuse and/or suspected abuse by Defendants CHARLES
 22 KATTNIG and DANIEL STEVEN FITZWATER, to law enforcement and
 23 governmental child welfare agencies and requiring that Publishers not make
 24 such reports.
- 25 (d) negligently failing to warn Publishers and others of the risk of Defendants
 26 CHARLES KATTNIG's and DANIEL STEVEN FITZWATER's abuse after
 27 they knew or should have known of Defendants CHARLES KATTNIG's
 28 DANIEL STEVEN FITZWATER's propensities to use their positions of
 leadership to engage in acts of sexual abuse.
- (e) negligently failing to train its Elders, volunteers, appointed overseers and
 other associated individuals to prevent, identify, investigate, respond to or
 report child abuse.
- (f) negligently failing to adopt adequate policies and procedures for the pro-
 tection of children and other Publishers and/or to implement and comply
 with such procedures that did exist.

JONES VARGAS
3773 Howard Hughes Parkway - Third Floor South
Las Vegas, Nevada 89109
Tel: (702) 867-1368 Fax: (702) 737-7705

- 1 (g) negligently failing to properly investigate matters brought to the WATCH-
- 2 TOWER DEFENDANTS' attention involving child sexual abuse and/or
- 3 (h) elevating Defendants CHARLES KATTNIG and DANIEL STEVEN
- 4 FITZWATER to positions of increased authority over young girls after the
- 5 WATCHTOWER DEFENDANTS knew or should have known of his
- 6 propensities to use his position of leadership to engage in acts of sexual
- 7 (i) negligently failing to provide child abuse victims and their families with any
- 8 assistance in coping with the trauma of abuse and preventing Plaintiffs and
- 9 their families from reporting the abuse to outside authorities and obtaining
- 10 (j) fraudulently concealing from Plaintiffs and their families that Defendants
- 11 had information that Defendants CHARLES KATTNIG and DANIEL
- 12 STEVEN FITZWATER were abusing young children.
- 13 (k) negligently failing to undertake a sexual offender evaluation, provide sexual
- 14 offender treatment and/or obtain psychiatric evaluation and treatment of
- 15 Defendants CHARLES KATTNIG and DANIEL STEVEN FITZWATER
- 16 after they knew or should have known of their propensities to use their
- 17 positions of leadership to engage in acts of sexual abuse.
- 18 (l) negligently failing to properly supervise Defendants CHARLES KATTNIG
- 19 and DANIEL STEVEN FITZWATER as leaders in the organization or to
- 20 monitor their activities after they knew or should have known of their
- 21 propensities to use their positions of leadership to engage in acts of sexual
- 22 abuse.

23 34. The conduct of the WATCHTOWER DEFENDANTS was the result of
24 conscious and outrageous indifference to the health, safety and welfare of Plaintiffs and
25 others so as to constitute aggravating circumstances entitling Plaintiffs to seek damages
26 under the punitive damage laws of the State of Nevada.
27

28 **SEXUAL BATTERY AND RESPONDEAT SUPERIOR**

35. For several years beginning in 1966, as an agent and alter ego of the
WATCHTOWER DEFENDANTS organization, Defendant CHARLES KATTNIG
repeatedly inflicted unpermitted, harmful, and offensive sexual battery upon the persons of
Plaintiffs LORI LABRANCH and ANNETTE REED. This abuse occurred in Nevada.

1 36. For several years beginning in 1974, as an agent and alter ego of the
2 WATCHTOWER DEFENDANTS organization, Defendant DANIEL STEVEN
3 FITZWATER repeatedly inflicted unpermitted, harmful, and offensive sexual battery upon
4 the person of Plaintiffs DAWN BRADLEY, ANNETTE REED, AMANDA CIRONE and
5 DONNA WILKES. Much of the abuse occurred in Nevada. Each of the
6 WATCHTOWER DEFENDANTS was in the chain of command and acted pursuant to the
7 authority granted to them as agents and the alter ego of GOVERNING BODY, utilizing
8 such leadership and authority to carry out and/or aid, abet and ratify the sexual abuse of
9 Plaintiffs. The WATCHTOWER DEFENDANTS are therefore liable for the sexual
10 battery of Plaintiffs under the legal theory of *respondeat superior*.

11 12 NEGLIGENCE AND GROSS NEGLIGENCE

13 37. At all material times, the WATCHTOWER DEFENDANTS assumed a duty to
14 protect Plaintiffs from sexual predators within the WATCHTOWER DEFENDANTS'
15 organization and to hire, retain or dismiss, and supervise its agents and alter egos in
16 accordance with that duty.

17 38. The WATCHTOWER DEFENDANTS knew or should have known that
18 Plaintiffs were at risk of foreseeable harm by Defendants DANIEL STEVEN
19 FITZWATER and CHARLES KATTNIG, but failed to act to protect them from said harm.
20 The WATCHTOWER DEFENDANTS breached their duty to the great harm of Plaintiffs.
21 The behavior of the WATCHTOWER DEFENDANTS set forth above demonstrated a
22 conscious indifference to the safety and welfare of Plaintiffs. All of the acts and/or
23 omissions by the WATCHTOWER DEFENDANTS either individually or in conjunction
24 with each other, constitute gross negligence.

25 26 BREACH OF FIDUCIARY DUTY

27 39. The WATCHTOWER DEFENDANTS placed themselves in a position of trust
28 and confidence with Plaintiffs. The relationship between Plaintiffs and the

1 WATCHTOWER DEFENDANTS' organization was fiduciary in nature and imposed on
 2 The WATCHTOWER DEFENDANTS a duty to act in Plaintiffs' best interests. The above
 3 acts and/or omissions by the WATCHTOWER DEFENDANTS constitute a breach of the
 4 fiduciary duty owed to Plaintiffs by WATCHTOWER DEFENDANTS.

5
 6 **FAILURE TO REPORT SUSPECTED CHILD ABUSE**

7 40. The WATCHTOWER DEFENDANTS had a duty under Title 38, Section
 8 432B of the Nevada Revised Statutes Annotated and/or the common law to report the
 9 abuse or suspected abuse of children. The WATCHTOWER DEFENDANTS failed to
 10 report to law enforcement the abusive conduct of Defendants DANIEL STEVEN
 11 FITZWATER and CHARLES KATTNIG.

12
 13 **FRAUD AND FRAUDULENT CONCEALMENT**

14 41. After receiving reports that Defendant DANIEL STEVEN FITZWATER and
 15 CHARLES KATTNIG were abusing young girls, the WATCHTOWER DEFENDANTS,
 16 with the intent to keep the information from Plaintiffs, other victims similarly situated and
 17 the community-at-large, willfully concealed that information. The WATCHTOWER
 18 DEFENDANTS further materially misrepresented to Plaintiffs that Defendants DANIEL
 19 STEVEN FITZWATER and CHARLES KATTNIG were leaders in good standing with
 20 authority to instruct them in spiritual, ethical and moral matters and that they were to be
 21 obeyed. The WATCHTOWER DEFENDANTS further materially misrepresented that they
 22 would act in Plaintiffs' best interests. The WATCHTOWER DEFENDANTS failed to
 23 disclose that they knew of Defendants DANIEL STEVEN FITZWATER's and CHARLES
 24 KATTNIG's propensities to use his leadership position to sexually abuse Plaintiffs and
 25 others and that the WATCHTOWER DEFENDANTS were doing nothing to protect
 26 Plaintiffs. Plaintiffs did not know of the falsity of the WATCHTOWER DEFENDANTS'
 27 representations, were entitled to rely upon them and did in fact rely upon them to their
 28 serious injury and harm.

JONES VARGAS
 3773 Howard Hughes Parkway - Third Floor South
 Las Vegas, Nevada 89109
 Tel: (702) 862-3300 Fax: (702) 737-7705

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

RATIFICATION

42. By their conduct as set forth above, the WATCHTOWER DEFENDANTS ratified Defendant DANIEL STEVEN FITZWATER'S and CHARLES KATTNIG'S sexual battery of Plaintiffs and others, subjecting the WATCHTOWER DEFENDANTS to liability for actual and punitive damages.

ALTER EGO AND SINGLE BUSINESS ENTERPRISE

43. The WATCHTOWER DEFENDANTS are organized and controlled and their affairs are so conducted that they are in fact mere instrumentalities and adjuncts for each other and liable for each other's acts. Alternatively, the WATCHTOWER DEFENDANTS were all engaged, at all material times, in a single business enterprise and liable for each other's acts.

DAMAGES

44. As a result of Defendants' acts, Plaintiffs have incurred and will continue to incur costs for medical expenses, counseling and psychological treatment, have lost earning capacity and have suffered and will continue to suffer extreme, permanent emotional distress and psychological harm with accompanying physical manifestations, embarrassment, loss of self-esteem, disgrace, humiliation, loss of enjoyment of life, and economic and non-economic damage.

WHEREFORE, Plaintiffs pray for judgment against the Defendants, jointly and severally, as follows:

- A. For general damages in excess of \$10,000.00;
- B. For special damages in excess of \$10,000.00;
- C. For punitive damages in excess of \$10,000.00;
- D. For reasonable costs and attorneys' fees; and

...
...

JONES VARGAS
3775 Howard Hughes Parkway - Third Floor South
Las Vegas, Nevada 89109
Tel: (702) 862-3300 Fax: (702) 737-7705

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

E. For such further relief as the Court seems proper.

DATED: March 20, 2003

JONES VARGAS

By 

DOUGLAS M. COHEN, ESQ.
Nevada Bar No. 001214
3773 Howard Hughes Parkway
Third Floor South
Las Vegas, Nevada 89109

and

LOVE & NORRIS
Gregory S. Love
314 Main Street, Suite 300
Fort Worth, Texas 76102-7423
Telephone: (817) 335-2800
Telecopy: (817) 335-2912

FIBICH, HAMPTON, LEEBRON &
GARTH

Hartley Hampton, Esq.
1401 McKinney, Suite 1800
Five Houston Center
Houston, Texas 77010
Telephone: (713) 751-0025
Telecopy: (713) 751-0030

Attorneys for Plaintiffs

JONES VARGAS
3773 Howard Hughes Parkway - Third Floor South
Las Vegas, Nevada 89109
Tel: (702) 862-3308 Fax: (702) 737-7705

98

ORIGINAL

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

ANAC
John A. Aberasturi, Esq. *CI 15945*
Nevada Bar #1692 *DEPT I*
ERICKSON, THORPE & SWAINSTON
99 West Arroyo Street
Reno, Nevada 89509
Telephone: (775) 786-3930
Facsimile: (775) 786-4160

FILED

APR 24 11 29 AM '03

Shirley B. Prange
CLERK

Attorneys for Defendants Watchtower Bible and Tract Society of New York, Inc., Jehovah's Witnesses Nevada Circuit, Yerington English Congregation of Jehovah's Witnesses, Inc., Watch Tower Bible and Tract Society of Pennsylvania, Kingdom Support Services, Inc., Christian Congregation of Jehovah's Witnesses, and Religious Order of Jehovah's Witnesses

DISTRICT COURT
CLARK COUNTY, NEVADA

Nikki A. Bryan
CLERK
DEPUTY

03 AUG 12 AM 10:55

FILE

DAWN BRADLEY; AMANDA CIRONE;
ANNETTE REED; DONNA WILKES; and LORI L.,
Plaintiffs,

vs.

WATCHTOWER BIBLE AND TRACT SOCIETY OF NEW YORK, INC.; JEHOVAH'S WITNESSES NEVADA CIRCUIT; YERINGTON ENGLISH CONGREGATION OF JEHOVAH'S WITNESSES, INC.; WATCH TOWER BIBLE AND TRACT SOCIETY OF PENNSYLVANIA; WATCH-TOWER ENTERPRISES, INC.; WATCHTOWER FOUNDATION, INC.; WATCHTOWER ASSOCIATES, LTD.; KINGDOM SUPPORT SERVICES, INC.; CHRISTIAN CONGREGATION OF JEHOVAH'S WITNESSES; RELIGIOUS ORDER OF JEHOVAH'S WITNESSES; DANIEL STEVEN FITZWATER; CHARLES KATTNIG,
Defendants.

CASE NO. : A461675
DEPT NO. : VII

ANSWER TO FIRST AMENDED COMPLAINT

COME NOW defendants, WATCHTOWER BIBLE AND TRACT SOCIETY OF NEW YORK, INC., JEHOVAH'S WITNESSES NEVADA CIRCUIT, YERINGTON ENGLISH CONGREGATION OF JEHOVAH'S WITNESSES, INC., WATCH TOWER BIBLE AND TRACT SOCIETY OF PENNSYLVANIA, KINGDOM SUPPORT SERVICES, INC., CHRISTIAN

RECEIVED
APR 24 2003
COUNTY CLERK

Erickson, Thorpe & Swainston, Ltd.
P. O. Box 3559
Reno, NV 89505
(775) 786-3930

1 CONGREGATION OF JEHOVAH'S WITNESSES, and RELIGIOUS ORDER OF JEHOVAH'S
2 WITNESSES, by and through their counsel of record, ERICKSON, THORPE & SWAINSTON,
3 LTD. and JOHN A. ABERASTURI, ESQ., and answering plaintiffs' First Amended Complaint
4 on file herein, admit, deny and aver as follows:

5 1. Defendants are without knowledge or information sufficient to form a belief as
6 to the truth of the allegations contained in Paragraph 1 of plaintiffs' First Amended Complaint,
7 and therefore deny the same.

8 2. Defendants are without knowledge or information sufficient to form a belief as
9 to the truth of the allegations contained in Paragraph 2 of plaintiffs' First Amended Complaint,
10 and therefore deny the same.

11 3. Defendants are without knowledge or information sufficient to form a belief as
12 to the truth of the allegations contained in Paragraph 3 of plaintiffs' First Amended Complaint,
13 and therefore deny the same.

14 4. Defendants are without knowledge or information sufficient to form a belief as
15 to the truth of the allegations contained in Paragraph 4 of plaintiffs' First Amended Complaint,
16 and therefore deny the same.

17 5. Defendants are without knowledge or information sufficient to form a belief as
18 to the truth of the allegations contained in Paragraph 5 of plaintiffs' First Amended Complaint,
19 and therefore deny the same.

20 6. Defendants deny each, every and all of the allegations contained in Paragraph
21 6 of plaintiffs' First Amended Complaint.

22 7. Defendants admit the allegations contained in Paragraph 7 of plaintiffs' First
23 Amended Complaint.

24 8. Defendants admit the allegations contained in Paragraph 8 of plaintiffs' First
25 Amended Complaint.

26 9. Defendants deny each, every and all of the allegations contained in Paragraph
27 9 of plaintiffs' First Amended Complaint.

28 10. Defendants are without knowledge or information sufficient to form a belief as

1 to the truth of the allegations contained in Paragraph 10 of plaintiffs' First Amended
2 Complaint, and therefore deny the same.

3 11. Defendants are without knowledge or information sufficient to form a belief as
4 to the truth of the allegations contained in Paragraph 11 of plaintiffs' First Amended
5 Complaint, and therefore deny the same.

6 12. Defendants are without knowledge or information sufficient to form a belief as
7 to the truth of the allegations contained in Paragraph 12 of plaintiffs' First Amended
8 Complaint, and therefore deny the same.

9 13. Defendants deny each, every and all of the allegations contained in Paragraph
10 13 of plaintiffs' First Amended Complaint.

11 14. Defendants admit the allegations contained in Paragraph 14 of plaintiffs' First
12 Amended Complaint.

13 15. Defendants deny each, every and all of the allegations contained in Paragraph
14 15 of plaintiffs' First Amended Complaint.

15 16. Defendants admit that defendant Daniel Fitzwater is currently incarcerated in
16 a facility operated by the Nevada Department of Prisons, and defendants further deny the
17 existence of an entity identified as "Ormsby County, Nevada", and defendants are without
18 knowledge or information sufficient to form a belief as to the truth of the remaining allegations
19 contained in Paragraph 16 of plaintiffs' First Amended Complaint, and therefore deny the
20 same.

21 17. Defendants deny each, every and all of the allegations contained in
22 Paragraph 17 of plaintiffs' First Amended Complaint.

23 18. Defendants deny each, every and all of the allegations contained in Paragraph
24 18 of plaintiffs' First Amended Complaint.

25 19. Defendants deny each, every and all of the allegations contained in Paragraph
26 19 of plaintiffs' First Amended Complaint.

27 20. Defendants deny each, every and all of the allegations contained in Paragraph
28 20 of plaintiffs' First Amended Complaint.

1 21. Defendants deny each, every and all of the allegations contained in Paragraph
2 21 of plaintiffs' First Amended Complaint.

3 22. Defendants deny each, every and all of the allegations contained in Paragraph
4 22 of plaintiffs' First Amended Complaint.

5 23. Defendants deny each, every and all of the allegations contained in Paragraph
6 23 of plaintiffs' First Amended Complaint.

7 24. Defendants deny each, every and all of the allegations contained in Paragraph
8 24 of plaintiffs' First Amended Complaint.

9 25. Defendants are without knowledge or information sufficient to form a belief as
10 to the truth of the allegations contained in Paragraph 25 of plaintiffs' First Amended
11 Complaint, and therefore deny the same.

12 26. Defendants deny each, every and all of the allegations contained in Paragraph
13 26 of plaintiffs' First Amended Complaint.

14 27. Defendants deny each, every and all of the allegations contained in Paragraph
15 27 of plaintiffs' First Amended Complaint.

16 28. Defendants are without knowledge or information sufficient to form a belief as
17 to the truth of the allegations contained in Paragraph 28 of plaintiffs' First Amended
18 Complaint, and therefore deny the same.

19 29. Defendants are without knowledge or information sufficient to form a belief as
20 to the truth of the allegations contained in Paragraph 29 of plaintiffs' First Amended
21 Complaint, and therefore deny the same.

22 30. Defendants deny each, every and all of the allegations contained in Paragraph
23 30 of plaintiffs' First Amended Complaint.

24 31. Defendants deny each, every and all of the allegations contained in Paragraph
25 31 of plaintiffs' First Amended Complaint.

26 32. These answering defendants, and each of them, deny that they or any of them
27 promote Daniel Fitzwater's status as publisher in good standing, and defendants are without
28 knowledge or information sufficient to form a belief as to the truth of the remaining allegations

1 contained in Paragraph 32 of plaintiffs' First Amended Complaint, and therefore deny the
2 same.

3 33. Defendants deny each, every and all of the allegations contained in Paragraph
4 33 of plaintiffs' First Amended Complaint.

5 34. Defendants deny each, every and all of the allegations contained in Paragraph
6 34 of plaintiffs' First Amended Complaint.

7 **IN RESPONSE TO SEXUAL BATTERY AND RESPONDEAT SUPERIOR**

8 35. Defendants deny each, every and all of the allegations contained in Paragraph
9 35 of plaintiffs' First Amended Complaint.

10 36. Defendants deny each, every and all of the allegations contained in Paragraph
11 36 of plaintiffs' First Amended Complaint.

12 **IN RESPONSE TO NEGLIGENCE AND GROSS NEGLIGENCE**

13 37. Defendants deny each, every and all of the allegations contained in Paragraph
14 37 of plaintiffs' First Amended Complaint.

15 38. Defendants deny each, every and all of the allegations contained in Paragraph
16 38 of plaintiffs' First Amended Complaint.

17 **IN RESPONSE TO BREACH OF FIDUCIARY DUTY**

18 39. Defendants deny each, every and all of the allegations contained in Paragraph
19 39 of plaintiffs' First Amended Complaint.

20 **IN RESPONSE TO FAILURE TO REPORT SUSPECTED CHILD ABUSE**

21 40. Defendants deny each, every and all of the allegations contained in Paragraph
22 40 of plaintiffs' First Amended Complaint.

23 **IN RESPONSE TO FRAUDULENT CONCEALMENT**

24 41. Defendants deny each, every and all of the allegations contained in Paragraph
25 41 of plaintiffs' First Amended Complaint.

26 **IN RESPONSE TO RATIFICATION**

27 42. Defendants deny each, every and all of the allegations contained in Paragraph
28 42 of plaintiffs' First Amended Complaint.

1 **IN RESPONSE TO ALTER EGO AND SINGLE BUSINESS ENTERPRISE**

2 43. Defendants deny each, every and all of the allegations contained in Paragraph
3 43 of plaintiffs' First Amended Complaint.

4 **IN RESPONSE TO DAMAGES**

5 44. Defendants deny each, every and all of the allegations contained in Paragraph
6 44 of plaintiffs' First Amended Complaint.

7 **FIRST AFFIRMATIVE DEFENSE**

8 This court has no jurisdiction over defendants WATCH TOWER BIBLE AND TRACT
9 SOCIETY OF PENNSYLVANIA, KINGDOM SUPPORT SERVICES, INC., and/or RELIGIOUS
10 ORDER OF JEHOVAH'S WITNESSES, as none of these entities, nor any of them conduct
11 business in the State of Nevada or have sufficient minimum contacts with the State of Nevada
12 to support the imposition of the jurisdiction of the courts of the State of Nevada over them, nor
13 have they voluntarily submitted themselves to the jurisdiction of the courts of the State of
14 Nevada or any of them.

15 **SECOND AFFIRMATIVE DEFENSE**

16 Plaintiffs' First Amended Complaint fails to state a claim upon which relief can be
17 granted in favor of plaintiffs or against these defendants, or any of them.

18 **THIRD AFFIRMATIVE DEFENSE**

19 Plaintiffs' First Amended Complaint fails to state a claim upon which relief can be
20 granted in favor of plaintiffs or any of them against defendants CHRISTIAN CONGREGATION
21 OF JEHOVAH'S WITNESSES, RELIGIOUS ORDER OF JEHOVAH'S WITNESSES, and
22 KINGDOM SUPPORT SERVICES, INC., as these entities did not exist at the time of the
23 occurrence of the alleged events of the plaintiffs' First Amended Complaint.

24 **FOURTH AFFIRMATIVE DEFENSE**

25 Defendants are informed and believe and thereupon aver that the injuries and damages
26 sustained by the plaintiffs, if any, were caused by the acts or conduct of third parties who were
27 and are not the agents or employees of these defendants nor acting on behalf of these
28 defendants.

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

FIFTH AFFIRMATIVE DEFENSE

Defendants are informed and believe and thereupon aver that the injuries and damages sustained by the plaintiffs, if any, were caused by the acts or conduct of third parties who were and are not the agents or employees of these defendants nor acting on behalf of these defendants, or any of them.

SIXTH AFFIRMATIVE DEFENSE

The plaintiffs' First Amended Complaint fails to state a claim for punitive and/or exemplary damages against these defendants or any of them.

SEVENTH AFFIRMATIVE DEFENSE

Defendants are informed and believe and thereupon aver that plaintiffs failed to mitigate plaintiffs' losses and damages if any there were.

EIGHTH AFFIRMATIVE DEFENSE

The injuries and damages suffered by the plaintiffs, and each of them, if any there were, were caused by the superceding intervening conduct of third parties for whom these answering defendants were and are not legally responsible.

NINTH AFFIRMATIVE DEFENSE

The First Amendment of the United States Constitution and the Nevada Constitution preclude the imposition of any liability against these defendants, or any of them, based upon the allegations which have been set forth in the plaintiffs' First Amended Complaint.

TENTH AFFIRMATIVE DEFENSE

The provisions of NRS 432B.220 do not apply to the allegations of the plaintiffs' First Amended Complaint.

ELEVENTH AFFIRMATIVE DEFENSE

The plaintiffs, and each of them, their claims for relief, and each of them, are barred by the applicable statute or statutes of limitations.

TWELFTH AFFIRMATIVE DEFENSE

The plaintiffs, and each of them, their claims for relief, and each of them, are barred by the doctrine of laches.

Erickson, Thorpe
& Swainston, Ltd.
P. O. Box 3559
Reno, NV 89505
(775) 786-3930

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

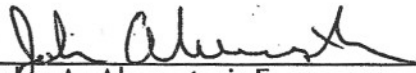
THIRTEENTH AFFIRMATIVE DEFENSE

Pursuant to the provisions of Rule 11 of the Nevada Rules of Civil Procedure, at the time of the filing of defendants' Answer all possible affirmative defenses may not have been alleged inasmuch as insufficient facts and other relevant information may not have been available after reasonable inquiry, and therefore, defendants reserve the right to amend this Answer to allege additional affirmative defenses if subsequent investigation warrants the same.

WHEREFORE, defendants pray that plaintiffs, and each of them, take nothing by reason of their First Amended Complaint on file herein, that the same be dismissed with prejudice, and that judgment be entered in favor of these answering defendants and against plaintiffs, and each of them, for a reasonable attorney's fee, for costs of suit and for such other and further relief as may be just and proper in the premises.

DATED this 23 day of April, 2003,

ERICKSON, THORPE & SWAINSTON, LTD.



John A. Aberasturi, Esq.
Attorneys for Defendants

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

CERTIFICATE OF SERVICE


Pursuant to NRCp 5(b), I certify that I am an employee of ERICKSON, THORPE & SWAINSTON, LTD. and that on this day I caused to be served a true and correct copy of the attached document by:

- U.S. Mail
- Facsimile Transmission
- Personal Service
- Messenger Service

addressed to the following:

Douglas M. Cohen, Esq.
JONES VARGAS
3773 Howard Hughes Parkway
Third Floor South
Las Vegas, NV 89109
Fax: (702) 737-7705
Attorneys for Plaintiff

DATED this 23rd day of April, 2003.



Louise M. Ligouri

ORIGINAL

1 DANIEL STEVEN FITZWATER, NDOC #58445
2 Northern Nevada Correctional Center
3 P.O. Box 7000
4 Carson City, Nevada 89702-7000

FILE

03 DEC 31 AM 10:46

NIKKI A. BRYAN
LYON COUNTY CLERK

John P. [Signature]
DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

8 DAWN BRADLEY, AMANDA CIRONE,)
9 ANNETTE REED, DONNA WILKES, and)
10 LORI L.,)
11 Plaintiffs,)
12 vs.)
13 WATCHTOWER BIBLE AND TRACT SOCIEY OF)
14 NEW YORK, INC.; JEHOVAH'S WITNESSES)
15 NEVADA CIRCUIT; YERINGTON ENGLISH)
16 CONGRGATION OF JEHOVAH'S WITNESSES,)
17 INC.; WATCHTOWER BIBLE AND TRACT)
18 SOCIEY OF PENNSYLVANIA; WATCHTOWER)
19 ENTERPRISES, INC.; WATCHTOWER)
20 FOUNDATION, INC.; WATCHTOWER)
21 ASSOCIATES, LTD.; KINGDOM SUPPORT)
22 SERVICES, INC.; CHRISTIAN)
23 CONGREGATION OF JEHOVAH'S WITNESSES;)
24 RELIGIOUS ORDER OF JEHOVAH'S)
25 WITNESSES; DANIE STEVEN FITZWATER;)
26 and CHARLES KATINIG,)
27 Defendants.)

CI15945
DEPT I

Case No. A461675

Department No. VII

DEFENDANT'S RESPONSE TO COMPLAINT

23 COMES NOW, Defendant DANIEL STEVEN FITZWATER in proper person,
24 in answer to Plaintiff's Complaint on file herein, admits, denies,
25 and alleges as follows.

26 1. Defendant admits that Plaintiffs have made certain
27 accusations against defendant, but denies said allegations.

COUNTY CLERK
RECEIVED
APR 25 2003

1 2. Defendant admits to being one of Jehovah's Witnesses,
2 but denies that he has been from 1974 until present a leader
3 with "higher authority." (Plaintiff's Complaint No. 27)

4
5 3. Defendant admits being convicted of two (2) counts
6 of sexual lewdness with a child and is now serving his sentence
7 at the Northern Nevada Correctional Center in Carson City, Nevada.

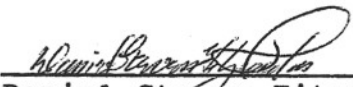
8 4. The accusation that Defendant DANIEL STEVEN FITZWATER
9 continually sexually molested, and inflicted sexual battery upon,
10 his stepdaughter, DAWN BRADLEY from 1974 to 1983 is DENIED.
11 (No. 28 of Plaintiff's Complaint)

12 5. Accusation of sexually molesting, and inflicting
13 sexual battery upon, DONNA WILKES is DENIED. (No. 28 of
14 Plaintiff's Complaint)

15 6. Accusation of sexually molesting, and inflicting sexual
16 battery upon, ANNETTE REED and AMANDA CIRONE is DENIED. (No. 29
17 and 36 of Plaintiff's Complaint)

18 7. Accusation of Defendant DANIEL STEVEN FITZWATER that
19 he "continued to sexually molest numerous young girls..." is
20 DENIED. (No. 30 of Plaintiff's Complaint)

21
22 Dated this 21st day of April, 2003

23
24 
25 Daniel Steven Fitzwater

CERTIFICATE OF SERVICE BY MAIL

I, DANIEL STEVEN FITZWATER, hereby certify pursuant to N.R.C.P. 5(b), that on this 21st day of April, 2003, I mailed a true and correct copy of the forgoing DEFENDANT'S RESPONSE TO COMPLAINT, to:

Douglas M. Cohen, Esq. (Attorney for Plaintiffs)
3773 Howard Hughes Parkway, Third Floor South
Las Vegas, Nevada 89101

Signed this 21st day of April, 2003.



Daniel Steven Fitzwater

ORIGINAL

1 DANIEL STEVEN FITZWATER, NDOC #58445
2 Northern Nevada Correfltional Center
3 P.O. Box 7000
4 Carson City, Nevada 89702-7000

FILE

03 DEC 31 AM 10:46

NIKKI A. BRYAN
LYON COUNTY CLERK

Debra Peeples DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

CI 15945
DEPT I

8 DAWN BRADLEY, AMANDA CIRONE,)
9 ANNETTE REED, DONNA WILKES, and)
10 LORI L.,)
11 Plaintiffs,)

Case No. A461675

vs.)

Department No. VII

12 WATCHTOWER BIBLE AND TRACT SOCIETY OF)
13 NEW YORK, INC.; JEHOVAH'S WITNESSES)
14 NEVADA CIRCUIT; YERINGTON ENGLISH)
15 CONGRGATION OF JEHOVAH'S WITNESSES,)
16 INC.; WATCHTOWER BIBLE AND TRACT)
17 SOCIETY OF PENNSYLVANIA; WATCHTOWER)
18 ENTERPRISES, INC.; WATCHTOWER)
19 FOUNDATION, INC.; WATCHTOWER)
20 ASSOCIATES, LTD.; KINGDOM SUPPORT)
21 SERVICES, INC.; CHRISTIAN)
22 CONGREGATION OF JEHOVAH'S WITNESSES;)
23 RELIGIOUS ORDER OF JEHOVAH'S)
24 WITNESSES; DANIE STEVEN FITZWATER;)
25 and CHARLES KATTNIG,)
26 Defendants.)

27 MOTION TO DISMISS

28 COMES NOW, Defendant DANIEL STEVEN FITZWATER in proper person, and moves
29 this court to dismiss Plaintiffs DAWN BRADLEY, ANNETE REED, and DONNA WILKES.

30 A misjoinder is evident when considering NRS 11.010, NRS 11.190, and
31 NRS 11.215. NRS 11.215 is specific in establishing a limit of time for a
32 CIVIL ACTION resulting from alleged sexual abuse of a minor to 10 years
33 after the 18th birthdate of the plaintiff.

RECEIVED

APR 24 2003

COUNTY CLERK

1 Defendant conceded that section 1(b) of NRS 11.215 continues with
2 ...or discovers or reasonably should have discovered that his injury was
3 caused by the sexual abuse, whichever comes first. However, this section
4 is moot when considering the complaint as well as evidence on record.

5 1. Complaint is vivid in its portrail that Plaintiffs DAWN
6 BRADLEY, ANNETTE REED and DONNA WILKES knew, or should have known of
7 alleged sexual abuse prior to their 18th birthdates.

8 (a) In reference to the WATCHTOWER DEFENDANTS, complaint takes
9 issue that defendants should have known that Defendant DANIEL STEVEN
10 FITZWATER was (allegedly) sexually molesting Plaintiff DAWN BRADLEY and
11 others prior to 1974. (Plaintiff's Complaint No. 30) This would have
12 necessitated the Plaintiffs to be under 18 years of age.

13 (b) Complaint also states that Plaintiffs and their parents sought
14 the advice and protection of the Elders and told the Elders of the
15 congregations about the (alleged) abuses. (Plaintiff's Complaint No. 31)
16 This again would necessitate that knowledge of the (alleged) sexual abuse
17 would be prior to the Plaintiffs being under the age of 18.

18 2. Plaintiff DAWN BRADLEY has, in addition, made it a part of
19 court records that she had knowledge of the (alleged) sexual abuse prior
20 to her 18th birthdate.

21
22 Dated this 21st day of April, 2003

23
24 
25 Daniel Steven Fitzwater

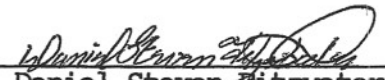
26
27
28 Page 2 of 2

CERTIFICATE OF SERVICE BY MAIL

I, DANIEL STEVEN FITZWATER, hereby certify pursuant to N.R.C.P. 5(b), that on this 21st day of April, 2003, I mailed a true and correct copy of the forgoing MOTION TO DISMISS, to:

Douglas M. Cohen, Esq. (Attorney for Plaintiffs)
3773 Howard Hughes Parkway, Third Floor South
Las Vegas, Nevada 89101

Signed this 21st day of April, 2003.



Daniel Steven Fitzwater

RECEIVED JAN 1 3 2005

ORIGINAL

FILE

Case No. CI15945

2005 FEB -3 PM 4: 20

Department No. VII

NIKKI A. BRYAN
LYON COUNTY CLERK

Janya Scavine

IN THE THIRD JUDICIAL DISTRICT COURT
FOR THE COUNTY OF LYON, NEVADA

DAWN BRADLEY, AMANDA CIRONE,
ANNETTE REED, DONNA WILKES, and
LORI L.
Plaintiffs,

STIPULATION AND ORDER TO
DISMISS ACTION

vs.

WATCHTOWER BIBLE AND TRACT
SOCIETY OF NEW YORK, INC., JEHOVAH'S
WITNESSES NEVADA CIRCUIT, YERINGTON
ENGLISH CONGREGATION OF JEHOVAH'S
WITNESSES, INC., WATCH TOWER BIBLE
AND SOCIETY OF PENNSYLVANIA,
WATCHTOWER ENTERPRISES, INC,
WATCHTOWER FOUNDATION, INC.,
WATCHTOWER ASSOCIATES, LTD.,
KINGDOM SUPPORT SERVICES, INC.,
CHRISTIAN CONGREGATION OF
JEHOVAH'S WITNESSES, RELIGIOUS
ORDER OF JEHOVAH'S WITNESSES,
DANIEL STEVEN FITZWATER, and CHARLES
KATTNIG

Defendants.

IT IS HEREBY STIPULATED between plaintiffs and defendants, by and through their
respective counsel of record, that the above named action be dismissed without prejudice.
Defendant Charles Kattnig has not filed an appearance in this action. Defendants, Watchtower
Bible and Tract Society of New York, Inc., Jehovah's Witnesses Nevada Circuit, Yerington
English Congregation of Jehovah's Witnesses, Inc., Watch Tower Bible and Society of

1
2 Pennsylvania, Kingdom Support Services, Inc., Christian Congregation of Jehovah's Witnesses,
3 Religious Order of Jehovah's Witnesses have agreed to waive their attorney's fees in exchange
4 for dismissal of this action. Defendant Daniel Steven Fitzwater, has agreed to waive all fees,
5 including filing fees in exchange for dismissal of this action. Therefore, all parties stipulate to
6 dismiss this action in its entirety.
7

8 **IT IS SO STIPULATED.**

9 Dated: ~~August~~ ^{November} 30, 2004

NOLEN SAUL BRELSFORD

10
11
12 

13 William L. Brelsford, Esq. (Nevada Bar # 7616)
14 350 University Avenue Suite, 280
15 Sacramento, CA 95825
16 Telephone: (916) 564-9990
17 *In Conjunction With*

18 **JONES VARGAS**
19 Clark Vellis, Esq. (Nevada Bar # 5533)
20 Third Floor South
21 3773 Howard Hughes Parkway
22 Las Vegas, NV 89109
23 Telephone: (702) 862-3300

24 -and-

25 **LOVE & NORRIS**
26 Gregory S. Love, Esq.
27 314 Main Street, Suite 300
28 Fort Worth, Texas 76102-7423
Telephone: (817) 335-2800

-and-

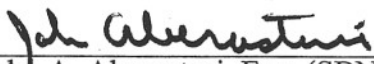
FIBICH, HAMPTON, LEEBRON & GARTH
HARTLEY HAMPTON, ESQ.
1401 McKinney, Suite 1800
Five Houston Center
Houston, Texas 77010
Telephone: (713) 751-0025

Attorneys for Dawn Bradley, Amanda Cirone,
Annette Reed, Donna Wilkes and Lori L.

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

Dated: August 4, 2004

ERIKSON, THORPE & SWAINSTON, LTD.



John A. Aberasturi, Esq. (SBN 1692)
99 West Arroyo Street
Reno, NV 89509
Phone: (775) 786-3930

Attorney for Watchtower Bible and Tract Society of New York, Inc., Jehovah's Witnesses Nevada Circuit, Yerington English Congregation of Jehovah's Witnesses, Inc., Watch Tower Bible and Society of Pennsylvania, Kingdom Support Services, Inc., Christian Congregation of Jehovah's Witnesses, Religious Order of Jehovah's Witnesses

Dated: August __, 2004

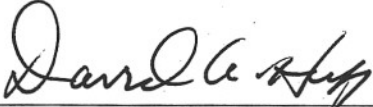
DEFENDANT IN PRO PER

Daniel Steven Fitzwater
Northern Nevada Correction Center
P.O. Box 7000
Carson City, NV 89702-7000

All parties have stipulated to dismissal of this action as required by Rule 41; therefore, this matter is dismissed without prejudice and all parties are to bear their own costs.

IT IS SO ORDERED.

Dated: _____, 2004



Judge of the Third District Court of Nevada,
County of Lyon

ORIGINAL

1 CASE NO. : CI 15945

2 DEPT NO. : II

FILE

2005 FEB 16 PM 3:11

NIKKI A. BRYAN
LYON COUNTY CLERK.

Tanya Stewart

3
4
5
6 IN THE THIRD JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR THE COUNTY OF LYON

8 DAWN BRADLEY; AMANDA CIRONE;
9 ANNETTE REED; DONNA WILKES; and
10 LORI L.,

11 Plaintiffs,

12 vs.

13 WATCHTOWER BIBLE AND TRACT
14 SOCIETY OF NEW YORK, INC.;
15 JEHOVAH'S WITNESSES NEVADA
16 CIRCUIT; YERINGTON ENGLISH
17 CONGREGATION OF JEHOVAH'S
18 WITNESSES, INC.; WATCH TOWER BIBLE
19 AND TRACT SOCIETY OF PENNSYLVANIA;
20 WATCH-TOWER ENTERPRISES, INC.;
21 WATCHTOWER FOUNDATION, INC.;
22 WATCHTOWER ASSOCIATES, LTD.;
23 KINGDOM SUPPORT SERVICES, INC.;
24 CHRISTIAN CONGREGATION OF
25 JEHOVAH'S WITNESSES; RELIGIOUS
26 ORDER OF JEHOVAH'S WITNESSES;
27 DANIEL STEVEN FITZWATER; CHARLES
28 KATTNIG,

Defendants.

NOTICE OF ENTRY OF ORDER

23 TO: All parties above-named and their counsel of record

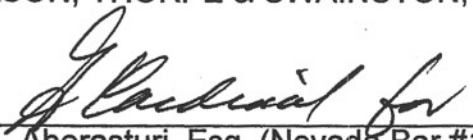
24 COMES NOW defendants Watchtower Bible and Tract Society of New York, Inc.,
25 Jehovah's Witnesses Nevada Circuit, Yerington English Congregation of Jehovah's
26 Witnesses, Inc., Watch Tower Bible and Tract Society of Pennsylvania, Kingdom Support
27 Services, Inc., Christian Congregation of Jehovah's Witnesses, and Religious Order of
28 Jehovah's Witnesses, by and through its counsel of record, ERICKSON, THORPE &

Erickson, Thorpe
& Swainston, Ltd.
P. O. Box 3559
Reno, NV 89505
(775) 786-3930

1 SWAINSTON, LTD., and hereby notices all counsel of record that the Honorable David A.
2 Huff entered an Order of Dismissal without Prejudice pursuant to a Stipulation of the
3 parties on February 3, 2005. See Exhibit "A" attached hereto.

4 DATED this 15 day of February, 2005.

5 ERICKSON, THORPE & SWAINSTON, LTD.

6 

7 _____
8 John A. Aberasturi, Esq. (Nevada Bar #1692)
9 99 West Arroyo Street
10 Reno, Nevada 89509
11 Telephone: (775) 786-3930
12 Facsimile: (775) 786-4160

13 Attorneys for Defendants Watchtower Bible and Tract
14 Society of New York, Inc., Jehovah's Witnesses
15 Nevada Circuit, Yerington English Congregation of
16 Jehovah's Witnesses, Inc., Watch Tower Bible and
17 Tract Society of Pennsylvania, Kingdom Support
18 Services, Inc., Christian Congregation of Jehovah's
19 Witnesses, and Religious Order of Jehovah's
20 Witnesses

21
22
23
24
25
26
27
28
Erickson, Thorpe
& Swainston, Ltd.
P. O. Box 3559
Reno, NV 89505
(775) 786-3930