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

10 JOHN DORMAN, individually; and JOEL  
GAMBOA, individually,

11 Plaintiff,

12 v.

13 DEFENDANT DOE 1, LA JOLLA CHURCH;  
14 DEFENDANT DOE 2, LINDA VISTA  
CHURCH; DEFENDANT DOE 3,  
15 SUPERVISORY ORGANIZATION;  
DEFENDANT DOE 4, PERPETRATOR; and  
16 DOES 5 through 100,  
and DOES 1 through 20, inclusive,  
17 Defendants.  
18

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

**NOTICE OF MOTION AND MOTION  
FOR SUMMARY JUDGMENT ON THE  
SECOND AMENDED COMPLAINT OR,  
IN THE ALTERNATIVE SUMMARY  
ADJUDICATION OF ISSUES**

Date: ✓ December 16, 2011  
Time: 10:30 a.m.  
Dept: C-73  
Judge: Hon. Steven R. Denton

Trial Date: None Set  
Complaint Filed: May 20, 2010

19 **TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

20 **NOTICE IS HEREBY GIVEN** that on December 16, 2011, at 10:30 a.m., in Department  
21 C-73 of the above entitled court located at 330 West Broadway, San Diego, California, defendant  
22 Linda Vista Spanish Congregation will move this court, pursuant to Code of Civil Procedure  
23 section 437c, for summary judgment in favor of defendant Linda Vista Spanish Congregation and  
24 against plaintiffs John Dorman and John Gamboa on their second amended complaint, and for  
25 costs of suit incurred herein, and on such other relief as may be just.

26 This motion is made upon the grounds that no legal duty of care was owed to John Dorman  
27 or John Gamboa by Linda Vista Spanish Congregation and that it cannot be held vicariously liable  
28 for the acts of defendant Gonzalo Campos.

1 This motion is also made on the ground that the second amended complaint by John  
2 Gamboa is barred by the statute of limitation.

3 In the alternative, if for any reason judgment is not granted, defendant Linda Vista Spanish  
4 Congregation will move this court for an order adjudicating the following issues:

5 1. Defendant Linda Vista Spanish Congregation is entitled to summary adjudication  
6 of the first cause of action of the second amended complaint for damages by John Dorman and  
7 John Gamboa for negligence because no legal duty of care was owed to prevent the molestation,  
8 supervise Campos or warn of potential harm by Campos and there is no basis for vicarious  
9 liability;

10 2. Defendant Linda Vista Spanish Congregation is entitled to summary adjudication  
11 of the second cause of action of the second amended complaint for damages by Dorman and  
12 Gamboa for negligent supervision/failure to warn because no legal duty of care was owed to  
13 prevent the molestation, supervise Campos, or warn of potential harm by Campos and there is no  
14 basis for vicarious liability;

15 3. Defendant Linda Vista Spanish Congregation is entitled to summary adjudication  
16 of the third cause of action of the second amended complaint for damages by Dorman and  
17 Gamboa for negligent hiring/retention because no legal duty of care was owed to prevent the  
18 molestation, supervise Campos, or warn of potential harm by Campos and there is no basis for  
19 vicarious liability;

20 4. Defendant Linda Vista Spanish Congregation is entitled to summary adjudication  
21 of the fifth cause of action of the second amended complaint for damages by Dorman and Gamboa  
22 for negligent failure to warn, train or educate plaintiffs because no legal duty of care was owed to  
23 prevent the molestation, supervise Campos, or warn of potential harm by Campos and there is no  
24 basis for vicarious liability;

25 5. Defendant Linda Vista Spanish Congregation is entitled to summary adjudication  
26 of the eighth cause of action of the second amended complaint for damages by Dorman and  
27 Gamboa for sexual battery because no legal duty of care was owed to prevent the molestation,  
28 supervise Campos, or warn of potential harm by Campos and there is no basis for vicarious

1 liability;

2           6. Defendant Linda Vista Spanish Congregation is entitled to summary adjudication  
3 of the ninth cause of action of the second amended complaint for damages by Dorman and  
4 Gamboa for sexual harassment because no legal duty of care was owed to prevent the molestation,  
5 supervise Campos, or warn of potential harm by Campos and there is no basis for vicarious  
6 liability; and

7           7. Defendant Linda Vista Spanish Congregation is entitled to summary adjudication  
8 of the tenth cause of action of the second amended complaint for damages by Dorman and  
9 Gamboa for breach of fiduciary duty and/or confidential relationship because no legal duty of care  
10 was owed to prevent the molestation, supervise Campos, or warn of potential harm by Campos  
11 and no fiduciary and/or confidential relationship existed between Linda Vista Congregation and  
12 the plaintiffs and there is no basis for vicarious liability.

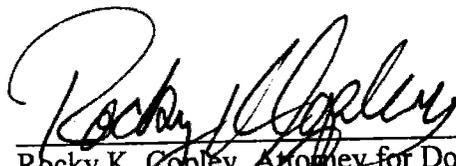
13           Defendant Linda Vista Spanish Congregation therefore seeks an order that the final  
14 judgment in this action shall, in addition to any matters determined at trial, award judgment as  
15 established by such adjudication.

16           This motion will be based upon this motion, the memorandum of points and authorities in  
17 support thereof, the separate statement of undisputed material facts, the affidavits of Danny Bland,  
18 Kevin Phillips, Ramon Preciado, Ralph Schaefer and Allen Shuster, the deposition testimony of  
19 Gonzalo Campos, Justino Diaz, John Dorman, John Gamboa, Juan Guardado, Arturo Jemio, Jesus  
20 Montijo, Dennis Palmer and Ramon Preciado, the files and records in this action, and on any  
21 further evidence or argument that the court may properly receive at or before the hearing.

22 Dated: September 30, 2011

Law Office of Rocky K. Copley

23  
24 By:

  
Rocky K. Copley, Attorney for Doe 2,  
Linda Vista Spanish Congregation

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9 **COUNTY OF SAN DIEGO, CENTRAL DIVISION**

10 JOHN DORMAN, individually; and JOEL  
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11 Plaintiff,

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15 SUPERVISORY ORGANIZATION;  
DEFENDANT DOE 4, PERPETRATOR; and  
16 DOES 5 through 100,  
and DOES 1 through 20, inclusive,

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

**MEMORANDUM OF POINTS AND  
AUTHORITIES IN SUPPORT OF  
DEFENDANT LINDA VISTA  
CONGREGATION'S MOTION FOR  
SUMMARY JUDGMENT AND/OR  
SUMMARY ADJUDICATION OF ISSUES**

Date: December 16, 2011  
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1 Defendant Doe 2, Linda Vista Spanish Congregation ("Linda Vista Congregation")  
2 submits this memorandum of points and authorities in support of its motion for summary  
3 judgment and/or summary adjudication of issues.

4 I

5 **ISSUES FOR THE COURT ON RULING ON MOTION FOR SUMMARY JUDGMENT**  
6 **AND/OR SUMMARY ADJUDICATION OF ISSUES**

7 The following general threshold issues will need to be decided by this court in ruling upon  
8 this motion. The issues have been broken down by individual plaintiff.

9 **Claims by John Dorman:**

10 Issue No. 1: There is no legal duty that requires someone to aid someone about to be  
11 harmed or to warn of potential harm absent a special relationship. Campos molested Dorman  
12 while they worked at Campos's landscaping business. The molestation did not occur during Linda  
13 Vista Congregation activities or on its property. Both Dorman and Campos were simply members  
14 of Linda Vista Congregation during the time period of the molestation. Did Linda Vista  
15 Congregation have a legal duty to prevent the molestation, supervise Campos or to warn Dorman  
16 of the potential for harm?

17 Issue No. 2: A principal can be vicariously liable for the tortious acts of its agents that  
18 occur during the course and scope of their agency. Campos molested Dorman while they worked  
19 at Campos's landscaping business. Campos was not conducting any activities on behalf of the  
20 Linda Vista Congregation when the acts of molestation occurred. Can Linda Vista Congregation  
21 be vicariously liable for the acts of Campos?

22 **Claims by Joel Gamboa:**

23 Issue No. 1: There is no legal duty that requires someone to aid someone about to be  
24 harmed or to warn of potential harm absent a special relationship. Campos was a Ministerial  
25 Servant and later an Elder at the La Jolla Spanish Congregation (hereinafter "La Jolla  
26 Congregation") when he molested Gamboa. The Linda Vista Congregation was not involved in  
27 Campos's appointment to the Ministerial Servant or Elder positions at the La Jolla Congregation.  
28 The molestation of Gamboa did not occur during Linda Vista Congregation activities or on its

1 property. Did Linda Vista Congregation have a legal duty to prevent someone in a different  
2 congregation from molesting a victim that is not in their custody, supervise Campos or to warn  
3 Gamboa of the potential for harm?

4 Issue No. 2: A principal can be vicariously liable for the tortious acts of its agents that  
5 occur during the course and scope of their agency. Campos molested Gamboa while they worked  
6 at Campos's landscaping business and during personal bible studies while Campos was a member  
7 of the La Jolla Congregation. Campos was not conducting any activities on behalf of the Linda  
8 Vista Congregation when the acts of molestation occurred. Can Linda Vista Congregation be  
9 vicariously liable for the molestation of Gamboa by Campos?

10 Issue No. 3: Gamboa was required to file his complaint within 8 years after he reached the  
11 age of majority or within 3 years after he discovered, or reasonably should have discovered, the  
12 psychological injury after reaching the age of majority, whichever is later, in order to avoid having  
13 his claims barred by the statute of limitations. Gamboa was required to file this action no later  
14 than his 26th birthday. Gamboa filed his complaint in this action when he was 29. Is Gamboa's  
15 complaint barred by the statute of limitations?

## 16 II

### 17 SUMMARY OF STATEMENT OF UNDISPUTED MATERIAL FACTS

18 Defendant Linda Vista Congregation hereby submits the following undisputed material  
19 facts that it believes requires this court to grant this motion for summary judgment and/or  
20 summary adjudication of issues:

21 This action arises from the alleged sexual abuse of plaintiffs John Dorman (presently age  
22 33) and Joel Gamboa (presently age 30) by an unnamed defendant Doe 4 Perpetrator, identified  
23 through discovery as Gonzalo Campos (hereinafter "Campos"). The facts, which are tragic, if  
24 proven, allege that defendant Campos abused plaintiffs on multiple occasions while they were  
25 minors and that the parties knew one another because of attending the Linda Vista Congregation  
26 or the La Jolla Congregation (also known as Playa Pacifica Congregation). The facts presented  
27 herein are only admitted for the purposes of Linda Vista Congregation's Motion for Summary  
28 Judgment and/or Summary Adjudication of Issues.

1                   **Plaintiff John Dorman's Claim**

2                   John Dorman (hereinafter "Dorman"), born on September 7, 1997, stated that he was  
3 abused by Campos on two different dates within a twelve-month period from 1983 to 1984 when  
4 he was approximately 7 to 8 years old. (UMF No. 43).

5                   Dorman described the first act of abuse as occurring when Campos picked him up from  
6 home to take him on a landscaping job for Campos's landscaping business. Campos touched him  
7 inappropriately while in Campos's van on the way to and from the worksite. (UMF No. 44). The  
8 second date of abuse occurred about twelve months later when Campos picked him up from home  
9 and abused him on the way to a different landscaping jobsite, and later that same day at a home  
10 where Campos's mother worked as a housecleaner. (UMF No. 45). Dorman first told his parents  
11 that he had been abused in the spring of 1994, when he was 16 years old, and Dorman's parents  
12 thereafter contacted the Linda Vista Congregation about the alleged abuse. (UMF No. 46).

13                   The alleged abuse of Dorman did not take place any property owned or controlled by  
14 defendant Linda Vista Congregation or during any Linda Vista Congregation meetings or  
15 activities. (UMF Nos. 44, 45, 56).

16                   **Plaintiff Joel Gamboa's Claim**

17                   Campos became a member of the La Jolla Congregation in 1986 when that congregation  
18 was formed as a separate congregation as an offshoot of Linda Vista Congregation. (UMF Nos.  
19 50, 51). Joel Gamboa was born on December 31, 1980. (UMF 58). Gamboa claims Campos  
20 abused him from 1988 to 1994 while Campos was a member of the La Jolla Congregation. (UMF  
21 No. 58). This abuse would take place while Campos conducted a Bible study with Gamboa, after  
22 Campos picked him up from school, on Campos's landscaping jobs, and at Campos's home.  
23 (UMF No. 59). Gamboa first disclosed the abuse at about age 14, when an elder called him after  
24 he had moved to Arizona in 1995. (UMF No. 60). Gamboa has always known that he had been  
25 abused, and there was never a period of time when he had blocked it out. (UMF No. 62).

26                   **Defendant Linda Vista Congregation**

27                   Defendant Linda Vista Congregation is a local congregation of Jehovah's Witnesses  
28 composed of individuals and families who gather together to worship in a building called

1 "Kingdom Hall." (UMF No. 1). Defendant Linda Vista Congregation has never had a paid clergy  
2 class and is supervised by a small group of its male members who are called "Elders." (UMF Nos.  
3 15, 16, 18). The Elders take the lead in teaching, providing pastoral care, and organizing the  
4 congregations. (UMF No. 17). The Elders are husbands and fathers, and the ones who are  
5 employed, are employed in secular jobs in businesses outside of the congregation. (UMF No. 17).

6 Defendant Linda Vista Congregation also has "Ministerial Servants" who are appointed to  
7 assist the Elders to care for the practical needs of the congregations. (UMF Nos. 29, 37). The  
8 responsibilities of Ministerial Servants include serving as attendants during congregation  
9 meetings, maintaining the physical appearance and cleanliness of the Kingdom Hall, and handling  
10 the congregation literature, congregation accounts, congregation territory for the field ministry,  
11 and caring for the microphone and sound equipment. (UMF No. 30).

12 At all times relevant to this lawsuit, Linda Vista Congregation also had "Regular Pioneers"  
13 and "Auxiliary Pioneers" which could be men, women, or children who engaged in the public  
14 ministry an average of 90 hours per month for Regular Pioneers and 60 hours per month for  
15 Auxiliary Pioneers. (UMF No. 32).

16 Elders, Ministerial Servants, and Regular Pioneers were all appointed volunteers and none  
17 of them were paid for their service nor did they receive any reimbursement for their transportation,  
18 living, or meal expenses. (UMF No. 33). At all times relevant to this lawsuit, Elders, Ministerial  
19 Servants, and Regular Pioneers in the Linda Vista Congregation had to first be recommended by  
20 the Elders in the Linda Vista Congregation and then approved by the Service Department at the  
21 national headquarters of Jehovah's Witnesses in New York before they could be appointed. (UMF  
22 No. 40). At all times relevant to this lawsuit, all appointments of Elders, Ministerial Servants, and  
23 Regular Pioneers were communicated by the Service Department to the Linda Vista Congregation  
24 through defendant Watchtower Bible and Tract Society of New York, Inc. (UMF No. 41).

25 A rank-and-file member of the Linda Vista Congregation is called a "publisher." (UMF  
26 No. 2). A publisher may be a baptized or unbaptized congregation member. (UMF No. 2). Since  
27 there is no age requirement to be a publisher, some unbaptized publishers may be as young as five  
28 or six years old. (UMF No. 4). Before a man, woman, or child is recognized as an unbaptized

1 publisher in the Linda Vista Congregation, two Elders briefly meet with that person (and their  
2 parents in the case of a minor) to determine whether the individual knows basic Bible teachings,  
3 lives in harmony with the Bible's moral standards, and whether the person wants to be one of  
4 Jehovah's Witnesses. (UMF No. 8). Thereafter, the two Elders orally determine whether the  
5 individual can be approved as an unbaptized publisher in the congregation. (UMF No. 8). Most of  
6 publishers in the Linda Vista Congregation did not serve as appointed Elders, Ministerial Servants,  
7 or Regular Pioneers. (UMF No. 13).

8 **Defendant Gonzalo Campos**

9 Defendant Campos began to associate with the Linda Vista Congregation in the late 1970's  
10 when he was 16 or 17 years of age. (UMF No. 47). As a teenager, Campos became an unbaptized  
11 publisher within the congregation and attended meetings there with his mother. (UMF No. 48).  
12 He later became a baptized publisher in the Linda Vista Congregation in 1980, when he was 17  
13 years old. (UMF No. 49).

14 By 1986 the Linda Vista Congregation had grown larger in number and the La Jolla  
15 Congregation was formed in November 1986 as an offshoot of the Linda Vista Congregation.  
16 (UMF No. 50). After the La Jolla Congregation was formed, Campos, ceased being a member of  
17 the Linda Vista Congregation and became a publisher of the newly formed La Jolla Congregation.  
18 (UMF No. 51).

19 Campos was appointed as a Ministerial Servant for the first time on December 22, 1988,  
20 while he was a publisher in the La Jolla Congregation. (UMF No. 53). Campos was appointed on  
21 June 23, 1993 as an Elder with the La Jolla Congregation. (UMF No. 54). Campos never held the  
22 positions of Ministerial Servant, Regular Pioneer or Elder at Linda Vista Congregation. (UMF  
23 No. 52) The Linda Vista Congregation played no role in the appointment of Campos to the  
24 positions of Ministerial Servant or Elder at the La Jolla Spanish Congregation. (UMF Nos. 35, 36,  
25 40).

26 In January 1994, the La Jolla Congregation changed its name to Playa Pacifica  
27 Congregation and Campos continued to serve as an Elder there until he was disfellowshipped, or  
28 expelled from the congregation, on June 9, 1995 for his acts of molestation of young boys. (UMF

1 No. 55). At no time did Campos ever serve as a Regular Pioneer or an Auxiliary Pioneer in any  
2 congregation of Jehovah's Witnesses, and at no time did Campos serve as a Ministerial Servant or  
3 Elder in the Linda Vista Congregation. (UMF Nos. 52 and 56).

4 III

5 THE SECOND AMENDED COMPLAINT BY DORMAN AND GAMBOA  
6 LACKS MERIT BECAUSE LINDA VISTA CONGREGATION HAD  
7 NO LEGAL DUTY TO PREVENT THE ABUSE, SUPERVISE  
OR CONTROL CAMPOS OR TO WARN DORMAN  
OR GAMBOA OF THE POTENTIAL FOR HARM

8 1. No Legal Duty of Care.

9 California has held that a party cannot be held liable for mere nonfeasance, such as not  
10 protecting another from criminal attack by a third party, absent a "special relationship." (*Eric J. v.*  
11 *Betty M.* (1999) 76 Cal.App.4th 715, 727) Furthermore, "as a basic general principle, in the  
12 absence of a special relationship or circumstance, a private person has no duty to protect another  
13 from a criminal attack by a third person." (*Id.*) This basic concept is often referred to as a "no  
14 duty to aide rule" which remains a fundamental and long-standing rule of tort law in California."  
15 (*Id.*) "As a rule, one has no duty to come to the aid of another. A person who has not created a  
16 peril is not liable in tort merely for failure to take affirmative action to assist or protect another  
17 unless there is some relationship between them which gives rise to a duty to act." (*Williams v.*  
18 *State of California* (1983) 34 Cal.3d 18, 23) California tort law does not impose mandatory good  
19 samaritanism. (*Eric J. v. Betty M., supra*, 76 Cal.App.4th at pages 727-728)

20 In the case of *Wise v. Superior Court* (1990) 222 Cal.App.3d 1008, the court of appeal  
21 affirmed the sustaining of a demurrer to the complaint where plaintiff alleged that the defendant  
22 was negligent in that she permitted her husband to occupy the house, knowing that he was a  
23 "human time bomb" and it provided him means to commit a shooting rampage that caused injuries  
24 to the plaintiff. The appellate court agreed with the trial court and held that wife owed no legal  
25 duty of care to the plaintiffs because there was no special relationship among the parties that  
26 required the wife to control the conduct of her husband and neither the victims nor the harm was  
27 foreseeable. (*Wise v. Superior Court, supra*, 222 Cal.App.3d at pages 1013-1015; see also *Eric J.*  
28 *v. Betty M., supra*, 76 Cal.App.4th at pages 727-730.) All claims for any type of negligence fail if

1 the defendant owes no legal duty of care to the plaintiffs.

2 **2. Dorman Claim.**

3 The molestation of Dorman by Campos occurred while Campos was engaged in his own  
4 independent landscaping business. It did not occur during any Linda Vista Congregation church  
5 activity or on its property. At the time of the molestation, Campos was not a Ministerial Servant,  
6 Elder, or Regular Pioneer at Linda Vista Congregation. There was no special relationship or  
7 fiduciary relationship that had been created that would suggest that Linda Vista Congregation  
8 owed any obligation to follow its members around during their work day at their own independent  
9 businesses to make sure that they did not violate the law and injure another member of the  
10 congregation. It was not foreseeable to Linda Vista Congregation that Campos would molest  
11 anyone in general, and there is no evidence that it was aware of any intention by Campos to molest  
12 Dorman in particular.

13 Dorman was not in the custodial care of Linda Vista Congregation at the time of the acts of  
14 molestation. He was in the care of Campos while Campos was performing his own secular  
15 landscaping business. Therefore, Linda Vista Congregation owed no legal duty to prevent the  
16 molestation, supervise Campos or warn future unknown victims that they might be molested by  
17 Campos.

18 **3. Gamboa Claim.**

19 Gamboa was molested by Campos when Campos had ceased his association with Linda  
20 Vista Congregation and had become a member of the La Jolla Congregation. Campos was  
21 eventually appointed to the position of Ministerial Servant at the La Jolla Congregation by its  
22 Elders. Campos later became an Elder of the La Jolla Congregation. Campos molested Gamboa  
23 during the period of time that he was a Ministerial Servant and an Elder at the La Jolla  
24 Congregation. Campos was not affiliated with the Linda Vista Congregation at the time of  
25 Gamboa's molestation. As stated above, California does not impose any legal duty upon a person  
26 to aid another.

27 The Gamboa claim is one step further removed from the Linda Vista Congregation than  
28 the Dorman claim. Campos was molesting Dorman at a period of time when Campos was not

1 associated with the Linda Vista Congregation. Therefore, the Linda Vista Congregation had no  
2 duty to come to Gamboa's aid. (*Eric J. v. Betty M., supra*, 76 Cal.App.4th at page 727) There  
3 was no special relationship or fiduciary relationship that existed between Linda Vista  
4 Congregation and Gamboa that would have required the Linda Vista Congregation to follow  
5 Gamboa around to protect him from unforeseen attacks or to control the conduct of Campos.  
6 (*Wise v. Superior Court, supra*, 222 Cal.App.3d at pages 1013-1015; *Eric J. v. Betty M., supra*, 76  
7 Cal.App.4th at pages 727-730) Campos was appointed Ministerial Servant and later an Elder by  
8 the Elders of the La Jolla Congregation and the appointments were approved by Watchtower.  
9 Those appointments did not involve the Linda Vista Congregation which had its own set of  
10 Ministerial Servants and Elders that it would recommend to Watchtower to be appointed for its  
11 own congregation. Without a legal duty to prevent the molestation, supervise Campos or warn  
12 Gamboa against the possibility of being molested by Campos, Linda Vista Congregation has no  
13 liability to Gamboa for any of the variations of negligence alleged in Gamboa's second amended  
14 complaint against Linda Vista Congregation.

15 In addition to various common law causes of action, the plaintiffs have asserted as their  
16 eighth cause of action a sexual battery under Civil Code section 1708.5. However, Civil Code  
17 section 1708.5 is applicable only to a person who commits a sexual battery. Civil Code section  
18 1708.5 imposes no statutory duty of care upon Linda Vista Congregation with regard to sexual  
19 batteries committed by one member of its congregation upon another member of its congregation.  
20 Without a legal duty, no cause of action can be stated by Dorman. Furthermore, it imposes no  
21 duty of care to victims for injuries caused the by conduct of someone who is neither an agent or  
22 employee of Linda Vista Congregation. Without a legal duty, no cause of action can be stated by  
23 Gamboa.

#### 24 IV

### 25 LINDA VISTA CONGREGATION IS NOT VICARIOUSLY LIABLE 26 FOR MOLESTATION OF DORMAN OR GAMBOA BY CAMPOS

#### 27 1. Law of Agency.

28 Code of Civil Procedure section 2295 defines an agent as "one who represents another,

1 called their principal, in dealings with third persons.” California law can impose vicarious  
2 liability upon the principal under certain circumstances. However, one who performs a mere favor  
3 for another without being subject to any legal duty of service and without assenting to right of  
4 control is not an agent, because the agency relationship rests upon mutual consent. (*Hanks v.*  
5 *Carter & Higgins of Cal. Inc.* (1967) 250 Cal.App.2d 156, 161)

6 2. Dorman Claim

7 The molestation of Dorman did not occur while Campos was engaged in any Linda Vista  
8 Congregation church activities. This is a situation where Campos, a member of the Linda Vista  
9 Congregation, committed molestation upon another member, Dorman, while Campos was at his  
10 own independent secular landscaping business. The molestation did not occur on Linda Vista  
11 Congregation premises. The acts were not acts of an agent but simply independent acts by  
12 Campos for his own personal gratification. There are no facts to establish a principal/agency  
13 relationship between Campos and Linda Vista Congregation at the time of the molestation.

14 Even if Campos had been working on church activities and the molestation had occurred  
15 on Linda Vista Congregation property, Linda Vista Congregation would not be vicariously liable  
16 for his conduct. In the employment setting, an employer can be held liable for the acts of an  
17 employee committed within the course and scope of the employment. Whether the acts were  
18 within the course and scope of employment can be a question of law when the facts are undisputed  
19 and no conflicting inferences are possible. (*Lisa M. v. Henry Mayo Neuhall Memorial Hospital*  
20 (1995) 12 Cal.4th 291, 299) The facts relating to the timing and location of the molestation of  
21 Dorman are not in dispute.

22 In *Lisa M.*, the California Supreme Court addressed whether a hospital could be liable  
23 under the respondeat superior doctrine for its employee’s sexual assault of a patient during an  
24 ultrasound examination. The court began its discussion of the doctrine by noting, “[T]he rule of  
25 respondeat superior is familiar and simply stated: an employer is vicariously liable for the torts of  
26 its employees committed within the scope of the employment.” (*Id.* at page 296) The *Lisa M.*  
27 court further specified that, “[A]n employer will not be held liable for an ... intentional tort that  
28 did not have a causal nexus to the employee’s work.” (*Id.* at page 297) In contract, where an

1 employee's intentional tort is "engendered by the employment," the employer will be liable. (*Id.*  
2 at page 298) In determining whether a tort is "engendered by the employment," the *Lisa M.* court  
3 instructed:

4           Respondeat superior liability should apply only to the types of  
5 injuries that "as a practical matter are sure to occur in the conduct  
6 of the employer's enterprise." [Citation.] The employment, in other  
7 words, must be such as predictably to create the risk employees will  
8 commit intentional torts of the type for which liability is sought.  
9 (*Id.* at page 299)

10           In applying these principles, the Supreme Court explained why the hospital could not be  
11 held vicariously liable for its employee's sexual tort as follows:

12           "[A] sexual tort will not be considered engendered by the  
13 employment unless its motivation emotions were fairly attributable  
14 to work-related events or conditions. Here the opposite was true: a  
15 technician simply took advantage of solitude with a naïve patient to  
16 commit an assault for reasons unrelated to his work. [The  
17 employee's] job was to perform a diagnostic examination and record  
18 the results. The task provided no occasion for a work-related  
19 dispute or any other work-related emotional involvement with the  
20 patient. The technician's decision to engage in conscious  
21 exploitation of the patient did not *arise out of* the performance of the  
22 examination, although the circumstances of the examination made it  
23 possible. 'If ... the assault was not motivated or triggered off by  
24 anything in the employment activity but was the result of only  
25 propinquity and lust, there should be no liability.' [Citation.] ...  
26 [¶] [The employee's] criminal actions were, of course, unauthorized  
27 by Hospital and were not motivated by any desire to serve  
28 Hospital's interests. Beyond that, however, his motivating emotions  
were not causally attributable to his employment. The flaw in  
plaintiff's case for Hospital's respondeat superior liability is not so  
much that [the employee's] actions were personally motivated, but  
that those personal motivations were not generated by or an  
outgrowth of workplace responsibilities, conditions or events." (*Id.*  
at pages 301-302)

29           The Supreme Court stated that its holding was consistent with several decisions that have  
30 addressed whether an employee's sexual misconduct directed toward a third party is within scope  
31 of employment for respondeat superior purposes. In each of those cases, liability was found not to  
32 exist. In *Farmers Insurance Group v. County of Santa Clara* (1995) 11 Cal.4th 992, 1006, the  
33 Supreme Court noted that:

34           "Those cases hold that, except where sexual misconduct by on-duty  
35 police officers against members of the public is involved [citations],  
36 the employer is not vicariously liable to the third party for such

1 misconduct (e.g., *Jeffrey E. v. Central Baptist Church* (1988) 197  
2 Cal.App.3d 718 [church not liable for repeated acts of sexual assault  
3 on minor by Sunday school teacher]; *Rita M. v. Roman Catholic*  
4 *Archbishop* (1986) 187 Cal.App.3d 1453 [Roman Catholic  
5 archbishop not liable for seduction of parishioner by priests]; *Alma*  
6 *W. v. Oakland Unified School Dist.* (1981) 123 Cal.App.3d 133  
7 [school district not liable for janitor's rape of student]). In those  
8 decisions, vicarious liability was rejected as a matter of law because  
9 it could not be demonstrated that the various acts of sexual  
10 misconduct arose from the conduct of the respective enterprises. In  
11 particular, the acts had been undertaken solely for the employees'  
12 personal gratification and had no purpose connected to the  
13 employment. Moreover, the acts had not been engendered by events  
14 or conditions relating to any employment duties or tasks; nor had  
15 they been necessary to the employees' comfort, convenience, health,  
16 or welfare while at work." (*Farmers, supra*, 11 Cal.4th at pages  
17 1006-1007)

18 There is no evidence that the Linda Vista Congregation requests the members of its  
19 religious organization to commit acts of molestation or sexual assaults upon other members. Even  
20 if Campos had been performing some type of church activity when he molested Dorman instead of  
21 his own personal landscaping business, the conduct would not give rise to any type of vicarious  
22 liability upon Linda Vista Congregation, because it was done for the personal sexual gratification  
23 of Campos and not for the Linda Vista Congregation. It would therefore be outside the course and  
24 scope of the agency. Linda Vista Congregation, therefore, has no vicarious liability for the acts by  
25 Campos upon Dorman.

26 **3. Gamboa Claim.**

27 Gamboa was molested by Campos several years after Campos had ceased his association  
28 with the Linda Vista Congregation and had become a member of the La Jolla Congregation. The  
molestation occurred while Campos served in the positions as Ministerial Servant and Elder of the  
La Jolla Congregation. There is no evidence that Gamboa was acting as an agent or employee for  
Linda Vista Congregation at the time of his molestation of Gamboa. Campos held no position  
with Linda Vista Congregation and was no longer a member of the Linda Vista Congregation at  
the time Campos molested Gamboa. Consequently, there is no evidence of any agency or  
employment relationship between Campos and Linda Vista Congregation when Campos was  
molesting Gamboa.

Assuming evidence was available to support an agency relationship, the conduct of

1 Campos would fall outside the scope of the agency since his conduct was done for his own  
2 personal gratification. (See, *Lisa M. v. Henry Mayo Neuhall Memorial Hospital*, *supra*, 12 Cal.4th  
3 at pages 301-302; *Farmers Insurance Group v. County of Santa Clara*, *supra*, 11 Cal.4th at pages  
4 1006-1007.) In summary, the causes of action asserted by Gamboa against Linda Vista  
5 Congregation based upon vicarious liability are without merit as there is no evidence of an agency  
6 relationship between Campos and Linda Vista Congregation and to the extent such an agency did  
7 exist, the conduct of Campos was outside of the course and scope of such an agency relationship.

8 **4. Linda Vista Congregation Not Vicariously Liable Under Theory of Ratification.**

9 Plaintiffs Dorman and Gamboa contend in the second amended complaint that Linda Vista  
10 Congregation is vicariously liable for the abuse by Campos based upon their theory that Linda  
11 Vista Congregation ratified the conduct of Campos. "The theory of ratification is generally  
12 applied where an employer fails to investigate or respond to charges that an employee committed  
13 an intentional tort, such as assault or battery." (*Baptist v. Robinson* (2006) 143 Cal.App.4th 151,  
14 170.) Evidence of ratification may also include an employer's failure to discharge an agent or  
15 employee despite knowledge of his unfitness. (*McChristian v. Popkin* (1946) 75 Cal.App.2d 249,  
16 256.) Plaintiffs Dorman and Gamboa's theories of ratification lack any legal authority. As  
17 reflected above, Campos was a rank and file member of the Linda Vista Congregation and held no  
18 appointed position such as Elder, Ministerial Servant, or Regular or Auxiliary Pioneer at the time  
19 he allegedly abused plaintiff Dorman from 1983 to 1984. (UMF Nos. 46 through 52).  
20 Furthermore, the alleged abuse of plaintiff Dorman took place during the course and scope of  
21 defendant Campos's independent secular landscaping business and not during any Linda Vista  
22 Congregation activities or events. (UMF Nos. 43 through 45.)

23 The ratification theory relies upon an employer/employee or principal/agent relationship in  
24 order to be applicable. (See, *Mourillo v. Rite Stuff Foods, Inc.* (1998) 65 Cal.App.4th 833, 852.)  
25 There was no employer/employee or principal/agent relationship with Campos at the time he  
26 allegedly molested Dorman. Likewise, there was no employer/employee or principal/agent  
27 relationship when Campos molested Gamboa. Since there was no principal/agent or employer/  
28 employee relationship, and there was no legal duty to prevent any of the harm that occurred or

1 otherwise supervise Campos, any omission by the Linda Vista Congregation to take actions  
2 against Campos are irrelevant and do not establish vicarious liability upon Linda Vista  
3 Congregation based upon ratification for the alleged acts of molestation upon either Dorman or  
4 Gamboa.

5  
6 **V**

7  
8 **GAMBOA'S SECOND AMENDED COMPLAINT AGAINST LINDA VISTA  
9 CONGREGATION IS BARRED BY THE STATUTE OF LIMITATIONS**

10 Code of Civil Procedure section 340.1 governs the statute of limitations for an action for  
11 the recovery of damages suffered as a result of childhood sexual abuse. In pertinent part, the  
12 statute provides:

13 "In an action for recovery of damages suffered as a result of  
14 childhood sexual abuse, the time for commencement of the action  
15 shall be within eight years of the date the plaintiff attains the age of  
16 majority or within three years of the date the plaintiff discovers or  
17 reasonably should have discovered that psychological injury or  
18 illness occurring after the age of majority was caused by the sexual  
19 abuse, whichever period expires later ..." (Code Civ. Proc.  
20 § 340.1(a))

21 The statute of limitations is very clear that no action may be commenced on or after the  
22 plaintiff's twenty-sixth birthday. Code of Civil Procedure section 340.1(b)(1) states:

23 "No action described in paragraphs (2) or (3) of subdivision (a) may  
24 be commenced on or after the plaintiff's 26th birthday."

25 The paragraphs (2) and (3) of subdivision (a) referred to in Section 340.1(b)(1) are causes  
26 of action based upon childhood sexual abuse, or a cause of action for liability against a person or  
27 entity who owed a legal duty of care to the plaintiff where a wrongful or negligent act by that  
28 person or entity was a legal cause of childhood sexual abuse which resulted in the injury to the  
29 plaintiff.

30 In this case, Gamboa is charging that he was the victim of childhood sexual abuse by  
31 Campos. Gamboa is also alleging that Linda Vista Congregation is liable for negligence and  
32 contends that it owed him a duty of care and breached that duty of care which was a legal cause of  
33 the childhood sexual abuse that he suffered by the hands of Campos.

1 Questions whether an action is barred by the applicable statute of limitations are typically  
2 questions of fact. (*Jolly v. Eli Lilly & Co.* (1988) 44 Cal.3d 1003, 1112.) However, when the  
3 relevant facts are not in dispute, the application of the statute of limitations may be decided as a  
4 question of law. (*International Engine Parts, Inc. v. Feddersen & Co.* (1995) 9 Cal.4th 606, 611-  
5 612.) The material facts here are not in dispute.

6 Gamboa was born on December 31, 1980. This action was filed by Gamboa on May 10,  
7 2010, which is well after his 26th birthday. Gamboa was 29 years of age at the time of the filing  
8 of this action.

9 It is anticipated that Gamboa will argue that his claim was timely based upon Code of Civil  
10 Procedure section 340.1(b)(2) which permits someone to file a complaint after their 26th birthday  
11 against a person or entity who “knew or had reason to know, or was otherwise on notice of any  
12 unlawful sexual conduct *by an employee, volunteer, representative, or agent*, and failed to take  
13 reasonable steps and to implement reasonable safeguards to avoid acts of unlawful sexual conduct  
14 in the future by that person, including, but not limited to, preventing or avoiding placement of that  
15 person in a function or environment in which contact with children is an inherent part of that  
16 function or environment. ...” (Code Civ. Proc. § 340.1(b)(2).)

17 Gamboa’s argument must fail. Campos molested Gamboa while Campos was a member of  
18 the La Jolla Congregation and not the Linda Vista Congregation. Campos was a Ministerial  
19 Servant and an Elder at the La Jolla Congregation at the time of his molestations of Gamboa.  
20 Consequently, Campos does not qualify as an employee, volunteer, representative or agent of the  
21 Linda Vista Congregation.

22 Linda Vista Congregation was not in a position where it could control the conduct of  
23 Campos since Campos was not associated with the Linda Vista Congregation when Gamboa was  
24 being molested. Linda Vista Congregation, therefore, could not “implement reasonable  
25 safeguards, to avoid unlawful acts of sexual conduct in the future”. There is no legal duty  
26 imposed upon Linda Vista Congregation to come to the aid and prevent molestation of its  
27 members by members of *other congregations*. There is no legal duty imposed upon Linda Vista  
28 Congregation to supervise Ministerial Servants or Elders of other congregations. Campos was not

1 associated with Linda Vista Congregation and the Linda Vista Congregation cannot be held  
2 responsible for the acts of Campos on Gamboa. The exception to the general statute of limitation  
3 which required Gamboa to file his action by his 26th birthday does not apply in this instance.  
4 Therefore, Linda Vista Congregation's motion for summary judgment upon Gamboa's second  
5 amended complaint should be granted on the basis that it is barred by the applicable statute of  
6 limitations set forth in Code of Civil Procedure section 340.1(a) and (b)(1).

7 VI

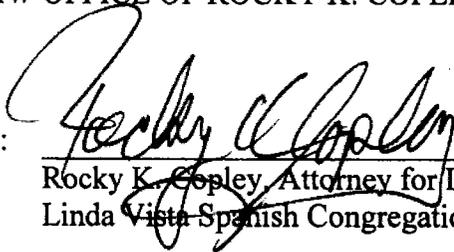
8 CONCLUSION

9 In conclusion, Linda Vista Congregation requests that this court grant summary judgment  
10 in favor of Linda Vista Congregation against the second amended complaint of both John Dorman  
11 and Joel Gamboa. In the alternative, defendant respectfully requests that this court grant summary  
12 adjudication of the individual causes of action based upon the lack of any legal duty of care, the  
13 lack of any basis to impose vicarious liability upon Linda Vista Congregation, and the fact that the  
14 Gamboa complaint is barred by the applicable statute of limitations.

15 Dated: September 30, 2011

LAW OFFICE OF ROCKY K. COPLEY

16  
17  
18 By:

  
Rocky K. Copley, Attorney for Doe 2,  
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7

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

10 JOHN DORMAN, individually; and JOEL  
GAMBOA, individually,  
11  
12 Plaintiff,  
13 v.  
14 DEFENDANT DOE 1, LA JOLLA CHURCH;  
DEFENDANT DOE 2, LINDA VISTA  
15 CHURCH; DEFENDANT DOE 3,  
SUPERVISORY ORGANIZATION;  
16 DEFENDANT DOE 4, PERPETRATOR; and  
DOES 5 through 100,  
17 and DOES 1 through 20, inclusive,  
18 Defendants.

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

**DEFENDANT LINDA VISTA SPANISH  
CONGREGATION'S SEPARATE  
STATEMENT OF UNDISPUTED FACTS  
IN SUPPORT OF ITS MOTION FOR  
SUMMARY JUDGMENT OR IN THE  
ALTERNATIVE, SUMMARY  
ADJUDICATION OF ISSUES**

Date: December 16, 2011  
Time: 10:30 a.m.  
Dept: C-73  
Judge: Hon. Steven R. Denton  
  
Trial Date: None Set  
Complaint Filed: May 20, 2010

19 Defendant Doe 2, Linda Vista Spanish Congregation ("Linda Vista Congregation") by and  
20 through its attorney of record offers the following Separate Statement of Undisputed Material  
21 Facts in Support of Its Motion for Summary Judgment or in the Alternative, Summary  
22 Adjudication of Issues pursuant to Code of Civil Procedure section 437c and California Rules of  
23 Court, rule 3.1350(d) with respect to all of the causes of action in the Second Amended Complaint  
24 filed by plaintiffs John Dorman and Joel Gamboa.  
25  
26  
27  
28

**SUMMARY JUDGMENT AS TO THE SECOND AMENDED COMPLAINT  
OF JOHN DORMAN**

**SUMMARY JUDGMENT TO PLAINTIFF DORMAN'S SECOND AMENDED  
COMPLAINT IS PROPER BECAUSE NO LEGAL DUTY IS OWED BY LINDA VISTA  
CONGREGATION TO PLAINTIFF DORMAN AND DEFENDANT CAMPOS WAS NOT  
AN AGENT OR EMPLOYEE OF DEFENDANT LINDA VISTA CONGREGATION AT  
THE TIME OF THE ALLEGED ABUSE OF DORMAN**

<b>Moving Party's Undisputed Material Facts and Supporting Evidence:</b>	<b>Opposing Party's Response and Supporting Evidence:</b>
<p>1. All congregations of Jehovah's Witnesses are composed of individuals and families who gather together to worship in buildings called "Kingdom Halls." Affidavit of Allen Shuster, ¶ 5.</p>	
<p>2. A rank-and-file member of the congregation is called a "publisher." There are baptized and unbaptized publishers, but only baptized publishers are considered to be Jehovah's Witnesses or congregation members.  Deposition of Dennis Palmer, 49:15-22; Deposition of Jesus Montijo, 14:20-24; Affidavit of Allen Shuster, ¶ 6.</p>	
<p>3. Jehovah's Witnesses do not practice infant baptism, so their youth are not typically baptized until they are of a sufficient age to make their own determination about their religious beliefs, usually not until their teenage years, but there is no age requirement for baptism.  Affidavit of Allen Shuster, ¶ 7</p>	
<p>4. Some unbaptized publishers may be as young as five or six years old.  Affidavit of Allen Shuster, ¶ 8.</p>	
<p>5. There is no predetermined amount of hours a publisher is required to spend in the public ministry to qualify as a publisher.  Deposition of Justino Diaz, 10:11-22; Affidavit of Allen Shuster, ¶ 9.</p>	
<p>6. Individuals spend as much time in the public ministry as their heart motivates them to do so.  Affidavit of Allen Shuster, ¶ 10.</p>	
<p>7. There is no requirement for publishers to place certain amounts of literature.  Affidavit of Allen Shuster, ¶ 11.</p>	

1 2 3 4 5 6 7 8 9 10 11	<b>Moving Party's Undisputed Material Facts and Supporting Evidence:</b>	<b>Opposing Party's Response and Supporting Evidence:</b>
<p>8. Before an individual, whether a man, woman, or child, can qualify to share in the field ministry with the congregation as an unbaptized publisher, two congregation Elders briefly meet with that person (and their parents in the case of a minor) to determine whether the individual believes the Bible is the inspired Word of God, whether the person knows basic Bible teachings, whether their life is in harmony with the Bible's prohibitions against immorality, drunkenness, and drug abuse, and whether they want to be one of Jehovah's Witnesses. Thereafter, the two Elders who meet with the individual determine whether the individual qualifies to be recognized as an unbaptized publisher in the congregation.</p> <p>Affidavit of Allen Shuster, ¶ 12.</p>		
<p>9. However, this procedure for becoming an unbaptized publisher did not come into existence until it was announced in the November 15, 1988, issue of The Watchtower. Prior to November 15, 1988, the individual publisher who studied the Bible with an interested person made the decision as to when that interested person could be invited to accompany the congregation in the field ministry as an approved associate of Jehovah's Witnesses.</p> <p>Affidavit of Allen Shuster, ¶ 13.</p>		
<p>10. There is no application form to fill out to become an unbaptized publisher.</p> <p>Affidavit of Allen Shuster, ¶ 14.</p>		
<p>11. Neither Watchtower nor the U.S. branch offices of Jehovah's Witnesses review or approve whether an individual can be recognized as an unbaptized or baptized publisher, nor do Watchtower or the U.S. branch offices of Jehovah's Witnesses maintain a list of unbaptized or baptized publishers in a given congregation. Likewise, prior to November 15, 1988, neither Watchtower nor the U.S. branch offices of Jehovah's Witnesses reviewed or approved whether an individual could be an approved associate of Jehovah's Witnesses, and neither did they maintain a list of approved associates in a given congregation.</p> <p>Affidavit of Allen Shuster, ¶ 15.</p>		

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<b>Moving Party's Undisputed Material Facts and Supporting Evidence:</b>	<b>Opposing Party's Response and Supporting Evidence:</b>
<p>12. After the person turns in his or her first field service report to the Elders, an announcement is made during one of the weekday congregation meetings that so-and-so is a new unbaptized publisher in the congregation. The procedure to announce a new unbaptized publisher to the congregation did not come into existence until it was announced in the November 15, 1988, issue of The Watchtower, and prior to that date there was no announcement made when an individual became an approved associate.</p> <p>Affidavit of Allen Shuster, ¶ 16.</p>	
<p>13. Before an individual can serve as an Elder, Ministerial Servant, and/or Regular or Auxiliary Pioneer, they must be a baptized publisher. Most baptized publishers do not serve in an appointed position as Elders, Ministerial Servants, and/or Regular Pioneers.</p> <p>Affidavit of Allen Shuster, ¶ 17.</p>	
<p>14. Since the number of Watchtower corporate members range from 30 to 100 at any given time, and historically have been Elders who live and serve at the U.S. branch offices of Jehovah's Witnesses in New York, most Jehovah's Witnesses are not corporate members of Watchtower.</p> <p>Affidavit of Danny Bland, ¶ 6.</p>	
<p>15. There is no paid clergy class in congregations of Jehovah's Witnesses.</p> <p>Affidavit of Allen Shuster, ¶ 18.</p>	
<p>16. Each congregation is supervised by a group of men, normally three or more, who are referred to as "Elders."</p> <p>Affidavit of Allen Shuster, ¶ 19.</p>	
<p>17. These Elders take the lead in teaching, providing pastoral care, and organizing the congregations. Most Elders are also husbands and fathers, and most are secularly employed to support their families. These men are unpaid volunteers and they do not wear any priestly garb or special identifying clothing.</p> <p>Affidavit of Allen Shuster, ¶ 20.</p>	

1 2 3 4 5 6	<b>Moving Party's Undisputed Material Facts and Supporting Evidence:</b>	<b>Opposing Party's Response and Supporting Evidence:</b>
7 8 9	18. Each congregation of Jehovah's Witnesses, including the Linda Vista Spanish Congregation and the La Jolla Spanish Congregation (now called Playa Pacifica Spanish Congregation), has its own individual group of Elders known as a "body of elders" for its separate congregation. Affidavit of Allen Shuster, ¶ 21.	
10 11 12	19. Each congregation has three different Elders who serve in their separate positions known as "Coordinator of the Body of Elders" (previously called "Presiding Overseer"), "Secretary," and "Service Overseer." Affidavit of Allen Shuster, ¶ 22.	
13 14 15	20. The "Coordinator of the Body of Elders" serves as the chairman at meetings of the Elders and generally coordinates congregation activities. Affidavit of Allen Shuster, ¶ 23.	
16 17 18	21. The Secretary maintains field service reports (record of individual's field service activity) and other congregation records. Affidavit of Allen Shuster, ¶ 24.	
19 20 21 22 23	22. The Service Overseer monitors the public ministry of the congregation as a whole, which is sometimes also referred to as "field ministry" or "field service." Deposition of Dennis Palmer, 46: 4-12; Affidavit of Allen Shuster, ¶ 25.	
24 25 26 27 28	23. These three Elders (Coordinator of the Body of Elders, Secretary, and Service Overseer) constitute a "Congregation Service Committee" to care for some matters on behalf of the body of elders, such as the composition and location of Congregation Book Studies, and communications with Watchtower, the U.S. branch offices of Jehovah's Witnesses, and other congregations. Affidavit of Allen Shuster, ¶ 26.	
	24. Other Elders in the congregation serve as a Theocratic Ministry School Overseer and a Watchtower Study Conductor. During the 1970's through the 1990's other Elders also served as Congregation Book Study Overseers. Affidavit of Allen Shuster, ¶ 27.	

1 2 3 4 5	<b>Moving Party's Undisputed Material Facts and Supporting Evidence:</b>	<b>Opposing Party's Response and Supporting Evidence:</b>
6 7 8	25. The Theocratic Ministry School Overseer is responsible for organizing and instructing a weekly midweek meeting entitled the Theocratic Ministry School. Affidavit of Allen Shuster, ¶ 28.	
9 10 11	26. The Watchtower Study Conductor organizes and oversees a weekly one-hour meeting that takes place on the weekends (usually Sunday) during which an article from the Watchtower magazine is considered. Affidavit of Allen Shuster, ¶ 29.	
12 13 14 15 16	27. Both the Theocratic Ministry School and the Watchtower Study meetings are held at the Kingdom Hall and are open to all congregation members and to the public. Affidavit of Allen Shuster, ¶ 30.	
17 18 19	28. During the 1970's through the 1990's, Congregation Book Study Overseers organized and oversaw a second weekly one-hour meeting of separate small groups that generally met in the private homes of some of the congregation members to study a Bible-based publication published by Jehovah's Witnesses. Affidavit of Allen Shuster, ¶ 31.	
20 21 22 23 24	29. Each congregation also has "Ministerial Servants" who are appointed to assist the Elders to care for the practical needs of the congregations. Affidavit of Allen Shuster, ¶ 32.	
25 26 27 28	30. The responsibilities of Ministerial Servants include handling the congregation literature, congregation accounts, and congregation territory for the public ministry, caring for microphone and sound equipment during meetings, serving as attendants during congregation meetings, and maintaining the physical appearance and cleanliness of the Kingdom Hall. Affidavit of Allen Shuster, ¶ 33.	
	31. Congregations also have "Regular Pioneers" and "Auxillary Pioneers" who can be men, women, or children who are active in the public ministry. Affidavit of Allen Shuster, ¶ 34.	

1 2 3 4 5 6 7 8	<b>Moving Party's Undisputed Material Facts and Supporting Evidence:</b>	<b>Opposing Party's Response and Supporting Evidence:</b>
9 10 11 12 13 14 15	<p>32. During the 1970's through the 1990's, Regular Pioneers had to average 100 hours per month in the public ministry and later 90 hours a month. Beginning in 1976, Auxiliary Pioneers had a 60 hour per month average. Currently, Regular Pioneers have to average 70 hours per month in the public ministry and Auxiliary Pioneers have to average 50 hours per month.</p> <p>Deposition of Juan Guardado, 19:10-20; Affidavit of Allen Shuster, ¶ 35.</p>	
16 17 18 19 20 21	<p>33. Elders, Ministerial Servants, and Regular and Auxiliary Pioneers are all volunteers and none of them are paid for their service nor do they receive any reimbursement for their transportation, living, or meal expenses.</p> <p>Affidavit of Allen Shuster, ¶ 36.</p>	
22 23 24 25 26 27	<p>34. Neither Watchtower, the U.S. branch offices of Jehovah's Witnesses, nor any congregations of Jehovah's Witnesses have any paid employees, and as previously noted, there is no paid clergy class.</p> <p>Affidavit of Allen Shuster, ¶ 37.</p>	
28 29 30 31 32 33	<p>35. At least twice a year, the body of elders of a congregation meets together to review the qualifications of the men in the congregation who might qualify to serve as an Elder or Ministerial Servant.</p> <p>Affidavit of Allen Shuster, ¶ 38.</p>	
34 35 36 37 38 39	<p>36. Elders are recommended from among the Ministerial Servants in the congregation and must meet the spiritual qualifications found at 1 Timothy 3:1-7 and Titus 1:5-9.</p> <p>Depositions of Ramon Preciado, 22:20-23:11; Jesus Montijo, 20:21-22; Affidavit of Allen Shuster, ¶ 39.</p>	
40 41 42 43 44 45 46 47 48	<p>37. Ministerial Servants are recommended from other male members of the congregation who are not serving as an Elder or Ministerial Servant and who meet the spiritual qualifications found at 1 Timothy 3:8-10, 12, 13.</p> <p>Deposition of Jesus Montijo, 20:11-17; Affidavit of Allen Shuster, ¶ 40.</p>	

1 2 3 4 5	6 7 8 9	Opposing Party's Response and Supporting Evidence:
<p>10 11 12 13 14 15 16 17</p> <p>38. A "Regular Pioneer," or "Auxiliary Pioneer" on the other hand, is a position that any congregation member can apply for by filling out an application and turning it into the Congregation Service Committee.</p> <p>Affidavit of Allen Shuster, ¶ 41.</p>	<p>18 19 20</p> <p>39. The Congregation Service Committee reviews the application to determine, among other factors, whether the individual meet the spiritual and moral requirements and is likely to meet the monthly time requirement to serve as a Regular or Auxiliary Pioneer.</p> <p>Affidavit of Allen Shuster, ¶ 42.</p>	
<p>21 22 23 24 25 26 27</p> <p>40. During the 1970's through the 1990's, the local congregation Elders' recommendations of Elders, Ministerial Servants, and Regular Pioneers had to be approved by the Service Department at the U.S. branch offices of Jehovah's Witnesses in New York before they could be appointed. However, Auxiliary Pioneers were approved by the local Congregation Service Committee without any review or approval by the Service Department at the U.S. branch offices.</p> <p>Depositions of Ramon Preciado, 21:8-22:2; 24:4-16; Jesus Montijo, 20:2-10; Affidavit of Allen Shuster, ¶ 43.</p>	<p>28</p> <p>41. During the 1970's through the 1990's, all appointments of Elders, Ministerial Servants, and Regular Pioneers in the United States were communicated by the Service Department to congregations through Watchtower.</p> <p>Affidavit of Allen Shuster, ¶ 44.</p>	
<p>42. After the local congregation body of elders received the approval from Watchtower for an appointment, an announcement was made to the congregation during one of the regularly scheduled weekday meetings that the individual was appointed to serve as an Elder, Ministerial Servant, or Regular Pioneer. A similar announcement was made after a publisher was approved as an Auxiliary Pioneer by the local Congregation Service Committee.</p> <p>Deposition of Ramon Preciado, 24:4- 25:6; Affidavit of Allen Shuster, ¶ 45.</p>		

1 2 3 4 5 6 7 8	Moving Party's Undisputed Material Facts and Supporting Evidence:	Opposing Party's Response and Supporting Evidence:
9 10 11 12 13 14 15	<p>43. John Dorman, born on September 7, 1977, was abused by Gonzalo Campos on two different dates within a twelve-month period when he was in first or second grade, or roughly from 1983 to 1984 when he was approximately 7 to 8 years old, and while both were associated with the Linda Vista Spanish Congregation.</p> <p>Deposition of John Dorman, 8:2-3; 34:25-35:23; 38:11-14; Deposition of Gonzalo Campos, 44:16 – 45:6; 53:7-19; Second Amended Complaint, ¶ 5.</p>	
16 17 18 19 20 21 22	<p>44. Dorman stated that on the first date he was abused, Campos took him on a landscaping job and touched him inappropriately while in Campos's van on the way to and from the worksite.</p> <p>Deposition of John Dorman, 34:25-37:13.</p>	
23 24 25 26 27 28	<p>45. The second date he was abused was within twelve months when Campos abused him on the way to a different landscaping jobsite, and later that same day at a home where Campos's mother worked as a housecleaner.</p> <p>Deposition of John Dorman, 38:5-40:24.</p>	
	<p>46. At age 16, Dorman first told his parents that he had been abused by Campos in the spring of 1994, and Dorman's parents thereafter contacted Elders in the Linda Vista Spanish Congregation about the alleged abuse.</p> <p>Deposition of John Dorman, 50:4-52:11.</p>	
	<p>47. Defendant Campos was born on January 10, 1963, and began to associate with the Linda Vista Spanish Congregation in about 1979 or 1980, when he was 16 or 17 years old.</p> <p>Deposition of Gonzalo Campos, 12:23-24; 13:9-19; 15:1-3, 15:18-20; Affidavit of Ramon Preciado, ¶ 3.</p>	
	<p>48. As a teenager, Campos studied the Bible with Jehovah's Witnesses in the Linda Vista Spanish Congregation where he attended meetings along with his mother, and he was eventually invited by the publisher who studied the Bible with him to accompany the congregation in the field ministry as an approved associate of Jehovah's Witnesses.</p> <p>Deposition of Gonzalo Campos, 15:1-20; 16:9-22; Affidavit of Ramon Preciado, ¶ 4</p>	

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<b>Moving Party's Undisputed Material Facts and Supporting Evidence:</b>	<b>Opposing Party's Response and Supporting Evidence:</b>
49. Campos was later baptized as one of Jehovah's Witnesses in 1980, at age 17, and he continued to attend meetings as a baptized publisher with the Linda Vista Spanish Congregation. Deposition of Gonzalo Campos, 15:25-16:22; Affidavits of Ramon Preciado, ¶ 5.	
50. By 1986 the Linda Vista Spanish Congregation had grown larger in number and a separate congregation known as the La Jolla Spanish Congregation was formed in November 1986 as an offshoot of the Linda Vista Spanish Congregation. Deposition of Dennis Palmer, 44: 20-45:16; 47:2-7; Deposition of Gonzalo Campos, 19:21-20:3; Affidavit of Ramon Preciado, ¶ 6.	
51. When the La Jolla Spanish Congregation was formed, Campos ceased his association with the Linda Vista Spanish Congregation and began to associate with the newly formed La Jolla Spanish Congregation because he lived closer to this new congregation so it was more convenient. Deposition of Dennis Palmer, 49:1-8; Gonzalo Campos, 18:21-20:15; Affidavit of Ramon Preciado, ¶ 7.	
52. When Campos first began his association with the La Jolla Spanish Congregation, Campos was still only a baptized publisher (i.e., congregation member) and he was never a Ministerial Servant, Elder, or Regular or Auxiliary Pioneer while he was associated with the Linda Vista Spanish Congregation. Deposition of Gonzalo Campos, 16:23-17:10; 17:19-23; 20:16-22; Affidavits of Ralph Schaefer, ¶ 4; Ramon Preciado, ¶ 8; Allen Shuster, ¶¶ 46, 47.	

1 2 3 4 5 6 7 8	<b>Moving Party's Undisputed Material Facts and Supporting Evidence:</b>	<b>Opposing Party's Response and Supporting Evidence:</b>
9 10 11 12 13	53. It was not until December 22, 1988, when Campos was a member of the La Jolla Spanish Congregation, that he was first appointed to serve as a Ministerial Servant in the La Jolla Spanish Congregation, and he was never appointed as a Ministerial Servant in the Linda Vista Spanish Congregation, or in any other congregation of Jehovah's Witnesses, prior to that date.  Deposition of Gonzalo Campos, 32:19-33:9; 92:11-12; Affidavits of Allen Shuster, ¶ 46; Ramon Preciado, ¶¶ 8, 9.	
14 15 16 17 18	54. Subsequently, on June 23, 1993, Campos was appointed to serve as an Elder in the La Jolla Spanish Congregation, and he was never appointed to serve as an Elder in the Linda Vista Spanish Congregation, or in any other congregation of Jehovah's Witnesses, prior to that date.  Deposition of Gonzalo Campos, 33:21-34:8; Affidavit of Allen Shuster, ¶ 47.	
19 20 21 22 23 24	55. In January 1994, the La Jolla Spanish Congregation changed its name to Playa Pacifica Spanish Congregation and Gonzalo Campos continued to serve as an Elder there until he was disfellowshipped, or expelled from the congregation, on June 9, 1995.  Deposition of Gonzalo Campos, 19:4-9; 66:1-67:7; Affidavit of Kevin Phillips, ¶¶ 2, 4.	
25 26 27 28	56. At no time did Gonzalo Campos ever serve as a Regular Pioneer in the Linda Vista Spanish Congregation or in any other congregation of Jehovah's Witnesses, nor did Campos ever serve as an Auxiliary Pioneer while associated with the Linda Vista Spanish Congregation.  Deposition of Ramon Preciado, 17:19-24; Deposition of Arturo Jemio, 7:10-8:1; 20:19-23; Deposition of Dennis Palmer, 51:9-15; Deposition of Gonzalo Campos, 16:23-17-10; 17:19-23; 92:11-22; Affidavits of Ralph Schaefer, ¶ 4; Ramon Preciado, ¶ 8.	
	57. At no time was Campos ever a member or employee of Watchtower.  Affidavit of Danny Bland, ¶¶ 4, 5.	

**SUMMARY JUDGMENT AS TO THE SECOND AMENDED COMPLAINT  
OF JOEL GAMBOA**

**SUMMARY JUDGMENT TO PLAINTIFF GAMBOA'S SECOND AMENDED  
COMPLAINT IS PROPER BECAUSE NO LEGAL DUTY IS OWED BY LINDA VISTA  
CONGREGATION TO PLAINTIFF GAMBOA AND DEFENDANT CAMPOS WAS NOT  
AN AGENT OR EMPLOYEE OF DEFENDANT LINDA VISTA CONGREGATION AT  
THE TIME OF THE ALLEGED ABUSE OF GAMBOA**

<b>Moving Party's Undisputed Material Facts and Supporting Evidence:</b>	<b>Opposing Party's Response and Supporting Evidence:</b>
Defendant Linda Vista Spanish Congregation hereby incorporates by reference and restates 1 through 57, above, as though fully set forth herein.	
58. Joel Gamboa, born on December 31, 1980, was sexually abused repeatedly by Campos from the time he was 8 or 9 until he was 14, which would roughly be from 1988 to 1994 when Campos was a member of La Jolla Spanish Congregation.  Deposition of Joel Gamboa, 7:23-24; 35:1-5; 35:10-23; Deposition of Gonzalo Campos, 46:16-19; 78:6-19; Second Amended Complaint, ¶ 5.2.	
59. This sexual abuse would take place while Campos conducted a Bible study with Gamboa, after Campos picked him up from school, on Campos's landscaping jobs, and at Campos's home.  Deposition of Joel Gamboa, 27:4-30:25; 35:10-17; 48:6-15.	
60. In 1995, Gamboa was 14 years old, he first disclosed the abuse by Campos when an Elder from the Linda Vista Congregation called him to ask him about it.  Deposition of Joel Gamboa, 35:24-37:10.	
61. Subsequently, Gamboa told his mother, his kids' mother, and his current girlfriend.  Deposition of Joel Gamboa, 35:24-36:2.	
62. When he was asked, "[H]ave you always recalled that this abuse took place to you? In other words, there's not a period of time where you blocked it out and you didn't know what happened?" Gamboa answered, "No, I've always known."  Deposition of Joel Gamboa, 39:1-4.	

<b>Moving Party's Undisputed Material Facts and Supporting Evidence:</b>	<b>Opposing Party's Response and Supporting Evidence:</b>
63. Gamboa filed this action on May 20, 2010, when he was 29 years old. Complaint filed May 20, 2010.	

**SUMMARY ADJUDICATION OF ISSUES**

**ISSUE 1—DEFENDANT LINDA VISTA SPANISH CONGREGATION IS ENTITLED TO SUMMARY ADJUDICATION OF THE FIRST CAUSE OF ACTION OF THE SECOND AMENDED COMPLAINT FOR DAMAGES BY DORMAN AND GAMBOA FOR NEGLIGENCE BECAUSE NO LEGAL DUTY OF CARE WAS OWED TO PREVENT THE MOLESTATION, SUPERVISE CAMPOS, OR WARN OF POTENTIAL HARM BY CAMPOS AND THERE IS NO BASIS FOR VICARIOUS LIABILITY**

<b>Moving Party's Undisputed Material Facts and Supporting Evidence:</b>	<b>Opposing Party's Response and Supporting Evidence:</b>
Defendant incorporates each and every undisputed material fact identified above as 1 through 63 as though fully set forth herein.	

**ISSUE 2—DEFENDANT LINDA VISTA SPANISH CONGREGATION IS ENTITLED TO SUMMARY ADJUDICATION OF THE SECOND CAUSE OF ACTION OF THE SECOND AMENDED COMPLAINT FOR DAMAGES BY DORMAN AND GAMBOA FOR NEGLIGENCE SUPERVISION/FAILURE TO WARN BECAUSE NO LEGAL DUTY OF CARE WAS OWED TO PREVENT THE MOLESTATION, SUPERVISE CAMPOS, OR WARN OF POTENTIAL HARM BY CAMPOS AND THERE IS NO BASIS FOR VICARIOUS LIABILITY**

<b>Moving Party's Undisputed Material Facts and Supporting Evidence:</b>	<b>Opposing Party's Response and Supporting Evidence:</b>
Defendant incorporates each and every undisputed material fact identified above as 1 through 63 as though fully set forth herein.	

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1 **ISSUE 3—DEFENDANT LINDA VISTA SPANISH CONGREGATION IS ENTITLED TO**  
 2 **SUMMARY ADJUDICATION OF THE THIRD CAUSE OF ACTION OF THE**  
 3 **SECOND AMENDED COMPLAINT FOR DAMAGES BY DORMAN AND**  
 4 **GAMBOA FOR NEGLIEGENT HIRING/RENTENTION BECAUSE NO**  
 5 **LEGAL DUTY OF CARE WAS OWED TO PREVENT THE MOLESTATION,**  
 6 **SUPERVISE CAMPOS, OR WARN OF POTENTIAL HARM BY CAMPOS**  
 7 **AND THERE IS NO BASIS FOR VICARIOUS LIABILITY**

<b>Moving Party's Undisputed Material Facts and Supporting Evidence:</b>	<b>Opposing Party's Response and Supporting Evidence:</b>
Defendant incorporates each and every undisputed material fact identified above as 1 through 63 as though fully set forth herein.	

9 **ISSUE 4—DEFENDANT LINDA VISTA SPANISH CONGREGATION IS ENTITLED TO**  
 10 **SUMMARY ADJUDICATION OF THE FIFTH CAUSE OF ACTION OF THE**  
 11 **SECOND AMENDED COMPLAINT FOR DAMAGES BY DORMAN AND**  
 12 **GAMBOA FOR NEGLIEGENT FAILURE TO WARN, TRAIN OR EDUCATE**  
 13 **PLAINTIFF BECAUSE NO LEGAL DUTY OF CARE WAS OWED TO**  
 14 **PREVENT THE MOLESTATION, SUPERVISE CAMPOS, OR WARN OF**  
 15 **POTENTIAL HARM BY CAMPOS AND THERE IS NO BASIS FOR**  
 16 **VICARIOUS LIABILITY**

<b>Moving Party's Undisputed Material Facts and Supporting Evidence:</b>	<b>Opposing Party's Response and Supporting Evidence:</b>
Defendant incorporates each and every undisputed material fact identified above as 1 through 63 as though fully set forth herein.	

18 **ISSUE 5—DEFENDANT LINDA VISTA SPANISH CONGREGATION IS ENTITLED TO**  
 19 **SUMMARY ADJUDICATION OF THE EIGHTH CAUSE OF ACTION OF**  
 20 **THE SECOND AMENDED COMPLAINT FOR DAMAGES BY DORMAN**  
 21 **AND GAMBOA FOR SEXUAL BATTERY BECAUSE NO LEGAL OR**  
 22 **STATUTORY DUTY OF CARE WAS OWED TO PREVENT THE**  
 23 **MOLESTATION, SUPERVISE CAMPOS, OR WARN OF POTENTIAL**  
 24 **HARM BY CAMPOS AND THERE IS NO BASIS FOR VICARIOUS**  
 25 **LIABILITY**

<b>Moving Party's Undisputed Material Facts and Supporting Evidence:</b>	<b>Opposing Party's Response and Supporting Evidence:</b>
Defendant incorporates each and every undisputed material fact identified above as 1 through 63 as though fully set forth herein.	

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1 **ISSUE 6—DEFENDANT LINDA VISTA SPANISH CONGREGATION IS ENTITLED TO**  
 2 **SUMMARY ADJUDICATION OF THE NINTH CAUSE OF ACTION OF THE**  
 3 **SECOND AMENDED COMPLAINT BY DORMAN AND GAMBOA FOR**  
 4 **DAMAGES FOR SEXUAL HARASSMENT BECAUSE NO LEGAL DUTY OF**  
**CARE WAS OWED TO PREVENT THE MOLESTATION, SUPERVISE**  
**CAMPOS, OR WARN OF POTENTIAL HARM BY CAMPOS AND THERE IS**  
**NO BASIS FOR VICARIOUS LIABILITY**

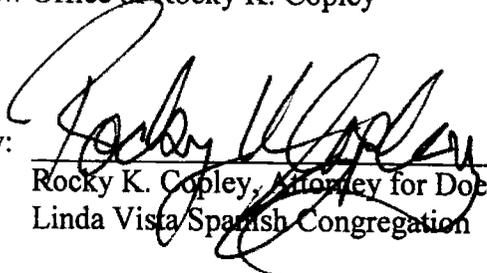
<b>Moving Party's Undisputed Material Facts and Supporting Evidence:</b>	<b>Opposing Party's Response and Supporting Evidence:</b>
Defendant incorporates each and every undisputed material fact identified above as 1 through 63 as though fully set forth herein.	

9 **ISSUE 7—DEFENDANT LINDA VISTA SPANISH CONGREGATION IS ENTITLED TO**  
 10 **SUMMARY ADJUDICATION OF THE TENTH CAUSE OF ACTION OF THE**  
 11 **SECOND AMENDED COMPLAINT FOR DAMAGES BY DORMAN AND**  
 12 **GAMBOA FOR BREACH OF FIDUCIARY DUTY AND/OR CONFIDENTIAL**  
 13 **RELATIONSHIP BECAUSE NO LEGAL DUTY OF CARE WAS OWED TO**  
 14 **PREVENT THE MOLESTATION, SUPERVISE CAMPOS, OR WARN OF**  
**POTENTIAL HARM BY CAMPOS AND NO FIDUCIARY AND/OR**  
**CONFIDENTIAL RELATIONSHIP EXISTED BETWEEN LINDA VISTA**  
**CONGREGATION AND THE PLAINTIFFS AND THERE IS NO BASIS FOR**  
**VICARIOUS LIABILITY**

<b>Moving Party's Undisputed Material Facts and Supporting Evidence:</b>	<b>Opposing Party's Response and Supporting Evidence:</b>
Defendant incorporates each and every undisputed material fact identified above as 1 through 63 as though fully set forth herein.	

18 Dated: September 30, 2011

18 Law Office of Rocky K. Copley

20  
 21 By:   
 22 Rocky K. Copley, Attorney for Doe 2,  
 23 Linda Vista Spanish Congregation

1 Rocky K. Copley, SBN 101628  
2 Law Office of Rocky K. Copley  
3 225 Broadway, Suite 2100  
4 San Diego, California 92108  
5 (619) 232-3131

6 Attorneys for Doe 2,  
7 Linda Vista Spanish Congregation

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

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  
16 CHURCH; DEFENDANT DOE 3,  
17 SUPERVISORY ORGANIZATION;  
18 DEFENDANT DOE 4, PERPETRATOR; and  
DOES 5 through 100,  
and DOES 1 through 20, inclusive,

Defendants.

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

**NOTICE LODGMENT OF EXHIBITS IN  
SUPPORT OF DEFENDANT LINDA  
VISTA SPANISH CONGREGATION'S  
MOTION FOR SUMMARY JUDGMENT  
OR IN THE ALTERNATIVE SUMMARY  
ADJUDICATION OF ISSUES**

Date: December 16, 2011  
Time: 10:30 a.m.  
Dept: C-73  
Judge: Hon. Steven R. Denton

Trial Date: None Set  
Complaint Filed: May 20, 2010

19 Defendant Linda Vista Spanish Congregation hereby lodges the following exhibit in  
20 support of its motion for summary judgment and/or summary adjudication of issues of the second  
21 amended complaint by John Dorman and John Gamboa:

- 22 Exhibit 1: Affidavit of Danny Bland.  
23 Exhibit 2: Affidavit of Kevin Phillips.  
24 Exhibit 3: Affidavit of Ramon Preciado.  
25 Exhibit 4: Affidavit of Ralph Schaefer.  
26 Exhibit 5: Affidavit of Allen Shuster.  
27 Exhibit 6: Excerpts of deposition testimony of Gonzalo Campos referenced in  
28 defendant's statement of undisputed material facts.

1 Exhibit 7: Excerpts of deposition testimony of Justino Diaz referenced in defendant's  
2 statement of undisputed material facts.

3 Exhibit 8: Excerpts of deposition testimony of John Dorman referenced in defendant's  
4 statement of undisputed material facts.

5 Exhibit 9: Excerpts of deposition testimony of John Gamboa referenced in defendant's  
6 statement of undisputed material facts.

7 Exhibit 10: Excerpts of deposition testimony of Juan Guardado referenced in  
8 defendant's statement of undisputed material facts.

9 Exhibit 11: Excerpts of deposition testimony of Arturo Jemio referenced in defendant's  
10 statement of undisputed material facts.

11 Exhibit 12: Excerpts of deposition testimony of Jesus Montijo referenced in defendant's  
12 statement of undisputed material facts.

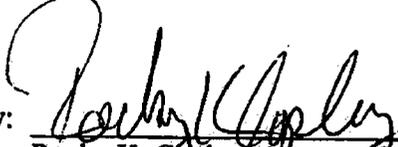
13 Exhibit 13: Excerpts of deposition testimony of Dennis Palmer referenced in  
14 defendant's statement of undisputed material facts.

15 Exhibit 14: Excerpts of deposition testimony of Ramon Preciado referenced in  
16 defendant's statement of undisputed material facts.

17 Exhibit 15: Declaration of Rocky K. Copley authenticating the deposition testimony of  
18 the other witnesses taken from the deposition transcripts.

19 Dated: September 28 2011

Law Office of Rocky K. Copley

20  
21 By:   
22 Rocky K. Copley, Attorney for Doe 2,  
23 Linda Vista Spanish Congregation  
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**EXHIBIT 1**

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

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

6 **Attorney for Defendant Doe 3, Supervisory Organization**

7  
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**

**AFFIDAVIT OF DANNY L. BLAND**

21 I, Danny L. Bland, after being duly sworn, depose and state that if called to testify in this  
22 matter I would competently testify as follows:

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

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

25 2. I reside in Brooklyn, New York, and have served as an Elder in the faith of  
26 Jehovah's Witnesses since about 1962.

27 3. On September 16, 1967, I began serving at the U.S. branch offices of Jehovah's  
28 Witnesses in New York, and I have served in the Treasurer's Office of the U.S. branch offices

1 since January 1973, providing accounting and financial services for corporations of Jehovah's  
2 Witnesses, including Watchtower Bible and Tract Society of New York, Inc. (hereinafter  
3 "Watchtower").

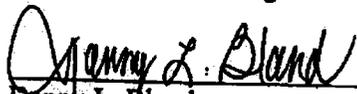
4 4. As part of my work in the Treasurer's Office, I help to maintain custody of or  
5 have access to the lists of names and addresses of all members, officers and directors, and other  
6 personnel records of Watchtower, and I know that Watchtower had no employees from the  
7 1970's to the present.

8  
9 5. I have thoroughly searched Watchtower's records maintained by the Treasurer's  
10 Office and those records show that Gonzalo Campos has never been an employee, member,  
11 officer, or director of Watchtower.

12 6. Furthermore, since the number of Watchtower corporate members range from 30  
13 to 100 at any given time, and historically have been Elders who live and serve at the U.S. branch  
14 offices of Jehovah's Witnesses in New York, most Jehovah's Witnesses are not corporate  
15 members of Watchtower.

16  
17 SIGNED this the 29<sup>th</sup> day of September, 2011.

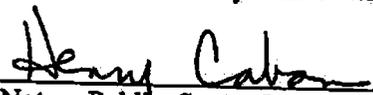
18 I declare under penalty of perjury under the laws of the State of California that the foregoing is  
19 true and correct to the best of my information, belief, and knowledge.

20   
21 Danny L. Bland

22 STATE OF NEW YORK )  
23 ) ss.:  
24 COUNTY OF KINGS )

25 SUBSCRIBED AND SWORN TO BEFORE ME, Henry Caban, a Notary Public, on  
26 the 29<sup>th</sup> day of September, 2011, by Danny L. Bland, proved to me on the basis of satisfactory  
27 evidence to be the person who appeared before me, to certify which witness my hand and  
28 official seal.

**HENRY CABAN**  
Notary Public, State of New York  
No. 01CAG003803  
Qualified in Kings County  
Commission Expires March 8, 2014

  
Notary Public, State of New York

**EXHIBIT 2**

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 1, La Jolla Church

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

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

13 Plaintiffs,

14 v.

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

21 Defendants.

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

**AFFIDAVIT OF KEVIN PHILLIPS**

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

24 1. I am over 21 years of age, of sound mind, and competent to make this Affidavit.  
25 I have personal knowledge of the matters contained herein, and they are all true and correct.

26 2. I have been a member of the Poway Spanish Congregation of Jehovah's  
27 Witnesses, in San Diego, California, since 1997. Prior to associating with the Poway Spanish  
28 Congregation, from 1988 to 1997 I was a member of the La Jolla Spanish Congregation, which  
changed its name to Playa Pacifica Spanish Congregation in January 1994.

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3. I served as an Elder in the Playa Pacifica Spanish Congregation of Jehovah's Witnesses in San Diego, California, from December 1994 to 1997.

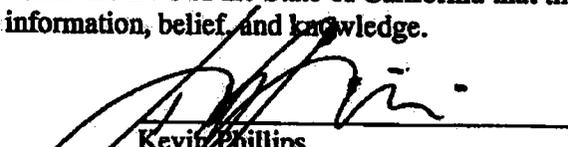
4. I served as one of the Elders on the Playa Pacifica Spanish Congregation judicial committee that on June 9, 1995, disfellowshipped Gonzalo Campos from the congregation.

5. I am aware that the Playa Pacifica Spanish Congregation was and is a made up of individuals and families who are members of the congregation, although a few members served as regular pioneers, ministerial servants, and elders.

6. I am aware that the Playa Pacifica Spanish Congregation met and continues to meet at the Kingdom Hall of Jehovah's Witnesses at 4243 Ingraham Street, San Diego, California.

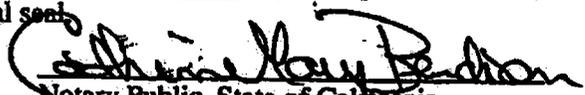
SIGNED this the 22<sup>nd</sup> day of September, 2011.

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

  
Kevin Phillips  
ss.: )

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

SUBSCRIBED AND SWORN TO BEFORE ME on the 22<sup>nd</sup> day of September, 2011, to certify which witness my hand and official seal

  
Catherine Mary Bendixen  
Notary Public, State of California



JURAT

State of California     )  
                                  )  
County of San Diego    )

Subscribed and sworn to (or affirmed) before me, CATHERINE MARY BENDIXEN, a Notary Public, on this 22<sup>nd</sup> day of September 2018, by Kevin James Phillips, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature Catherine Mary Bendixen



**EXHIBIT 3**

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

7 Attorney for Defendant Doe 2 Linda Vista Church

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

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

13 **Plaintiffs,**

14 **v.**

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

21 **Defendants.**

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

**AFFIDAVIT OF RAMON PRECIADO**

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

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

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

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

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

4           4.     I studied the Bible with Campos when he was teenager attending meetings at the  
5 Linda Vista Spanish Congregation with his mother, and eventually I invited him to accompany  
6 the Linda Vista Spanish Congregation in the field ministry as an approved associate of  
7 Jehovah's Witnesses.  
8

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

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

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

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

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

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

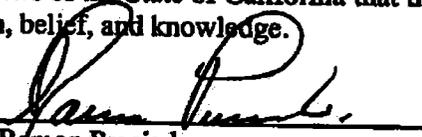
5 11. I am aware that at times members of the Playa Pacifica Spanish Congregation  
6 served as regular pioneers, but I am also aware that Gonzalo Campos never did so.

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

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

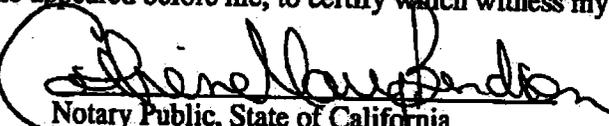
13  
14 SIGNED this the 22 day of September, 2011.

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

18  
19   
Ramon Preciado

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

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

27   
28 Notary Public, State of California



**EXHIBIT 4**

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  
Facsimile: (619) 224-0089  
4  
5 Attorney for Church Defendants

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

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

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

10 Plaintiffs,

11 v.

12 DEFENDANT DOE 1, Linda Vista 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,

**AFFIDAVIT OF RALPH SCHAEFER**

16 Defendants.

17  
18 Ralph Schaefer, being duly sworn, deposes and states that if called to testify in this  
19 matter I would competently testify as follows:

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

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

1 Christian Congregation of Jehovah's Witnesses.

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

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

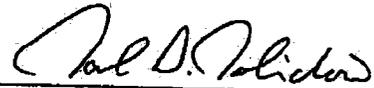
7 SIGNED this the 30 day of September, 2011.

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

10  
11   
12 Ralph Schaefer

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

15 SUBSCRIBED AND SWORN TO BEFORE ME, PAUL D. Polidoro, a Notary Public, on  
16 the 30th day of September, 2011, by Ralph Schaefer, proved to me on the basis of satisfactory  
17 evidence to be the person who appeared before me, to certify which witness my hand and  
18 official seal.

19   
20 Notary Public, State of New York

21 PAUL D. POLIDORO  
22 Notary Public, State of New York  
23 No. 4899861  
24 Qualified in Putnam County  
25 Commission Expires August 3, 20 14

**EXHIBIT 5**

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

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

8 **Attorney for Defendant Doe 3, Supervisory Organization**

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

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

14 **Plaintiffs,**

15 **v.**

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

22 **Defendants.**

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

**AFFIDAVIT OF ALLEN SHUSTER**

23 **I, Allen Shuster, after being duly sworn, depose and state that if called to testify in this**  
24 **matter I would competently testify as follows:**

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

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

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



1           10.   Individuals spend as much time in the public ministry as their heart motivates  
2 them to do so.

3           11.   There is no requirement for publishers to place certain amounts of literature.

4           12.   Before an individual, whether a man, woman, or child, is recognized as an  
5 unbaptized publisher, two congregation Elders briefly meet with that person (and their parents  
6 in the case of a minor) to determine whether the individual believes the Bible is the inspired  
7 Word of God, whether the person knows basic Bible teachings, whether their life is in harmony  
8 with the Bible's prohibitions against immorality, drunkenness, and drug abuse, and whether they  
9 want to be one of Jehovah's Witnesses. Thereafter, the two Elders who meet with the individual  
10 determine whether the individual qualifies to be recognized as an unbaptized publisher in the  
11 congregation.  
12

13           13.   However, this procedure for becoming an unbaptized publisher did not come into  
14 existence until it was announced in the November 15, 1988, issue of *The Watchtower*. Prior to  
15 the publishing of *The Watchtower* of November 15, 1988, the individual publisher who studied  
16 the Bible with an interested person made the decision as to when that interested person could be  
17 invited to accompany the congregation in the field ministry as an approved associate of  
18 Jehovah's Witnesses.  
19

20           14.   There is no application form to fill out to become an unbaptized publisher.  
21

22           15.   Neither Watchtower nor the U.S. branch offices of Jehovah's Witnesses review  
23 or approve whether an individual is recognized as an unbaptized or baptized publisher, nor do  
24 Watchtower or the U.S. branch offices of Jehovah's Witnesses maintain a list of unbaptized or  
25 baptized publishers in a given congregation. Likewise, prior to November 15, 1988, neither  
26 Watchtower nor the U.S. branch offices of Jehovah's Witnesses reviewed or approved whether  
27  
28

1 an individual could be an approved associate of Jehovah's Witnesses, and neither did they  
2 maintain a list of approved associates in a given congregation.

3 16. After the person turns in his or her first field service report to the Elders, an  
4 announcement is made during one of the weekday congregation meetings that so-and-so is a  
5 new unbaptized publisher in the congregation. The procedure to announce a new unbaptized  
6 publisher to the congregation did not come into existence until it was announced in the  
7 November 15, 1988, issue of *The Watchtower*. Prior to that date there was no announcement  
8 made when an individual became an approved associate.  
9

10 17. Before an individual can serve as an Elder, Ministerial Servant, and/or Regular or  
11 Auxiliary Pioneer, they must be a baptized publisher. Most baptized publishers do not serve in  
12 an appointed position as Elders, Ministerial Servants, and/or Regular Pioneers.  
13

14 18. There is no paid clergy class at Watchtower, the U.S. branch offices of Jehovah's  
15 Witnesses, or in congregations of Jehovah's Witnesses.

16 19. Each congregation is supervised by a group of men, in many cases three or more,  
17 who are referred to as "Elders."  
18

19 20. These Elders take the lead in teaching, providing pastoral care, and organizing  
20 the congregations. Most Elders are also husbands and fathers, and most are secularly employed  
21 to support their families. These men are unpaid volunteers and they do not wear any priestly  
22 garb or special identifying clothing.

23 21. Each congregation of Jehovah's Witnesses, including the Linda Vista Spanish  
24 Congregation and the La Jolla Spanish Congregation (now called Playa Pacifica Spanish  
25 Congregation), has its own individual group of Elders known as a "body of elders" for their  
26 separate congregation.  
27  
28

1           22. Each congregation has three different Elders serving in three separate positions  
2 known as "Coordinator of the Body of Elders" (previously called "Presiding Overseer"),  
3 "Secretary," and "Service Overseer."

4           23. The "Coordinator of the Body of Elders" serves as the chairman at meetings of  
5 the Elders and directly coordinates certain congregation activities in behalf of the elders.  
6

7           24. The Secretary maintains field service reports (record of individual's field service  
8 activity) and other congregation records.

9           25. The Service Overseer monitors the public ministry of congregation members as a  
10 whole, which is sometimes also referred to as "field ministry" or "field service."  
11

12           26. These three Elders (Coordinator of the Body of Elders, Secretary, and Service  
13 Overseer) constitute a "Congregation Service Committee" to care for some matters on behalf of  
14 the body of elders, such as the composition and location of Congregation Book Studies, and  
15 communications with Watchtower, the U.S. branch offices of Jehovah's Witnesses, and other  
16 congregations.

17           27. Other Elders in the congregation serve as a Theocratic Ministry School Overseer  
18 and a *Watchtower* Study Conductor. During the 1970's through the 1990's other Elders also  
19 served as Congregation Book Study Overseers.  
20

21           28. The Theocratic Ministry School Overseer is responsible for organizing and  
22 instructing a weekly midweek meeting entitled the Theocratic Ministry School.  
23

24           29. The *Watchtower* Study Conductor organizes and oversees a weekly one-hour  
25 meeting that takes place on the weekends (usually Sunday) during which an article from the  
26 *Watchtower* magazine is considered.

27           30. Both the Theocratic Ministry School and the *Watchtower* Study meetings are  
28 held at the Kingdom Hall and are open to all congregation members and to the public.

1           31.    During the 1970's through the 1990's the Congregation Book Study Overseers  
2 organized and oversaw a second weekly one-hour meeting of separate small groups that  
3 generally met in the private homes of some of the congregation members to study a Bible-based  
4 publication published by Jehovah's Witnesses.

5           32.    Each congregation also has "Ministerial Servants" who are appointed to assist the  
6 Elders to care for the practical needs of the congregations.

7           33.    The responsibilities of Ministerial Servants include handling the congregation  
8 literature, congregation accounts, and congregation territory for the public ministry, caring for  
9 microphone and sound equipment during meetings, serving as attendants during congregation  
10 meetings, and maintaining the physical appearance and cleanliness of the Kingdom Hall.

11           34.    Congregations also have "Regular Pioneers" and "Auxiliary Pioneers" who can  
12 be men, women, or young people who are active in the public ministry.  
13

14           35.    During the 1970's through the 1990's, Regular Pioneers had to average 100  
15 hours per month in the public ministry and then later had to average 90 hours a month.  
16 Beginning in 1976, Auxiliary Pioneers had a 60 hours per month average. Currently, Regular  
17 Pioneers have to average 70 hours per month in the public ministry and Auxiliary Pioneers have  
18 to average 50 hours per month.  
19

20           36.    Those who serve in the capacity of Elders, Ministerial Servants, and Regular or  
21 Auxiliary Pioneers are all volunteers and none of them are paid for their service nor do they  
22 receive any reimbursement for their transportation, living, or meal expenses.  
23

24           37.    Neither Watchtower, the U.S. branch offices of Jehovah's Witnesses, nor any  
25 congregations of Jehovah's Witnesses have any paid employees, and as previously noted, there  
26 is no paid clergy class.  
27  
28



1           44.    During the 1970's through the 1990's, all appointments of Elders, Ministerial  
2 Servants, and Regular Pioneers in the United States were communicated by the Service  
3 Department to congregations through Watchtower.

4           45.    After the local congregation body of elders received the approval from  
5 Watchtower for an appointment, an announcement was made to the congregation during one of  
6 the regularly scheduled weekday meetings that the individual was appointed to serve as an  
7 Elder, Ministerial Servant, or Regular Pioneer. A similar announcement is made after a  
8 publisher is approved as an Auxiliary Pioneer by the local Congregation Service Committee.  
9

10          46.    Based on my review of the records of the Service Department of the U.S. branch  
11 offices of Jehovah's Witnesses, which approves appointments of Elders and Ministerial  
12 Servants, it was not until December 22, 1988, that Gonzalo Campos was first appointed to serve  
13 as a Ministerial Servant in the La Jolla Spanish Congregation of Jehovah's Witnesses, San  
14 Diego, California. Gonzalo Campos was never appointed to serve as a Ministerial Servant in  
15 the Linda Vista Spanish Congregation, or in any other congregation of Jehovah's Witnesses,  
16 prior to that date.  
17

18          47.    Based on my review of the records of the Service Department of the U.S. branch  
19 offices of Jehovah's Witnesses, which approves appointments of Elders and Ministerial  
20 Servants, it was not until June 23, 1993, that Gonzalo Campos was appointed to serve as an  
21 Elder in the La Jolla Spanish Congregation of Jehovah's Witnesses, San Diego, California.  
22 Gonzalo Campos was never appointed to serve as an elder in the Linda Vista Spanish  
23 Congregation, or in any other congregation of Jehovah's Witnesses, prior to that date.  
24  
25  
26  
27  
28

1 SIGNED this the 21 day of September, 2011.

2 I declare under penalty of perjury under the laws of the State of New York that the foregoing is  
3 true and correct to the best of my information, belief, and knowledge.

4 Allen Shuster  
Allen Shuster

5 STATE OF NEW YORK )  
6 ) ss.:  
7 COUNTY OF PUTNAM )

8 SUBSCRIBED AND SWORN TO BEFORE ME on the 21<sup>st</sup> day of September, 2011, to  
9 certify which witness my hand and official seal.

10 Mark J. Bloedorn  
Notary Public, State of New York

11 MARK J. BLOEDORN  
12 Notary Public, State of New York  
13 No. 01BL6124975  
14 Qualified in Kings County  
15 Commission Expires 04/04/20 13

**EXHIBIT 6**

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

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

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

v.

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

DEPOSITION OF  
GONZALO CAMPOS

ZONA RIO, TIJUANA B.C., MEXICO

SEPTEMBER 2, 2011

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

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

FILE NO.: A507DA0

1	Q	Is that here in Tijuana?	11:32:06
2	A	No. It's in San Diego.	11:32:09
3	Q	Do you live there now?	11:32:10
4	A	No, not anymore.	11:32:13
5	Q	Where do you live now?	11:32:15
6	A	I am temporarily in Tijuana.	11:32:21
7	Q	Where are you going to live permanently?	11:32:25
8	A	In Mexico.	11:32:28
9	Q	Where in Mexico?	11:32:30
10	A	In Hidalgo.	11:32:33
11	Q	Is that a state in Mexico?	11:32:35
12	A	Yes.	11:32:38
13	Q	What City?	11:32:39
14	A	Pachuca, Hidalgo.	11:32:44
15	Q	Do you have an address in Pachuca, Hidalgo?	11:32:46
16	A	No.	11:32:51
17	Q	When are you planning on moving there?	11:32:52
18	A	In the next weeks.	11:32:58
19	Q	Mr. Campos, what's your place of birth?	11:33:02
20	A	In Mexico city.	11:33:13
21	Q	What year?	11:33:15
22	A	In 1963.	11:33:15
23	Q	What was the date of your birth?	11:33:19
24	A	January 10, 1963.	11:33:26
25	Q	How much education have you completed?	11:33:29

1           A     I didn't quite finish the junior high.           11:33:43

2           Q     So how many years all together formal           11:33:48

3 education, have you had?           11:33:52

4           A     You might say eight or nine years; nine           11:34:01

5 years.           11:34:05

6           Q     And was that all here in the Country of           11:34:05

7 Mexico?           11:34:08

8           A     Yes.           11:34:10

9           Q     Now, what year did you enter the United States           11:34:11

10 for the first time to reside?           11:34:13

11          A     I don't remember exactly; 1979 or '80.           11:34:28

12          Q     And you would have been about 16, 17 years old           11:34:31

13 at the time?           11:34:34

14          A     Yes.           11:34:39

15          Q     When did you first start associating with any           11:34:47

16 congregation of Jehovah's Witnesses?           11:34:50

17          A     When I moved here to the United States.           11:35:06

18          Q     So when you were about 16, 17 years of age?           11:35:10

19          A     Yes.           11:35:13

20          Q     How did you first come in contact with           11:35:15

21 Jehovah's Witnesses?           11:35:17

22          A     My mother started studying and then, she called           11:35:33

23 me and I started studying.           11:35:36

24          Q     And again, that was about the time you were 16           11:35:39

25 or 17?           11:35:42

1	Q	Okay. What congregation of Jehovah's Witnesses	11:37:09
2		did you start associating with?	11:37:13
3	A	In Linda Vista.	11:37:22
4	Q	And did you have a bible study conducted with	11:37:24
5		you, by someone in the congregation?	11:37:29
6	A	Yes.	11:37:35
7	Q	Who was the person who studied with you?	11:37:36
8	A	Sister Celia started.	11:37:45
9		And after that, another brother.	11:37:55
10	Q	And what was his name?	11:37:56
11	A	Ramon.	11:37:59
12	Q	Ramon?	11:38:02
13		Do you know his last name?	11:38:03
14	A	Yes; Preciado.	11:38:09
15	Q	Did you study with anyone else, other than with	11:38:10
16		Ramon Preciado?	11:38:12
17	A	No.	11:38:18
18	Q	When did you start attending meetings of the	11:38:20
19		Linda Vista Congregation?	11:38:22
20	A	After I moved to the United States.	11:38:31
21	Q	Had you been associated with Jehovah's	11:38:36
22		Witnesses of Mexico, before you moved to the	11:38:38
23		United States?	11:38:48
24	A	No.	11:38:48
25	Q	Did you become baptized as a Jehovah's Witness?	11:39:00



1	A	No.	11:41:06
2	Q	Did you ever serve in the Linda Vista	11:41:06
3		Congregation as an elder?	11:41:09
4	A	No.	11:41:17
5	Q	Did you ever serve in the Linda Vista	11:41:17
6		Congregation as a regular pioneer?	11:41:21
7	A	No.	11:41:32
8	Q	While you were at the Linda Vista Congregation,	11:41:33
9		did you ever serve as an auxiliary pioneer?	11:41:35
10	A	No.	11:41:46
11	Q	Would it be fair to say, that your association	11:41:47
12		with the Linda Vista Congregation, was before and after	11:41:50
13		your baptism as just a member of the congregation?	11:41:53
14		MR. STOREY: Objection; vague and ambiguous as	11:42:13
15		to the phrase, "just a member of the congregation."	11:42:16
16		BY MR. MCCABE:	11:42:24
17	Q	If you understand the question, you may answer.	11:42:24
18	A	Could you repeat it, please?	11:42:28
19	Q	Were you anything more than a member of the	11:42:30
20		congregation, while you were in the Linda Vista	11:42:33
21		Congregation?	11:42:36
22		MR. STOREY: Same objection.	11:42:37
23		THE WITNESS: No.	11:42:46
24		BY MR. MCCABE:	11:42:48
25	Q	What is a publisher?	11:42:48

1	A	A pushlisher is a person who preaches	11:43:06
2		home-to-home the good news, and he is authorized to	11:43:10
3		preach this good news from door-to-door.	11:43:17
4	Q	Can I have a second.	11:43:24
5		And who authorizes you to preach from	11:43:40
6		door-to-door, when you're a publisher of the good news in	11:43:42
7		the Kingdom of --	11:43:45
8	A	The elders of the congregation and the	11:44:03
9		president of services -- I'm not sure. Service overseer.	11:44:07
10	Q	Okay. And are all members of the congregation,	11:44:24
11		authorized to preach the good news of the Kingdom?	11:44:27
12		MR. STOREY: Objection. Vague and ambiguous.	11:44:38
13		BY MR. MCCABE:	11:44:41
14	Q	If you understand the question, you may answer	11:44:41
15		it.	11:44:42
16	A	Yes.	11:44:45
17	Q	Did there come a time, when you left the Linda	11:44:49
18		Vista Congregation and began associating with another	11:44:53
19		congregation?	11:44:57
20	A	No.	11:45:10
21	Q	So your entire life in the -- as one of	11:45:10
22		Jehovah's Witnesses, you spent in the Linda Vista	11:45:13
23		Congregation?	11:45:16
24	A	No.	11:45:23
25	Q	What other congregations did you associate	11:45:24

1	with?	11:45:27
2	A With the La Jolla Congregation.	11:45:35
3	And also, with Playa Pacifica.	11:45:39
4	Q Is the La Jolla Congregation, the Playa	11:45:43
5	Pacifica Congregation, the same congregation?	11:45:46
6	A Yes, it's the same.	11:45:57
7	Q So La Jolla Congregation changed the name to	11:45:58
8	Playa Pacifica, at some point in time?	11:46:01
9	A Yes.	11:46:08
10	Q Do you know what year it is, that you began	11:46:10
11	associating with the La Jolla Congregation?	11:46:13
12	A No.	11:46:24
13	Q Do you know how long you were in the Linda	11:46:27
14	Vista Congregation, before you began associating with the	11:46:29
15	La Jolla congregation?	11:46:32
16	A I'm not sure, if it was 10 years or more. I	11:46:52
17	don't remember.	11:46:55
18	Q Did you begin associating with the La Jolla	11:46:56
19	Congregation when it was first formed?	11:47:00
20	A Yes.	11:47:11
21	Q Okay. And if I told you, that the date that	11:47:12
22	the La Jolla congregation and Spanish was formed was	11:47:17
23	1986, would you have any reason to dispute that or doubt	11:47:20
24	that?	11:47:23
25	A No.	11:47:39

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

1 designations that had to do with preaching at schools. 12:13:30

2 Q And the school you're talking about, is the 12:13:37

3 Theocratic Ministry School? 12:13:39

4 A Yes. 12:13:45

5 Q And is that a school that's conducted within 12:13:46

6 the meetings of Jehovah's Witnesses? 12:13:49

7 A Yes. 12:13:58

8 Q Okay. And why did you want to be a ministerial 12:13:59

9 servant? 12:14:03

10 A To be able to help more in the congregation, 12:14:24

11 and to be able to help in that capacity as a ministerial 12:14:25

12 servant. 12:14:31

13 Q When you say "help," what do you mean? Who 12:14:32

14 would you help? 12:14:34

15 A To help the brothers there in the -- that are 12:14:57

16 there in the congregation, to help all of the publishers 12:15:01

17 and the elders in as far as the designations or 12:15:04

18 appointments. 12:15:12

19 Q Do you know, when you were appointed as a 12:15:15

20 ministerial servant in the La Jolla Congregation? 12:15:18

21 A I don't remember. 12:15:30

22 Q What was it? The first year, that you started 12:15:31

23 attending meetings in the congregation there? 12:15:33

24 A Maybe. I don't remember. 12:15:44

25 Q Okay. If I told you, that I had records that 12:15:45

1 indicated that you were appointed as a ministerial 12:15:48  
2 servant on December 22, 1988, would you have any reason 12:15:50  
3 to dispute that or doubt that that was the date you were 12:15:54  
4 appointed? 12:15:57  
5 A No. 12:16:22  
6 Q And so, does that sound about right to you 12:16:23  
7 after you had been in the congregation, the La Jolla 12:16:26  
8 Congregation two years, you were a ministerial servant? 12:16:28  
9 A Yes. 12:16:40  
10 Q Now, is a ministerial servant, kind of a 12:16:40  
11 stepping stone or an intermediate step to becoming an 12:16:44  
12 elder in the congregation? 12:16:49  
13 A Yes. 12:17:04  
14 Q What kind of things does a ministerial servant 12:17:05  
15 do, in a congregation toward those services? 12:17:08  
16 A There are various jobs that one can help the 12:18:06  
17 elders with, such as there in the congregation; such as 12:18:15  
18 cleaning and helping to take members of the group out 12:18:21  
19 for -- into the field. 12:18:29  
20 And others that I don't remember. 12:18:33  
21 Q Did you eventually get appointed to be an 12:18:40  
22 elder, in the La Jolla or Playa Pacifica Congregation? 12:18:43  
23 A Yes. 12:19:00  
24 Q Do you remember what year that was? 12:19:01  
25 A No. 12:19:04

1 Q If I told you it was about five years after -- 12:19:06  
2 four-and-half years after you had been appointed to 12:19:08  
3 ministerial servant, would that sound about right to 12:19:11  
4 you? 12:19:14  
5 A Yes. 12:19:22  
6 Q So if I told you, you were appointed June 23, 12:19:23  
7 1993, would that sound about right to you? 12:19:27  
8 A Yes. 12:19:37  
9 Q Okay. Did you want to become an elder when you 12:19:38  
10 were attending the La Jolla Congregation? 12:19:42  
11 A Yes. 12:19:49  
12 Q Why? 12:19:57  
13 A Yes. I wanted to, because I wanted to serve in 12:20:26  
14 the congregation and to help as an elder with the 12:20:30  
15 different jobs that are assigned to elders, such as 12:20:38  
16 public speaking, representing the congregation and other 12:20:41  
17 designations. 12:20:53  
18 Q When you were appointed an elder in 1993, what 12:20:53  
19 was your relationship like with God? 12:20:59  
20 A It was not good. 12:21:11  
21 Q Okay. Why did you want to be an elder? 12:21:13  
22 A To be able to help in the congregation. 12:21:26  
23 Q Now, when you were appointed a ministerial 12:21:36  
24 servant, before they made the announcement -- do they 12:21:39  
25 make an announcement to the congregation, telling 12:21:42

1	ministerial servant, that is even more of a requirement,	12:48:54
2	if there's a problem that they need to let the elders	12:48:56
3	know and get it taken care of?	12:49:00
4	A Yes.	12:49:17
5	Q Now, any time that you were a ministerial	12:49:18
6	servant, did you come forward and tell the elders that	12:49:21
7	you had had this problem with Arturo Jemio?	12:49:25
8	A No.	12:49:44
9	Q And during the time that you were a ministerial	12:49:44
10	servant, did you have sexual contact with Joel Gamboa?	12:49:47
11	A Yes.	12:49:59
12	Q Did you ever come forward to the elders and	12:49:59
13	tell them about this problem that you were having? This	12:50:02
14	serious sin?	12:50:05
15	A No.	12:50:06
16	Q And prior to your becoming a ministerial	12:50:10
17	servant, did have you some sexual contact with John	12:50:14
18	Dorman?	12:50:18
19	A Yes.	12:50:28
20	Q Was that while you were at the Linda Vista	12:50:28
21	Congregation?	12:50:32
22	A Yes.	12:50:33
23	Q Do you know how old John Dorman was, when you	12:50:33
24	had sexual contact with him?	12:50:36
25	A No.	12:50:43

1	Q	Do you know how old you were?	12:50:44
2	A	No, I don't remember.	12:50:52
3	Q	Were you a lot older than he was?	12:50:54
4	A	Yes.	12:50:56
5	Q	Was he a little boy?	12:50:56
6	A	Yes.	12:51:02
7	Q	So he wasn't an adult?	12:51:02
8	A	No.	12:51:04
9	Q	But you were an adult?	12:51:05
10	A	Yes.	12:51:07
11	Q	Did you consider this sexual contact with John	12:51:08
12		Dorman to be a serious sin?	12:51:11
13	A	Yes.	12:51:17
14	Q	When the elders talked to you about being a	12:51:18
15		ministerial servant, did you tell them about this serious	12:51:22
16		sin that you had in the past with John Dorman?	12:51:26
17	A	No.	12:51:34
18	Q	In fact, you later became an elder, didn't	12:51:36
19		you?	12:51:40
20	A	Yes.	12:51:43
21	Q	All right.	12:51:44
22		And while you were an elder, would you have	12:51:44
23		appointed a ministerial servant that had your background	12:51:47
24		of child abuse and child molestation, if you knew about	12:51:53
25		it?	12:51:56



1	BY MR. MCCABE:	12:55:34
2	Q And you were aware that were you concealing	12:55:34
3	this information, that the elders had a right to know.	12:55:39
4	Is that true?	12:55:44
5	A Yes.	12:55:51
6	Q Now, I want to talk about Joel Gamboa.	12:55:54
7	Did you have bible study with him?	12:56:01
8	A Yes.	12:56:08
9	Q How did you happen to come to study the bible	12:56:09
10	with Joel Gamboa? Were you appointed to do that by the	12:56:12
11	elders?	12:56:16
12	A No.	12:56:26
13	Q How did it come about?	12:56:27
14	A His mother asked me, if I could provide him	12:56:31
15	with studies.	12:56:34
16	Q Okay. Did he -- was his mother married at the	12:56:35
17	time?	12:56:40
18	A No.	12:56:42
19	Q How many people were you studying the bible	12:56:44
20	with at that time?	12:56:47
21	A I don't remember.	12:56:56
22	Q Was it more than Joel Gamboa?	12:56:58
23	A Yes, I think so.	12:57:05
24	Q Were they children?	12:57:06
25	A No.	12:57:09

1 congregation formed. 13:05:03

2 And I don't remember if they had been in Linda 13:05:06

3 Vista, or if I just remember that they were there when it 13:05:11

4 started. 13:05:17

5 Q When what congregation started? 13:05:17

6 A In La Jolla. 13:05:20

7 Q Do you remember when you had sexual activity 13:05:23

8 with John Dorman? 13:05:26

9 Was it in the Linda Vista Congregation? Or 13:05:28

10 when you were in the La Jolla congregation? 13:05:30

11 A In La Jolla. 13:05:39

12 Q If I told you, that John Dorman testified that 13:05:42

13 he was in the Linda Vista Congregation when you had 13:05:46

14 sexual contact with him, would that change your thinking, 13:05:49

15 as to when you had sexual contact with John Dorman? 13:05:52

16 A Yes. 13:06:09

17 Q So where did it happen? When he was in Linda 13:06:10

18 Vista or when he was in La Jolla? 13:06:14

19 A In Linda Vista. 13:06:23

20 Q And were you a ministerial servant or an elder, 13:06:26

21 when you had sexual contact with John Dorman? 13:06:30

22 A I don't remember. 13:06:42

23 Q Okay. When you were confronted by the elders 13:06:43

24 about this accusation from John Dorman, did you tell them 13:06:48

25 it had already been handled by a judicial committee? 13:06:53



1 incidents of your molesting the child sexually? 13:42:48

2 A Yes. 13:43:07

3 Q Did you tell the judicial committee the 13:43:08

4 details? Or did you just tell them that you were guilty 13:43:12

5 and you admitted your guilt? 13:43:21

6 A I gave them the details and admitted my 13:43:35

7 culpability; my guilt. 13:43:39

8 Q Okay. 13:43:42

9 What happened to you personally, after you were 13:43:43

10 expelled from the congregation? 13:43:45

11 A It was devastating for me, because of my 13:44:17

12 relationship with the Jehovah's Witnesses for having 13:44:20

13 brought to them such reprehensible behavior. 13:44:23

14 What was very devastating to me for bringing 13:44:51

15 bad -- 13:44:58

16 THE INTERPRETER: He says "apropri --" 13:45:05

17 COURT REPORTER: Ms. Interpreter, can you 13:45:05

18 please speak louder; thank you. 13:45:05

19 MR. MCCABE: "Reproach?" 13:45:07

20 THE WITNESS: -- reproach, not just to the 13:45:09

21 congregation, but to Jehovah himself; God. 13:45:11

22 And that was very devastating for having 13:45:17

23 brought reproach to Jehovah's -- to the organization, to 13:45:41

24 the brothers and the people that were involved. 13:45:45

25 And for causing the separation, my separation 13:45:52

1	The time is 2:06 p.m.	14:06:16
2	(Break.)	14:09:14
3	THE VIDEOGRAPHER: We're back on the record.	14:09:15
4	The time is 2:09 p.m.	14:09:16
5	BY MR. MCCABE:	14:09:21
6	Q Mr. Campos, some time ago, I took the	14:09:21
7	deposition of Joel Gamboa.	14:09:24
8	And during the course of his deposition, I'll	14:09:28
9	represent to you, that he told me that you sexually	14:09:30
10	abused him for a period of six years, from the time he	14:09:35
11	was eight years old until he moved to Phoenix, Arizona,	14:09:40
12	when he was 14 years of age.	14:09:43
13	Did you sexually molest Joel Gamboa for a	14:09:46
14	period of six years?	14:09:49
15	A Yes.	14:10:26
16	Q And he also told me, that you sexually abused	14:10:29
17	him sometimes two, three times a week.	14:10:34
18	Is that true?	14:10:37
19	A Yes.	14:10:46
20	MR. MCCABE: I think that's all I have --	14:10:55
21	actually, I do have one more question.	14:10:55
22	Did you tell the judicial committee, that	14:11:13
23	that's what you did over that period of time for six	14:11:16
24	years, you abused Joel Gamboa two, three times a week?	14:11:19
25	A No.	14:11:35



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STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS.

I, the undersigned, declare under penalty of perjury that I have read the foregoing transcript, and I have made any corrections, additions or deletions that I was desirous of making; that the foregoing is a true and correct transcript of my testimony contained therein.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_\_, at \_\_\_\_\_,  
City State

\_\_\_\_\_  
GONZALO CAMPOS

CERTIFICATE OF READER-INTERPRETER

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I, \_\_\_\_\_,  
whose address is \_\_\_\_\_  
\_\_\_\_\_

a person who speaks the language of the witness;  
namely, \_\_\_\_\_, do hereby certify that  
on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_,  
I did translate the foregoing deposition from the  
\_\_\_\_\_ language into the \_\_\_\_\_

language reading same to the witness in his/her  
native tongue, to the best of my ability;

That all corrections and changes requested  
by the witness were made and initialed by the  
witness;

That upon completion of said reading, the  
witness did confirm to me that he/she had  
understood the reading.

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Interpreter-Reader

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REPORTER'S CERTIFICATE

I, GLORIA D. MAZON, CSR No. 9356, Certified  
Shorthand Reporter, certify;

That the foregoing proceedings were taken before me  
at the time and place therein set forth, at which time  
the witness was put under oath by me;

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

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

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

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2011

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

**EXHIBIT 7**



1 children within the congregation?

2 A No. The parents are the ones that are in  
3 charge of giving studies to their children.

4 Q If the parents are somehow incapable, will the  
5 congregation assign someone to take up that role?

6 A Yes, but the parents would have to be present.

7 MR. MORENO: I'm sorry.

8 MR. STOREY: Let's go off the record.

9 (Off the record.)

10 BY MR. STOREY:

11 Q If I were to say that a person was a  
12 publisher, what would that mean to you?

13 A Publisher would be a person who attends the  
14 meetings.

15 Q Does a publisher have any other  
16 responsibilities?

17 A A publisher, the word itself says it, he would  
18 publish the message of the Bible.

19 Q So would a publisher be required to do field  
20 service?

21 A Not forced to do it. He wants to do it, he  
22 can preach, yes.

23 Q Are there requirements for becoming a  
24 publisher?

25 A He studies the Bible.



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REPORTER'S CERTIFICATION

I, Judy Runes, CSR No. 5874, certify:

That the foregoing transcript of JUSTINO DIAZ was taken before me at the time and place therein set forth, at which time the witness was placed under oath by me;

That the testimony and all objections made at the time of the deposition were recorded stenographically by me and thereafter transcribed;

That the foregoing transcript is a true record of the testimony and of all objections made at the time of the deposition;

That dismantling this transcript will void the court reporter's official certification of this transcript.

I further certify that I am neither counsel for nor related to any party to said action, nor in any way interested in the outcome thereof.

In witness thereof, I have subscribed my name this day: February 22, 2011.

*Judy Runes*

Judy Runes, CSR No. 5874

EXHIBIT 8

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

JOHN DORMAN

SAN DIEGO, CALIFORNIA

FEBRUARY 2, 2011

ATKINSON-BAKER, INC.  
COURT REPORTERS  
1-800-288-3376  
www.depo.com

REPORTED BY: RUTH N. VALDIVIA, CSR NO. 11752, RPR

FILE NO.: A50121F

1           A.    Would have been in Mexico, Chiox, Sinaloa.

2           Q.    What's your date of birth?

3           A.    September 7th, 1977.

4           Q.    And where were you born?

5           A.    San Diego, California.

6           Q.    And do you have a California driver's license?

7           A.    No, sir.

8           Q.    Have you ever had a California driver's license?

9           A.    No, sir.

10          Q.    Do you have an Oregon license?

11          A.    No.

12          Q.    Do you have a license in any state or country to

13          drive an automobile?

14          A.    No, sir.

15          Q.    Do you have a social security card?

16          A.    Yes.

17          Q.    Do you know the Social Security number?

18          A.    Yes.

19          Q.    What is it?

20          A.    564-53-5047.

21          Q.    What's your present residence address?

22          A.    5001 Pacific Boulevard.

23          Q.    And where is that located?

24          A.    Albany, Oregon.

25                Oh, I'm sorry, No. 32; Albany, Oregon 97321.

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Calls for expert opinion.

THE WITNESS: I don't have an answer for that.

BY MR. McCABE:

Q. Did you ever consider yourself as one of Jehovah's Witnesses?

A. Yes.

Q. Until what age?

A. Till '93.

Q. "'93."

Remind me what year you were sent to Mexico.

A. '93, February.

Q. I take it your grandmother isn't a Jehovah Witness.

A. No.

Q. Do you have any religious affiliation now?

A. No.

Q. Have you ever attended other religious services other than Jehovah's Witnesses?

A. Occasionally with my ex-wife.

Q. What church was that?

A. Catholic.

Q. But since your divorce from her, you haven't attended any religious services?

A. No.

Q. Tell me about the first time that Gonzalo Campos

1 abused you.

2 Do you remember how old you were?

3 A. No, I do not.

4 Q. Do you remember where it took place?

5 A. Yes.

6 Q. Where?

7 A. In his van.

8 Q. What kind of van did he have?

9 A. Cargo, no windows on the side or nothing.

10 Q. Do you remember how old you were?

11 A. I was?

12 Q. Yes.

13 A. I'd be speculating.

14 Q. Were you older than five?

15 A. Yes.

16 Q. Older than six?

17 A. I really can't remember if I was in the first or

18 second grade.

19 Q. Okay. But somewhere in the time period between

20 first and second grade --

21 A. Yes.

22 Q. -- is when he first abused you?

23 A. Yes.

24 Q. On that first occasion, what did he do to you?

25 A. Had me sit in the middle of the van and played

1 with my buttocks.

2 Q. He played with you?

3 A. Put his hand on the back of my pants and squeezed

4 my butt cheeks as he was driving down the road. I don't

5 know, squeezed or fondled, whichever you want.

6 Q. Did he do anything else on that occasion?

7 A. No.

8 Q. Did you tell anybody that that had happened?

9 A. No.

10 Q. Did he tell you not to tell?

11 A. Yes.

12 Q. What did he tell you?

13 A. That we were special friends.

14 Q. At this time, how long had you known Gonzalo

15 Campos?

16 A. I would be speculating.

17 Q. Do you have any memory at all of knowing him prior

18 to this?

19 A. Yes.

20 Q. Did he attend the same congregation as your

21 mother?

22 A. I would be speculating.

23 Q. So did anything else occur on this first occasion

24 on this abuse other than the fondling?

25 A. No.

1 Q. When is the next time that he did something  
2 sexually inappropriate to you?

3 A. Would have been on the way home.

4 Q. The same day?

5 A. Yeah.

6 Q. And what did he do then?

7 A. Same thing. After we were done mowing the yard,  
8 he had to take me home.

9 Q. Whose yard did you mow?

10 A. I would be speculating. A client of his.

11 Q. So you were with him when he was on his work  
12 project?

13 A. Um-hum.

14 Q. And on the second occasion, did he do anything  
15 else to you other than fondle you?

16 A. No.

17 Q. Did you tell anyone about this?

18 A. No.

19 MR. KINSLOW: Objection. Vague and ambiguous as  
20 to time. Move to strike the answer. Also invades  
21 attorney-client privilege.

22 BY MR. McCABE:

23 Q. I don't want to know anything that you told your  
24 lawyer. I can't know that and don't want to know that.

25 A. Okay.

1 Q. But at the time that this happened, around that .  
2 period, the next day or the next week, did you tell anybody  
3 that this happened?  
4 A. No.  
5 Q. When is the next time Gonzalo Campos abused you?  
6 A. As far as the time frame?  
7 Q. Yes, sir.  
8 A. I don't have one.  
9 Q. Was it the same month as the first two?  
10 A. I'd be speculating.  
11 Q. Same year as the first two occasions?  
12 A. Yes.  
13 Q. Same time?  
14 A. Twelve-month period.  
15 Q. Twelve-month period he abused you again?  
16 A. (Witness nods.)  
17 Q. Where did this abuse take place?  
18 A. On the way to the jobsite.  
19 Q. Was that some kind of gardening job?  
20 A. Yes.  
21 Q. What did he do on this occasion?  
22 A. On the way there, same thing, fondled my rear end.  
23 Q. Did he do anything else?  
24 A. Then after we were done working, we went over to a  
25 place that his mom was cleaning.

1 Q. She was a house cleaner?

2 A. Yes, she was, I'm assuming, yeah.

3 Q. And what happened there?

4 A. Well, upstairs, when we went to get dressed into  
5 our shorts, he performed oral sex on me in the upstairs  
6 bathroom.

7 Q. So he orally copulated you in the bathroom  
8 upstairs?

9 A. Yes.

10 Q. Do you recall how old you were?

11 A. No.

12 Q. But it was within a year of this --

13 A. Yes.

14 Q. -- first incident when you were either in first or  
15 second grade?

16 A. Yes.

17 Q. Did anything else happen that day?

18 A. Yes.

19 Q. What happened?

20 A. Well, while we were in the pool, he came up behind  
21 me and was touching me under my clothes under my shorts.

22 Q. What did he do when he touched you under your  
23 shorts?

24 A. He fondled my genitalia and penis area as well as  
25 my rear end, my buttocks.

1 Q. Did he penetrate you?

2 A. No.

3 Q. Anything else happen on that occasion in the pool?

4 A. In the pool, no.

5 Q. After the pool --

6 A. Yes.

7 Q. -- anything else happen?

8 A. Yes.

9 Q. What happened?

10 A. At the -- in the shower.

11 Q. What happened in the shower?

12 A. We were both naked, and I was sitting on his lap.

13 Now, at that time I can't recall if he penetrated me or not

14 in the shower, but I know that I was sitting on his lap for

15 some reason or another.

16 Q. Did he, sometime during that day, penetrate you?

17 A. Like I said, I'm not -- I can't recall.

18 Q. Okay.

19 A. All I know -- all I can remember is I was sitting

20 on his lap in the shower. And it wasn't a bathtub either,

21 it was a stand-up shower.

22 Q. Did anything else happen that day?

23 A. On the way home, same thing, fondled my rear end

24 on the way home.

25 Q. And that day or ensuing weeks, did you tell your

1 Q. But after that occasion?

2 A. That was the final time that I spoke to him, to my  
3 knowledge.

4 Q. When is the first time you told anybody else about  
5 this abuse?

6 A. Well, I told my -- like, there was actually abuse  
7 or that I was having the images?

8 Q. That you had the abuse.

9 A. That would have been my -- that would have been my  
10 mom and dad.

11 Q. And what year did you tell them?

12 A. About '93, spring break.

13 Q. How old were you then?

14 A. Sixteen.

15 Q. How did your parents respond when you told them?

16 A. Everybody broke down crying.

17 Q. And did you tell anybody else after your parents  
18 in this time period?

19 A. No. Oh, well, there was the -- no, actually my  
20 mother -- no.

21 Q. Do you know if your mother told anybody?

22 A. Yes.

23 Q. Who did she tell?

24 A. She called the local congregation there, and I'm  
25 speculating on this, but I think it was the Linda Vista

1 congregation because of who she told me she talked to.

2 Q. Who did she tell you she talked to at Linda Vista?

3 A. Rodriguez or Ramirez.

4 Q. Someone named Rodriguez or Ramirez?

5 A. Rowdon maybe? I know it was the father of another

6 boy.

7 Q. Did she tell you about that conversation?

8 A. Yes, slightly, never too many details but --

9 Q. What did she tell you?

10 A. More like I overheard her talking to my father.

11 Q. What did you overhear?

12 A. Basically that nothing could be done about it,

13 that it happened, that the church was aware of it, and that

14 there's nothing that could be done, that the statute of

15 limitations both civilly and legally had run out, that he

16 had already been disfellowshipped, chastised,

17 excommunicated.

18 Q. And you heard all that by listening to your

19 parents conversing about the matter?

20 A. Yes. Well, my mother was on the phone to the

21 brothers. She was relaying messages to my father. She was

22 pacing up and down the hall.

23 Q. You were present in the same room with your mother

24 on the phone?

25 A. Yes.

1 Q. Do you recall when this conversation took place?

2 A. Spring break maybe or possibly after spring break,  
3 after spring break in May or April of '94.

4 Actually, I need to change that from '93 to '94.  
5 That would have been the first time that I told them about  
6 it, spring break of '94, not '93.

7 Q. That would have been March, April 1994?

8 A. Yes, '94, though.

9 And that's when she would have called down here  
10 too. So I'd like to change that on the previous page back  
11 to '94.

12 Q. Okay. I think we're on the same page now.

13 A. Okay.

14 Q. Prior to that, you hadn't told anybody about the  
15 abuse?

16 A. Not about the abuse, no. About the images in my  
17 head, yes.

18 Q. Okay. Who did you tell about the images?

19 A. Just talked to the girlfriend that I was having  
20 touchy, feely moments with.

21 Q. But other than that girlfriend, did you tell  
22 anybody else about the images you were having?

23 A. No.

24 Q. So would it be fair to say the next conversation  
25 you had about this abuse would be spring of 1994 with your

DECLARATION

I hereby declare I am the deponent in the within matter; that I have read the foregoing proceedings and know the contents thereof, and I declare that the same is true of my knowledge except as to the matters which are therein stated upon my information or belief, and as to those matters, I believe it to be true.

I declare under the penalties of perjury of the State of California that the foregoing is true and correct.

Executed on the \_\_\_\_\_ day of \_\_\_\_\_ 2011, at \_\_\_\_\_, California.

\_\_\_\_\_  
JOHN DORMAN

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STATE OF CALIFORNIA )

) ss

COUNTY OF SAN DIEGO )

I, RUTH N. VALDIVIA, a Certified Shorthand Reporter,  
do hereby certify:

That prior to being examined, the witness in the  
foregoing proceedings was by me duly sworn to testify to the  
truth, the whole truth, and nothing but the truth;

That said proceedings were taken before me at the  
time and place herein set forth and were taken down by me  
in shorthand and thereafter transcribed into typewriting  
under my direction and supervision.

I further certify that I am neither counsel for, nor  
related to, any party to said proceedings, nor in anyway  
interested in the outcome thereof.

In witness whereof, I have hereunto subscribed my  
name.

Dated: February 15, 2011

\_\_\_\_\_  
RUTH N. VALDIVIA  
CSR No. 11752, RPR

AUTHENTIC COPY  
The original certified E-Transcript  
file was electronically signed  
using RealLegal technology.

**EXHIBIT 9**

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

JOEL GAMBOA

SAN DIEGO, CALIFORNIA

FEBRUARY 3, 2011

ATKINSON-BAKER, INC.  
COURT REPORTERS  
1-800-288-3376  
www.depo.com

REPORTED BY: RUTH N. VALDIVIA, CSR NO. 11752, RPR

FILE NO.: A501227

1 are from you today and try not to ask you any tricky  
2 questions. But if you feel that I do, please ask me to  
3 restate it. I'll be glad to do so.

4 If you do answer my questions, though, I'll assume  
5 that you understood the question. Would that be fair?

6 A. Yes.

7 Q. Okay. And any time you want to take a break, just  
8 let me know. Isn't an endurance test. Any time you need to  
9 take a break, just let me know, we'll be glad to do that.

10 Because of the nature of the lawsuit, I'm going to  
11 ask you some questions that I don't want to ask you, but I  
12 need to ask you because of the nature of the lawsuit. And  
13 I'm sure there's questions you'd prefer not to answer, but  
14 we need to go through that.

15 And if at any time during those questions you want  
16 to take a break, feel free to do so at any time. Okay?

17 A. Okay.

18 Q. Have you ever used any other names other than Joel  
19 Gamboa?

20 A. No.

21 Q. What's your place of birth?

22 A. San Diego, California.

23 Q. What's your date of birth?

24 A. 12/31/80.

25 Q. Do you have a California driver's license?

1           A.    Yes.

2           Q.    I'm going to get into the area that I don't want  
3           to get into but we need to.

4                    When is the first time that Gonzalo Campos did  
5           anything sexually to you, any type of abuse?

6           A.    During Bible study.

7           Q.    In Bible study.

8                    Do you recall how old you were?

9           A.    Eight or nine.

10          Q.    What did he do on the first occasion?

11          A.    He touched my genitals.

12          Q.    And this was in your home?

13          A.    Yes.

14          Q.    Did he do anything else on that first occasion?

15          A.    No.

16          Q.    And where -- was it under your clothing or were  
17          you unclothed?

18          A.    Under my clothing.

19          Q.    How long did it last?

20          A.    He would do it while we were doing the prayer.  
21          It's like three minutes, two to three minutes.

22          Q.    Do you recall the first occasion that this  
23          happened specifically?

24          A.    Not -- not specifically, no.

25          Q.    It's just kind of a general recollection, that's

1           what he would do?

2           A.    Yes.

3           Q.    How many times did he do that while he was doing

4           prayer?

5           A.    Every time he would give us Bible study, which is

6           once a week.

7           Q.    "Once a week."

8                    And did you say "give us Bible study"? Was it

9           more than --

10          A.    No.  I meant me and him.

11          Q.    You and him?

12          A.    Yes.

13          Q.    Okay.  Thank you.

14                    Did there come a point in time when his sexual

15           abuse of you escalated to more than just fondling during

16           prayer?

17          A.    Yes.

18          Q.    When did that first take place?

19          A.    He would come pick me up from school.

20          Q.    And where were you going to school at the time?

21          A.    Kit Carson Elementary.

22          Q.    "Kit Carson."

23                    What would happen then when he'd pick you up from

24           school?

25          A.    He just picked me up and just took me to like

1 parking lots, took me to his home.

2 Q. Do you recall the first occasion he took you to

3 his home?

4 A. I don't.

5 Q. How about the first occasion he took you to a

6 parking lot?

7 A. I don't recall.

8 Q. What kind of vehicle did he have?

9 A. I know he had a grey Nissan Sentra, or silver.

10 And he drove a van.

11 Q. What did Gonzalo Campos do for a living, do you

12 know?

13 A. I think he did like landscaping, gardener.

14 Q. Was the van kind of like a work van?

15 A. I don't recall.

16 Q. When you were sexually abused, would he pick you

17 up with the Nissan or the van or would it be either one?

18 A. Either one.

19 Q. What happened when he would take you to a parking

20 lot?

21 A. He would take his pants off and mine and just

22 fondle me, and then he fondled himself.

23 Q. Anything else in the parking lot?

24 A. He would have oral sex on me.

25 Q. He'd performed it on you?.

1           A.    Yes.

2           Q.    Did he make you perform it on him?

3           A.    No.

4           Q.    And do you recall anything else taking place when

5           you were taken to a parking lot?

6           A.    He would try -- he put his finger in my anal and

7           tried to penetrate me.

8           Q.    With his penis?

9           A.    Yes.

10          Q.    Would this be in the daytime?

11          A.    Yes.

12          Q.    Do you recall specifically where in the parking

13          lot that he took you to?

14          A.    Yes.

15          Q.    Which one?

16          A.    It was a parking lot by Tio Leo's Restaurant, the

17          Fashion Valley mall.

18          Q.    Where is the Tio Leo's located, do you know?

19          A.    I know it's going down Linda Vista Road, like

20          going towards Old Town and it's to the right, I think, of

21          Balboa. I'm not sure what it is.

22          Q.    Balboa and Moreno?

23          A.    Yeah.

24          Q.    Moreno Boulevard?

25          A.    Yeah, Moreno Boulevard, that's what it is.

1 A. I don't recall.

2 Q. Do you know what congregation he attended?

3 A. I know it was La Jolla.

4 Q. La Jolla Spanish?

5 A. Yes.

6 Q. Did Gonzalo speak and understand English?

7 A. Yes.

8 Q. When he spoke to you, what language would he use?

9 A. English.

10 Q. Did you ever go with him on any of his jobs, his

11 landscaping jobs?

12 A. Yes.

13 Q. How many times did you do that?

14 A. I think one or two times.

15 Q. Would he sexually abuse you on those occasions

16 too?

17 A. Yes.

18 Q. So basically, if I understand your testimony

19 correctly, he abused you one or two times a week for almost

20 six years?

21 A. Yes.

22 Q. Between the period of time of 8 and 9 to age 14?

23 A. Yes.

24 Q. When did you first tell someone about this abuse?

25 A. I told the brothers that called me, the first

1 phone call; my mother, my kids' mother, and my current  
2 girlfriend.

3 Q. You mentioned the brothers called you. When was  
4 that?

5 A. In '95.

6 Q. And do you know who called you?

7 A. The only name that sticks out to me is Brother  
8 Gene Case.

9 Q. "Gene Case."

10 Do you know what position Gene Case had with  
11 Jehovah Witnesses?

12 A. He was an elder.

13 Q. Do you know what congregation?

14 A. The Linda Vista congregation.

15 Q. Was he an elder there when you were attending  
16 meetings?

17 A. Yes.

18 Q. Do you recall anybody else that was involved in  
19 that phone conversation with you in 1995 besides Gene Case?

20 A. I don't recall, but I know there were others. I  
21 could hear voices, and it was like on a speaker phone when  
22 they called me.

23 Q. Did they call you?

24 A. They called my mother first.

25 Q. Okay. And did they ask you questions in that

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phone conversation?

A. They asked me if this was true, and I told them yes.

Q. Did they ask you for details like I have today?

A. No.

Q. They just asked you if you were sexually abused by Gonzalo Campos?

A. Yes.

Q. And what did you tell them?

A. Yes.

Q. Do you know Kevin Phillips? Does that name a ring a bell to you?

A. No.

Q. Could he have been a person on the telephone that day?

A. I don't recall.

Q. How about also on that telephone call Florentino Garcia?

A. No.

Q. How about Eduardo Chavez?

A. No.

Q. Do you know Florentino Garcia?

A. No.

Q. Do you know Eduardo Chavez?

A. No.

1 Q. Have you always recalled that this abuse took  
2 place to you? In other words, there's not a period of time  
3 where you blocked it out and didn't know what happened?

4 A. No, I've always known.

5 Q. Do you currently use alcohol?

6 A. Sometimes, yeah.

7 Q. How would you describe your use of alcohol, what  
8 do you drink?

9 A. Beer.

10 Q. Anything else?

11 A. No.

12 Q. How frequently do you drink beer?

13 A. Just sporting events, family events.

14 Q. Ever had a problem with drinking alcohol?

15 A. No.

16 Q. How about recreational drugs, did you use  
17 recreational drugs in the past?

18 A. In the past, yes.

19 Q. Currently?

20 A. No.

21 Q. What did you use in the past?

22 A. Marijuana.

23 Q. Anything besides marijuana?

24 A. I've done cocaine.

25 Q. How often would you say you've done cocaine?

DECLARATION

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I hereby declare I am the deponent in the within matter; that I have read the foregoing proceedings and know the contents thereof, and I declare that the same is true of my knowledge except as to the matters which are therein stated upon my information or belief, and as to those matters, I believe it to be true.

I declare under the penalties of perjury of the State of California that the foregoing is true and correct.

Executed on the \_\_\_\_\_ day of \_\_\_\_\_ 2011, at \_\_\_\_\_, California.

\_\_\_\_\_  
JOEL GAMBOA

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STATE OF CALIFORNIA )  
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COUNTY OF SAN DIEGO )

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The original certified  
file was electronically signed  
using Reallegat technology

I, RUTH N. VALDIVIA, a Certified Shorthand Reporter,  
do hereby certify:  
that prior to being examined, the witness in the  
foregoing proceedings was by me duly sworn to testify to the  
truth, the whole truth, and nothing but the truth;

That said proceedings were taken before me at the  
time and place therein set forth and were taken down by me  
in shorthand and thereafter transcribed into typewriting  
under my direction and supervision.

I further certify that I am neither counsel for, nor  
related to, any party to said proceedings, nor in anyway  
interested in the outcome thereof.

In witness whereof, I have hereunto subscribed my  
name.

Dated: \_\_\_\_\_

\_\_\_\_\_  
RUTH N. VALDIVIA  
CSR No. 11752, RPR

**EXHIBIT 10**

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

JOHN DORMAN, )  
individually, and JOEL )  
GAMBOA, individually, )  
 )  
Plaintiffs, )  
 )  
vs. ) Case Number  
 ) 37-2010-00092450-CU-PO-CTL  
DEFENDANT DOE 1, LaJOLLA )  
CHURCH; DEFENDANT DOE 2, )  
LINDA VISTA CHURCH; )  
DEFENDANT DOE 3, )  
SUPERVISORY ORGANIZATION; )  
DEFENDANT DOE 4, )  
PERPETRATOR; and DOES 5 )  
through 100, )  
 )  
Defendants. )  
 )

---

DEPOSITION OF JUAN GUARDADO, called on  
behalf of the Plaintiffs, at 12555 High Bluff  
Drive, Suite 260, San Diego, California, on  
Tuesday, February 8, 2011, commencing at 12:54  
p.m., before Judy Runes, California CSR No.  
5874.

1 A No, that's -- that's locally.

2 Q Does a person who is a publisher have any  
3 responsibilities within the congregation?

4 A Responsibilities? No. Responsibilities? No.  
5 If I understand your question.

6 Q Are publishers required to do field service?

7 A Required? Once you become a publisher, you're  
8 expected to -- to -- to go door-to-door because  
9 that's -- that's why you asked to be a publisher.

10 Q Okay. If I were to say a person was a  
11 pioneer, what would that mean?

12 A A pioneer is a publisher member of the  
13 congregation who goes door-to-door or talks to people  
14 about the Bible, when I started back then, 90 hours --  
15 well, 60 hours or 90 hours.

16 Q So an auxiliary pioneer would be required for  
17 60 hours?

18 A He or she would do 60 hours, yeah. Yes.

19 Q And then what would a regular pioneer do?

20 A He would preach for 90 hours, back then.

21 Q Are there specific requirements if someone  
22 wants to be a pioneer?

23 A Auxiliary pioneering, you need to be baptized.  
24 And to be a regular pioneer, you need to be baptized for  
25 at least six months. And the same qualifications to

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ERRATA SHEET

CORRECTIONS

PG	LN	Now Reads	Should Read	Reason
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DECLARATION UNDER PENALTY OF PERJURY

I, JUAN GUARDADO, declare under penalty of perjury that the foregoing is my deposition under oath;

And are the questions asked of me and my answers thereto;

And that I have read same and have made the necessary corrections, additions, or changes to my answers that I deem necessary.

In witness thereof, I subscribe my name this date: \_\_\_\_\_

\_\_\_\_\_  
JUAN GUARDADO

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REPORTER'S CERTIFICATION

I, Judy Runes, CSR No. 5874, certify:

That the foregoing transcript of JUAN GUARDADO was taken before me at the time and place therein set forth, at which time the witness was placed under oath by me;

That the testimony and all objections made at the time of the deposition were recorded stenographically by me and thereafter transcribed;

That the foregoing transcript is a true record of the testimony and of all objections made at the time of the deposition;

That dismantling this transcript will void the court reporter's official certification of this transcript.

I further certify that I am neither counsel for nor related to any party to said action, nor in any way interested in the outcome thereof.

In witness thereof, I have subscribed my name this day: February 22, 2011.

*Judy Runes*

\_\_\_\_\_  
Judy Runes, CSR No. 5874

**EXHIBIT 11**

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

JOHN DORMAN, )  
individually, and JOEL )  
GAMBOA, individually, )  
 )  
Plaintiffs, )  
 )  
vs. ) Case Number  
 ) 37-2010-00092450-CU-PO-CTL  
DEFENDANT DOE 1, LaJOLLA )  
CHURCH; DEFENDANT DOE 2, )  
LINDA VISTA CHURCH; )  
DEFENDANT DOE 3, )  
SUPERVISORY ORGANIZATION; )  
DEFENDANT DOE 4, )  
PERPETRATOR; and DOES 5 )  
through 100, )  
 )  
Defendants. )  
 )

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DEPOSITION OF ARTURO JEMIO, called on  
behalf of the Plaintiffs, at 12555 High Bluff  
Drive, Suite 260, San Diego, California, on  
Monday, February 7, 2011, commencing at 1:01  
p.m., before Judy Runes, California CSR No.  
5874.

1 Q Okay. And did you review any documents?

2 A No.

3 Q Okay. When did you speak with your mother?

4 A About a week ago.

5 Q Okay. And what was that conversation about?

6 A Just trying to see if she can jog up my memory  
7 about some stuff that happened regarding that issue.

8 Q Okay. What's your date of birth?

9 A November 24, 1969.

10 Q And are you Jehovah's Witness?

11 A Yes, I am.

12 Q And were you Jehovah's Witness in  
13 approximately 1980?

14 A Approximately, yes.

15 Q Okay.

16 A Yeah.

17 Q You were?

18 A Uh-huh.

19 Q Okay. And at that time, were you a member of  
20 a particular congregation?

21 A Yes.

22 Q What congregation?

23 A Linda Vista.

24 Q And how long did you continue to attend  
25 Linda Vista congregation?

1 A Till about 1989.

2 Q I'm going to show you a document. It's in  
3 Spanish. Can you read Spanish?

4 A Yes, I can.

5 Q Okay.

6 MR. STOREY: Same one we used in the last one.  
7 (Exhibit 1 identified.)

8 BY MR. STOREY:

9 Q Do you see your name on that page?

10 A Yes, I do.

11 Q Okay. And the statement before that roughly  
12 says "Names of Regular Precursors"; is that correct?

13 A "Pioneers."

14 Q "Pioneers." Okay.

15 And when did you become a -- were you a  
16 regular pioneer?

17 Were you a regular pioneer?

18 A Yes, I was.

19 Q With Linda Vista congregation?

20 A Yes, I was.

21 Q And what does that entail?

22 A Doing 90 hours of field service per month,  
23 back then.

24 Q That was all I had for that.

25 A What's that?

1 elder.

2 A Correct.

3 Q And then you recently spoke with your mother.  
4 Other than that, did you ever have any  
5 conversations about what happened?

6 A No.

7 Q Prior to that incident, was there ever  
8 anything Gonzalo had done that made you think that  
9 something was inappropriate, or something was not right?

10 A No.

11 Q Okay. So that was out of the blue for you?

12 A Yeah. Completely out of the blue.

13 MR. STOREY: Okay. We've discussed what I  
14 wanted to discuss today.

15 So, Mr. McCabe, if you have any questions.

16 MR. McCABE: Thanks. Just a second.

17 EXAMINATION

18 BY MR. McCABE:

19 Q Mr. Jemio, during the time that you were a  
20 member of the Linda Vista congregation and  
21 Gonzalo Campos was also a member, did you ever know him  
22 to be a regular pioneer in the congregation?

23 A No, he was not a regular pioneer.

24 Q Did you ever know him to be a ministerial  
25 servant?

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ERRATA SHEET

CORRECTIONS

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DECLARATION UNDER PENALTY OF PERJURY

I, ARTURO JEMIO, declare under penalty of perjury that the foregoing is my deposition under oath;

And are the questions asked of me and my answers thereto;

And that I have read same and have made the necessary corrections, additions, or changes to my answers that I deem necessary.

In witness thereof, I subscribe my name this date: \_\_\_\_\_

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ARTURO JEMIO

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REPORTER'S CERTIFICATION

I, Judy Runes, CSR No. 5874, certify:

That the foregoing transcript of ARTURO JEMIO was taken before me at the time and place therein set forth, at which time the witness was placed under oath by me;

That the testimony and all objections made at the time of the deposition were recorded stenographically by me and thereafter transcribed;

That the foregoing transcript is a true record of the testimony and of all objections made at the time of the deposition;

That dismantling this transcript will void the court reporter's official certification of this transcript.

I further certify that I am neither counsel for nor related to any party to said action, nor in any way interested in the outcome thereof.

In witness thereof, I have subscribed my name this day: February 22, 2011.

*Judy Runes*

\_\_\_\_\_  
Judy Runes, CSR No. 5874

EXHIBIT 12

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.

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DEPOSITION OF

JESUS MONTIJO

February 9, 2011

10:08 a.m.

12555 High Bluff Drive  
Suite 260  
San Diego, California

Cinthia M. Marumoto, RPR, CSR No. 5197

1 Q. Did you do that by yourself or in groups?

2 A. We would go out in a group.

3 Q. And how many people would be in that group?

4 A. Gosh, I don't remember that.

5 Q. Did you ever do field service with Gonzalo  
6 Campos?

7 A. Yes.

8 Q. How frequently?

9 A. Because there were a few of us -- it wasn't  
10 always the same -- we would go out with different ones.

11 Q. Would you say that you went with Gonzalo Campos  
12 to do field service on several occasions?

13 A. Could be.

14 Q. Would you say that you knew Gonzalo Campos  
15 well?

16 A. Well, as far as the congregation, yes.

17 Q. Did you ever see Gonzalo Campos do anything  
18 that you thought was inappropriate?

19 A. No.

20 Q. If I were to say that a person was a publisher,  
21 what does that mean?

22 A. Publisher?

23 Q. Yes.

24 A. Member of the congregation.

25 Q. Every member of the congregation is a

1 Brooklyn office -- or branch.

2 Q. So the elders make a recommendation as to who  
3 can be a ministerial servant?

4 A. Yes.

5 Q. And is that recommendation presented to the  
6 Watchtower Society?

7 A. Yes.

8 Q. And the Watchtower Society has the final say as  
9 to whether a person can become a ministerial servant?

10 A. As far as I knew, yes.

11 Q. Are there certain requirements as to who can be  
12 a ministerial servant?

13 A. Yes.

14 Q. What are those requirements?

15 A. Well, they're noted in the Bible.

16 Q. In Timothy?

17 A. Yes, Timothy.

18 Q. If I were to say a person was an elder, what  
19 does that mean?

20 A. That he is the one that leads the congregation.

21 Q. How does someone become an elder?

22 A. Same way: There are requisites in Timothy.

23 Q. Does a person apply to become an elder?

24 A. No.

25 Q. Is he selected by the existing group of elders?

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CERTIFICATE OF READER-INTERPRETER

I, \_\_\_\_\_,  
whose address is \_\_\_\_\_,  
a person who speaks the language of the deponent;  
namely, Spanish, do hereby certify that on the \_\_\_\_\_  
day of \_\_\_\_\_ 2011, I did translate the  
foregoing deposition from the English language into the  
Spanish language, reading same to the deponent in  
his/her native tongue, to the best of my ability;

That all corrections and changes requested by  
the deponent were made and initialed by the deponent;

That upon completion of said reading, the  
deponent did confirm to me that he/she had understood  
the reading.

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DECLARATION UNDER PENALTY OF PERJURY

I, JESUS MONTIJO, do hereby certify under penalty of perjury that I have read the foregoing transcript of my deposition taken February 9, 2011; that I have made such corrections as appear noted herein, in ink, initialed by me; that my testimony as contained herein, as corrected, is true and correct.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2011,  
at \_\_\_\_\_, California.

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JESUS MONTIJO

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REPORTER'S CERTIFICATION

I, Cinthia M. Marumoto, Registered Professional Reporter, Certified Shorthand Reporter in and for the State of California, do hereby certify:

That the foregoing witness was by me duly sworn; that the deposition was then taken before me at the time and place herein set forth; that the testimony and proceedings were reported stenographically by me and later transcribed into typewriting under my direction; that the foregoing is a true record of the testimony and proceedings taken at that time.

IN WITNESS WHEREOF, I have subscribed my name this 16th day of February 2011.

\_\_\_\_\_  
Cinthia M. Marumoto, RPR, CSR No. 5197

**EXHIBIT 13**

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

JOHN DORMAN, )  
individually, and JOEL )  
GAMBOA, individually, )  
 )  
Plaintiffs, )  
 )  
vs. ) Case Number  
 ) 37-2010-00092450-CU-PO-CTL  
DEFENDANT DOE 1, LaJOLLA )  
CHURCH; DEFENDANT DOE 2, )  
LINDA VISTA CHURCH; )  
DEFENDANT DOE 3, )  
SUPERVISORY ORGANIZATION; )  
DEFENDANT DOE 4, )  
PERPETRATOR; and DOES 5 )  
through 100, )  
 )  
Defendants. )  
 )

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DEPOSITION OF DENNIS PALMER, called on  
behalf of the Plaintiffs, at 12555 High Bluff  
Drive, Suite 260, San Diego, California, on  
Monday, February 7, 2011, commencing at 10:12  
a.m., before Judy Runes, California CSR No.  
5874.

1 Q Had he been reinstated at that time?

2 A Yes.

3 Q I'd requested you to bring documents with you  
4 today, if you had any.

5 A I don't have any documents.

6 Q Okay. Then I don't have much more.

7 A Okay.

8 Q All right.

9 You said that the La Jolla congregation was  
10 formed, you thought, in 1987?

11 A I believe so.

12 Q Was that just the Spanish congregation was  
13 formed in 1987?

14 A Yes.

15 Q So there had been an English congregation  
16 prior to that?

17 A Yes.

18 (Exhibit 1 identified.)

19 BY MR. STOREY:

20 Q All right. I'm going to show you a document.  
21 It's written in Spanish. Can you read Spanish?

22 A I can, yes.

23 Okay.

24 Q Just a couple of quick questions. In the  
25 first paragraph, it says that the Linda Vista

1 congregation -- or at least reading between the lines --  
2 the Linda Vista congregation was a parent congregation  
3 of the La Jolla congregation; is that correct?

4 A Yes.

5 Q What does that mean?

6 A It means the new -- the members of the new  
7 congregation would have been taken from the parent  
8 congregation. So we -- basically, we split one  
9 congregation and formed two.

10 Q Okay. So Linda Vista congregation is just  
11 growing, so they decided to create a second  
12 congregation?

13 A Exactly. We just outgrew our space.

14 Q Okay. Now, was there another parent  
15 congregation, or just Linda Vista?

16 A No. In this case, it was only Linda Vista.

17 Q About halfway down, there's a heading that  
18 says "Conductor de la Atalaya."

19 A Uh-huh.

20 Q What does that mean?

21 A Each -- in our case, each Sunday, a portion of  
22 our meeting is a consideration of an article in the  
23 Watchtower magazine. And "Atalaya" in Spanish is "The  
24 Watchtower" in English. So it's -- it's a study  
25 conductor.

1 Q Okay. So you led the discussion on the  
2 article?

3 A I led the discussion, exactly.

4 Q Now, under -- just to the side of that, there  
5 are two headings: "Superintendente De Servicio." What  
6 was that position?

7 A Okay. That's the service overseer. And we  
8 consider -- the field service overseer. So he is -- he  
9 is in charge -- the field service overseer is in charge  
10 of organizing the field service meetings and organizing  
11 the territory that will be worked in the field service  
12 operation.

13 Q So the coordinator we spoke about earlier  
14 would be underneath --

15 A Underneath, yes.

16 Q -- this person?

17 A Yes. That's correct.

18 Q Okay. Now, below that, "Superintendente de la  
19 Escuela," what was that?

20 A Okay. Now, we do have a mid-week meeting.  
21 And part of the mid-week meeting is -- is the theocratic  
22 ministry school, and it's a preparation, of sorts, for  
23 the field service. So it's -- it's for public speaking  
24 and -- and for conducting studies. So there's also an  
25 overseer for that, for that part of our meeting, and he

1 has to organize that meeting every week.

2 Q Okay. Now, can you make out in the top right  
3 hand, or not, the date stamp there?

4 A It looks like "November 29, 1986."

5 Q Is that approximately when the La Jolla  
6 congregation was created?

7 A Yes. It must have been.

8 Q Okay. Following the creation of the La Jolla  
9 congregation, was there any continued relationship  
10 between the Linda Vista congregation and the La Jolla  
11 congregation?

12 A Not very much. No, being -- being an  
13 independent congregation, they would handle their own  
14 affairs.

15 Q Okay. So there was -- was there carryover in  
16 terms of attendance? Would members attend both  
17 services?

18 A Not usually. The reason we -- when we -- when  
19 we choose which individuals would go to a new  
20 congregation, we would try to choose by location.  
21 People who live closer to that area would be assigned to  
22 the new congregation. And in our case, that's what we  
23 did. And so there wasn't very much crossover.

24 Usually -- usually those people -- in my  
25 recollection, those people attended the new

1 Q Okay. When the La Jolla congregation was  
2 created, is it your understanding that Gonzalo Campos  
3 was assigned to the La Jolla congregation?

4 A Yes.

5 Q And following that, do you have any  
6 recollection of him ever being present at Linda Vista  
7 congregation events?

8 A No. No, I don't believe he did.

9 MR. STOREY: Okay. I don't have anything  
10 further for you today.

11 MR. McCABE: I have a few questions. I'd like  
12 to clarify a few things.

13 EXAMINATION

14 BY MR. McCABE:

15 Q Mr. Palmer, do you know how many Jehovah's  
16 Witnesses there are worldwide?

17 A Approximately 7 million.

18 Q Okay. Are they all publishers?

19 A Yes, those are only the publishers.

20 Q So a publisher in Jehovah's Witnesses might be  
21 like a parishioner in another religious group?

22 A Yes. Rough correspondence, yes.

23 Q Now, I notice in this document that we've been  
24 talking about --

25 MR. McCABE: Are you going to mark it at all?

1 reason?

2 A No, I had no knowledge of any judicial  
3 committees in Linda Vista regarding Gonzalo.

4 Q Would there have been a judicial committee  
5 while you were an elder in Linda Vista congregation,  
6 without your being aware of it, involving  
7 Gonzalo Campos?

8 A No.

9 Q Okay. Do you know whether or not  
10 Gonzalo Campos ever served as a ministerial servant in  
11 the Linda Vista congregation of Jehovah's Witnesses?

12 A Yeah, I know he did not.

13 Q He did not?

14 A No.

15 Q What about as a regular pioneer?

16 A No, I don't believe so.

17 Q Okay. You mentioned that when you were in  
18 Playa Pacifica or the La Jolla Spanish congregation,  
19 that Gonzalo Campos had some kind of restrictions?

20 A Yes.

21 Q What are those restrictions? What were those  
22 restrictions in his case?

23 A Well, he couldn't participate in any of the  
24 congregational activities. He was restricted from  
25 commenting or participating in any aspects of the

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ERRATA SHEET

CORRECTIONS

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DECLARATION UNDER PENALTY OF PERJURY

I, DENNIS PALMER, declare under penalty of perjury that the foregoing is my deposition under oath;

And are the questions asked of me and my answers thereto;

And that I have read same and have made the necessary corrections, additions, or changes to my answers that I deem necessary.

In witness thereof, I subscribe my name this date: \_\_\_\_\_

\_\_\_\_\_  
DENNIS PALMER

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REPORTER'S CERTIFICATION

I, Judy Runes, CSR No. 5874, certify:

That the foregoing transcript of DENNIS PALMER was taken before me at the time and place therein set forth, at which time the witness was placed under oath by me;

That the testimony and all objections made at the time of the deposition were recorded stenographically by me and thereafter transcribed;

That the foregoing transcript is a true record of the testimony and of all objections made at the time of the deposition;

That dismantling this transcript will void the court reporter's official certification of this transcript.

I further certify that I am neither counsel for nor related to any party to said action, nor in any way interested in the outcome thereof.

In witness thereof, I have subscribed my name this day: February 22, 2011.

*Judy Runes*

Judy Runes, CSR No. 5874



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

Cinthia M. Marumoto, RPR, CSR No. 5197

1 Q. To the best of your knowledge, was Gonzalo  
2 Campos a publisher?

3 A. Yes.

4 Q. Do you know if Gonzalo Campos was ever --

5 A. Let me go back. What dates are you talking  
6 about? When he became a publisher when?

7 Q. Do you know if he was a publisher when you met  
8 him in 1979 or 1980?

9 A. I don't think so, no.

10 Q. Do you know if he became a publisher before you  
11 left the Linda Vista Spanish congregation?

12 A. Yes. Yeah, before he came, yes.

13 Q. Do you know if he was a publisher in 1981?

14 A. No.

15 Q. Do you know specifically when he became a  
16 publisher?

17 A. More or less, like, in '83 -- '82 or '83,  
18 somewhere in there -- or maybe '84.

19 Q. Do you know if Gonzalo Campos was ever an  
20 auxiliary pioneer?

21 A. When, again? Because it takes time.

22 Q. During your period of time at the Linda Vista  
23 Spanish congregation --

24 A. No.

25 Q. Do you know if he ever was?

1 Q. Just long enough for the elders to get a sense  
2 of the person's qualifications and moral character?

3 A. Right.

4 Q. And do the elders have the final say on who  
5 becomes a ministerial servant?

6 A. Well, I'll say God has the final say, but yeah,  
7 the elders communicate to the person.

8 Q. Okay. Do the elders have to get the approval  
9 of the Watchtower before a person can become a  
10 ministerial servant?

11 A. Yes.

12 Q. Okay. So if the elders believe someone is  
13 qualified and a good candidate to be a ministerial  
14 servant, will they make a recommendation to the  
15 Watchtower?

16 A. Yes.

17 Q. And then the Watchtower has the final say?

18 A. Yeah, they're approved, but it's still -- the  
19 elders can decide. They can decide to go ahead and --

20 (Cell phone interruption)

21 THE REPORTER: "They can go ahead and..." what?  
22 I'm sorry.

23 THE WITNESS: And give the notice to the person  
24 or ask the person if they want to accept it or not. Or  
25 if we see something bad -- the elders -- they will not

1 tell the person. They return the letter back to the  
2 Society, to the Watchtower.

3 BY MR. STOREY:

4 Q. Okay. If a person who is a ministerial  
5 servant -- let me start over.

6 Does a person who is a ministerial servant have  
7 to continue to live up to those good morals?

8 A. Yes.

9 Q. And if a person who is a ministerial servant  
10 does something immoral, can he lose his position?

11 A. Yes.

12 Q. Okay. And who decides if a person who is a  
13 ministerial servant should keep or lose his position?

14 A. A judicial committee.

15 Q. Okay. If a person is a ministerial servant and  
16 does something immoral, can the body of elders remove  
17 him or do they have to go and ask permission of the  
18 Watchtower?

19 A. The elder would remove him.

20 Q. If I were to say that a person was an elder,  
21 what would that mean?

22 A. It's someone that is, after being a ministerial  
23 servant and show considerable progress, and they can be  
24 recommended by the other elders to become an elder.

25 Q. What are the requirements that must be

1 satisfied before a person can become an elder?

2 A. The same in 1 Timothy 3. One applies for them  
3 and even more.

4 Q. Now, if a person is not -- I'll start over, the  
5 question.

6 Are elders chosen from amongst the ministerial  
7 servants?

8 A. Yes.

9 Q. Can elder -- can a person be appointed an elder  
10 if they are not a ministerial servant?

11 A. No.

12 Q. Who makes the decision about who becomes an  
13 elder?

14 A. The body of elders.

15 Q. And does a ministerial servant apply to become  
16 an elder?

17 A. No.

18 Q. Is he chosen by the body of elders?

19 A. Yes.

20 Q. And once the person is chosen -- or what's the  
21 process that goes into a person being chosen to become  
22 an elder?

23 A. Well, after being of serve -- and sometimes it  
24 takes years for the person to show good standing  
25 position -- you know, in the congregation. And the

1 elders ask him if he wants to serve as an elder -- have  
2 the privilege of service. And then he accepts it or  
3 not.

4 Q. Okay. Does the body of elders have to get the  
5 permission of the Watchtower to appoint a ministerial  
6 servant as an elder?

7 A. Have permission -- in which way?

8 Q. Does the body of elders make a recommendation  
9 to the Watchtower that they think someone is ready to  
10 become an elder?

11 A. Yes.

12 Q. And does the Watchtower have to approve that  
13 recommendation before the person can be assigned as an  
14 elder?

15 A. Yeah, if the Watchtower approves the  
16 recommendation or rejects the recommendation.

17 (Mr. Moreno exits the deposition room)

18 BY MR. STOREY:

19 Q. Is there any kind of public ceremony or  
20 announcement when someone becomes an elder?

21 A. Yes, in a meeting, after he accepts -- the  
22 person accepts the privilege -- then they make an  
23 announcement: "Such-and-such person is an elder now."

24 (Mr. Moreno enters the deposition room)

25 BY MR. STOREY:

1 Q. Is there any kind of a similar public statement  
2 when a person becomes a ministerial servant?

3 A. Yes.

4 Q. So there would be an announcement to the  
5 congregation?

6 A. Yes.

7 Q. If -- does an elder have to continue to exhibit  
8 good morals?

9 A. Yes.

10 Q. And if he fails to exhibit good morals, can he  
11 lose his position?

12 A. Yes.

13 Q. And who makes the decision as to whether that  
14 elder can keep his position or lose it?

15 A. The judicial committee.

16 Q. When you were with the Linda Vista Spanish  
17 congregation, were you ever a ministerial servant?

18 A. Yes.

19 Q. When did you become a ministerial servant in  
20 the Linda Vista Spanish congregation?

21 A. 1981.

22 Q. Did you ever become an elder in the Linda Vista  
23 Spanish congregation?

24 A. Yes.

25 Q. And when did you become an elder?

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DECLARATION UNDER PENALTY OF PERJURY

I, RAMON PRECIADO, do hereby certify under penalty of perjury that I have read the foregoing transcript of my deposition taken February 9, 2011; that I have made such corrections as appear noted herein, in ink, initialed by me; that my testimony as contained herein, as corrected, is true and correct.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2011,  
at \_\_\_\_\_, California.

\_\_\_\_\_  
RAMON PRECIADO

1 REPORTER'S CERTIFICATION  
2

3 I, Cinthia M. Marumoto, Registered Professional  
4 Reporter, Certified Shorthand Reporter in and for the  
5 State of California, do hereby certify:  
6

7 That the foregoing witness was by me duly sworn;  
8 that the deposition was then taken before me at the time  
9 and place herein set forth; that the testimony and  
10 proceedings were reported stenographically by me and  
11 later transcribed into typewriting under my direction;  
12 that the foregoing is a true record of the testimony and  
13 proceedings taken at that time.  
14

15 IN WITNESS WHEREOF, I have subscribed my name this  
16 16th day of February 2011.  
17  
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22

23 \_\_\_\_\_  
24 Cinthia M. Marumoto, RPR, CSR No. 5197  
25

**EXHIBIT 15**

1 Rocky K. Copley, SBN 101628  
Law Office of Rocky K. Copley  
2 225 Broadway, Suite 2100  
San Diego, California 92108  
3 (619) 232-3131

4 Attorneys for Doe 2,  
Linda Vista Spanish Congregation  
5  
6  
7

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

10 JOHN DORMAN, individually; and JOEL  
GAMBOA, individually,

11 Plaintiff,

12 v.

13 DEFENDANT DOE 1, LA JOLLA CHURCH;  
14 DEFENDANT DOE 2, LINDA VISTA  
CHURCH; DEFENDANT DOE 3,  
15 SUPERVISORY ORGANIZATION;  
DEFENDANT DOE 4, PERPETRATOR; and  
16 DOES 5 through 100,  
and DOES 1 through 20, inclusive,

17 Defendants.  
18

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

**DECLARATION OF ROCKY K. COPLEY  
IN SUPPORT OF MOTION FOR  
SUMMARY JUDGMENT OR IN THE  
ALTERNATIVE, SUMMARY  
ADJUDICATION OF ISSUES BY LINDA  
VISTA SPANISH CONGREGATION**

Date: December 16, 2011  
Time: 10:30 a.m.  
Dept: C-73  
Judge: Hon. Steven R. Denton

Trial Date: None Set  
Complaint Filed: May 20, 2010

19 I, Rocky K. Copley, declare as follows:

20 1. I am the attorney of record for defendant Linda Vista Spanish Congregation  
21 ("Linda Vista Congregation").

22 2. Linda Vista Congregation has filed a Motion for Summary Judgment and/or  
23 Summary Adjudication of Issues. As a part of that motion there is a Statement of Undisputed  
24 Material Facts.

25 3. The Statement of Undisputed Material Facts makes references to affidavits and  
26 excerpts of deposition testimony of various witnesses and parties in support of the motion.

27 4. Attached to the Notice of Lodgment of Exhibits as Exhibit 6 are true and correct  
28 copies of the deposition pages taken from a certified copy of the deposition transcript of Gonzalo

1 Campos. These pages are the various pages that are referenced in the Statement of Undisputed  
2 Material Facts and the memorandum of points and authorities regarding the testimony of this  
3 person.

4 5. Attached to the Notice of Lodgment of Exhibits as Exhibit 7 are true and correct  
5 copies of the deposition pages taken from a certified copy of the deposition transcript of Justino  
6 Diaz. These pages are the various pages that are referenced in the Statement of Undisputed  
7 Material Facts and the memorandum of points and authorities regarding the testimony of this  
8 person.

9 6. Attached to the Notice of Lodgment of Exhibits as Exhibit 8 are true and correct  
10 copies of the deposition pages taken from a certified copy of the deposition transcript of John  
11 Dorman. These pages are the various pages that are referenced in the Statement of Undisputed  
12 Material Facts and the memorandum of points and authorities regarding the testimony of this  
13 person.

14 7. Attached to the Notice of Lodgment of Exhibits as Exhibit 9 are true and correct  
15 copies of the deposition pages taken from a certified copy of the deposition transcript of John  
16 Gamboa. These pages are the various pages that are referenced in the Statement of Undisputed  
17 Material Facts and the memorandum of points and authorities regarding the testimony of this  
18 person.

19 8. Attached to the Notice of Lodgment of Exhibits as Exhibit 10 are true and correct  
20 copies of the deposition pages taken from a certified copy of the deposition transcript of Juan  
21 Guardado. These pages are the various pages that are referenced in the Statement of Undisputed  
22 Material Facts and the memorandum of points and authorities regarding the testimony of this  
23 person.

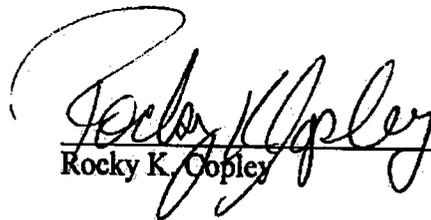
24 9. Attached to the Notice of Lodgment of Exhibits as Exhibit 11 are true and correct  
25 copies of the deposition pages taken from a certified copy of the deposition transcript of Arturo  
26 Jemio. These pages are the various pages that are referenced in the Statement of Undisputed  
27 Material Facts and the memorandum of points and authorities regarding the testimony of this  
28 person.

1           10. Attached to the Notice of Lodgment of Exhibits as Exhibit 12 are true and correct  
2 copies of the deposition pages taken from a certified copy of the deposition transcript of Jesus  
3 Montijo. These pages are the various pages that are referenced in the Statement of Undisputed  
4 Material Facts and the memorandum of points and authorities regarding the testimony of this  
5 person.

6           11. Attached to the Notice of Lodgment of Exhibits as Exhibit 13 are true and correct  
7 copies of the deposition pages taken from a certified copy of the deposition transcript of Dennis  
8 Palmer. These pages are the various pages that are referenced in the Statement of Undisputed  
9 Material Facts and the memorandum of points and authorities regarding the testimony of this  
10 person.

11           12. Attached to the Notice of Lodgment of Exhibits as Exhibit 14 are true and correct  
12 copies of the deposition pages taken from a certified copy of the deposition transcript of Ramon  
13 Preciado. These pages are the various pages that are referenced in the Statement of Undisputed  
14 Material Facts and the memorandum of points and authorities regarding the testimony of this  
15 person.

16           I declare under penalty of perjury under the laws of the State of California that the  
17 foregoing is true and correct and that this declaration was executed on this 28<sup>th</sup> day of September  
18 2011, at San Diego, California.

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21 Rocky K. Copley  
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|                                                                                                                                                                                                                                                                                                                                                                         |                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):<br><b>Rocky K. Copley, SBN 101628</b><br><b>Law Office of Rocky K. Copley</b><br><b>225 Broadway, Suite 2100, San Diego, CA 92101</b><br>TELEPHONE NO.: <b>619-232-3131</b> FAX NO. (Optional):<br>E-MAIL ADDRESS (Optional):<br>ATTORNEY FOR (Name): <b>Linda Vista Spanish Congregation</b> | <b>FOR COURT USE ONLY</b>                            |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF <b>SAN DIEGO</b><br>STREET ADDRESS: <b>330 West Broadway</b><br>MAILING ADDRESS:<br>CITY AND ZIP CODE: <b>San Diego, CA 92101</b><br>BRANCH NAME: <b>Central Division</b>                                                                                                                                                       | CASE NUMBER:<br><b>2010-00092450-CU-PO-CTL</b>       |
| PLAINTIFF/PETITIONER: <b>JOHN DORMAN, et al.</b><br>DEFENDANT/RESPONDENT: <b>DOE 1, et al.</b>                                                                                                                                                                                                                                                                          | JUDGE: <b>Steven R. Denton</b><br>DEPT.: <b>C-73</b> |
| <b>PROOF OF SERVICE—CIVIL</b>                                                                                                                                                                                                                                                                                                                                           |                                                      |
| Check method of service (only one):<br><input type="checkbox"/> By Personal Service <input type="checkbox"/> By Mail <input type="checkbox"/> By Overnight Delivery<br><input checked="" type="checkbox"/> By Messenger Service <input type="checkbox"/> By Fax <input type="checkbox"/> By Electronic Service                                                          |                                                      |

*(Do not use this proof of service to show service of a Summons and complaint.)*

1. At the time of service I was over 18 years of age and not a party to this action.
2. My residence or business address is:  
**Law Office of Rocky K. Copley, 225 Broadway, Suite 2100, San Diego, CA 92101**
3.  The fax number or electronic service address from which I served the documents is *(complete if service was by fax or electronic service)*:
4. On (date): \_\_\_\_\_ I served the following documents *(specify)*:

The documents are listed in the Attachment to Proof of Service—Civil (Documents Served) (form POS-040(D)).

5. I served the documents on the person or persons below, as follows:

a. Name of person served: **Devin M. Storey, Esquire**

b.  *(Complete if service was by personal service, mail, overnight delivery, or messenger service.)*

Business or residential address where person was served:

**The Zalkin Law Firm, P.C., 12555 High Bluff Drive, Suite 260, San Diego, CA 92130**

c.  *(Complete if service was by fax or electronic service.)*

(1) Fax number or electronic service address where person was served:

(2) Time of service:

The names, addresses, and other applicable information about persons served is on the Attachment to Proof of Service—Civil (Persons Served) (form POS-040(P)).

6. The documents were served by the following means *(specify)*:

a.  **By personal service.** I personally delivered the documents to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office, between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening.

CASE NAME:  
John Dorman, et al. v. Doe 1, et al.

CASE NUMBER:  
2010-00092450-CU-PO-CTL

- 6. b.  **By United States mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in item 5 and *(specify one)*:
  - (1)  deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
  - (2)  placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at *(city and state)*:
- c.  **By overnight delivery.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses in item 5. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- d.  **By messenger service.** I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed in item 5 and providing them to a professional messenger service for service. *(A declaration by the messenger must accompany this Proof of Service or be contained in the Declaration of Messenger below.)*
- e.  **By fax transmission.** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed in item 5. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.
- f.  **By electronic service.** Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed in item 5.

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

Date: September 30, 2011

Tomi Lee Stant  
(TYPE OR PRINT NAME OF DECLARANT)

  
(SIGNATURE OF DECLARANT)

*(If item 6d above is checked, the declaration below must be completed or a separate declaration from a messenger must be attached.)*

**DECLARATION OF MESSENGER**

- By personal service.** I personally delivered the envelope or package received from the declarant above to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package, which was clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office, between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening.

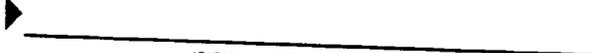
At the time of service, I was over 18 years of age. I am not a party to the above-referenced legal proceeding.

I served the envelope or package, as stated above, on *(date)*: September 30, 2011

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

Date:

\_\_\_\_\_  
(NAME OF DECLARANT)

  
(SIGNATURE OF DECLARANT)

SHORT TITLE: John Dorman, et al. v. Doe 1, et al.

CASE NUMBER:

2010-00092450-CU-PO-CTL

**ATTACHMENT TO PROOF OF SERVICE—CIVIL (DOCUMENTS SERVED)**

*(This Attachment is for use with form POS-040)*

**The documents that were served are as follows (describe each document specifically):**

Notice of Motion and Motion for Summary Judgment on the Second Amended Complaint or, in the Alternative Summary Adjudication of Issues

Memorandum of Points and Authorities in Support of Defendant Linda Vista Congregation's Motion for Summary Judgment and/or Summary Adjudication of Issues

Defendant Linda Vista Spanish Congregation's Separate Statement of Undisputed Facts in Support of Its Motion for Summary Judgment or in the Alternative, Summary Adjudication of Issues

Declaration of Rocky K. Copley in Support of Motion for Summary Judgment or in the Alternative, Summary Adjudication of Issues by Linda Vista Spanish Congregation

Notice of Lodgment of Exhibits in Support of Defendant Linda Vista Spanish Congregation's Motion for Summary Judgment or in the Alternative, Summary Adjudication of Issues