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

11 John Dorman, Individually, and Joel
Gamboa, Individually,

12 Plaintiffs,

13 vs.

14 Defendant Doe 1, La Jolla Church;
15 Defendant Doe 2, Linda Vista Church;
16 Defendant Doe 3, Supervisory Organization;
17 Defendant Doe 4, Perpetrator; and Does 5
through 100,

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

**PLAINTIFFS SECOND NOTICE OF
MOTION AND MOTION TO:**

**COMPEL FURTHER DOCUMENTS
FROM DEFENDANTS;**

**MEMORANDUM OF POINTS IN
AUTHORITIES IN SUPPORT OF
SECOND NOTICE OF MOTION AND
MOTION TO COMPEL FURTHER
DOCUMENTS FROM DEFENDANT;**

**SEPARATE STATEMENT IN
SUPPORT OF SECOND MOTION TO
COMPEL FURTHER DOCUMENTS;**

**DECLARATION OF DEVIN M.
STOREY IN SUPPORT OF SECOND
MOTION TO COMPEL;**

**NOTICE OF LODGMENT IN
SUPPORT OF SECOND MOTION TO
COMPEL; AND**

[PROPOSED] ORDER

**Date: 12-23-11
Time: 10:300 a.m.
Judge: Steven R. Denton
Dept: C-73**

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28 **PLAINTIFFS SECOND NOTICE OF MOTION AND MOTION TO COMPEL FURTHER
DOCUMENTS FROM DEFENDANTS**

1 **TO: ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD HEREIN:**

2 PLEASE TAKE NOTICE that on December 23, 2011 at 10:30 a.m. in Department C-73 of the above-
3 entitled court located at 330 West Broadway, San Diego, California, Plaintiffs move this Court for an order
4 compelling Defendants, to provide further documents to Plaintiffs' Second Motion to Compel Further
5 Documents from Defendants.

6 This motion is made pursuant to California Code of Civil Procedure Section 2031.310, the Separate
7 Statement filed herewith, the Declaration of Devin M. Storey, the pleadings and other documents on file
8 herein, and on such evidence presented at the hearing.

9
10 THE ZALKIN LAW FIRM, P.C.

11
12 Dated: 12-1-11

13 
14 Devin M. Storey
15 Attorney for Plaintiffs

1 **PROOF OF SERVICE**

2 Irwin M. Zalkin, Esq. SBN 89957
3 Devin M. Storey, Esq. SBN 234271
4 Michael J. Kinslow, Esq. SBN 238310
5 **THE ZALKIN LAW FIRM, P.C.**
6 12555 High Bluff Drive, Suite 260
7 San Diego, California 92130
8 Telephone (858) 259-3011
9 Facsimile: (858) 259-3015
10 Attorney for Plaintiffs

11 I, Lisa E. Maynes, am employed in the city and county of San Diego, State of
12 California. I am over the age of 18 and no a party to the action; my business address is 12555
13 High Bluff Drive, Suite 260, San Diego, CA 92130.

14 On December 1 2011, I caused to be served:

- 15 **1. PLAINTIFFS SECOND NOTICE OF MOTION AND MOTION TO COMPEL**
16 **FURTHER DOCUMENTS FROM DEFENDANTS**
- 17 **2. MEMORANDUM OF POINTS IN AUTHORITIES IN SUPPORT OF SECOND**
18 **NOTICE OF MOTION AND MOTION TO COMPEL FURTHER DOCUMENTS FROM**
19 **DEFENDANT**
- 20 **3. SEPARATE STATEMENT IN SUPPORT OF SECOND MOTION TO COMPEL**
21 **FURTHER DOCUMENTS**
- 22 **4. DECLARATION OF DEVIN M. STOREY IN SUPPORT OF SECOND MOTION TO**
23 **COMPEL**
- 24 **5. NOTICE OF LODGMENT IN SUPPORT OF SECOND MOTION TO COMPEL; AND**
- 25 **6. [PROPOSED] ORDER**

26 in this action by placing a true and correct copy of said documents(s) in sealed envelopes
27 addressed as follows:

28 **SEE ATTACHED SERVICE LIST**

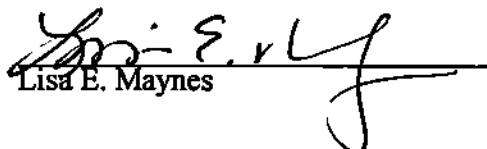
___ (BY MAIL) I am readily familiar with the firm's practice of collection and processing
correspondence for mailing. Under that practice it would be deposited with the U.S.
Postal Service on that same day with postage thereon fully prepaid at San Diego,
California, in the ordinary course of business. I am aware that on motion of the party
served, service is presumed invalid if postal cancellation date or postage meter date is
more than one day after date of deposit for mailing in affidavit.

X (BY PERSON SERVICE) By causing to be delivered by hand to the offices of the
addressee(s).

___ (BY OVERNIGHT DELIVERY) By sending by Federal Express to the addressee(s) as
indicated on the attached list.

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

Dated: 12-1-11


Lisa E. Maynes

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Attorney for Defendant Defendant Doe 3, Watchtower Bible & Tract Society of New York

1 Irwin M. Zalkin, Esq., (#89957)
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**MEMORANDUM OF POINTS IN
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PLAINTIFFS SECOND NOTICE OF
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COMPEL FURTHER DOCUMENTS
FROM DEFENDANT**

Date: 12-23-11
Time: 10:300 a.m.
Judge: Steven R. Denton
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**MEMORANDUM OF POINTS IN AUTHORITIES IN SUPPORT OF PLAINTIFFS SECOND
NOTICE OF MOTION AND MOTION TO COMPEL FURTHER DOCUMENTS FROM
DEFENDANT**

1 **I. INTRODUCTION**

2 This case results from the sexual molestation of Plaintiffs John Dorman and Joel Gamboa by
3 Gonzalo Campos. Campos held several different positions, over several years, with Playa Pacifica
4 Spanish Congregation of Jehovah's Witnesses (Playa Pacifica), Linda Vista Spanish Congregation of
5 Jehovah's Witnesses (Linda Vista), The Watchtower Bible and Tract Society of New York, Inc
6 (Watchtower). Playa Pacifica and Linda Vista are local congregations of the Jehovah's Witness Religion.
7 Watchtower is the national headquarters of the Jehovah's Witness faith and exercises governance over the
8 local congregations. Through the association of Plaintiffs and Campos with the Church Defendants,
9 Plaintiffs were repeatedly molested.

10 This motion involves four documents in the possession of Watchtower and Playa Pacifica
11 (Defendants). Each of the subject documents has been produced to Plaintiffs in redacted form. The names
12 of third party victims of sexual abuse by Gonzalo Campos, and family members of third party victims
13 have been redacted. Defendants originally asserted the privacy rights of third parties on the behalf of said
14 third parties. Through a stipulated protocol each of the interested third parties was given notice and an
15 opportunity to assert his or her right to privacy. (Plaintiffs' Exhibit 5, Stipulated Notice Protocol) At
16 least one individual has chosen to assert his or her right to privacy. (Plaintiffs' Exhibit 8, Letter from
17 Mario F. Moreno, Esq.) Plaintiffs bring this motion to compel Watchtower and Playa Pacifica to produce
18 un-redacted copies of the following documents:

- 19 1. The letter written by John and Manuela Dorman on April 11, 1994 and addressed to the
20 Monmouth, Oregon English Congregation of Jehovah's Witnesses (Plaintiffs' Exhibit 1);
- 21 2. The draft letter produced on "Congregacion Playa Pacifica Spanish" letterhead and dated
22 July 4, 1999 and addressed to "Service Department Watchtower Bible and Tract Society of New York.
23 Inc. (Plaintiffs' Exhibit 2);
- 24 3. The draft letter produced on "Congregacion Playa Pacifica Spanish" letterhead and dated
25 July 20, 1999 and addressed to "Service Department Watchtower Bible and Tract Society of New York.
26 Inc. (Plaintiffs' Exhibit 3); and
- 27 4. The document dated October 28, 2006 "Re: Update on Gonzalo Campos, Regarding Child
28 Abuse" (Plaintiffs' Exhibit 4.)

1 It appears that as few as one, and likely no more than three individuals have asserted their rights to
2 privacy in the subject documents. For the reasons discussed herein, Plaintiffs' interest in possessing the
3 un-redacted versions of the subject documents outweighs the possible privacy interests of the individuals
4 whose names are contained within the subject documents. Plaintiffs' motion to compel should be granted
5 and Watchtower and Playa Pacifica should be required to produce un-redacted copies of the subject
6 documents within five days.

7 A. The Jehovah's Witness Response to Accusations of Childhood Sexual Abuse

8 "Since July 1989, if elders learn of an allegation of childhood sexual abuse they call the Legal
9 Department and receive advice with respect to reporting laws for clergy members." (Plaintiffs' Exhibit
10 13, Doe 1, La Jolla Church's Response to Special Interrogatories, Response Number 7.) If local elders
11 learn of allegations of sexual abuse, "two elders would be assigned to investigate the matter." (Plaintiffs'
12 Exhibit 13, Doe 1, La Jolla Church's Response to Special Interrogatories, Response Number 6.) Such an
13 investigation would be made "by elders for the congregation where the accused was associated or
14 possibly where the victim was associated, if different." (Plaintiffs' Exhibit 14, Doe 3, Supervisory
15 Organization's Response to Special Interrogatories, Response Number 7.)

16 If the two investigating elders "determined that there was a basis for the allegations, a judicial
17 committee would have been formed (which could usually consist of the original two elders and at least
18 one more elder) to handle the matter according to Biblical principles." (Plaintiffs' Exhibit 13, Doe 1, La
19 Jolla Church's Response to Special Interrogatories, Response Number 6.) Local elders typically speak
20 with the perpetrator and the victims. (Plaintiffs' Exhibit 15, Doe 2, Linda Vista Church's Response to
21 Special Interrogatories, Response Number 9.)

22 A judicial committee has the authority to issue punishment or set restrictions on congregants who
23 have committed a serious sin. (Plaintiffs' Exhibit 9, Deposition of Juan Guardado at 30:7-9.) At its
24 conclusion, the judicial committee generates a report summarizing the accusations and outcome of the
25 judicial committee investigation and stating what punishment has been imposed on the accused.
26 (Plaintiffs' Exhibit 9, Deposition of Juan Guardado at 30:7-19.) A person is reprovved when the judicial
27 committee determines that the person was guilty of the sin, but is repentant and stopped committing the
28 sin prior to the commencement of the judicial committee. (Plaintiffs' Exhibit 9, Deposition of Juan

1 Guardado at 30:20 - 31:4.) A person who is reprovved remains an active member of the congregation, but
2 may be subjected to some restrictions. (Plaintiffs' Exhibit 9, Deposition of Juan Guardado at 32:8 -
3 32:19.) A person who is disfellowshipped is subjected to a period of expulsion from the congregation. A
4 person who is disfellowshipped cannot do field service, and no member of the congregation will speak to
5 him or her. (Plaintiffs' Exhibit 9, Deposition of Juan Guardado at 31:6 - 32:7.)

6 If the wrongdoer is disfellowshipped, he has the right to appeal the decision of the judicial
7 committee. (Plaintiffs' Exhibit 9, Deposition of Juan Guardado at 33:4 - 4.) This appeal is not heard by
8 the same members who comprised the original judicial committee, but is instead heard by a different
9 group of three elders, sometimes from a different congregation altogether. (Plaintiffs' Exhibit 10,
10 Deposition of Jesus Montijo at 32:13-25.)

11 The written report of the judicial committee must be sent to the Service Department of the
12 Watchtower if the wrongdoer was disfellowshipped, or if the wrongdoer was reprovved while serving in
13 the appointed positions of pioneer, ministerial servant, or elder. (Plaintiffs' Exhibit 9, Deposition of Juan
14 Guardado at 51:3 - 52:1.)

15 When a judicial committee was formed as a result of child abuse by the accused, the written
16 report of the judicial committee must be kept forever. (Plaintiffs' Exhibit 9, Deposition of Juan
17 Guardado at 34:25 - 35:15.) This is true whether the accused was reprovved or disfellowshipped.
18 (Plaintiffs' Exhibit 9, Deposition of Juan Guardado at 34:25 - 35:15.) If the perpetrator moves to another
19 congregation, that new congregation would be given a letter about the results of the judicial committee.
20 (Plaintiffs' Exhibit 10, Deposition of Jesus Montijo at 34:1-9.)

21 The file of the judicial committee is kept in the congregation's confidential files. (Plaintiffs'
22 Exhibit 11, Deposition of Dennis Palmer at 50:6 - 50:20.) One of the congregation's elders serves as the
23 congregation's secretary. The secretary has access to the congregation's confidential files and judicial
24 committee records. (Plaintiffs' Exhibit 11, Deposition of Dennis Palmer at 50:6 - 50:20.) It is the
25 obligation of a new secretary upon rising to that position to review the congregation's archives and
26 confidential files, including the judicial committee reports. (Plaintiffs' Exhibit 11, Deposition of Dennis
27 Palmer at 50:6 - 50:20.; Plaintiffs' Exhibit 12, Deposition of Ramon Preciado at 61:19 - 62:12.)
28 Additionally, when new elders are appointed, they must be informed of what members of the

1 congregation are under restriction, and the basis of the restrictions. (Plaintiffs' Exhibit 11, Deposition of
2 Dennis Palmer at 34:5-17.)

3 After a congregation member has been disfellowshipped, he or she can apply for reinstatement by
4 submitting a written request to the body of elders of the congregation. (Plaintiff's Exhibit 9, Deposition
5 of Juan Guardado at 42:10 - 43:12.) A group of elders will consider the reinstatement request.
6 (Plaintiff's Exhibit 9, Deposition of Juan Guardado at 44:7 - 44:17.) This group of elders may be
7 comprised of the original judicial committee who imposed disfellowship, or of different elders if the
8 original judicial committee members are no longer associated with the congregation. (Plaintiff's Exhibit
9 9, Deposition of Juan Guardado at 44:7 - 44:17.) The elders will open the judicial committee file and
10 review its contents. (Plaintiff's Exhibit 9, Deposition of Juan Guardado at 49:19-21.) They will
11 consider whether the perpetrator can be reinstated, and if so, what restrictions should be placed on him.

12 Thus, in light of the foregoing, any report of childhood sexual abuse made to a local congregation
13 is made with the understanding that individuals associated with the Watchtower's Legal Department, the
14 perpetrator, the victim, and at least two elders of the local congregation where the perpetrator was
15 affiliated will be made aware of the communication. Any statement made to a judicial committee is made
16 with the understanding that the perpetrator, individuals associated with the Watchtower, the currently
17 constituted body of elders of the local congregation conducting the judicial committee, innumerable
18 subsequent elders who hold the position of secretary, a judicial committee formed from elders at another
19 congregation for the purpose of appeal, the elders of any subsequent congregation that the perpetrator
20 attends, and subsequent elders not associated with the original judicial committee in considering a request
21 for reinstatement of the accused may be given access to the statement. In short, potentially dozens of
22 individuals not present for the original communication, may ultimately be able to review any statement or
23 information provided to a judicial committee or body of elders.

24 **II. THE INTERESTS OF PLAINTIFF, AND OF THE STATE, OUTWEIGH THE POSSIBLE**
25 **PRIVACY RIGHT OF THE THIRD PARTY WITNESSES IDENTIFIED IN THE SUBJECT**
26 **DOCUMENTS**

27 An unknown number of third parties identified in the four documents at issue in this motion have
28 asserted their personal rights to privacy to prevent Defendants Watchtower and Playa Pacifica from
disclosing their identities to Plaintiffs. Initially, it is far from clear that any of the third parties have a

1 legitimate expectation of privacy in the subject documents. However, if this Court determines that the
2 third parties do indeed have an expectation of privacy, “[t]he constitutional right to privacy is not
3 absolute.” *Palay v. Superior Court* (1993) 18 Cal.App.4th 919, 933. “[T]he right of privacy protects the
4 individual's reasonable expectation of privacy against a serious invasion. [Citation.] However, [p]rivacy
5 concerns are not absolute; they must be balanced against other important interests. [Citations.] [N]ot
6 every act which has some impact on personal privacy invokes the protections of [our Constitution]
7 [A] court should not play the trump card of unconstitutionality to protect absolutely every assertion of
8 individual privacy. [Citation.]” *In re The Clergy Cases I* (2010) 188 Cal.App.4th 1224, 1234 (internal
9 citations and quotations omitted.) Thus, this Court must balance the privacy interests of the objecting
10 third parties against other interests supporting disclosure.

11 In this circumstance, the State’s interests in ascertaining the truth in legal proceedings and
12 protecting the public from child abusers, the interest of fairness and justice that both parties should have
13 equal access to witnesses in possession of relevant evidence, and the Plaintiffs’ interest in having access
14 to information necessary to prove their case, override the right to privacy of the individual identified in
15 this document.

16 **A. The Objecting Third Parties Have No Significant Expectation of Privacy in the**
17 **Subject Documents**

18 In order for a party or third party to assert a privacy right, they must have a reasonable expectation
19 of privacy in the information sought. *Hill v. National Collegiate Athletic Assn.*, (1994) 7 Cal.4th 1, 40.
20 Here, Plaintiffs are seeking the identities of those individuals redacted in the aforementioned documents.
21 These individuals do not have a reasonable expectation of privacy as to their identities, because they
22 voluntarily gave statements with the understanding that the perpetrator, individuals associated with the
23 Watchtower, the currently constituted body of elders of the local congregation conducting the judicial
24 committee, innumerable subsequent elders who hold the position of secretary, a judicial committee
25 formed from elders at another congregation for the purpose of appeal, the elders of any subsequent
26 congregation that the perpetrator attends, and subsequent elders not associated with the original judicial
27 committee in considering a request for reinstatement of the accused may be given access to the statement.

28 Because dozens, and possibly more, people knew or could readily have access to the identities of
these individuals, they do not have a reasonable expectation of privacy, and therefore cannot assert a

1 privacy interest to protect disclosure of their identities.

2 **B. The State's Dual Interests of Ascertaining the Truth in Legal Proceedings and**
3 **Protecting the Public From Child Abusers And Institutions That Shield Them Outweigh the**
4 **Objecting Third Parties' Privacy Rights**

5 Even if there exists a reasonable expectation of privacy, the court must then determine whether
6 the "...private information sought to be discovered is directly relevant to the issues of the instant
7 litigation." *Binder v. Superior Court* (1987) 196 Cal.App.3d 893, 901. If the information is found to be
8 relevant, then there must be a "careful balance" between the third party's individual privacy rights, and
9 the interests of the state and parties involved. *Id.* at 900. It is reasonably expected, that if the sought after
10 evidence will play a major role in a party's case, "...the right to privacy would give way under the
11 California balancing test." *Denari v. Superior Court*, 215 Cal.App.3d 1488, 1501 (5th Dist. 1989).

12 Further, "The state's interest in facilitating the ascertainment of truth in connection with legal
13 proceedings is substantial enough to compel disclosure of a great variety of confidential material." *Jones*
14 *v. Superior Court* (1981) 119 Cal.App.3d 534, 550. In *Jones*, petitioner, and third party to the litigation,
15 sought to block a discovery order requiring disclosure of certain facts relating to her postpartum medical
16 care, in part, on the grounds that it was an unconstitutional invasion of privacy. *Id.* at 540-41. Although
17 the appellate court recognized a strong privacy interest in an individual's personal, medical history, the
18 court still found that the relevancy of the information sought, coupled with the state's interest in
19 ascertaining the truth outweighed the third party petitioner's privacy interest. *Id.* at 551.

20 Here, Plaintiffs, victims of childhood sexual abuse perpetrated by Mr. Campos, are seeking
21 information as to the identities of other known victims of Mr. Campos as well as their known family
22 members. This information is highly relevant to Plaintiffs claims, as this case revolves around the
23 childhood sexual abuse perpetrated by Mr. Campos, and what, if any, knowledge the institutional
24 defendants had.

25 Because the information sought is relevant, the next inquiry is whether, on balance, the state and
26 parties' interests outweigh the individual privacy interests of the third parties. Here, the combination of
27 the state's interest in ascertaining the truth, and the public's interest in transparency as it relates to
28 childhood sexual abuse outweigh the third parties' privacy rights.

1 The state has a recognized interest in ascertaining the truth in legal proceedings. As in *Jones*, in
2 which the court found that the state's interest in facilitating the ascertainment of truth was compelling
3 enough to override the privacy interest of an individual in their personal, medical history, the court here
4 should similarly find that the ascertainment of truth outweighs any privacy interest of the objecting third
5 parties. Essentially, Plaintiffs are seeking to ascertain not only the bad acts of Mr. Campos, but also to
6 what extent the institutions involved knew or should have known of Mr. Campos' proclivities. The
7 identities of individuals identified in official Watchtower and individual congregation documents as
8 victims of abuse perpetrated by Mr. Campos will aid in that truth-finding process. Furthermore, the third
9 party privacy rights asserted in the instant matter do not rise to the level of those in *Jones*, in which the
10 court recognized a strong individual privacy right in one's medical history, but still chose to invade it. In
11 the instant matter, the third party individuals' privacy assertion amounts to nothing more than seeking
12 anonymity.

13 Another factor weighing in favor of disclosing the identities of the redacted individuals is the
14 public's interest in institutional transparency as it relates to childhood sexual abuse. *In re The Clergy*
15 *Cases I* involved a balancing of the privacy rights of sexual abusers in their personnel files against the
16 interest of the public and their victims of seeing those files made public. The court found that "the
17 compelling social interests in disclosure of information relating to sexual predators of children outweigh"
18 the abuser's privacy interests. 188 Cal.App.4th at 1235. The court noted that:

19 Surely, all members of the Santa Barbara Franciscan province, as well as members
20 of the Catholic Church throughout California, have a compelling interest in knowing
21 what treatment the Individual Friars received, if any, for their predatory proclivities,
22 and whether it was adequate to protect young parishioners whom they may have
23 encountered in their ministries. Plaintiffs, former members of the Santa Barbara
24 Franciscan province who have suffered the lifelong effects of childhood abuse,
25 have the same interests as other members of the province and society in having the
documents of their abusers released. Indeed, all citizens have a compelling interest
in knowing if a prominent and powerful institution has cloaked in secrecy decades
of sexual abuse revealed in the psychiatric records of counselors who continued to
have intimate contact with vulnerable children while receiving treatment for their
tendencies toward child molestation.

26 188 Cal.App.4th at 1236. In analyzing the public's interest in this way, the court placed significant
27 importance on the public, and the victims', rights to know what the abusers' employers had done in
28 response to sexual abuse allegations. These same interests and concerns are present in this matter. The

1 objecting witnesses are integral to determining the nature and scope of the Church Defendants' responses
2 to sexual abuse allegations against Campos. For instance, it is possible that one or more of the individuals
3 whose information is redacted could have made a complaint regarding the sexual abuse of a child by
4 Campos who was still a minor when clergy members became mandatory child abuse reporters. Without
5 even the identities of the objecting third parties, this information cannot be unearthed.

6 Therefore, in balancing the interests involved, the state's interest in ascertaining the truth of legal
7 proceedings, and the public's interest in knowing how an influential religious institution responded to
8 sexual abuse allegations against its agents outweigh the objecting third parties' privacy interests.

9 **C. Plaintiffs' Interests in Securing a Fair Legal Process Outweigh the Objecting Third**
10 **Parties' Privacy Rights**

11 Plaintiffs have a legitimate interest in securing a fair legal process by which they have access to
12 the same witnesses Defendants have the opportunity to contact or interview.

13 "The legitimate interests and purposes of discovery generally are amply protected by the
14 requirement that an adverse party is entitled to the identity and location of all persons with knowledge of
15 the relevant facts . . . persons who have relevant knowledge are not to be considered the witnesses of any
16 particular party to the litigation. Ensuring the availability to all parties of the right to contact and to take
17 depositions of these witnesses provides adequate safeguards against surprise or false testimony.
18 Furthermore, knowledge of the identity of these possible witnesses permits investigation into the facts
19 while encouraging diligence on the part of both attorneys." *City of Long Beach v. Superior Court* (1976)
20 64 Cal.App.3d 65, 76-77.


21 Defendants have un-redacted copies of the subject documents. As a result, they have the
22 opportunity to contact the objecting third parties; interview them; follow leads provided by those
23 interviews; interview witnesses identified by objecting third parties; and potentially convince them to
24 waive their privacy interest if their testimony would benefit Defendants or continue to assert that right if
25 their testimony would aid Plaintiffs. Plaintiffs, on the other hand, have no access to those individuals.
26 The Discovery Act seeks to preclude parties from making witnesses their own by ensuring that all
27 witnesses with relevant information are available to all parties. This "legitimate interest" must trump the
28 third parties' assertion of privacy.

1 **VI. CONCLUSION**

2 The documents Defendants withheld on the basis of privilege should be produced. If the third
3 parties indeed possess a privacy right in the documents, that interest must yield to the interests of the
4 Plaintiffs and the State outlined above. The documents should be produced to Plaintiffs in un-redacted
5 form.

6 Respectfully Submitted,
7 THE ZALKIN LAW FIRM, P.C.

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9 Dated: 12-1-11

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12 Devin M. Storey
13 Attorney for Plaintiffs
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Case No: 37-2010-00092450-CU-PO-CTL

**DECLARATION OF DEVIN M.
STOREY IN SUPPORT OF SECOND
MOTION TO COMPEL FURTHER
RESPONSES**

**Date: 12-23-11
Time: 10:30 a.m.
Judge: Steven R. Denton
Dept: C-73**

1 I, Devin M. Storey, declare as follows:

2 1. I am an attorney duly licensed to practice law in the State of California. I am employed with The
3 Zalkin law Firm, P.C., counsel of record for Plaintiffs' John Dorman and Joel Gamboa herein.

4 2. Attached as Plaintiffs' Exhibit 1 to Plaintiffs' notice of lodgment is a true and correct copy of the
5 letter dated April 11, 1994.

6 3. Attached as Plaintiffs' Exhibit 2 to Plaintiffs' notice of lodgment is a true and correct copy of the
7 letter dated July 4, 1999.

8 4. Attached as Plaintiffs' Exhibit 3 to Plaintiffs' notice of lodgment is a true and correct copy of the
9 letter dated July 20, 1999

10 5. Attached as Plaintiffs' Exhibit 4 to Plaintiffs' notice of lodgment is a true and correct copy of the
11 document dated October 28, 2006.

12 6. Plaintiffs have propounded multiple sets of discovery to each of the three Church Defendants in
13 this matter.

14 7. On October 11, 2010, Defendant Watchtower and Defendant Playa Pacifica, responded to requests
15 for production of documents propounded by Plaintiffs John Dorman and Joel Gamboa. In that
16 production, Defendant Watchtower identified six documents that it claimed were privileged on the basis
17 of the "minister communicant" privilege, and also objected to the extent those documents may implicate
18 the privacy rights of third parties. Defendant Playa Pacifica did not identify any documents being
19 withheld on the basis of privilege, but did object to each of Plaintiffs' requests for production on the basis
20 of the privacy rights of third parties, the First Amendment, and the relevance of documents generated
21 after the last date of abuse.

22 8. On November 24, 2010, Plaintiffs addressed a meet and confer letter to Defendants' counsel,
23 James McCabe, Esq. of the McCabe Law Firm, discussing Defendants' assertion of privileges, as well as
24 the relevance of post abuse documents.

25 9. Mr. McCabe and I had several followup communications and, ultimately, Defendant Watchtower
26 agreed to produce the six documents withheld on the basis of the "minister-communicant" privilege, as
27 well as documents generated after the last date of abuse alleged by the Plaintiffs. Defendant Watchtower
28

1 also agreed to produce six additional documents that had not previously been disclosed to Plaintiffs.
2 These documents were marked as confidential, and pursuant to a stipulated protective order, could not be
3 filed in open court, or disclosed publicly, but could be used for purposes of investigation and disclosed to
4 a mediator chosen by the parties. These documents also redacted the names and identifying information
5 of third party victims of sexual abuse by Gonzalo Campos and the families of third party victims.

6 10. After mediation was unsuccessful, Plaintiffs pursued a motion to compel the production of the
7 withheld documents.

8 11. On April 19, 2011, I received meet and confer letters from Mr. McCabe regarding documents in
9 the possession of Defendant Watchtower and Defendant Playa Pacifica. At this time, Defendant Playa
10 Pacifica first identified 7 documents that it claimed were privileged. Both Defendants stated the bases on
11 which they objected to production. Each Defendant asserted the "minister-communicant" privilege, the
12 privacy rights of third parties, and the relevance of post-last date of abuse documents.

13 12. Plaintiffs moved to compel production of the eighteen documents withheld by Defendant
14 Watchtower and Defendant Playa Pacifica. In the meet and confer process, Plaintiffs specifically
15 proposed a protocol by which third parties could be apprized of their privacy rights and Plaintiffs would
16 have an opportunity to challenge those assertions of privacy. On July 1, 2011, Plaintiffs' motion to
17 compel was heard, and fourteen of the eighteen documents at issue were ordered produced. Plaintiffs'
18 counsel received these documents on July 13, 2011. The documents produced by Defendants continued
19 to redact the names and identifying information of third parties.

20 13. The Court did not rule on the third party privacy issue at that time. Instead the Court instructed
21 the parties to attempt to find a resolution to that issue informally. The Parties followed the Court's
22 instruction and successfully negotiated a protocol for notifying and allowing third parties to assert their
23 privacy rights. That protocol had been agreed to, in substance, by September 8, 2011 and a stipulation
24 was circulated for signature by Defendants.

25 14. The stipulated protocol was executed on behalf of Defendant Watchtower on September 8, 2011;
26 by Defendant Playa Pacifica on September 12, 2011; and by Defendant Linda Vista on September 29,
27 2011. Plaintiff received the stipulation on October 3, 2011 and immediately executed the stipulation.

1 15. Attached as Plaintiffs' Exhibit 5 to Plaintiffs' notice of lodgment is a true and correct copy of the
2 fully executed stipulation regarding third party privacy rights.

3 16. Plaintiffs returned the fully executed stipulation of all Defense Counsel on October 3, 2011 via
4 email. The stipulation called for written notice to be given by the Church Defendants to all interested
5 third parties within seven days of the execution of the stipulation. Thus, pursuant to the stipulation,
6 written notice should have been provided to all interested third parties who could be located by
7 Defendants by October 10, 2011.

8 17. Any interested party seeking to exercise his or her right to privacy was required to check a box
9 and return the letter to Counsel for the Church Defendants within 21 days of the date of the letter.
10 Pursuant to the stipulation, this period should have elapsed on October 31, 2011.

11 18. On October 24, 2011, I inquired with Defendants' Counsel as to the status of Defendants' efforts
12 to give notice to the interest third parties.

13 19. Attached as Plaintiffs' Exhibit 6 to Plaintiffs' notice of lodgment is a true and correct copy of an
14 email message set by Plaintiffs' Counsel, Devin M. Storey, on October 24, 2011, to James McCabe, Esq.,
15 Counsel for Playa Pacifica, Rocky Copley, Esq., Counsel for Linda Vista, and Mario Moreno, Esq.,
16 Counsel for Watchtower.

17 20. Later that day, I received a responsive email from Mario F. Moreno, Esq., Counsel for Defendant
18 Watchtower, that was responsive to part of Plaintiff's earlier email, but did not address the status of the
19 third party privacy notices.

20 21. On November 15, 2011, I again followed up with Defense Counsel as to the status of the third
21 party privacy notices.

22 22. Attached as Plaintiffs' Exhibit 7 to Plaintiffs' notice of lodgment is a true and correct copy of an
23 email message set by Plaintiffs' Counsel, Devin M. Storey, Esq., on November 15, 2011, to James
24 McCabe, Esq., Counsel for Playa Pacifica, Rocky Copley, Esq., Counsel for Linda Vista, and Mario
25 Moreno, Esq., Counsel for Watchtower.

26 23. On November 21, 2011, I received an email message from Mario F. Moreno, Esq., Counsel for
27 Watchtower, informing me that one individual identified in the documents in the possession of Defendant
28

1 Watchtower had asserted his or her right to privacy. This was the first substantive response from any
2 Defendant relating to the status of the third party privacy notices.

3 24. Attached as Plaintiffs' Exhibit 8 to Plaintiffs' notice of lodgment is a true and correct copy of a
4 letter dated November 21, 2011 and addressed by Mario F. Moreno to Devin M. Storey, and a one page
5 attachment.

6 25. In light of the original meet and confer efforts of the parties that preceded Plaintiffs' original
7 Motion to Compel, the negotiation of a stipulated protocol for the handling of third party privacy issues,
8 and my follow up attempts to determine the status of the privacy assertions, I reasonably attempted to
9 meet and confer with Defense Counsel on all of the issues raise in this motion.

10 26. Despite multiple requests, I still have received no response from Playa Pacifica indicating which,
11 if any, witnesses identified in the documents in the possession of Playa Pacifica chose to assert their
12 privacy rights.

13 27. Attached as Plaintiffs' Exhibit 9 to Plaintiffs' notice of lodgment is a true and correct copy of
14 pages 30-35, 42, 43, 44, 49 and 51-52 of the Deposition of Juan Guardado.

15 28. Attached as Plaintiffs' Exhibit 10 to Plaintiffs' notice of lodgment is a true and correct copy of
16 pages 32 and 34 of the Deposition of Jesus Montijo.

17 29. Attached as Plaintiffs' Exhibit 11 to Plaintiffs' notice of lodgment is a true and correct copy of
18 pages 34 and 50 of the Deposition of Dennis Palmer.

19 30. Attached as Plaintiffs' Exhibit 12 to Plaintiffs' notice of lodgment is a true and correct copy of
20 pages 61 and 62 of the Deposition of Ramon Preciado.

21 31. Attached as Plaintiffs' Exhibit 13 are true and correct copies of pages 1 through 5 of Defendant La
22 Jolla [now Playa Pacifica] Congregation's Responses to Special Interrogatories [Set One] Dated October
23 11, 2010.

24 32. Attached as Plaintiffs' Exhibit 14 are true and correct copies of pages one through six of
25 Defendant Watchtower's Responses to Special Interrogatories [Set One] Dated October 11, 2010.

26 33. Attached as Plaintiffs' Exhibit 15 are true and correct copies of pages one through five of
27 Defendant Linda Vista Congregation's Responses to Special Interrogatories [Set One] Dated October 11,
28


1 2010.

2

3 34. I declare under penalty of perjury of the laws of the State of California that the foregoing is true
4 and correct to the best of my knowledge and belief.

5 Executed this first day of December, 2011 at San Diego, California.

6 Dated: 12-1-11

7 
Devin M. Storey

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1 Irwin M. Zalkin, Esq., (#89957)
Devin M. Storey, Esq. (#234271)
2 Michael J. Kinslow, Esq. (#238310)
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4 Tel: 858-259-3011
Fax: 858/259-3015

5 Attorney for Plaintiffs
6

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

10
11 John Dorman, Individually, and Joel
Gamboa, Individually,

12 Plaintiffs,

13 vs.

14 Defendant Doe 1, La Jolla Church;
15 Defendant Doe 2, Linda Vista Church;
16 Defendant Doe 3, Supervisory Organization;
17 Defendant Doe 4, Perpetrator, and Does 5
through 100,

18 Defendants.
19
20
21
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25

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

**PLAINTIFFS SEPARATE
STATEMENT IN SUPPORT OF
SECOND MOTION TO COMPEL
FURTHER DOCUMENTS**

**Date: 12-23-11
Time: 10:30 a.m.
Judge: Steven R. Denton
Dept: C-73**

1 Document: Document 1

2

3 Description: The letter written by John and Manuela Dorman on April 11, 1994 and addressed to the
4 Monmouth, Oregon English Congregation of Jehovah's Witnesses.

5

6 Privilege: Third Party Privacy

7

8 Argument: Plaintiffs have an extreme interest in discovering the identity of the individual whose
9 name has been redacted from this document. This document notes that Manuela Dorman
10 called Roberto Rivera prior to April 11, 1994, and Mr. Rivera informed her "he had
11 suspected that Gonzalo was not to be trusted and therefore had not let his family and son
12 associate with him for a long time. Mr. Rivera said that he had already been told about
13 this danger from [name redacted]. Gonzalo had shown an interest in her son and she didn't
14 think it the situation seemed right."

15

16 It is possible that neither Mr. Rivera, nor Mrs. Dorman, recall the name of that individual
17 whose name has been redacted. In that circumstance, Defendants have the advantage over
18 Plaintiffs in that they can interview a woman who was suspicious of Campos prior to
19 1994, and Plaintiffs would not have the same access. Defendant could essentially bury an
20 important witness through assertion of a privacy interest.

21

22 This document is particularly critical because Roberto Rivera served as a Ministerial
23 Servant and Elder of Playa Pacifica. Defendants have conceded that while an individual
24 holds those positions, he is an agent of both the local congregation and Watchtower.
25 Roberto Rivera was a ministerial servant with Playa Pacifica from the moment of its
26 creation until he was appointed an Elder of Playa Pacifica on August 4, 1989. He was
27 removed as an Elder sometime following February 2, 1990 and preceding November of
28 1990. It is most likely that this report to Roberto Rivera occurred while he was serving as

1 an Elder or Ministerial Servant. Such a report has extreme relevance to the issue of the
2 Defendants' notice of Campos' proclivity toward molesting children.

3
4 "The constitutional right to privacy is not absolute. (119 Cal.App.3d at p. 550; *Board of*
5 *Medical Quality Assurance v. Gherardini*, supra, 93 Cal.App.3d at p. 679.) It may be
6 outweighed by supervening concerns. (*Ibid*) The state has enough of an interest in
7 discovering the truth in legal proceedings, that it may compel disclosure of confidential
8 material. (*Jones v. Superior Court*, supra, 119 Cal.App.3d at p. 550.)" *Palay v. Superior*
9 *Court* (1993) 18 Cal.App.4th 919, 933. In this circumstance, the State's interest in
10 ascertaining the truth in legal proceedings, coupled with the Plaintiffs' interest in having
11 access to information necessary to prove their case, and the interest of fairness and justice
12 that both parties should have equal access to witnesses in possession of relevant evidence
13 override the right to privacy of the individual identified in this document.

14
15 Document: Document 2

16
17 Description: The draft letter produced on "Congregacion Playa Pacifica Spanish" letterhead and dated
18 July 4, 1999 and addressed to "Service Department Watchtower Bible and Tract Society of
19 New York. Inc.

20
21 Privilege: Third Party Privacy

22
23 Argument: This document redacts three names over two pages. The individual whose name has been
24 redacted from page one of this documents, has not asserted her right to privacy. It is clear
25 from the context of the letters that this is the same individual whose name is redacted from
26 the July 20, 1999 draft letter, and whose name was disclosed by Watchtower when it
27 produced an un-redacted version of the July 24, 1999 letter that is the final version of the
28 series of drafts from July 4 and July 20.

1 On the handwritten second page of this document, two names have been redacted.
2 One entry reads "Hijo de [redacted]." Plaintiffs take the position that Campos was
3 subjected to a "Judicial Committee" in 1986. Defendants dispute that any such committee
4 was formed at that time. This document identifies what may be a previously unidentified
5 victim of abuse by Campos who would provide relevant information relating to the
6 occurrence of the Judicial Committee in 1986. Plaintiff has a very strong interest in
7 obtaining the redacted name.

8
9 The second entry appears to read: "[redacted] Gemio." This entry likely corresponds to an
10 individual who has been deposed in this action and has testified fully regarding the assault
11 he experienced at the hands of Gonzalo Campos. Plaintiffs, however, should be able to
12 confirm this fact by obtaining an un-redacted copy of the document. The witness waived
13 his right to privacy by appearing for a deposition and fully testifying about his experience.

14
15 "The constitutional right to privacy is not absolute. (119 Cal.App.3d at p. 550; *Board of*
16 *Medical Quality Assurance v. Gherardini*, supra, 93 Cal.App.3d at p. 679.) It may be
17 outweighed by supervening concerns. (*Ibid.*) The state has enough of an interest in
18 discovering the truth in legal proceedings, that it may compel disclosure of confidential
19 material. (*Jones v. Superior Court*, supra, 119 Cal.App.3d at p. 550.)" *Palay v. Superior*
20 *Court* (1993) 18 Cal.App.4th 919, 933. In this circumstance, the State's interest in
21 ascertaining the truth in legal proceedings, coupled with the Plaintiffs' interest in having
22 access to information necessary to prove their case, and the interest of fairness and justice
23 that both parties should have equal access to witnesses in possession of relevant evidence
24 override the right to privacy of the individual identified in this document.

25
26 Document: Document 3

27
28 Description: The draft letter produced on "Congregacion Playa Pacifica Spanish" letterhead and dated

1 July 20, 1999 and addressed to "Service Department Watchtower Bible and Tract Society
2 of New York. Inc.

3
4 Privilege: Third Party Privacy

5
6 Argument: This document is a draft of a letter dated July 24, 1999 that was sent to Watchtower. One
7 name is redacted from the most recent version of the document, as produced by Playa
8 Pacifica. That individual clearly has not chosen to assert her right to privacy because
9 Watchtower has produced that document in un-redacted form, identifying the witness.
10 This document should be produced in un-redacted form.

11
12 Moreover, "The constitutional right to privacy is not absolute. (119 Cal.App.3d at p. 550;
13 *Board of Medical Quality Assurance v. Gherardini*, supra, 93 Cal.App.3d at p. 679.) It
14 may be outweighed by supervening concerns. (*Ibid.*) The state has enough of an interest in
15 discovering the truth in legal proceedings, that it may compel disclosure of confidential
16 material. (*Jones v. Superior Court*, supra, 119 Cal.App.3d at p. 550.)" *Palay v. Superior*
17 *Court* (1993) 18 Cal.App.4th 919, 933. In this circumstance, the State's interest in
18 ascertaining the truth in legal proceedings, coupled with the Plaintiffs' interest in having
19 access to information necessary to prove their case, and the interest of fairness and justice
20 that both parties should have equal access to witnesses in possession of relevant evidence
21 override the right to privacy of the individual identified in this document, even if she had
22 asserted it.

23
24 Document: Document 4

25
26 Description: The document dated October 28, 2006 "Re: Update on Gonzalo Campos, Regarding Child
27 Abuse.
28

1 Privilege: Third Party Privacy

2
3 Argument: The document redacts three names: a mother and her two sons. This document indicates
4 that as of October of 2006, the mother of the two boys attended La Puente Spanish
5 Congregation; one of her sons was disfellowshipped from La Puente Spanish
6 Congregation; and the other son attended Harbor View Spanish Congregation. From these
7 facts it is appears that one of the two boys is Javier Cervantes, who is a Plaintiff in the
8 related case of *John Rivera, et al v. Doe 1, Pacific Beach Church, et al.* Mr. Cervantes is
9 represented by the same counsel as John Dorman and Joel Cervantes, and has executed a
10 waiver of his right to privacy in the subject documents. That waiver has been presented to
11 Defendants. This name should be un-redacted.

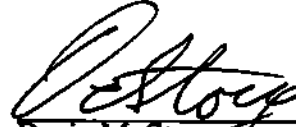
12
13 Javier Cervantes' mother has been interviewed by Defendants in these related matters.
14 Witnesses are not proprietary and do not belong to one party or the other. It is
15 fundamentally unfair that Defendants should have access to witnesses with information
16 relevant to the case, and Plaintiffs have no ability to access the same witnesses.

17
18 "The constitutional right to privacy is not absolute. (119 Cal.App.3d at p. 550; *Board of*
19 *Medical Quality Assurance v. Gherardini*, supra, 93 Cal.App.3d at p. 679.) It may be
20 outweighed by supervening concerns. (*Ibid.*) The state has enough of an interest in
21 discovering the truth in legal proceedings, that it may compel disclosure of confidential
22 material. (*Jones v. Superior Court*, supra, 119 Cal.App.3d at p. 550.)" *Palay v. Superior*
23 *Court* (1993) 18 Cal.App.4th 919, 933. In this circumstance, the State's interest in
24 ascertaining the truth in legal proceedings, coupled with the Plaintiffs' interest in having
25 access to information necessary to prove their case, and the interest of fairness and justice

1 that both parties should have equal access to witnesses in possession of relevant evidence
2 override the right to privacy of the individual identified in this document.

3 THE ZALKIN LAW FIRM, P.C.

4
5 Dated: 12-1-11

6 
7 Devin M. Storey
8 Attorney for Plaintiffs

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Fax: 858/259-3015

5 Attorney for Plaintiffs
6

7
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN DIEGO**
10

11 John Dorman, Individually, and Joel
Gamboa, Individually,

12 Plaintiffs,

13 vs.

14 Defendant Doe 1, La Jolla Church;
15 Defendant Doe 2, Linda Vista Church;
16 Defendant Doe 3, Supervisory Organization;
17 Defendant Doe 4, Perpetrator; and Does 5
through 100,

18 Defendants.
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24
25

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

**PLAINTIFFS NOTICE OF
LODGMET IN SUPPORT OF
SECOND MOTION COMPEL
FURTHER DOCUMENTS FROM
DEFENDANTS**

**Date: 21-23-11
Time: 10:30 a.m.
Judge: Steven R. Denton
Dept: C-73**

26
27
28
1
**PLAINTIFFS NOTICE OF LODGMET IN SUPPORT OF SECOND MOTION TO COMPEL
FURTHER DOCUMENTS FROM DEFENDANTS**

1 Plaintiffs hereby lodge the following documents with their Second Motion to Compel Further
2 Responses to Request for Production of Documents:

3 Exhibit 1: A true and correct copy of the letter dated April 11, 1994.

4 Exhibit 2: A true and correct copy of the letter dated July 4, 1999.

5 Exhibit 3: A true and correct copy of the letter dated July 20, 1999.

6 Exhibit 4: A true and correct copy of the document dated October 28, 2006.

7 Exhibit 5: A true and correct copy of the fully executed stipulation regarding third party privacy rights.

8 Exhibit 6: A true and correct copy of an email message set by Plaintiffs' Counsel, Devin M. Storey, on
9 October 24, 2011, to James McCabe, Esq., Counsel for Playa Pacifica, Rocky Copley, Esq.,
10 Counsel for Linda Vista, and Mario Moreno, Esq., Counsel for Watchtower.

11 Exhibit 7: A true and correct copy of an email message set by Plaintiffs' Counsel, Devin M. Storey, Esq.,
12 on November 15, 2011, to James McCabe, Esq., Counsel for Playa Pacifica, Rocky Copley,
13 Esq., Counsel for Linda Vista, and Mario Moreno, Esq., Counsel for Watchtower.

14 Exhibit 8: A true and correct copy of a letter dated November 21, 2011 and addressed by Mario F.
15 Moreno to Devin M. Storey, and a one page attachment.

16 Exhibit 9: A true and correct copy of pages 30-35, 42, 43, 44, 49 and 51-52 of the Deposition of Juan
17 Guardado.

18 Exhibit 10: A true and correct copy of pages 32 and 34 of the Deposition of Jesus Montijo.

19 Exhibit 11: A true and correct copy of pages 34 and 50 of the Deposition of Dennis Palmer.

20 Exhibit 12: A true and correct copy of pages 61 and 62 of the Deposition of Ramon Preciado.

21 Respectfully Submitted,

22 THE ZALKIN LAW FIRM, P.C.

23
24 Dated: 12-1-11

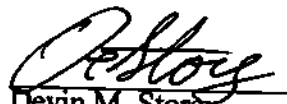
25 
26 Devin M. Storey
27 Attorney for Plaintiffs
28

EXHIBIT 1

April 11, 1994
Monmouth, Oregon

To the Elders, Jehovah's Witnesses:

We recently found a letter that our son, John Victor Dorman III, wrote to a girl-friend. In the letter John mentioned that something happened to him when he was six years old. We couldn't imagine and were curious to know what John was writing. So, we asked John what the letter was about. To say the least his answer shocked us.

Therefore, we are writing to inform you of what we learned. When John was six years old and we were living in LaJolla, California, a friend of the family, Gonzalo Campos, took John with him and his mother to work a few times. Gonzalo and his mother cleaned houses in the area. It was on these occasions that Gonzalo sexually abused John. We have also been informed by John that Gonzalo abused another boy, Johnny Rivera. My wife called Johnny's father, Roberto Rivera. Mr. Rivera said that he had suspected that Gonzalo was not to be trusted and therefore has not let his family and son associate with him for a long time. Mr. Rivera said that he had already been told about this danger from [REDACTED]. Gonzalo had shown an interest in her son and she didn't think the situation seemed right. I wish we had also been suspicious and less trustful. My wife would always assure me that because someone is a Jehovah's Witness they can be trusted. Although I didn't take that assurance completely at face value, it did take me off my guard. I am informing you of Gonzalos's crimes and I hope it will help to protect any other victims and also because I understand he is an Elder in your congregation.

My wife called Gonzalo today and he admitted that the incident did occur and that the Elders were made aware of it several years ago. He said that he had repented and does not do these horrible acts anymore. We don't know if he is speaking the truth but we were informed that he was made a ministerial servant at about the same time of this "claimed" repentance. The statements seem to contradict themselves and we are confused as to what is the truth. We are therefore prompted to write and make sure you are aware of these things and what he has done. Although this happened ten years ago, we just found out about it today. For us it seems as if it just happened. I don't think you can imagine how painful this is unless you have experienced it yourself. It explains some of the ways that we can see how it still effects our son. It is very obvious that he is still full of anger about it. We are sorry, and in a way blame ourselves, that we trusted Gonzalo Campos. He is not worthy of trust and I am sure not representative of the Jehovah's Witnesses. I hope, therefore you will accept this information in order to understand his character and morals as a leader and role model for the congregation.

Sincerely,


John Dorman


Manuela Dorman

EXHIBIT 2

Congregación Playa Pacifica Spanish
San Diego, California

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

4 de julio de 1999

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

Estimados Hermanos;

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

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

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

3-Rivera
1-Joel Cervante
1-Washington
1-Casado
1985
1-miembro de la familia estudió

Especialmente por que no encuentran difícil perdonarlo ahora. El tercer hermano que había abusado de los tres hijos de [redacted] ~~hermano~~ ^{hermano} Eduardo Chávez entiende la seriedad del asunto pero a la vez reconoce que cuatro años de expulsión es bastante. A la vez, unos hermanos de ambas congregaciones creen que ya es bastante el tiempo que tiene de expulsado.

... Parece que la razón fue el caso.

3 [Joel Cerrantes (708 al ^{empresario} ~~empresario~~)
 2 1/2 a 3 años (de la mano)
 Joshua Rivera (7-8) (un año)
 Johnny Dorman (607 al ^{empresario} ~~empresario~~)
 (Fue a Washington))
 Johnny (6.)
 Cristina (5-6)
 Rivera (203 ^{ocasion})
 Rivera (una ^{ocasion})
 (una o ^{dos} ^{ocasion})
 (info) 1980

① Hijo de [redacted] (607) una ^{ocasion} Acariciar de ^{organos} del niño, y tocó al niño con su miembro viril pero no hubo sexo anal

② [redacted] (809) Gemelo (falso) - en una ^{ocasion} Acariciar ~~de~~ los ^{organos} del niño - dentro de la ropa

③ Johnny Rivera (203 ^{ocasion}) - le acarició ^{de} los ^{organos} genitales dentro de la ropa. Le habían jugado hasta la lucha libre.

④ Cristina Rivera (6-7 años - 103 ^{veces}) - le acarició a ella sus ^{organos} dentro de la ropa.

EXHIBIT 3

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

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

20 de julio de 1999

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

Estimados Hermanos;

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

La última vez que el cometió el pecado fue en la primavera de 1995, cuando el tenía 25 o 26 años de edad. Sus víctimas tenía entre 6 a 8 años de edad cuando empezaba de abusar de ellos. El practicaba este pecado por largo tiempo. De acuerdo con la explicación de *La Atalaya de 1 de febrero de 1997*, página 29 entendemos que abuso sexual de niños incluye cópula anal y/o tocamientos del niño. Por eso, concluimos que abusó de siete niños (seis varones y una niña). Con tres tuvo cópula anal, otros tres les tocaba los órganos genitales de ellos dentro de su ropa y con uno le tocó los genitales del niño y le tocó el niño con su miembro viril. ¿Entendimos correctamente la explicación de *la Atalaya*? ¿Se considera tocamientos de los genitales como abuso sexual?

La comunidad no sabe de todo esto y no hubo nada de publicidad al respecto. Todo sucedió en la congregación y por eso no ha sido enjuiciado. Las familias de las víctimas saben lo que pasó y muchos miembros de nuestra congregación y de la congregación Linda Vista saben de ello. Antes él iba a Linda Vista. Ninguna de las víctimas ni miembros de su familia están en nuestra congregación. Dos víctimas y sus familias se han mudado del estado. Una tercera familia se mudó de la congregación y es inactiva, el abusaba de los tres hijos de esa familia. Las víctimas están muy disgustadas con él. Hasta una de ellas vino hace uno o dos años para supuestamente matarlo. Pero, no lo encontró. Sin duda algunos hermanos que saben de esto todavía están disgustados con él. Debido al gran daño que ha causado y la traición de su puesto de superintendente, dos ancianos del comité original los hermanos Kevin Phillips y Jesús Martínez tienen serias reservas tocante a restablecerlo. Especialmente por que no confesó todo la primera vez. Un año después cuando pidió restablecimiento por primera vez confesó que había abusado de los tres hijos del hermano Roberto Rivera. El tercer hermano Eduardo Chávez entiende la seriedad del asunto pero a la vez reconoce que cuatro años de expulsión es bastante. A la vez, unos hermanos de ambas congregaciones creen que ya es bastante el tiempo que tiene de expulsado.

El 27 de junio, el hermano Eduardo Chavez, anciano de Linda Vista y Hermano Ronald Cortez de Playa Pacifica hablaron con la hermana [REDACTED], la abuela de uno de las víctimas. Todavía ella está muy lastimada y sentida por lo que pasó. Ella lloró al hablar de esto. Está muy afectada por que ha afectado mucho a su hija, ([REDACTED] la madre de una víctima), y nietos (Joel era víctima). Está especialmente decepcionado con Gonzalo por que era anciano y le confiaban el cuidado de sus nietos. A veces ha tenido ganas de llamar a la policía, llevarlos a donde Gonzalo y denunciarlo. No obstante, aunque ella está muy lastimada, está dispuesta a aceptar que Jehová lo perdone y restablezca a Gonzalo. Está dispuesta a aceptar en persona una disculpa de Gonzalo. Mientras tanto, el nieto de ella que es víctima y su hermano no quieren tener nada que ver con la verdad. Los dos están amargados y enojados con Gonzalo. Hasta han expresado el deseo de hacerle daño. Su hija está sentida pero sigue sirviendo a Jehová. Parece que vienen a nuestra asamblea en tres semanas. Veremos lo que pasa.

Cabe mencionar que el mismo fue abusado por un vecino, por seis años desde cuando tenía 6 o 7 años de edad. Después como a los doce o trece años de edad, otros jóvenes de su edad y más grandes abusaron de él. El llegó a pensar que esa conducta, de actos homosexuales, era normal. Después aprendió la verdad y se bautizó cuando tenía como 15 años. Por dos años no participó en inmoralidad. Entonces, abusó de un niño. Y de allí en adelante no pudo desechar esos pensamientos y deseos. En 1986 se formó un comité judicial debido a la acusación de conducta impropia con un niño. El fue censurado, pero no expulsado. Poco después en 1989 o 1990 fue nombrado siervo ministerial. Después fue nombrado anciano. Abusó de niños durante su tiempo de ser anciano. Finalmente, la madre de una de las víctimas que se mudó a Arizona, informó a los ancianos. El fue expulsado en junio de 1995.

En nuestra reunión con él en marzo de este año, el dijo que estaba muy arrepentido por lo que hizo. Declaró que quería regresar a Jehová. Está dispuesto a enfrentarse a las víctimas y pedir su perdón. Ahora quiere obedecer a Jehová. Antes, cuando hablaba desde la plataforma no meditaba en lo que hacía. Aunque necesitaba confesar, le daba vergüenza y tenía temor del hombre. Se engañaba a sí mismo pensando que podía seguir sirviendo como anciano. Ahora se da cuenta que no podía cambiar sin ayuda. Desde su expulsión no ha vuelto a abusar de nadie. Ha leído artículos de las publicaciones con respecto a su pecado. Dice que no ve y ni lee información pornográfica. Declaró que desde su expulsión ha trabajado en tener una relación con Jehová y la expulsión le ha servido para fortalecerse espiritualmente. El no falta a las reuniones, y hasta hace apuntes del programa. También ha dicho que el está dispuesto a seguir aceptando la disciplina de Jehová.

Con este cuadro en mente, tenemos algunas preguntas. Del comité original, sólo el hermano Jesús Martínez todavía es anciano en nuestra congregación. Antes de reunirnos con Gonzalo Campos en marzo, nos reunimos con otros dos miembros del comité original, Kevin Phillips y Eduardo Chávez que ahora son ancianos en otras congregaciones. Les hicimos preguntas para tener un cuadro completo y nos dieron sus observaciones. En vista de la seriedad del caso, ¿sería prudente y permisible incluirlos en el comité para considerar su restablecimiento? ¿Es necesario o está a nuestra discreción? En la página 114 del ks91S pregunta si como obra de arrepentimiento "¿...ha pedido perdón a

las personas ofendidas...las que sufrieron daño debido a su proceder pecaminoso? "¿Es esencial que lo haga? ¿Deberíamos animarle que lo haga, aunque sea por teléfono? También, al considerar este caso con el superintendente de circuito, el piensa, pero no está seguro, que la ley del estado de California ha cambiado y que ahora exige que ministros informen a las autoridades de los que han cometido abuso de menores. ¿Es cierto o no? No sabemos. En la página 129 ks91S dice "El arrepentimiento sincero y un apartarse del proceder incorrecto—no la actitud de otros ni el que haya pasado cierto tiempo—son los factores principales..." Sin embargo, en vista de la gravedad de lo cometido, ¿sería prudente hablar hasta por teléfono con la hermana [REDACTED] y Joel? Y cuando se restablece a cualquier persona, ¿se anuncian las restricciones impuestas como indica el libro *Nuestro Ministerio* en la página 149? ¿Cuál es la idea tras este procedimiento? Sabemos que cuando Gonzalo Campos sea restablecido, en este sistema no podrá ser anciano ni siervo ministerial ni precursor. Pero también, ¿excluye estrictamente ayudar con sonido, pasar micrófonos, ser acomodador, etc.? ¿Qué pautas guiadoras hay al respecto? Con gusto aceptamos sus respuestas a nuestras preguntas y cualesquier otras instrucciones que nos quieran dar.

Muchas gracias por su ayuda.

Sus hermanos,
Comité de servicio

Jesús Martínez--Secretario

Juan F. Guardado
Juan Guardado--Sup. de servicio

Ronald B. Cortez
Ronald B. Cortez--Sup. Presidente

EXHIBIT 4

Playa Pacifica Spanish Congregation

Re: Update on Gonzalo Campos, Regarding Child Abuse

Date: October 28, 2006

Confidential Material

Six years have passed since we have contacted the Society with regard to Gonzalo Campos, we reopened his case in an effort to see if he now qualifies for minor privileges in the congregation. As per the *The Watchtower* Jan. 1, 1997 p.29 1st column, 1st paragraph, under the heading, *What of a child molester?* states, "If he seems to be repentant, he will be encouraged to make spiritual progress, share in the field service, even have parts in the Theocratic Ministry School and non-teaching parts in the Service Meeting."

Elias Ortiz (Elder in the La Puente Spanish Congregation) was contacted by us and told us that the mother of Gonzalo Campo's victim (██████████) is in his congregation and is very much still distressed over Gonzalo's sexual abuse of her two sons (██████████).

██████████ is disfellowshipped in the La Puente Spanish Congregation in San Diego.

██████████ in the Harbor View Spanish Congregation in San Diego.

Due to the fact that victims and mothers of victims are still grieving this abuse, we have decided as a body at this time to allow more time to pass by until we consider Gonzalo Campos for minor privileges in the congregation.


Richard Bacon
Interim P.O. and Secretary


Enrique Ayala
Service Overseer


Bruce Antonoff
Elder


Rene Ruiz
Elder

EXHIBIT 5

1 IRWIN M. ZALKIN, ESQ. (#89957)
2 DEVIN M. STOREY, ESQ. (#234271)
3 MICHAEL J. KINSLOW, ESQ. (#238310)
4 The Zalkin Law Firm, P.C.
5 12555 HighBluff Drive, Suite 260
6 San Diego, CA 92130
7 Tel: 858-259-3011
8 Fax: 858-259-3015
9 Email: Irwin@zalkin.com
10 dms@zalkin.com
11 mjpk@zalkin.com.
12 Attorney for Plaintiff

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

10 John Dorman, Individually, and Joel
11 Gamboa, Individually,

12 Plaintiff,

13 v.

14 Defendant Doe 1, La Jolla Church,
15 Defendant Doe 2, Linda Vista Church, and
16 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

) STIPULATION RE THIRD PARTY
) PRIVACY RIGHTS

) Dept: C-73
) Judge: Steven R. Denton
) Trial: 1-27-12
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STIPULATION RE THIRD PARTY PRIVACY RIGHTS

1 All named Plaintiffs (hereinafter Plaintiffs) and Defendant Playa Pacifica Spanish
2 Congregation of Jehovah's Witnesses, San Diego, California, Defendant Linda Vista Spanish
3 Congregation of Jehovah's Witnesses, San Diego, California, and Defendant Watchtower Bible
4 and Tract Society of New York, Inc. (hereinafter "the Church Defendants"), by and through
5 their respective counsel of record, hereby stipulate to the following protocol for the treatment of
6 the names of third party victims, and family members of victims, identified in the documents
7 ordered produced by Court order on July 1, 2011 ("Stipulated Protocol").
8

9 **STIPULATED PROTOCOL FOR THE PROTECTION OF THE PRIVACY**

10 **INTERESTS OF THIRD PARTIES**

11 WHEREAS, Plaintiffs John Dorman and Joel Gamboa have commenced an action
12 against the Church Defendants and Gonzalo Campos, based on childhood sexual abuse
13 experienced at the hands of Campos;
14

15 WHEREAS, during the course of the litigation of this matter, Plaintiffs moved to compel
16 documents in the possession of Defendant Playa Pacifica Spanish Congregation of Jehovah's
17 Witnesses, San Diego, California, and Defendant Watchtower Bible and Tract Society of New
18 York, Inc. (hereinafter "Church Defendants"), and the Court ordered the following documents
19 (hereinafter "the subject documents") produced:
20

- 21 1. June 5, 2000, letter from elders in the U.S. Service Department to the body of
22 elders for the Playa Pacifica Spanish Congregation, regarding Gonzalo Campos.
- 23 2. June 9, 1995, Notification of Expulsion or Disassociation sent by Playa Pacifica
24 Congregation Judicial Committee to elders in U.S. Service Department regarding
25 Gonzalo Campos.
26
27

- 1 3. January 7, 1997, letter from elders in the U.S. Service Department to the body of
2 elders for Playa Pacifica Spanish Congregation, regarding Gonzalo Campos.
- 3
- 4 4. July 20, 1999, draft of a letter from elders in the Playa Pacifica Spanish
5 Congregation to elders in the U.S. Service Department, regarding Gonzalo
6 Campos.
- 7
- 8 5. July 4, 1999, draft of a letter from elders in the Playa Pacifica Spanish
9 Congregation to elders in the U.S. Service Department, regarding Gonzalo
10 Campos.
- 11
- 12 6. October 28, 2006, notes of an elders meeting of elders in the Playa Pacifica
13 Spanish Congregation, regarding Gonzalo Campos.
- 14
- 15 7. August 12, 1999, letter from elders in the U.S. Service Department to the body of
16 elders for Playa Pacifica Spanish Congregation, regarding Gonzalo Campos.
- 17
- 18 8. August 18, 1995, letter from elders on the Playa Pacifica Spanish Congregation
19 Judicial Committee for Gonzalo Campos to elders in the U.S. Service Department
20 regarding Gonzalo Campos.
- 21
- 22 9. March 29, 1995, letter from elders on Service Committee for Playa Pacifica
23 Spanish Congregation to elders in U.S. Service Department regarding Gonzalo
24 Campos.
- 25
- 26 10. November 7, 1996, letter from elders in the Playa Pacifica Congregation to elders
27 in the U.S. Service Department, regarding Gonzalo Campos.
- 28

- 1 11. July 24, 1999, letter from elders in the Playa Pacifica Spanish Congregation to
2 elders in the U.S. Service Department, regarding Gonzalo Campos.
- 3
- 4 12. April 11, 1994, letter from John and Manuela Dorman to elders in the English
5 Congregation, Monmouth, Oregon.
- 6
- 7 13. April 13, 1994, letter from the presiding elder (overseer) in the English
8 Congregation, Monmouth, Oregon, to elders in the U.S. Service Department
9 regarding John Dorman and Gonzalo Campos.
- 10
- 11 14. June 9, 1994, letter from elders in U.S. Service Department to body of elders for
12 the English Congregation, Monmouth, Oregon, with a P.S. to the body of elders for
13 the Playa Pacifica Spanish Congregation, regarding Gonzalo Campos.

14 WHEREAS, some of the subject documents contain the names or identifying
15 information of individuals who were sexually abused by Gonzalo Campos, or are family
16 members of individuals who were sexually abused by Gonzalo Campos, and who are not party
17 to this action and have not affirmatively waived their right to privacy with regard to the subject
18 documents (hereinafter "interested third parties"), the Church Defendants have appropriately
19 asserted such individuals' privacy rights on their behalf.

20
21 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED:**

- 22 1. The Church Defendants will provide notice to all interested third parties whose name or
23 identifying information appears in the subject documents (interested third parties). Notice will
24 be given by mailing the letter attached as Exhibit 1 to this Stipulated Protocol to the last known
25 address of each interested third party. Such notice will be sent by Counsel for the Church
26 Defendants to interested third parties for whom a last know address is known within 7 days of
27 date on which this Stipulation is executed by all parties. For interested third parties for whom a
28

1 last know address is not known, Counsel for the Church Defendants will have 14 days from the
2 date on which this Stipulation is executed by all parties to provide such notice.

3 2. Any interested third party choosing to assert his or her right to privacy in the subject
4 documents must check the box on the notice indicating such and return the written notice to
5 Counsel for the Church Defendants within 21 days.

6
7 3. For any interested third party who asserts his or her privacy right or for whom Counsel
8 for the Church Defendants is find an address to which to send notice, Counsel for the Church
9 Defendants will make Plaintiffs' Counsel aware of the interested third party's exercise of his or
10 her right or unknown address and lack of notice by referencing the page and date of the
11 document in which the third party's name appears. For example, "the first individual whose
12 name was redacted from page one of the letter dated October 28, 2006, has exercised her right
13 to privacy [or could not be notified because we have no known address for the individual]."

14
15 4. If any interested third party to whom the Church Defendants send notice elects to assert
16 his or her right to privacy in the subject documents or could not be notified because Counsel for
17 the Church Defendants has no known address for the individual, Plaintiffs may elect to file a
18 motion to compel the Church Defendants to produce the interested third party's name or
19 identifying information by producing the subject document in un-redacted form. If Plaintiffs
20 elect to file a motion to compel, Plaintiffs will give notice of the motion to Counsel for the
21 Church Defendants so that the Church Defendants may oppose the motion and provide notice to
22 the interested third party, who may also oppose the motion using a fictitious name, if he or she
23 so chooses.

24
25 5. If any interested third party to whom the Church Defendants send notice fails to return
26 the notice to Counsel for the Church Defendants within 21 days, or if the interested third party
27 checks the box on the written notice indicating that he or she does not choose to assert his or her
28

1 right to privacy, the Church Defendants will produce the names or identifying information of
2 any such interested third parties to Counsel for Plaintiffs.

3 6. The name or identifying information of any interested third party that appears within the
4 subject documents and is produced to Plaintiffs shall be maintained in confidence by Plaintiffs'
5 Counsel, and shall be used for the sole and exclusive purposes of preparing this action for trial,
6 and trial, and shall not be disclosed to any person or entity for any purpose unrelated to said trial
7 or trial preparation. The names or identifying information of third parties may be disclosed to
8 Plaintiffs; Plaintiffs' Counsel of record in this case and to said Counsel's staff, investigators and
9 interpreters / translators; any mediator agreed upon by the Parties; the Court, jury, court or
10 deposition reporters, any persons employed by the Court or reporters whose duties require
11 access to the name or identifying information of a third party identified in the subject
12 documents; and to witnesses during depositions in this action.

13
14 7. Subject to the provisions of this Stipulated Protocol, Plaintiffs may contact and interview
15 interested third parties, notice and take the deposition of any interested third party, and call
16 interested third parties as witnesses at trial. Plaintiffs may also use any documents containing
17 the name or identifying information of an interested third party at trial, as exhibits to motions or
18 appeals in this action, as exhibits to depositions taken in this action, and / or in connection with
19 any mediation of this matter.

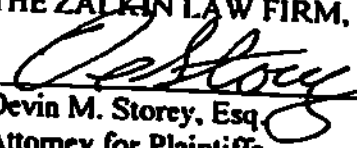
20
21 8. Should any document containing the name or identifying information of an interested
22 third party, any witness statement obtained from an interested third party, or any transcript of
23 the deposition testimony of an interested third party be filed in Court prior to trial, such
24 submission shall be made conditionally under seal in accordance with the requirements of the
25 California Rules of Court, and any document filed in the Court's public file will redact the name
26 or identifying information of any interested third party.
27
28

1 9. Plaintiffs and the Church Defendants shall attempt to agree upon procedures to protect at
2 trial the privacy of all interested third parties, and shall, prior to the commencement of the trial,
3 submit such proposed procedures, including any disputes relating thereto, to the Court for its
4 approval or modification.

5 10. Any person, other than the Court or its officers, to whom the name of any interested
6 third party is disclosed, shall be informed, prior to disclosure, of the nature and scope of this
7 Stipulated Protective Order, and of his or her obligation to keep the names or identifying
8 information of third party victims, or the family members of third party victims identified in the
9 subject documents in confidence, and shall sign a statement and certification agreeing to comply
10 with the terms of this Stipulated Protective Order.
11

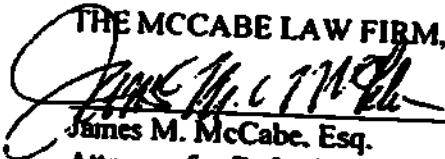
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13 Dated: 10/3/11
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THE ZALKIN LAW FIRM, P.C.


Devin M. Storey, Esq.
Attorney for Plaintiffs

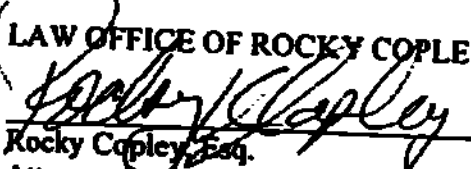
15
16 Dated: 9/17/2011
17

THE MCCABE LAW FIRM, APC


James M. McCabe, Esq.
Attorney for Defendant Playa Pacifica Spanish
Congregation of Jehovah's Witnesses

18
19 Dated: 9/29/11
20

LAW OFFICE OF ROCKY COPLEY


Rocky Copley, Esq.
Attorney for Defendant Linda Vista Spanish
Congregation of Jehovah's Witnesses

21
22 Dated: 09/28/2011
23

THE WATCHTOWER BIBLE & TRACT
SOCIETY OF NEW YORK, INC., LEGAL
DEPARTMENT

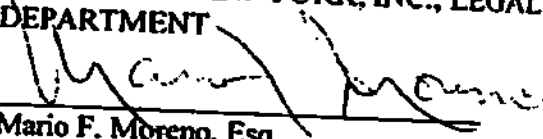

Mario F. Moreno, Esq.
Attorney for the Defendant Watchtower

EXHIBIT 6

Devin Storey

From: Devin Storey [dms@zalkin.com]
Sent: Monday, October 24, 2011 12:14 PM
To: 'mmoreno@jw.org'; 'jim@mccabelaw.net'; 'Mario Moreno'; 'rkcopley@rkc-rocklaw.com'
Cc: 'irwin@zalkin.com'
Subject: FW: Javier Cervantes - Waiver of Privacy Rights
Attachments: Javier Cervantes - Waiver of Privacy Rights.pdf

Gentlemen:

The waiver of privacy rights executed by Javier Cervantes is attached.

Has notice been mailed to the third parties for whom you have contact information? If so, on what date? Also, how many letters were mailed, and how many individuals were you not able to locate?

Thank you.

Sincerely,

Devin

From: Lisa Maynes [mailto:lsam@zalkin.com]
Sent: Monday, October 24, 2011 11:16 AM
To: 'Devin Storey'
Subject: Javier Cervanted - Waiver of Privacy Rights

Attached

Lisa E. Maynes
Paralegal/Office Administrator
The Zalkin Law Firm, P.C.
12555 High Bluff Drive, Suite 260
San Diego, CA 92130
Tel: 858-259-3011
Fax: 858-259-3015

EXHIBIT 7

Devin Storey

From: Devin Storey [dms@zalkin.com]
Sent: Tuesday, November 15, 2011 4:20 PM
To: 'mmoreno@jw.org'; 'James M McCabe'; 'Rocky Copley'
Subject: Third Party Privacy

Gentlemen:

Is there an update on the third party privacy notices? When did they go out? How many witnesses were unaccounted for? How many asserted privacy rights; declined to assert privacy rights; and did not respond?

Sincerely,

Devin

EXHIBIT 8

WATCHTOWER
Bible and Tract Society of New York, Inc.

Legal Department
100 Watchtower Drive, Patterson, NY 12563-9204, U.S.A.
Phone: (845) 306-1000 Fax: (845) 306-0709

November 21, 2011

Devin M. Storey
The Zalkin Law Firm PC
12555 High Bluff Drive, Suite 260
San Diego, CA 92130

Re: *Dorman, et al. v. Watchtower, et al.*

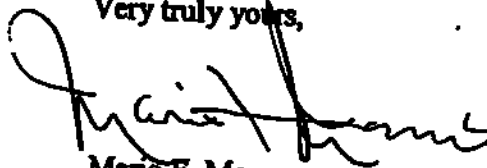
Dear Devin:

This is to follow on the Stipulation Re Third Party Privacy Rights that was signed by all counsel in this lawsuit. In harmony with paragraph three of the stipulation we provide the following information regarding any documents that still have names of third parties redacted:

- The third party whose name is redacted on the April, 11, 1994, letter from John and Manuela Dorman to the elders of the English Congregation, Monmouth, Oregon has exercised their right to privacy (see attached).

This is the only document produced by Watchtower for which a third party's name or identifying information is still being redacted. Thank you for your attention.

Very truly yours,



Mario F. Moreno
Associate General Counsel

MFM:jrd

c: Rocky K. Copley, Esq.
James M. McCabe, Esq.

April 11, 1994
Monmouth, Oregon

To the Elders, Jehovah's Witnesses:

We recently found a letter that our son, John Victor Dorman III, wrote to a girl-friend. In the letter John mentioned that something happened to him when he was six years old. We couldn't imagine and were curious to know what John was writing. So, we asked John what the letter was about. To say the least his answer shocked us.

Therefore, we are writing to inform you of what we learned. When John was six years old and we were living in LaJolla, California, a friend of the family, Gonzalo Campos, took John with him and his mother to work a few times. Gonzalo and his mother cleaned houses in the area. It was on these occasions that Gonzalo sexually abused John. We have also been informed by John that Gonzalo abused another boy, Johnny Rivera. My wife called Johnny's father, Roberto Rivera. Mr. Rivera said that he had suspected that Gonzalo was not to be trusted and therefore has not let his family and son associate with him for a long time. Mr. Rivera said that he had already been told about this danger from [redacted]. Gonzalo had shown an interest in her son and she didn't think the situation seemed right. I wish we had also been suspicious and less trustful. My wife would always assure me that because someone is a Jehovah's Witness they can be trusted. Although I didn't take that assurance completely at face value, it did take me off my guard. I am informing you of Gonzalos's crimes and I hope it will help to protect any other victims and also because I understand he is an Elder in your congregation.

My wife called Gonzalo today and he admitted that the incident did occur and that the Elders were made aware of it several years ago. He said that he had repented and does not do these horrible acts anymore. We don't know if he is speaking the truth but we were informed that he was made a ministerial servant at about the same time of this "claimed" repentance. The statements seem to contradict themselves and we are confused as to what is the truth. We are therefore prompted to write and make sure you are aware of these things and what he has done. Although this happened ten years ago, we just found out about it today. For us it seems as if it just happened. I don't think you can imagine how painful this is unless you have experienced it yourself. It explains some of the ways that we can see how it still effects our son. It is very obvious that he is still full of anger about it. We are sorry, and in a way blame ourselves, that we trusted Gonzalo Campos. He is not worthy of trust and I am sure not representative of the Jehovah's Witnesses. I hope, therefore you will accept this information in order to understand his character and morals as a leader and role model for the congregation.

Sincerely,


John Dorman


Manuela Dorman

EXHIBIT 9

1 And then two years later another claim comes up against
2 someone else having to with childhood sexual abuse.

3 Would the elders that were on the first
4 judicial committee likely be put on the second judicial
5 committee because of their experience?

6 A Yes.

7 Q Does the judicial committee have the authority
8 to issue punishment or restrictions?

9 A Yes.

10 Q And at the end of the process, does the
11 judicial committee write a written report of its
12 findings?

13 A Yes.

14 Q And what would go in that written report?

15 A The name -- the name of the individual, what
16 was -- what he was investigated for, and what was the --
17 the conclusion of the case, what was his reaction -- his
18 or her reaction, and the decision if the person was
19 reprovved or disfellowship.

20 Q What's the difference? What does it mean to
21 be reprovved?

22 A Reprovved, it's when any member of the
23 congregation who happens to be in this judicial
24 committee shows repentance and -- shows repentance
25 and -- and shows that he's -- he or she has stopped, you

1 know, doing all that he or she was doing before the
2 judicial committee started. And -- and -- and in the
3 eyes of the elders, they see that he doesn't -- he or
4 she doesn't deserve being disfellowshipped.

5 Q And what does disfellowship mean?

6 A Disfellowship means that the person gets --
7 stops being a Jehovah's Witness because he or she --
8 because of her conduct and attitude doesn't want to be a
9 Jehovah's Witness anymore. So he's -- he's not a member
10 of the congregation for a period of time until he or she
11 changes her attitude and her conduct. The person.
12 Yeah. Yes.

13 Q If the person is disfellowshipped, can they do
14 field service?

15 A No.

16 Q If a person is disfellowshipped, can they
17 attend meetings?

18 A Yes.

19 Q Is that person shunned at the meetings?

20 A Shunned? What do you mean "shunned"?

21 Q Do other people talk to the person who was
22 disfellowshipped?

23 A Not members of the congregation.
24 Congregation, they don't talk to the person while he or
25 she's disfellowshipped.

1 Q And the disfellowshipped -- the person who is
2 disfellowshipped, are they allowed to speak, to take the
3 microphone and talk at the meetings?

4 A The disfellowship -- if he or she is allowed
5 to take the microphone and comment, you say?

6 Q Yes.

7 A No.

8 Q Now, if a person is reprovved, will the
9 judicial committee place any restrictions on that
10 person?

11 A Yes.

12 Q Okay. So, essentially, if someone is
13 repentant and is no longer committing the sin, they can
14 be reprovved rather than be disfellowshipped?

15 A They can be reprovved rather than
16 disfellowshipped, yes.

17 Q Even if a person is reprovved, there can be
18 some kind of censure or restrictions?

19 A Restrictions, yes.

20 Q Who gets a copy of the report of the judicial
21 committee?

22 A The body of elders prepare this report, they
23 save a copy, and then they send the report to the
24 governing body of Jehovah's Witness.

25 Q Does the accused get a copy of the report?

1 A No.

2 Q Does the accused have a right to appeal the
3 decision of the judicial committee?

4 A If he was -- if he's disfellowshipped, yes.

5 Q Okay. How does the appeal process work?

6 A He gets seven days after the body of elders
7 decided that he is to be disfellowshipped. He gets
8 seven days to appeal. And so he prepares a small
9 letter, stating he's appealing the decision of the body
10 of elders. And he signs it and gives it to the -- to
11 the body of elders, or to one of them.

12 Q And then is the appeal heard by the same
13 committee of elders?

14 A No.

15 Q Okay. Who would hear the appeal?

16 A A different group of elders. At least three.

17 Q Okay. From the same congregation?

18 A I've always been in a congregation with
19 Spanish with three or less elders. So I don't know
20 that -- that particular answer.

21 Q Okay. So if the body of elders gets to keep a
22 copy of that report, where do they keep it?

23 A There is a file, usually in the building where
24 the congregation meets, under lock.

25 Q Okay. And how long would that report be kept?

1 A How long? It stays sealed and under lock
2 until the -- at least for a period until the
3 disfellowshipped person asks to be reinstated.

4 Q And if he's reinstated, what happens to the
5 report?

6 A The report -- trying to remember. So the --
7 the report has to be opened in order to see if the
8 disfellowshipped person is ready to be reinstated. But
9 it stays in the archives for a period -- for a few
10 years. I don't remember the period of time.

11 Q After that period of time has expired, is the
12 report discarded?

13 A Yes.

14 Q And you've mentioned that's the process if the
15 person is disfellowshipped.

16 A Yes.

17 Q How long is the report kept if the person is
18 reproved?

19 A For a few years also.

20 Q And then it can be discarded?

21 A Yes. In certain cases, yes.

22 Q Okay. Now, you say "in certain cases." Are
23 there cases where it would not be discarded?

24 A Yes.

25 Q In what events or what circumstances would the

1 report not be discarded?

2 A When the member who was disfellowshipped was
3 disfellowshipped because of child abuse.

4 Q So if there's a child abuse, the judicial
5 committee formed based on an accusation of child abuse,
6 and the accused perpetrator is disfellowshipped, how
7 long will the report be kept?

8 A Indefinitely.

9 Q So it'll just be kept longer? Or never be
10 discarded?

11 A It will never be discarded.

12 Q Okay. What if that person who has been
13 accused of child abuse is reproved, what would happen
14 with the report?

15 A It's -- since it was child abuse, it stays.

16 Q Has it been your understanding, since you
17 became an elder with La Jolla -- sorry -- with
18 Playa Pacifica, that any report of a judicial committee
19 having to do with child abuse should be kept
20 indefinitely?

21 A What's the question again, please?

22 Q Sure. It was a pretty bad one. Sorry about
23 that.

24 For the entirety of the time that you have
25 been an elder --

1 speak to any witnesses?

2 A Not that I -- not that I recall. I don't
3 remember.

4 Q Did you speak to any people who had accused
5 Gonzalo?

6 A No, not that I remember.

7 Q Did you speak to Gonzalo?

8 A While he was disfellowshipped, I never spoke
9 with Gonzalo.

10 Q How did he communicate his interest in being
11 reinstated?

12 A He prepared a document, a small document,
13 asking to be reinstated.

14 Q What did he -- what was stated in that
15 document?

16 A I don't remember. But, basically, those
17 documents, it's where you state that you want to be a
18 member of the congregation again.

19 Q In that document, would he have stated that he
20 repented or had learned from his mistake?

21 A Yeah, he -- he must have.

22 Q So in that document, would he have admitted to
23 this conduct?

24 A He might have. Again, he -- I don't remember
25 exactly what the document said. But he will have said

1 that he was repentant, that what he was doing that
2 showed that he was repentant, he was -- and why he
3 thought that God had forgiven him, things like that.
4 But I don't remember the content.

5 Q Could he have been reinstated if he had not
6 confessed and claimed to be repentant?

7 A No, if he wasn't repentant, and he would have
8 been denying, you know, that he had sinned.

9 Q So your understanding is by the time he was
10 reinstated, he had admitted that he had done these
11 things?

12 A Yes.

13 Q When you were considering his reinstatement,
14 did you speak to any of the other elders about him?

15 A Not that I remember. Only the ones in this
16 document.

17 Q Okay. Do you remember speaking to
18 Jesus Martinez about Gonzalo Campos?

19 A Yes.

20 Q And what was said?

21 A I don't remember. We just -- one thing I can
22 say is we got together to review his request to be
23 reinstated. Yeah.

24 Q Is the same true with Ronald Cortez?

25 A Yes.

1 Q How many elders were there at Playa Pacifica
2 in 1999?

3 A Just Ronald Cortez, Jesus Martinez, and
4 myself.

5 Q You were the only three?

6 A Yes.

7 Q Generally, when there's a request for
8 reinstatement, will all of the elders consider it, or
9 will a committee be appointed?

10 A The committee, the original proceedings,
11 usually the one that handles the reinstate -- the
12 petition of reinstatement.

13 Q Okay. So the original judicial committee who
14 recommended the disfellowship is the one who would
15 consider the request for reinstatement?

16 A During -- if they're in the congregation, they
17 would.

18 Q Is it your understanding the members of that
19 committee weren't with the congregation anymore?

20 A They weren't with the congregation anymore.

21 Q Okay. Do you know how many people made
22 accusations against Gonzalo Campos?

23 A Do I know? No.

24 Q Other than Manuela Dorman's son, do you know
25 any of the people who made accusations against

1 two elders and you may have reviewed his request for
2 reinstatement?

3 A With Jesus Martinez.

4 Q Yes?

5 A Yes.

6 Q And you've never spoken to anyone else about
7 Gonzalo Campos being accused of sexually abusing
8 children?

9 A No. I never spoke to anybody else. No.

10 Q Other than this document, have you ever seen
11 any documents that discussed Gonzalo Campos being
12 accused of sexually abusing children?

13 A Other than this document?

14 Q Yes. This particular document (indicating).

15 A I don't remember. The only -- the only -- I
16 don't remember.

17 Q In considering --

18 A Uh-huh.

19 Q In considering the reinstatement request,
20 would you have looked at Gonzalo's file?

21 A Yes, probably.

22 Q Okay.

23 A Yeah.

24 Q And would you have discussed the contents of
25 that file with anyone other than Ronald Cortez or

EXAMINATION

1
2 BY MR. McCABE:

3 Q So earlier you testified that when a judicial
4 committee meets with a wrongdoer, and if the decision is
5 to disfellowship this individual, who is a report sent
6 to?

7 A The -- there is a department called the
8 Service Department.

9 Q And if the decision is to reprove the
10 individual, is there a report sent to the same Service
11 Department?

12 A If -- if the reprovved is a person -- is just a
13 publisher, then we don't send it to -- to any
14 department. It stays in the congregation files.

15 Q Okay. What if the individual was a
16 ministerial servant?

17 A Yes. Then it's sent to the department, to the
18 Service Department.

19 Q And what if the person was an elder? Would it
20 be the same?

21 A It's the same.

22 Q And a pioneer?

23 A Yes.

24 Q Be the same?

25 A It would be the same, sent to the Service

1 Department.

2 MR. McCABE: No further questions.

3 Do you want me to propose a stipulation, or
4 did you guys have one for the --

5 MR. STOREY: Yeah, we have had one.

6 MR. McCABE: Same stip?

7 MR. STOREY: Good with me.

8 MR. McCABE: All right.

9 MR. STOREY: Thanks.

10 (The following stipulation was entered
11 into at the deposition of Dennis Palmer,
12 February 7, 2011, and is incorporated herein
13 for reference:

14 "MR. STOREY: With respect to the record
15 or the transcript, I would recommend that we
16 relieve the court reporter of her duties;

17 "Have the original sent to you, to be
18 presented to the witness for review,
19 signature, and any changes that you may have;

20 "Afterward, I'd ask the original be sent
21 to me. I'll keep that. And then if something
22 should happen to it, a certified copy can be
23 used at trial.

24 "MR. McCABE: So stipulated.")

25

EXHIBIT 10



ORIGINAL

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

John Dorman, Individually,
and Joel Gamboa,
Individually,

Plaintiffs,

vs.

CASE NO. 37-2010-00092450-
CU-PO-CTL

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,

Defendants.

DEPOSITION OF
JESUS MONTIJO

February 9, 2011

10:08 a.m.

12555 High Bluff Drive
Suite 260

San Diego, California

1 registration of it and it's placed in the congregation.
2 It's filed. And the branch is notified.

3 THE INTERPRETER: And group?

4 MR. MC CABE: "Sucursal" is a type of branch.

5 THE WITNESS: Oh. The branch is notified.

6 BY MR. STOREY:

7 Q. Does a branch get a copy of the report?

8 A. I'm not sure.

9 Q. Is the Watchtower given a copy of the report?

10 A. To the branch, yes, not to the Watchtower.

11 Q. Does the accused get to review the report?

12 A. No.

13 Q. Can the accused appeal the findings of the
14 judicial committee?

15 A. Yes.

16 Q. How does that work?

17 A. By letter.

18 Q. If someone appeals, does the same board of
19 elders, the same judicial committee reconsider the
20 matter?

21 A. No.

22 Q. Is a new committee formed?

23 A. Yes.

24 Q. From members of the same congregation?

25 A. No, it would have to be from the outside.

1 Q. If a person is the subject of a judicial
2 committee at the Linda Vista Spanish congregation and
3 then moves to another congregation, what happens to the
4 report from the Linda Vista congregation's files?

5 A. If the person moves?

6 Q. Yes.

7 A. Only a letter is sent.

8 Q. A letter would be sent to the new congregation?

9 A. Yes, in his registration.

10 Q. But the report of the judicial committee would
11 stay with Linda Vista?

12 A. Are you speaking about somebody who has been
13 expelled?

14 Q. No.

15 A. A publisher?

16 Q. Yes.

17 A. Yes, it remains. If there is a report, it
18 stays.

19 Q. While you were an elder with the Linda Vista
20 Spanish congregation, did you ever receive a report that
21 any member of the congregation had sexually abused a
22 child?

23 A. A report?

24 Q. Or a complaint.

25 A. A complaint, yes.

EXHIBIT 11

1 Q Other than that discussion with Mr. Phillips,
2 did you ever hear from anyone else that Gonzalo Campos
3 was accused or suspected of sexually abusing a child?

4 A In subsequent years, I did.

5 Q Okay. When was the second time you heard?

6 A The next time I heard was when I was appointed
7 an elder in Playa Pacifica.

8 Q When were you appointed an elder in
9 Playa Pacifica?

10 A I knew you were going to ask that. I don't
11 remember. I believe it was 1999, I think.

12 Q And what did you hear at that time?

13 A Well, at the time, I knew that Mr. Campos was
14 under restriction in the congregation. And elders have
15 to know something about restrictions that are placed on
16 publishers in the congregation. So belief -- briefly it
17 was explained to me that there was a child abuse case.

18 Q I'm going to go back in time to the mid-1980s.

19 A Okay.

20 Q Okay. When were you an elder at the
21 Linda Vista Spanish congregation?

22 A Let's see. I was appointed an elder in 1983.
23 And I remained an elder -- well, there was a brief
24 period that I stepped down. But, let's see. I stepped
25 down briefly between -- let me see -- briefly between

1 MR. STOREY: Yeah, I will.

2 MR. McCABE: Okay.

3 MR. STOREY: We can mark that as Exhibit 1
4 now.

5 BY MR. McCABE:

6 Q Okay. This Exhibit 1 that you have in front
7 of you indicates that "secretario" is Dennis Palmer. Is
8 that you?

9 A That's correct. Yes.

10 Q And part of your duties as the secretary is to
11 keep the congregation records; is that correct?

12 A That's correct.

13 Q Would that include keeping the confidential
14 files known as judicial committee records?

15 A Yes.

16 Q And while you were in Linda Vista congregation
17 serving as the secretary, did you have occasion when you
18 would go through the confidential files to see what was
19 there or organize them or do anything at all with them?

20 A Yes.

21 Q Did you ever see a file involving
22 Gonzalo Campos as a judicial record?

23 A No, never.

24 Q Okay. To your knowledge, were there any
25 judicial committees involving Gonzalo Campos for any

EXHIBIT 12



ORIGINAL

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

John Dorman, Individually,
and Joel Gamboa,
Individually,

Plaintiffs,

vs.

CASE NO. 37-2010-00092450-
CU-PO-CTL

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,

Defendants.

DEPOSITION OF
RAMON PRECIADO

February 9, 2011

11:33 a.m.

12555 High Bluff Drive
Suite 260

San Diego, California

1 needed a judicial committee?

2 A. Correct.

3 Q. Okay. And you were asked earlier about
4 conducting studies. Primarily, are those studies
5 conducted with members of the congregation or with
6 people from the street from outside?

7 A. Repeat the question.

8 Q. Bible studies --

9 A. Uh-huh.

10 Q. -- are they conducted with members of the
11 congregation or with people from the outside who are
12 showing some interest in the Bible?

13 A. Right, from people on the outside that is
14 showing interest in the Bible.

15 Q. Okay. When you were at Linda Vista
16 congregation, you were the secretary for a time,
17 correct?

18 A. Yeah, for a short time.

19 Q. And you seem like a pretty organized man, from
20 the way you were testifying earlier; is that true?

21 A. Yeah, I try hard.

22 Q. Okay. Did you go through the files -- the
23 confidential files regarding judicial committees of the
24 Linda Vista congregation when you were the secretary?

25 A. Yes, I had to get acquainted with everything

1 inside. That was my first step.

2 Q. And in the judicial committee records, did you
3 ever see a judicial committee record involving Gonzalo
4 Campos?

5 A. No, I wouldn't notice right away.

6 Q. Was there ever one there, to your memory, to
7 your recollection?

8 A. No.

9 Q. Okay. And you went through all the files?

10 A. Yes.

11 Q. And you knew who those files belonged to?

12 A. Yes.

13 Q. Okay. When you were with the Linda Vista
14 congregation, did you ever hear of an allegation of
15 something wrong, some wrong conduct with Gonzalo Campos
16 and Arturo Jemio?

17 A. No.

18 MR. MC CABE: I think that's all I have.

19 MR. STOREY: I don't have anything further.

20 MR. MC CABE: Same stipulation?

21 MR. STOREY: Same stipulation.

22 MR. MC CABE: Okay. Thank you very much.

23 THE REPORTER: Do you need a copy -- or not?

24 MR. MC CABE: Are we getting copies?

25 MR. MORENO: Yeah.

EXHIBIT 13

1 THE McCABE LAW FIRM, APC

James M. McCabe SBN 51040

2 4817 Santa Monica Avenue

San Diego, CA 92107

3 Telephone: (619) 224-2848

4 Facsimile: (619) 224-0089

5 Attorney for Defendant Doe 2, Linda Vista Church

6 SUPERIOR COURT OF THE STATE OF CALIFORNIA
7 COUNTY OF SAN DIEGO

8 JOHN DORMAN, Individually, and JOEL
9 GAMBOA, Individually,

10 Plaintiffs,

11 v.

12 DEFENDANT DOE 1, La Jolla Church,
13 DEFENDANT DOE 2, Linda Vista Church,
14 and DEFENDANT DOE 3, Supervisory
15 Organization, DEFENDANT DOE 4,
16 Perpetrator, and DOES 5 through 100,
17 inclusive,

Defendants.

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

DEFENDANT DOE 2, LINDA VISTA
CHURCH'S RESPONSE TO PLAINTIFF'S
SPECIAL INTERROGATORIES

18 PROPOUNDING PARTY: PLAINTIFFS, John Dorman, Individually, and Joel Gamboa, In-
dividually

19 RESPONDING PARTY: DEFENDANT Doe 2, LINDA VISTA CHURCH

20 SET NUMBER: ONE

21 Defendant Doe 2, Linda Vista Church ("this Defendant"), provides the following an-
22 swers to plaintiffs John Dorman and Joel Gamboa's ("Plaintiffs") interrogatories pursuant to
23 CAL. CIV. PROC. CODE § 2030. In answering these interrogatories, you have been furnished
24 with such information as is presently available. This may include hearsay and other forms of
25 evidence that are neither reliable nor admissible. The answers are, in addition, given without
26 prejudice to producing at trial subsequently discovered information or information omitted from
27
28

1 the answers as a result of good faith oversight.

2 **PRELIMINARY STATEMENT**

3 These responses are made solely for the purposes of this action. Each answer is subject
4 to all of the appropriate objections (including but not limited to objections concerning incompe-
5 tence, irrelevance, immateriality, propriety and admissibility) which would require the exclusion
6 of any statement contained herein if an interrogatory were asked of, or if the answer was given
7 by, the witness testifying in court. All such objections and grounds are reserved and may be in-
8 terposed at the time of trial.

9
10 Without waiving its other objections, rights or applicable privileges, Defendant Linda
11 Vista Church answers Plaintiff's interrogatories to the extent possible as follows:

12 **RESPONSES TO INTERROGATORIES**

13 **INTERROGATORY NO. 1:**

14 For each year from 1975 to the present, IDENTIFY each EMPLOYEE who was accused
15 of sexual abuse of a minor while assigned OR serving YOU or within YOUR geographic re-
16 gion.

17 **RESPONSE NO. 1:**

18 Objection. This interrogatory is vague and ambiguous with respect to time and scope,
19 since the relevant time period ended in 1995. Also this interrogatory is objected to insofar as it
20 is protected by the minister-communicant privilege under CAL. EVID. CODE §§ 1033, 1034 as
21 well as information that might invade the privacy of persons who are not parties to this litiga-
22 tion. Further this interrogatory is also objected to as it seeks information protected by the attor-
23 ney-client and work product privileges.

24 Subject to and without waiving these objections, this Defendant responds as follows:
25 This Defendant does not have any employees and never has.

26 **INTERROGATORY NO. 2:**

27 For each year from 1975 to the present, for each EMPLOYEE IDENTIFIED in response
28 to Interrogatory No. 1, state the total number of minors with whom that EMPLOYEE was ac-
cused of sexual misconduct.

RESPONSE NO. 2:

See objections and response to Interrogatory No. 1.

1 INTERROGATORY NO. 3:

2 For each year from 1975 to the present, for each allegation IDENTIFIED in the response
3 to Interrogatory No. 2, provide the dates that each allegation was made.

4 RESPONSE NO. 3:

5 See objections and response to Interrogatory No. 1.

6 INTERROGATORY NO. 4:

7 For each year from 1975 to the present, for each allegation IDENTIFIED in the response
8 to Interrogatory No. 2, provide the approximate date(s) that the sexual abuse of the minor(s)
was alleged to have occurred.

9 RESPONSE NO. 4:

10 See objections and response to Interrogatory No. 1.

11 INTERROGATORY NO. 5:

12 For each year from 1975 to the present, DESCRIBE with particularity ALL efforts taken
13 by YOU to identify any EMPLOYEES who were sexually attracted to minors from 1975 to the
present.

14 RESPONSE NO. 5:

15 See objections and response to Interrogatory No. 1.

16 INTERROGATORY NO. 6:

17 For each year from 1975 to the present, for each ACCUSED INDIVIDUAL identified in
18 the response to Interrogatory No. 1, DESCRIBE with particularity what actions YOU took in
19 response to each accusation, including but not limited to, providing the ACCUSED INDI-
VIDUAL with COUNSELING SERVICES.

20 RESPONSE NO. 6:

21 See objections and response to Interrogatory No. 1.

22 Subject to and without waiving these objections, Defendant responds as follows: If eld-
23 ers learned of allegations of Scriptural wrongdoing, including child sexual abuse, two elders
24 would be assigned to investigate the matter. If the two elders determined that there was a basis
25 for the allegations, a judicial committee would have been formed (which could usually consist
26 of the original two elders and at least one more elder) to further handle the matter according to
27 Biblical principles. If it was decided that the wrongdoer was not repentant, he would be disfel-
lowshipped. The elders give spiritual counsel only. Professional counsel would be a personal
28 decision for the wrongdoer to seek.

1 INTERROGATORY NO. 7:

2 For each year from 1975 to the present, for each ACCUSED INDIVIDUAL
3 IDENTIFIED in the response to Interrogatory No. 1, DESCRIBE each report made to any law
4 enforcement agency by YOU RELATING TO alleged sexual abuse of a minor(s).

4 RESPONSE NO. 7:

5 See objections and response to Interrogatory No. 1.

6 Subject to and without waiving these objections, this Defendant responds as follows:
7 Since July 1989, if elders learn of an allegation of child sexual abuse they call the Legal De-
8 partment and receive legal advice with respect to reporting laws for clergy members. Further
9 other individuals who have knowledge of alleged child sexual abuse have always had the abso-
10 lute right to make such reports to the authorities.

11 If elders learn of an allegation of child sexual abuse they call the Legal Department and
12 receive legal advice with respect to reporting laws for clergy members. Further other individu-
13 als who have knowledge of alleged child sexual abuse have always had the absolute right to
14 make such reports to the authorities and have frequently made a decision to do so.

12 INTERROGATORY NO. 8:

13 For each year from 1975 to the present, for each ACCUSED INDIVIDUAL
14 IDENTIFIED in the response to Interrogatory No. 1, DESCRIBE each report made to any law
15 enforcement agency by any PERSON other than YOU RELATING TO alleged sexual abuse of
16 any minor(s).

16 RESPONSE NO. 8:

17 See objections and response to Interrogatory No. 7.

18 INTERROGATORY NO. 9:

19 DESCRIBE with particularity all efforts taken by YOU to determine whether the
20 PERPETRATOR was sexually attracted to minors.

21 RESPONSE NO. 9:

22 Objection. This interrogatory is overly broad as to time and scope since the relevant
23 time period ended in 1995. Also, this interrogatory is objected to insofar as it seeks information
24 protected by the minister-communicant privilege under CAL. EVID. CODE §§ 1033, 1034, as well
25 as information that might invade the privacy of persons who are not parties to this litigation.
Further, this interrogatory is also objected to insofar as it seeks information protected by the at-
26 torney-client and work product privileges.

26 Subject to and without waiving these objections, this Defendant responds as follows:
27 Defendant makes such determinations based on information received from local elders who
28 typically speak with perpetrators and victims or their parents, and based on articles related to

1 child sexual abuse published in *The Watchtower* or *Awake!* magazines that may be helpful to
2 making such a determination.

3 INTERROGATORY NO. 10:

4 DESCRIBE all information available to YOU, if any, that the PERPETRATOR had a
5 history of being a victim of sexual abuse.

6 RESPONSE NO. 10:

7 Objection. This interrogatory is overly broad as to time and scope since the relevant
8 time period ended in 1995. Also, this interrogatory is objected to insofar as it seeks information
9 protected by the minister-communicant privilege under CAL. EVID. CODE §§ 1033, 1034, as well
10 as information that might invade the privacy of persons who are not parties to this litigation.
11 Further, this interrogatory is also objected to insofar as it seeks information protected by the at-
12 torney-client and work product privileges.

13 INTERROGATORY NO. 11:

14 DESCRIBE with particularity any information available to YOU, if any, that the
15 PERPETRATOR had problems with alcohol or substance abuse.

16 RESPONSE NO. 11:

17 Objection. This interrogatory is overly broad as to time and scope, since the relevant
18 time period ended in 1995.

19 Subject to and without waiving these objections, this Defendant responds as follows:
20 Defendant has none.

21 INTERROGATORY NO. 12:

22 DESCRIBE what actions were taken by YOU to address the PERPETRATOR's prob-
23 lems with alcohol or substance abuse, if any.

24 RESPONSE NO. 12:

25 See objections and response to Interrogatory No. 11.

26 INTERROGATORY NO. 13:

27 DESCRIBE with particularity all reports OR allegations that the PERPETRATOR en-
28 gaged in sexual contact of any kind with a minor, if any, which was made known to YOU at any
time.

RESPONSE NO. 13:

See objections and response to Interrogatory No. 10.

1 Subject to and without waiving those objections, this Defendant responds as follows:
2 Jehovah's Witnesses have a Governing Body that provides spiritual oversight to Jehovah's Wit-
3 nesses world wide. In the U.S. there is also a Branch Committee appointed by the Governing
4 Body. The Branch Committee oversees the activities of the U.S. Branch operations in New
5 York and of Jehovah's Witnesses in the U.S. There is a Service Department at the U.S. branch
6 which under the oversight of the Branch Committee provides spiritual direction to the elders
7 and congregations in the U.S. There are also Circuit Overseers which visit congregations in
8 their circuit (usually 20-25) about twice per year to provide spiritual encouragement. District
9 Overseers visit congregations within their districts which are composed of circuits, so they visit
10 congregations to provide spiritual encouragement less often. Each congregation has a body of
11 elders appointed by the Branch Office. The body of elders shepherd and teach the members of
12 their congregation, and join them in the door-to-door preaching activity that Jehovah's Wit-
13 nesses are well known for throughout the world.

14 DATED: October 11, 2010

15 THE McCABE LAW FIRM, APC

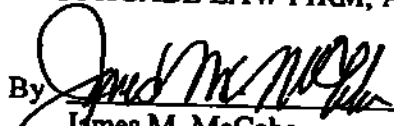
16 By 
17 James M. McCabe
18 Attorneys for Defendant Linda Vista Church

EXHIBIT 14

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 Defendant Doe 3 Supervisory Organization**

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, La Jolla 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

**DEFENDANT DOE 3 SUPERVISORY
ORGANIZATION'S RESPONSES TO
PLAINTIFFS' SPECIAL
INTERROGATORIES**

21 **PROPOUNDING PARTY: PLAINTIFFS JOHN DORMAN AND JOEL GAMBOA**

22 **RESPONDING PARTY: DEFENDANT DOE 3 SUPERVISORY ORGANIZATION**

23 **SET NUMBER: ONE**

24 Defendant Doe 3, Supervisory Organization, ("this Defendant") provides the following
25 answers to plaintiffs John Dorman and Joel Gamboa's ("Plaintiffs") interrogatories pursuant to
26 CAL. CIV. PROC. CODE § 2030. In answering these interrogatories, you have been furnished
27 with such information as is presently available. This may include hearsay and other forms of
28 evidence that are neither reliable nor admissible. The answers are, in addition, given without
prejudice to producing at trial subsequently discovered information or information omitted from
the answers as a result of good faith oversight.

1 protected by the minister-communicant privilege under CAL. EVID. CODE §§ 1033, 1034, as well
2 as information that might invade the privacy of persons who are not parties to this litigation.
3 Further, this interrogatory is also objected to insofar as it seeks information protected by the
4 attorney-client and work product privileges.

5 INTERROGATORY NO. 3:

6 DESCRIBE with particularity any information available to YOU, if any, that the
7 PERPETRATOR had problems with alcohol or substance abuse.

8 RESPONSE NO. 3:

9 Objection. This interrogatory is overly broad as to time and scope since the relevant
10 time period ended in 1995.

11 Subject to and without waiving these objections, this Defendant responds as follows:
12 Defendant has none.

13 INTERROGATORY NO. 4:

14 DESCRIBE what actions were taken by YOU to address the PERPETRATOR'S
15 problems with alcohol or substance abuse, if any.

16 RESPONSE NO. 4:

17 Objection. This interrogatory is overly broad as to time and scope, since the relevant
18 time period ended in 1995.

19 Subject to and without waiving these objections, this Defendant responds as follows:
20 Defendant has none.

21 INTERROGATORY NO. 5:

22 DESCRIBE with particularity all reports OR allegations that the PERPETRATOR
23 engaged in sexual contact of any kind with a minor, if any, which was made known to YOU at
24 any time.

25 RESPONSE NO. 5:

26 Objection. This interrogatory is overly broad as to time and scope, since the relevant
27 time period ended in 1995. Also, this interrogatory is objected to insofar as it seeks information
28 protected by the minister-communicant privilege under CAL. EVID. CODE §§ 1033, 1034, as well
as information that might invade the privacy of persons who are not parties to this litigation.
Further, this interrogatory is also objected to insofar as it seeks information protected by the
attorney-client and work product privileges. Finally, this interrogatory is objected to insofar as
it seeks information that is not relevant and is not calculated to lead to the discovery of
admissible evidence.

1 INTERROGATORY NO. 6:

2 Set forth the date(s) and results of any investigation(s) conducted by YOU of the
3 PERPETRATOR'S alleged sexual contact with any PERSON who was a minor on the date(s)
of the alleged sexual contact, including any corrective action taken by YOU.

4 RESPONSE NO. 6:

5 Objection: This interrogatory is overly broad as to time and scope, since the relevant
6 time period ended in 1995. Also, this interrogatory is objected to insofar as it seeks information
7 protected by the minister-communicant privilege under CAL. EVID. CODE §§ 1033, 1034, as well
8 as information that might invade the privacy of persons who are not parties to this litigation.
9 Further, this interrogatory is also objected to insofar as it seeks information protected by the
attorney-client and work product privileges. Finally, this interrogatory is objected to insofar as
it seeks information that is not relevant and is not calculated to lead to the discovery of
admissible evidence.

10 Subject to and without waiving these objections, this Defendant responds as follows:
11 Any investigation of an accusation of alleged sexual misconduct on the part of a member of the
12 congregation would have been made by elders for the congregation where the accused was
associated or possibly where the victim was associated, if different.

13 INTERROGATORY NO. 7:

14 IDENTIFY each PERSON who participated in YOUR investigation(s) set forth in
15 response to Interrogatory No. 14.

16 RESPONSE NO. 7:

17 Objection: This interrogatory is overly broad as to time and scope, since the relevant
18 time period ended in 1995. Also, this interrogatory is objected to insofar as it seeks information
19 protected by the minister-communicant privilege under CAL. EVID. CODE §§ 1033, 1034, as well
20 as information that might invade the privacy of persons who are not parties to this litigation.
21 Further, this interrogatory is also objected to insofar as it seeks information protected by the
attorney-client and work product privileges. Finally, this interrogatory is objected to insofar as
it seeks information that is not relevant and is not calculated to lead to the discovery of
admissible evidence.

22 Subject to and without waiving these objections, this Defendant responds as follows:
23 Any investigation of an accusation of alleged sexual misconduct on the part of a member of the
24 congregation would have been made by elders for the congregation where the accused was
associated or possibly where the victim was associated, if different.

25 INTERROGATORY NO. 8:

26 IDENTIFY each PERSON who has knowledge of any facts RELATING TO the
27 PERPETRATOR'S alleged sexual contact with any PERSON who was a minor on the date(s)
of the alleged sexual contact.

1 RESPONSE NO. 8:

2 Objection: This interrogatory is overly broad as to time and scope, since the relevant
3 time period ended in 1995. Also, this interrogatory is objected to insofar as it seeks information
4 protected by the minister-communicant privilege under CAL. EVID. CODE §§ 1033, 1034, as well
5 as information that might invade the privacy of persons who are not parties to this litigation.
6 Further, this interrogatory is also objected to insofar as it seeks information protected by the
7 attorney-client and work product privileges. Finally, this interrogatory is objected to insofar as
8 it seeks information that is not relevant and is not calculated to lead to the discovery of
9 admissible evidence.

7 INTERROGATORY NO. 9:

8 IDENTIFY each PERSON who has supervised the PERPETRATOR'S employment or
9 provision of services from the beginning of the PERPETRATOR'S relationship with YOU
10 through the present.

10 RESPONSE NO. 9:

11 Objection. This interrogatory is vague and ambiguous as to "provision of services." In
12 addition, this interrogatory is overly broad as to time and scope, since the relevant time period
13 ended in 1995. Also, to the extent that this interrogatory seeks information related to religious
14 faith, custom or law, or to internal church organization, this Defendant objects to this request on
15 the basis of the First Amendment of the U.S. Constitution and its California analog, which bar
16 civil court inquiry into such matters. See, e.g., *Serbian Eastern Orthodox Diocese v.*
17 *Milivojevic* (1976) 426 US. 696. This interrogatory is also objected to insofar as it seeks
18 information protected by the minister-communicant privilege under CAL. EVID. CODE §§ 1033,
19 1034, as well as information that might invade the privacy of persons who are not parties to this
20 litigation.

21 Subject to and without waiving those objections, this Defendant responds as follows:
22 This Defendant never employed the Perpetrator and the Perpetrator never provided services for
23 Defendant. Perpetrator was baptized as one of Jehovah's Witnesses on September 27, 1980.
24 He was appointed as a ministerial servant in the Playa Pacifica Spanish Congregation, San
25 Diego, California on December 22, 1988, and he was appointed as an elder in the Playa Pacifica
26 Spanish Congregation on June 23, 1993. He was disfellowshipped on June 9, 1995, and ceased
27 serving as an elder in the Playa Pacifica Spanish Congregation on that date (he was officially
28 removed from the list of elders on July 19, 1995). On April 21, 2000, he was reinstated as one
of Jehovah's Witnesses.

23 INTERROGATORY NO. 10:

24 Set forth the date and general nature of any COUNSELING SERVICES received by the
25 PERPETRATOR RELATING TO any issues in the PERPETRATOR'S job or services
26 performance.

26 RESPONSE NO. 10:

27 Objection. This interrogatory is vague and ambiguous as to "job or services
28 performance." In addition, this interrogatory is overly broad as to time and scope, since the

1 relevant time period ended in 1995. Also, to the extent that this interrogatory seeks information
2 related to religious faith, custom or law, or to internal church organization, this Defendant
3 objects to this request on the basis of the First Amendment of the U.S. Constitution and its
4 California analog, which bar civil court inquiry into such matters. See, e.g., *Serbian Eastern*
5 *Orthodox Diocese v. Milivojevich* (1976) 426 US. 696. This interrogatory is also objected to
6 insofar as it seeks information protected by the minister-communicant privilege under CAL.
7 EVID. CODE §§ 1033, 1034, as well as information that might invade the privacy of persons who
8 are not parties to this litigation.

9 Subject to and without waiving those objections, this Defendant responds as follows:
10 See answer to Interrogatory No. 9 above. Also, this Defendant did not provide counseling to
11 the Perpetrator. Any spiritual counseling for the Perpetrator would have been provided by the
12 elders in his local congregation. Defendant would not have been involved in providing any
13 professional counseling. Any professional counseling would have been a personal decision for
14 the Perpetrator to make.

15 INTERROGATORY NO. 11:

16 IDENTIFY each PERSON who participated in the COUNSELING SERVICES
17 RELATING TO alleged issues in the PERPETRATOR'S job or services performance.

18 RESPONSE NO. 11:

19 See objections and answer to Interrogatory No. 10.

20 INTERROGATORY NO. 12:

21 IDENTIFY each of YOUR EMPLOYEES who lived with the PERPETRATOR, at any
22 time, at every residence provided to the PERPETRATOR by YOU.

23 RESPONSE NO. 12:

24 None.

25 INTERROGATORY NO. 13:

26 For each EMPLOYEE IDENTIFIED in response to Interrogatory No. 12, state the time
27 frame that they lived with the PERPETRATOR.

28 RESPONSE NO. 13:

Not applicable (see answer to Interrogatory No. 12 above).

INTERROGATORY NO. 14:

IDENTIFY each alleged minor victim(s) of sexual abuse, at any time, by the
PERPETRATOR.

1 God and Christ Jesus, who is destined to judge the living and the dead, and by his manifestation
2 and his kingdom, preach the word, be at it urgently in favorable season, in troublesome season,
3 reprove, reprimand, exhort, with all long-suffering and art of teaching.”—2 Timothy 4:1, 2.

4 In every situation where guilt is established, a primary endeavor of the elders is to
5 restore the wrongdoer if he is genuinely repentant, as indicated, for example, by his producing
6 “works that befit repentance.” (Acts 26:20) If they are able to help him and he is repentant, then
7 reproof is given, either privately or before onlookers concerned in the case, or in some cases the
8 congregation is informed that he has been reproved.

9 However, if the wrongdoer has become hardened in his course of wrong conduct and
10 fails to give evidence of genuine repentance at the time of the hearing, it would be necessary for
11 the responsible elders to expel the unrepentant wrongdoer from the congregation.—
12 1 Corinthians 5:11-13.

13 When a judicial committee handling a case of wrongdoing reaches the conclusion that
14 the unrepentant person should be disfellowshipped, the committee speaks with him and lets him
15 know of their decision to disfellowship him from the congregation. They clearly state the
16 Scriptural reason(s) for the disfellowshipping action. When informing the wrongdoer of their
17 decision, the judicial committee should tell him that if he believes that a serious error in
18 judgment has been made and he wishes to appeal the decision of the committee, he may do so
19 by writing a letter clearly stating his reasons for the appeal. He will be allowed seven days for
20 doing this. If the wrongdoer does not indicate that he wishes to appeal, the judicial committee
21 should explain to him the need for repentance and what steps he can take toward being
22 reinstated in due time. This would be both helpful and kind, with the hope that he will change
23 his ways and in time qualify to return to Jehovah’s organization.—2 Corinthians 2:6, 7.

24 When it becomes necessary to remove an unrepentant wrongdoer from the congregation,
25 a brief announcement is made, simply stating that the person is no longer one of Jehovah’s
26 Witnesses. This will alert faithful members of the congregation to stop associating with that
27 person.—1 Corinthians 5:11.

28 DATED: October 11, 2010

THE McCABE LAW FIRM, APC

By 

James M. McCabe

Attorneys for Defendant Doe Supervisory
Organization

EXHIBIT 15

1 THE McCABE LAW FIRM, APC
James M. McCabe SBN 51040
2 4817 Santa Monica Avenue
San Diego, CA 92107
3 Telephone: (619) 224-2848
4 Facsimile: (619) 224-0089

5 Attorney for Defendant Doe 1, La Jolla Church

6 SUPERIOR COURT OF THE STATE OF CALIFORNIA
7 COUNTY OF SAN DIEGO

8 JOHN DORMAN, Individually, and JOEL
9 GAMBOA, Individually,

10 Plaintiffs,

11 v.

12 DEFENDANT DOE 1, La Jolla Church,
13 DEFENDANT DOE 2, Linda Vista Church,
and DEFENDANT DOE 3, Supervisory
14 Organization, DEFENDANT DOE 4,
Perpetrator, and DOES 5 through 100,
15 inclusive,

16 Defendants.

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

**DEFENDANT DOE NUMBER 1, LA JOLLA
CHURCH'S RESPONSE TO PLAINTIFF'S
SPECIAL INTERROGATORIES**

17
18 PROPOUNDING PARTY: PLAINTIFFS, John Dorman, Individually, and Joel Gamboa, In-
dividually

19 RESPONDING PARTY: DEFENDANT DOE 1, LA JOLLA CHURCH

20 SET NUMBER: ONE

21
22 Defendant DOE 1, La Jolla Church ("this Defendant") provides the following answers to
23 plaintiffs John Dorman and Joel Gamboa's ("Plaintiffs") interrogatories pursuant to CAL. CIV.
24 PROC. CODE § 2030. In answering these interrogatories, you have been furnished with such in-
25 formation as is presently available. This may include hearsay and other forms of evidence that
26 are neither reliable nor admissible. The answers are, in addition, given without prejudice to
27 producing at trial subsequently discovered information or information omitted from the answers
28

1 as a result of good faith oversight.

2 **PRELIMINARY STATEMENT**

3 These responses are made solely for the purposes of this action. Each answer is subject
4 to all of the appropriate objections (including but not limited to objections concerning incompe-
5 tence, irrelevance, immateriality, propriety and admissibility) which would require the exclusion
6 of any statement contained herein if an interrogatory were asked of, or if the answer was given
7 by, the witness testifying in court. All such objections and grounds are reserved and may be in-
8 terposed at the time of trial.

9
10 Without waiving its other objections, rights or applicable privileges, Defendant La Jolla
11 Church answers Plaintiff's interrogatories to the extent possible as follows:

12 **RESPONSES TO INTERROGATORIES**

13 **INTERROGATORY NO. 1:**

14 For each year from 1975 to the present, IDENTIFY each EMPLOYEE who was accused
15 of sexual abuse of a minor while assigned OR serving YOU or within YOUR geographic re-
16 gion.

17 **RESPONSE NO. 1:**

18 Objection. This interrogatory requests information that is irrelevant and that is not rea-
19 sonably calculated to lead to the discovery of admissible evidence. In addition, this interroga-
20 tory is overbroad as to scope, since the relevant time period ended in 1995. Also this interroga-
21 tory is objected to insofar as it is protected by the minister-communicant privilege under CAL.
22 EVID. CODE §§ 1033, 13034 as well as information that might invade the privacy of persons
23 who are not parties to this litigation. Further this interrogatory is also objected to as it seeks in-
24 formation protected by the attorney-client and work product privileges.

25 Subject to and without waiving these objections, this Defendant responds as follows:
26 Defendant La Jolla Church does not have any employees and never has.

27 **INTERROGATORY NO. 2:**

28 For each year from 1975 to the present, for each EMPLOYEE IDENTIFIED in response
to Interrogatory No. 1, state the total number of minors with whom that EMPLOYEE was ac-
cused of sexual misconduct.

1 RESPONSE NO. 2:

2 See objections and response to Interrogatory No. 1.

3 INTERROGATORY NO. 3:

4 For each year from 1975 to the present for each allegation IDENTIFIED in the response
5 to Interrogatory No. 2, provide the dates that each allegation was made.

6 RESPONSE NO. 3:

7 See objections and response to Interrogatory No. 1.

8 INTERROGATORY NO. 4:

9 For each year from 1975 to the present, for each allegation IDENTIFIED in the response
10 to Interrogatory No. 2, provide the approximate date(s) that the sexual abuse of the minor(s)
was alleged to have occurred.

11 RESPONSE NO. 4:

12 See objections and response to Interrogatory No. 1.

13 INTERROGATORY NO. 5:

14 For each year from 1975 to the present, DESCRIBE with particularity ALL efforts taken
15 by YOU to identify any EMPLOYEES who were sexually attracted to minors from 1975 to the
present.

16 RESPONSE NO. 5:

17 See objections and response to Interrogatory No. 1.

18 INTERROGATORY NO. 6:

19 For each year from 1975 to the present, for each ACCUSED INDIVIDUAL identified in
20 the response to Interrogatory No. 1, DESCRIBE with particularity what actions YOU took in
21 response to each accusation, including but not limited to, providing the ACCUSED INDI-
22 VIDUAL with COUNSELING SERVICES.

23 RESPONSE NO. 6:

24 See objections and response to Interrogatory No. 1.

25 Subject to and without waiving these objections, Defendant responds as follows: If eld-
26 ers learned of allegations of Scriptural wrongdoing, including child sexual abuse, two elders
27 would be assigned to investigate the matter. If the two elders determined that there was a basis
28 for the allegations, a judicial committee would have been formed (which could usually consist
of the original two elders and at least one more elder) to further handle the matter according to
Biblical principles. If it was decided that the wrongdoer was not repentant, he would be disfel-

1 lowshipped. The elders give spiritual counsel only. Professional counsel would be a personal
2 decision for the wrongdoer to seek.

3 INTERROGATORY NO. 7:

4 For each year from 1975 to the present, for each ACCUSED INDIVIDUAL
5 IDENTIFIED in the response to Interrogatory No. 1, DESCRIBE each report made to any law
6 enforcement agency by YOU RELATING TO alleged sexual abuse of a minor(s).

7 RESPONSE NO. 7:

8 See objections and response to Interrogatory No. 1.

9 Subject to and without waiving these objections, Defendant responds as follows: Since
10 July 1989, if elders learn of an allegation of child sexual abuse they call the Legal Department
11 and receive legal advice with respect to reporting laws for clergy members. Further other indi-
12 viduals who have knowledge of alleged child sexual abuse have always had the absolute right to
13 make such reports to the authorities.

14 INTERROGATORY NO. 8:

15 For each year from 1975 to the present, for each ACCUSED INDIVIDUAL
16 IDENTIFIED in the response to Interrogatory No. 1, DESCRIBE each report made to any law
17 enforcement agency by any PERSON other than YOU RELATING TO alleged sexual abuse of
18 any minor(s).

19 RESPONSE NO. 8:

20 See objections and response to Interrogatory No. 7.

21 INTERROGATORY NO. 9:

22 DESCRIBE with particularity all efforts taken by YOU to determine whether the
23 PERPETRATOR was sexually attracted to minors.

24 RESPONSE NO. 9:

25 Objection. This interrogatory is overly broad as to time and scope since the relevant
26 time period ended in 1995. Also, this interrogatory is objected to insofar as it seeks information
27 protected by the minister-communicant privilege under CAL. EVID. CODE §§ 1033, 1034, as well
28 as information that might invade the privacy of persons who are not parties to this litigation.
Further, this interrogatory is also objected to insofar as it seeks information protected by the at-
torney-client and work product privileges.

Subject to and without waiving these objections, this Defendant responds as follows:
Defendant makes such determinations based on information received from other local elders,
victims or their parents, and based on articles related to child sexual abuse published in the
Watchtower or Awake! magazines that may be helpful to making such a determination.

1 INTERROGATORY NO. 10:

2 DESCRIBE all information available to YOU, if any, that the PERPETRATOR had a
3 history of being a victim of sexual abuse.

4 RESPONSE NO. 10:

5 Objection. This interrogatory is overly broad as to time and scope since the relevant
6 time period ended in 1995. Also, this interrogatory is objected to insofar as it seeks information
7 protected by the minister-communicant privilege under CAL. EVID. CODE §§ 1033, 1034, as well
8 as information that might invade the privacy of persons who are not parties to this litigation.
Further, this interrogatory is also objected to insofar as it seeks information protected by the at-
9 torney-client and work product privileges.

10 INTERROGATORY NO. 11:

11 DESCRIBE with particularity any information available to YOU, if any, that the
12 PERPETRATOR had problems with alcohol or substance abuse.

13 RESPONSE NO. 11:

14 Objection. This interrogatory is overly broad as to time and scope, since the relevant
15 time period ended in 1995.

16 Subject to and without waiving these objections, this Defendant responds as follows:
17 Defendant has none.

18 INTERROGATORY NO. 12:

19 DESCRIBE what actions were taken by YOU to address the PERPETRATOR's prob-
20 lems with alcohol or substance abuse, if any.

21 RESPONSE NO. 12:

22 See objections and response to Interrogatory No. 11.

23 INTERROGATORY NO. 13:

24 DESCRIBE with particularity all reports OR allegations that the PERPETRATOR en-
25 gaged in sexual contact of any kind with a minor, if any, which was made known to YOU at any
26 time.

27 RESPONSE NO. 13:

28 See objections to Interrogatory No. 10.

INTERROGATORY NO. 14:

Set forth the date(s) and results of any investigation(s) conducted by YOU of the
PERPETRATOR's alleged sexual contact with any PERSON who was a minor on the date(s) of
the alleged sexual contact, including any corrective action taken by YOU.

1 REQUEST FOR PRODUCTION NO. 81:

2 ALL DOCUMENTS RELATING TO opinions given by any facility which treated
3 PERSONS for sexual conduct of any kind as to recidivism rates by pedophiles or ephebophiles
4 from 1980 to the present.

4 RESPONSE NO. 81

5 This Defendant has no documents responsive to this request.

6 REQUEST FOR PRODUCTION NO. 82:

7 ALL church bulletins published by YOU from 1980 to the present.

8 RESPONSE NO. 82

9 This Defendant has no documents responsive to this request.

10 REQUEST FOR PRODUCTION NO. 83:

11 ALL liability insurance policies obtained or purchased by YOU from 1980 to the
12 present.

13 RESPONSE NO. 83

14 This Defendant has no documents responsive to this request.

15 REQUEST FOR PRODUCTION NO. 84:

16 ALL DOCUMENTS RELATING TO YOUR organizational structure.

17 RESPONSE NO. 84:

18 This Defendant objects to this request insofar as it is vague and ambiguous as to the
19 meaning of "YOUR organizational structure," and overbroad as to time and scope.

20 Subject to and without waiving those objections, this Defendant responds as follows:
21 See attached Chapter 4 of the book *Organized to Accomplish Our Ministry*.

22 REQUEST FOR PRODUCTION NO. 85:

23 ALL DOCUMENTS RELATING TO the organizational structure of the Jehovah's
24 Witness Church.

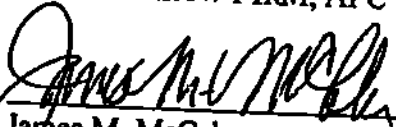
25 RESPONSE NO. 85:

26 See objections and response to Request No. 84 above.

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28 DATED: October 11, 2010

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THE McCABE LAW FIRM, APC

By 
James M. McCabe
Attorneys for Defendant La Jolla Church

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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,

vs.

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,

Defendants.

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

**[PROPOSED] ORDER RE
PLAINTIFFS' SECOND MOTION TO
COMPEL FURTHER RESPONSES TO
DISCOVERY**

**Date: 12-23-11
Time: 10:30 a.m.
Dept: C-73
Judge: Steven R. Denton**

Trial 1/27/12

Plaintiffs John Dorman and Joel Gamboa's second motion to compel further production to request for production of documents came on for hearing at 10:30 a.m. on Friday, December 23, 2011 in Depart C73 of the San Diego County Superior Court located at 330 West Broadway, San Diego, California 92101. After considering the parties' submissions and the arguments of counsel, GOOD CAUSE APPEARING, Plaintiffs' motion is granted.

Defendant Watchtower is ordered to produce an un-redacted copy of the letter dated April 11, 1994 within five days of this order.

1 Defendant Playa Pacifica is ordered to produce un-redacted copies of the documents dated April
2 11, 1994, July 4, 1999, July 20, 1999 and October 28, 2006 within five days of this order.

3
4 IT IS SO ORDERED.

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6 Dated: _____

7 JUDGE OF THE SUPERIOR COURT
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