

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF KING

In Re COMMUNITY CHAPEL AND
BIBLE TRAINING CENTER, a
non-profit corporation
organized under the laws of
the State of Washington.

Cause No.
88-2-05272-7

Deposition Upon Oral Examination

of

MARK YOKERS

ORIGINAL

Taken at 260 - 216 First Avenue South

Seattle, Washington

APPEARANCES:

For Petitioner,
SCOTT HARTLEY, and
JACK DuBOIS:

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Leach, Brown & Anderson
4040 First Interstate Center
999 Third Avenue
Seattle, Washington 98104

For Respondent
DONALD BARNETT:

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DATE: April 19, 1988

REPORTED BY: Patrice E. Starkovich, RPR

THIS DEPOSITION FILED

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3 DAY OF June, 1988

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I N D E X

<u>EXAMINATION BY:</u>	<u>Page</u>
Mr. Pierce	2 72
Mr. Anderson	71

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EXHIBITS FOR IDENTIFICATION:

* * None * *

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SEATTLE, WASHINGTON; TUESDAY, APRIL 19, 1988

3:00 P.M.

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MARK YOKERS, deponent herein, being
first duly sworn on oath,
was examined and testified
as follows:

E X A M I N A T I O N

BY MR. PIERCE:

Q. Would you state your --

A. I was told before I do that, I should ask for a stipend.

(Discussion off the record.)

Q. (By Mr. Pierce) Would you state your full name.

A. Mark Alan Yokers, A-l-a-n.

Q. Your residential address?

A. 426 South 190th, Seattle, 98148.

Q. Your business address?

A. 18635 - 8th Avenue South. I'm not sure of the zip. I think it is 98168.

Q. Who are you employed by?

A. Community Chapel and Bible College.

Q. What position?

1 A. Teacher, college teacher.

2 Q. How long have you been employed by Community
3 Chapel and Bible College?

4 A. Probably for fourteen or fifteen years.

5 Q. How long has there been Bible college at the
6 Community Chapel?

7 A. Let's see, we opened the fall of '69.

8 Q. Do you have a specific area that you teach in?

9 A. Not really, theological.

10 Q. What is your educational background?

11 A. The highest secular education was a third year
12 in college, Pacific Lutheran, Tacoma.

13 Q. Did you complete your third year or junior
14 year?

15 A. Yes. The reason I didn't go the fourth was the
16 next year was Bible college, from there to Bible college.

17 Q. You went to Bible college?

18 A. The same, Community Chapel.

19 Q. By "same," you mean what?

20 A. The same college, Bible college, Community
21 Chapel, where I am teaching. I went to the same Bible
22 college I am teaching at.

23 Q. After you completed your third year at Pacific
24 Lutheran, you went to Bible college at Community Chapel?

25 A. Uh-huh.

1 Q. How long did you go to Bible college at
2 Community Chapel as a student?

3 A. Four years through the undergraduate and, at
4 that time, I think I started teaching right after I
5 graduated. So, my postgraduate studies, I think, lasted
6 three years.

7 Q. Did you receive a degree from Bible college?

8 A. Yes.

9 Q. For your undergraduate work?

10 A. Bachelor of Theology.

11 Q. What year was that?

12 A. That would have been '73, I believe, '74.
13 Maybe it would have been '74. If I entered the fall of
14 '69 and went four years, then that would have graduated
15 me in '74.

16 Q. Your age at the present time?

17 A. Thirty-nine.

18 Q. Marital status?

19 A. Married.

20 Q. First name?

21 A. Jan.

22 Q. Same last name?

23 A. Yeah.

24 Q. She resides with you at 426 - South 190th?

25 A. Yes.

1 Q. Is she employed?

2 A. No.

3 Q. Is yours the only income that comes into the
4 family?

5 A. Yeah, basically.

6 Q. Have you made plans for teaching after June of
7 1988?

8 A. No, I have no plans.

9 Q. Have you applied anywhere for teaching?

10 A. No.

11 Q. Do you intend to teach at Community Chapel and
12 Bible College after June of 1988?

13 A. I'm not sure. I really don't know. If it is
14 in existence, I have a choice. Then I'm not sure at that
15 point.

16 Q. You received a subpoena duces tecum directing
17 you to bring documents to this?

18 A. Yes.

19 Q. Did you bring documents?

20 A. I did.

21 Q. Could I see the documents that you did bring.

22 A. Related to the elders' meetings.

23 Q. These documents that you provided to me are all
24 of the documents that you have in your possession or
25 under your control relating in any manner to the items

1 listed in the subpoena duces tecum?

2 A. Yes, according to my understanding, and some
3 tapes.

4 Q. Three tapes?

5 A. I have to admit, I didn't hardly take any
6 notes. What I have largely here is studies and personal
7 studies and personal presentations, and that sort of
8 thing. Oh, then I did have the documents that some of us
9 wrote up, you know, together as an ownership or endorsed,
10 and we brought publicly to the church.

11 Q. I will just take a look at them, Mr. Yokers.

12 I have now gone through the documents that you
13 have brought here. It appears that, other than the
14 correspondence that was directed to the pastor in
15 February of 1988, most of the items included here are
16 your notes with regard to spiritual matters; would you
17 say that is correct?

18 A. Yes.

19 Q. Did you keep any notes of any type of meetings
20 of the elders of the Community Chapel in 1988?

21 A. Any notes -- basically, no. I kept a few.
22 Some of them are discarded.

23 Q. Were any of those discarded after receipt of
24 the subpoena?

25 A. No. I have had chicken scratches, basically.

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1 Q. What is --

2 A. There are chicken scratches, something I took
3 down that day and threw it away. Somebody would say
4 something, and I wrote down a note that I wanted to
5 respond to, and somebody would remind me. I have not
6 taken down notes of minutes, per se.

7 Q. Besides the papers, there is what appears to be
8 three tape recordings of an elders' meeting of March 24,
9 1988?

10 A. Yes.

11 Q. Were there tapes of other elders' meetings that
12 you do not have?

13 A. That I'm not sure of. I am not aware of others
14 having tapes.

15 MR. ANDERSON: I think the question was
16 directed to you.

17 THE WITNESS: Right.

18 MR. ANDERSON: Not what others have.

19 Q. (By Mr. Pierce) Do you have other tapes with
20 regard to the elders' meetings?

21 A. No.

22 Q. Were tapes made of the elders' meetings in
23 1988, other than March 24, 1988, which you have here?

24 A. No. The only ones have been dealing with our
25 discussion on eros love.

1 Q. That is what is contained in that March 24
2 meeting of the elders?

3 A. Uh-huh.

4 Q. This meeting of the elders was taped; is that
5 correct?

6 A. Uh-huh.

7 Q. Where was that meeting held, March 24, 1988?

8 A. It was held in the music recording room on the
9 East Campus.

10 Q. Who was present at this elders' meeting?

11 A. Who was present?

12 Q. Yes.

13 A. I'm not sure if I could remember everybody that
14 was present. I could name a few: David Motherwell,
15 Lanny Peterson, Gerry Slaminski. Wait. You know what?
16 It was not in the music room. It was not. It was held
17 in the -- it is called the service ministries, one of the
18 back rooms of the service ministries, what we used to
19 call "operations." I can let my mind go around the room.
20 Let's see. Those three I mentioned, plus Gerry Slaminski
21 was there. He had to leave early. Jack DuBois, Ralph
22 Alskog, I believe, was there, John Harold, Ron Myrick,
23 Scott Hartley, Jack DuBois, Larry Walkemeyer, Russ
24 Mackenzie, I believe, was there, and Greg Thiel.

25 Q. This covers just about all of the elders of

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1 Community Chapel; is that right?

2 A. Yeah, I wanted them all there.

3 Q. Did you call the meeting?

4 A. I don't remember.

5 Q. You said you wanted them all there. I am just
6 wondering, is this a request that you made for all of
7 them to appear?

8 A. I believe I did, because this was my
9 presentation.

10 MR. PIERCE: Off the record.

11 (Discussion off the record.)

12 Q. (By Mr. Pierce) This meeting was not requested
13 by you, but you wanted to have all of the individual
14 elders present?

15 A. Loren Krenelka was also there.

16 Q. Was this meeting --

17 A. I think I did request it.

18 Q. Did you request that it be tape recorded?

19 A. Yeah, I think I did.

20 Q. Who did you ask to have it tape recorded?

21 A. I think I asked Loren.

22 Q. Is Loren one of the elders of the Community
23 Chapel?

24 A. No, he is not.

25 Q. Why was Loren Krenelka present?

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1 A. A close friend and involved a lot right now
2 because of the situation we find ourselves in. He is
3 involved with the elders a lot.

4 Q. What is Loren Krenelka's involvement with the
5 elders at the present time?

6 A. I am not sure of the title, but he is acting as
7 coordinator, I suppose, for service ministries.

8 Q. He is the director of service ministries?

9 A. Yes.

10 Q. Why would he be involved with the elders a lot
11 at the present time?

12 A. Because he is receiving directions from, you
13 know, many people and, I would guess -- I don't want to
14 put words in his mouth, but I would suppose that right
15 now the direction he is getting is from Scott Hartley and
16 Jack DuBois and others that are in operations. So, he is
17 involved with their decision-making.

18 Q. Who would be the others involved in the
19 operations?

20 A. You mean staff of operations?

21 Q. You indicated he is receiving a lot of
22 directions from Scott Hartley, Jack DuBois and others in
23 operations.

24 A. Oh. Oh, I see, other operating --

25 Q. Who are the others operating?

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1 A. That is a real assumption. I couldn't tell
2 you. I really couldn't tell you. I am assuming.

3 Q. But you know he is obtaining his instruction
4 from Scott Hartley and Jack DuBois and possibly others?

5 A. Uh-huh.

6 Q. Have you been at substantially, if not all, of
7 the elders' meetings in 1988?

8 A. Yes.

9 Q. Is it correct there were approximately
10 15 elders in Community Chapel and Bible Training Center?

11 A. Uh-huh, approximately.

12 Q. How long have you been a member of that
13 eldership or that group of elders?

14 A. I have been in the eldership -- I am guessing
15 again -- I would guess since '75 or '76.

16 Q. That is the best you can recall? You have been
17 an elder for over ten years?

18 A. Yes.

19 Q. What is the function of an elder in the
20 Community Chapel?

21 A. The basic position of an elder relates to a
22 spiritual oversight, we call it. That is what --
23 depending on the area that he is overseeing, to help in
24 the direction of that ministry, generally. So, having
25 oversight, he is a basic director for that ministry.

1 Q. So, each elder would have oversight of a
2 particular ministry?

3 A. Uh-huh.

4 Q. And your oversight is what ministry?

5 A. In Bible college.

6 Q. Would there be a number of other elders who
7 would have oversight of the Bible college in addition to
8 yourself?

9 A. Uh-huh.

10 Q. Who would those individuals be?

11 A. In Bible college, they would be Greg Thiel,
12 Lanny Peterson, Russ Mackenzie, John Harold. I think
13 that's it, and myself.

14 Q. Did I get it down right; are there five?

15 A. Yeah, I think, and myself. Let me think.
16 Maybe if I even look down this list. Yes, I think that's
17 it, five of us.

18 Q. What does your job of oversight as an elder
19 entail?

20 A. Well, for me, because of my ministry, it
21 involves the study and the dissemination of Christian
22 doctrine, Bible topics, and it also can lead into
23 personal helps like in counseling or spiritual ministry
24 of prayer, whatever.

25 Q. This oversight of these other four elders

1 involved with Bible college oversight would be the same
2 as yours?

3 A. Basically, yes.

4 Q. Are you also an ordained minister?

5 A. Yes.

6 Q. How long have you been an ordained minister?

7 A. I sometimes carry a card. I might have it. I
8 can't remember. It is probably about '76 -- I would say
9 '76-77.

10 Q. Approximately the same time you became an
11 elder, you were also ordained as a minister, or did it
12 occur at the same time?

13 A. I don't think so, no. It didn't, but I think
14 it was the same year. It was in close succession.

15 Q. Which occurred first?

16 A. In fact -- in fact, they may have occurred at
17 the same time. If they didn't, the eldership would have
18 occurred first, I believe. I would have documents. I
19 might have one with me that would show me that.

20 Here it is. Boy, it was earlier than I
21 thought. The original ordination was October 1973. So,
22 that would have been, I am assuming, before I entered
23 eldership, but that I'm not sure. I am not really sure.

24 Q. Since March 1, 1988, have you been leading
25 services at Community Chapel and Bible Center as a

1 minister?

2 A. I believe I did March 1. I would have one or
3 two. I think I have led two services since then.

4 Q. First, tell me what it means to lead a service
5 at Community Chapel.

6 A. Well, basically, it is to take the oversight of
7 the order of service. You may preach. You may not
8 preach. You oversee the order of the service as to the
9 music, testimonies, duration, et cetera.

10 Q. You said order, music, what?

11 A. The duration, you know, basically what happens,
12 you know. You don't do everything. You just sort of sit
13 and basically ride shotgun on it.

14 Q. The order that you are talking about, what does
15 that mean?

16 A. That means what we do next, whether it is
17 somebody sings or whether the congregation sings, or
18 whether the preacher preaches, whether there is an altar
19 call, that sort of thing.

20 Q. Do you make all of these determinations as to
21 what is going to happen to the service by yourself?

22 A. Normally.

23 Q. Would you be going over these items with
24 anybody else prior to the service?

25 A. Usually not.

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1 Q. Do they know what they are going to be talking
2 about if you haven't gone over it with individuals?

3 A. No, unless it is a sermon. Normally,
4 testimonies are spontaneous, you know, at the moment.

5 Q. What is a testimony?

6 A. A testimony is where somebody personally wants
7 to share either a personal experience or something out of
8 the Bible that has instructed them, and they feel it
9 would be of benefit to others. Testimony is more of a
10 personal nature.

11 Q. And preaching is what?

12 A. Preaching is, you know, the sermon, bringing
13 forth instruction out of the Bible or whatever.

14 Q. Would that be by other elders or ministers, or
15 both?

16 A. Both.

17 Q. Can a person be an elder without being a
18 minister?

19 A. Yes. Just a second. The other way around.
20 Yes, be an elder without being a minister. No. When you
21 are an elder, you are a minister.

22 Q. An elder is an ordained minister?

23 A. No. We have different classes of elders. Some
24 are ordained ministers. Now, it could be that all of our
25 elders are ordained ministers. I would have to think

1 about it. But we have had in the past elders that were
2 not ordained ministers.

3 Q. At the present time, are there any elders who
4 are not ordained ministers?

5 A. Yeah, I think so.

6 MR. ANDERSON: To the best of your
7 ability.

8 A. To the best of my ability, I think Don Lockrem,
9 he is not on the list. I think Don Lockrem is one.
10 Let's see, is Ralph -- I don't believe Ralph is an elder
11 right now. He is not an ordained minister. Larry, I
12 believe.

13 Q. (By Mr. Pierce) Larry who?

14 A. Walkemeyer. I am trying to think. I don't
15 believe he is ordained at this point.

16 Q. That is fine. When you determine the order of
17 what is going to occur, do you go to individual ministers
18 or elders and ask if they will give a talk or if they
19 want to give talks?

20 A. Rarely, almost never.

21 Q. How do you know who is going to be preaching?

22 A. Oh, that will be determined ahead of time.
23 That is determined ahead of time, usually during the
24 week.

25 Q. Who makes that determination?

1 A. If somebody wants to preach, they make a
2 request.

3 Q. They voluntarily come to you and say, "I want
4 to do something," and then you make the determination?

5 A. Uh-huh.

6 Q. There are no meetings that are held to
7 determine who is going to preach?

8 A. No.

9 Q. Have you ever been in a meeting where a
10 determination of what would happen at one of the worship
11 services would be discussed?

12 A. Oh, yes.

13 Q. Can you tell me of any meetings that you recall
14 occurring after March 1, 1988, where discussions
15 occurred?

16 A. At times, in the meetings, somebody says, "I
17 want to preach." So, that has been discussed. Like
18 somebody would make -- say, "I would like to preach this
19 Sunday," you know.

20 Q. Is this a weekly elders' meeting that is held?

21 A. No, it depends on need. Sometimes we haven't
22 had them. Sometimes we do.

23 Q. After March 1, 1988, how many elders' meetings
24 have you had?

25 A. I don't know. I couldn't say. Possibly, a

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1 week. What is it, March, April -- it is April the 18th.
2 We have averaged one a week. I would say one and a half
3 a week we have averaged.

4 Q. Where are these elders' meetings held?

5 A. So far, either the room in the service
6 ministries that I told you about or in the music
7 recording studio.

8 Q. Is there a date reserved for those elders'
9 meetings, such as Tuesday evening of each week?

10 A. No. We have to schedule it. In other words,
11 somebody would have to say, "I want a meeting," and then
12 we would ask where we could have it. We could always get
13 one of the two places.

14 Q. With the things moving as they have been with
15 regard to the future of Community Chapel, have those
16 meetings been regularly scheduled in advance since
17 March 1, 1988?

18 A. There is always a decision made as to when we
19 are going to have the next meeting. It could be a week
20 away. It could be two weeks away, or it could be the
21 next day. So, it is not a matter of a memo being put out
22 or something.

23 Q. The decision is made at the end of the elders'
24 meeting as to when to have the next elders' meeting; is
25 that correct?

1 A. Generally.

2 Q. Do you recall when the next elders' meeting was
3 after March 24, 1988?

4 A. The 24th was a Thursday. I believe we had a
5 meeting the next Tuesday.

6 Q. This would be March 29 would be the following
7 Tuesday. Does that sound correct to you?

8 A. That sounds good. I don't have the calendar to
9 confirm that it was a Thursday, but I'm quite sure this
10 was a Thursday, and I believe we had a meeting the next
11 Tuesday.

12 Q. Counsel will assist with you.

13 MR. ANDERSON: With my calendar.

14 MR. PIERCE: For the dates.

15 A. Okay. It was a Thursday.

16 Q. (By Mr. Pierce) And you are referring to
17 March 24.

18 A. Uh-huh, and I believe we met the next Tuesday.

19 Q. Which would be March 29?

20 A. Uh-huh. I am not going to say absolutely.

21 Q. As best you can remember, that is fine.

22 The discussions on March 24 were basically with
23 regard, am I correct, to theological issues?

24 A. Uh-huh.

25 Q. Were other matters discussed at that time?

1 A. No, I don't believe so.

2 Q. Basically, March 24, 1988, was a discussion
3 among the elders with regard to what area, generally?

4 A. This one, this is the one, March 24.

5 Q. Yes.

6 A. Generally, regarding what we call spiritual
7 connections.

8 Q. Was there a number of individuals that would be
9 saying spiritual connections are okay, and a number of
10 individuals saying that spiritual connections are not
11 okay?

12 A. No, I think we all agree that spiritual
13 connections are okay. It is just defining what is okay
14 in it and what is not okay in a spiritual connection.

15 Q. It was more of a ministers' discussion with
16 regard to the religious concept of spiritual connections?

17 A. Uh-huh. You are doing really good.

18 Q. Other than ministers' discussions of religious
19 areas, have other matters come up at the meetings of the
20 elders of Community Chapel after March 1, 1988?

21 A. Yes.

22 Q. Can you tell us what areas have been discussed
23 at those elders' meetings other than the religious
24 matters?

25 A. Well, you could probably tell me better than I

1 can tell you. I am trying to think of it. Matters
2 concerning -- after March 1, it would have been matters
3 concerning Don Barnett's disfellowship and concerning
4 related matters, church functions.

5 Q. Anything else?

6 A. Basically, it would all come under that
7 category. In regard to -- you know, I mean, there has
8 been discussion concerning the dissolution. There has
9 been discussion concerning individual experiences,
10 whether personal -- in other words, a gamut of topics
11 were discussed, personal or even like the dissolution,
12 which is a legal -- so what is necessary to oversee the
13 functions of the church.

14 Q. Let's talk about the dissolution area. What
15 has been discussed at the eldership meetings with regard
16 to dissolution of the corporation?

17 A. Well, it has been discussed. It was discussed
18 whether to -- there was just discussion whether it would
19 be wise to file for dissolution or not to file for
20 dissolution. Obviously, it was just a fact-gathering
21 discussion, basically, opinion-gathering discussion,
22 related matters as to legal implications, etcetera.

23 Q. Do you recall anything else?

24 A. I would think that would cover it.

25 Q. I will tell you for the record that the

1 petition to dissolve Community Chapel was filed on
2 Monday, March 21. Using that date, does that help you to
3 tell me when the meeting or meetings occurred of the
4 elders with regard to discussion of dissolution of the
5 corporation?

6 A. No. It would have had to have been before that
7 time.

8 Q. Was it the Sunday before that it occurred, or
9 was it the previous week or two weeks before, or was
10 there a number of meetings that were held with regard to
11 dissolution?

12 A. I honestly do not recall how much discussion
13 went into it before it was filed. It was basically a
14 decision of the senior elders.

15 Q. One of the things you indicated earlier when I
16 asked you about dissolution, you said whether to or not
17 to file for dissolution was one of the matters discussed?

18 A. Yes.

19 Q. You specifically recall those discussions
20 taking place in the elders' meetings?

21 A. Yes, we discussed that.

22 Q. Was there a particular person who was in favor
23 of filing for dissolution of the corporation?

24 A. It would depend on the time element. We were
25 all in favor of it.

1 Q. Was there any discussion of not filing for
2 dissolution?

3 A. Certainly. I mean, it was a question.

4 Q. Who raised that question?

5 A. Of whether or not to do it?

6 Q. Yes.

7 A. I don't know. I don't know who raised it.

8 Q. Who brought up the idea of filing for
9 dissolution at all?

10 A. That would be a good question.

11 Q. It is a good question, and I would like to have
12 a good answer.

13 A. For me -- I don't know if I can honestly tell
14 you. I really don't know.

15 Q. When was the first time that you heard of a
16 dissolution of Community Chapel?

17 A. It was definitely after Don Barnett as
18 disfellowshipped, because I never -- I never even really
19 was familiar with the concept.

20 Q. Do you recall when Don Barnett was
21 disfellowshipped?

22 A. It would have been the end of February or the
23 beginning of March.

24 Q. Let's use that as a format.

25 A. In fact, dates right here would help me.

1 Q. Take a look at the documents that you provided.

2 A. Okay.

3 Q. Can you tell us a particular date on which Don
4 Barnett was disfellowshipped by the elders?

5 A. Well, I have here -- I have here -- this is the
6 restrictions which Don resisted. No. Wait. No.

7 (Discussion off the record.)

8 A. I am sure that March 4 was the Friday night
9 that we disfellowshipped Don Barnett.

10 Q. (By Mr. Pierce) So, between March 4, the date
11 of disfellowship, and March 21, the date of the petition
12 to dissolve the corporation was filed, how many meetings
13 were there with the elders with regard to discussing and
14 determining whether or not to dissolve the corporation?

15 A. I would guess three, four. That is a guess,
16 because we discussed other things.

17 Q. I am not talking about it being the primary
18 topic of conversation, but it would have been one of the
19 topics of conversation for three to four meetings of the
20 elders?

21 A. I would say definitely.

22 Q. That many?

23 A. I would say that many.

24 Q. During that time period from March 4 to
25 March 21, how many meetings were there of the elders?

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1 A. Oh, I would guess probably six.

2 Q. Do you keep --

3 A. I am guessing.

4 Q. Do you keep a calendar of events that you
5 attend or meetings that you are going to be going to?

6 A. Generally, major scheduled meetings.

7 Q. You keep a calendar?

8 A. Are you talking about elders' meetings, any
9 meetings?

10 Q. First, do you keep a calendar of future events?

11 A. Yes.

12 Q. In that calendar, do you put in future meetings
13 of the eldership of Community Chapel?

14 A. No.

15 Q. How do you put onto your schedule and keep
16 future meetings of the elders in your mind, or at least
17 on paper, as to what is going to be happening?

18 A. Sometimes I don't know what is going to be
19 happening. So, I haven't written anything down. There
20 may have been verbal discussion of what would be
21 happening.

22 Q. I am not talking about what is to take place.
23 I am talking about there is going to be a meeting. How
24 do you keep a record there is going to be a meeting?

25 A. Mentally.

1 Q. They are not all on the same day of each week?

2 A. No.

3 Q. You know about them generally at the end of
4 each meeting?

5 A. Uh-huh.

6 Q. When the next one is going to be?

7 A. Right.

8 Q. You don't write it down on a calendar?

9 A. No.

10 Q. Do you keep a pocket calendar?

11 A. No.

12 Q. Do you keep a day calendar, either at work or
13 at home, with regard to events you will be attending?

14 A. Yes.

15 Q. Is that one that is kept in conjunction with
16 your family life and your wife?

17 A. Yes.

18 Q. Does she keep notes with regard to where you
19 are supposed to be sometimes?

20 A. She could. Almost never. If there is
21 someplace I need to be, it goes on the calendar, except
22 generally these meetings. I have just kept that in my
23 mind.

24 Q. Is that because these meetings are so important
25 that it is a vital function of Community Chapel that you

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1 be there and know what is going on?

2 A. Partly.

3 Q. Realizing the importance of these meetings and
4 the issue of dissolution occurring at least on a number
5 of occasions, what was the first contact that you had
6 with the issue of dissolving the corporation, and how did
7 it come about?

8 A. Because there was so much happening, it would
9 be hard for me to say specifically. I am sure that it
10 came up in one of the meetings after Don had been
11 disfellowshipped. If I recall correctly, it wasn't right
12 away. It wasn't something that -- of course, I am not
13 familiar with corporate function, but it wasn't something
14 that was brought up immediately. It would have been
15 brought up maybe the first week, maybe not, maybe the
16 second week after he was disfellowshipped.

17 Q. Was discussion very common in connection with
18 some other events that had taken place at the Community
19 Chapel?

20 A. I don't understand.

21 Q. For example, if I told you the date that Donald
22 Barnett came back to Community Chapel after the court
23 order was issued by a judge, would that help you in
24 figuring out when the dissolution discussions commenced
25 in the elders' meetings?

1 A. No.

2 Q. Did the discussions --

3 A. No. I wasn't sure she got me.

4 Go ahead.

5 Q. Did the discussions at the elders' meetings
6 with regard to dissolution of the corporation occur
7 before the restraining order was issued by Judge Bates?

8 A. That I couldn't answer. I really don't know.

9 Q. Did the discussions of dissolution of the
10 corporation occur before the elders began holding their
11 services on the East Campus of Community Chapel in
12 March 1988?

13 A. What would be that date?

14 Q. That date would be March 11, 1988.

15 A. March 11 --

16 Q. Friday, March 11, 1988.

17 A. I really don't know. What I do recall is that
18 there was a period of time after Don was disfellowshipped
19 because the concept was new to me.

20 Q. As all good teachers and students, you try to
21 obtain as much information as you possibly can as to what
22 would be the effect of a dissolution?

23 A. Uh-huh.

24 Q. What information did you obtain at the elders'
25 meetings with regard to the dissolution and its effect?

1 A. As far as specific information obtained, there
2 was no written documents. So, my information would not
3 be of written legal support, but my impression --

4 Q. I am not asking you for the written documents.
5 I am asking for communications, and that could very well
6 be verbal communication. Tell me what verbal
7 communications and information came to you.

8 A. That is kind of what I am getting at because I
9 am not sure that I could tell you exactly what was
10 stated.

11 Q. I am not asking for the exact words.

12 MR. ANDERSON: For the record, I object to
13 any hearsay statements being asked for.

14 Go ahead and answer the question.

15 A. I couldn't state exactly what was said. I
16 could state the dissolution is questionable as to its
17 results. There is not a pat answer for dissolution.

18 Q. (By Mr. Pierce) Did Scott Hartley bring up the
19 issue of dissolution of the corporation?

20 A. That I don't know.

21 Q. Jack Hicks resigned on March 14, 1988. Were
22 there discussions with regard to dissolution with Jack
23 Hicks in the elders' meetings?

24 A. I would have to answer that possibly we did,
25 but I am not positive.

1 Q. Do you recall Jack Hicks making any statements
2 with regard to dissolution of the corporation?

3 A. You know, I'm not sure. I am really not. I do
4 recall statements Jack making about the future
5 leadership, the authority structure, but I don't remember
6 him saying anything about dissolution.

7 Q. What do you recall Jack saying about future
8 leadership authority?

9 A. Just to the effect that, with Jack gone, there
10 is, according to our bylaws, still a majority leadership
11 with Scott and Jack DuBois.

12 Q. This is something that Jack Hicks said?

13 A. Uh-huh.

14 Q. Was this before he left?

15 A. That I couldn't say. I think he had already
16 left, basically, but he was in a meeting.

17 Q. He came back to an elders' meeting after he
18 resigned from his position as vice-president and general
19 manager of Community Chapel?

20 A. That I couldn't say. I am not sure of the date
21 when he actually said this is my last day.

22 Q. I am not concerned about the date of his actual
23 saying that. I am concerned about his coming to an
24 elders' meeting after he had resigned as the vice-
25 president.

1 A. That is what I mean. I don't know.

2 Q. This may have occurred before he resigned or
3 after he resigned?

4 A. Uh-huh. There was a period in which he knew he
5 would resign, and there was a date at which he did
6 resign. Whether this meeting was before or after, I
7 would assume that the meeting would have been before, but
8 I'm not positive of that.

9 Q. Did anyone ever provide you any information
10 after March 1, 1988, about what was going to happen if
11 the corporation was dissolved?

12 A. There was suggestions, possibilities,
13 potentials.

14 Q. Who would the individuals be that provided
15 information with regard to that?

16 A. Well, there are several that have done some
17 legal research in the matter, I guess.

18 Q. First of all, I am looking for who the
19 individuals are who provided any information to you about
20 the effect or what was going to happen if the corporation
21 was dissolved.

22 A. Scott Hartley, Chris Matthews, possibly Loren
23 Krenelka, possibly Jack DuBois.

24 Q. Were you present for any discussions with any
25 attorneys with regard to the dissolution of Community

1 Chapel?

2 A. Not personally. Oh, yes. Yes, I was. I had
3 forgotten about meetings that we had over at Greg Thiel's
4 home. We had maybe two of those, two or three meetings
5 at Greg Thiel's home. At those, Mr. Jim Leach was there,
6 I believe, once or twice. I believe twice.

7 MR. ANDERSON: I will object to any
8 testimony listed as to what Jim Leach may have told them.

9 MR. PIERCE: He is not an officer or
10 director, and I can at least find out the information.
11 You are not an officer or director of the corporation.

12 Q. (By Mr. Pierce) What did Jim Leach say at Greg
13 Thiel's home on these two to three times where you were
14 present?

15 MR. PIERCE: He is not your client,
16 either. You cannot direct him not to answer.

17 A. I will just say this --

18 Q. (By Mr. Pierce) You don't remember. That would
19 make it easy, but if you do recall, you are under oath,
20 and I want you to answer truthfully.

21 A. Truthfully, my wife will tell you that I am
22 being honest, but specifically what he said, I really
23 couldn't tell you. I can tell you that my -- the result
24 in my mind of what Jim Leach said was basically the same
25 as what was said before concerning dissolution. It is an

1 unknown where it is going to end up because there were
2 questions, of course, directed to that end.

3 Q. Who was present at these meetings at Greg
4 Thiel's home?

5 A. Basically, the same group.

6 Q. You will have to help me out a little more. If
7 you want to look through this list, if that will make it
8 easier for you.

9 A. Better let me have it. Lanny Peterson, David
10 Motherwell, Gerry Slaminski, Jack DuBois. I also
11 remember George Bowker was at Greg Thiel's home. He
12 wasn't here at this meeting.

13 Q. Besides the four individuals --

14 A. Oh, yes, he was. Yes, he was. George was
15 there. George was there, George Bowker.

16 Q. Any other individuals present at that meeting?

17 A. Yeah, Ralph, John --

18 Q. Excuse me, Ralph who?

19 A. Ralph Alskog, John Harold, Ron Myrick, Scott
20 Hartley, Russ Mackenzie, Greg Thiel, Chris Matthews. He
21 was one present at that previous meeting, too.

22 Q. You are talking about the March 24, '88,
23 meeting?

24 A. Uh-huh.

25 Q. You left his name off before?

1 A. Yeah.

2 Q. Are any of these individuals not elders who
3 were present at the meetings at Greg Thiel's house?

4 A. Yes.

5 Q. Who was not an elder?

6 A. Chris Matthews, David Motherwell, John Bergin
7 -- that is another one I left off, and he would have been
8 present at both. I believe that is it. Ralph Alskog, I
9 believe, is an elder. So, there would just be those
10 three.

11 Q. Where does Chris Matthews work?

12 A. He works as basically the director of the
13 counseling center.

14 Q. Of the Community Chapel?

15 A. Yes.

16 Q. David Motherwell is a --

17 A. Lead counselor.

18 Q. Counselor at community Chapel?

19 A. Yes.

20 Q. John Bergin, where does he work?

21 A. He is also a counselor.

22 Q. How long did these meetings, these two to three
23 meetings at Greg Thiel's house, take?

24 A. Oh, about two to three hours, approximately.

25 Q. For each of them?

1 A. Uh-huh.

2 Q. Two to three hours, two to three times, and the
3 only thing you remember Jim Leach saying is the
4 dissolution is unknown as to what is going to happen?

5 A. I could probably pick out other things that he
6 had said, but as far as picking up things that he has
7 said, you know, statements or whatever, I don't know that
8 I could.

9 Q. I am not asking for quotes. I am asking for
10 what you understood him to say.

11 A. Yeah. Yeah, he didn't speak that much.
12 Concerning what he said, he spoke of dissolution. He
13 spoke of his trust that the Christian community was
14 praying for us. By what I mean by "us" is all of
15 Community Chapel.

16 Q. He indicated to you that he was an elder of a
17 church in the Seattle area?

18 A. Uh-huh.

19 Q. He also indicated to you that they were in
20 support of the eldership and that the elders should have
21 taken the action that they did earlier?

22 A. He may have said something along that line, but
23 I am not sure.

24 Q. Now, why were you having the meetings at Greg
25 Thiel's house?

1 A. I believe the first time was because allegedly
2 there was an effort made to bug the music recording
3 studio.

4 Q. Who indicated that to you?

5 A. I can't remember. It may have been Ralph
6 Alskog. I can't remember.

7 Q. Do you remember when these meetings took place
8 in Greg Thiel's home?

9 A. Greg's, I think, were on Sunday. It may have
10 been around the time of our break. We had a break in
11 April. I think we had one Sunday, and then maybe another
12 Sunday, and then maybe another meeting after that.

13 Q. So, as best you can recall, the meetings at
14 Greg Thiel's home began in April of 1988? Do you need to
15 take a look at a calendar to refresh your memory?

16 A. Yeah, I would guess it would be April.

17 No. No. Let's see. Yeah, possibly. That
18 would be a hard one to remember which date that was. I
19 may have -- no, I didn't write any of the elders'
20 meetings on my calendar at home, except maybe one or two,
21 and I don't know if I had that one written down on my
22 home calendar or not. So, I don't know the date.

23 Q. Going back just to make sure I remember this
24 right, you said there was, between March 4, which
25 possibly is the date of the disfellowship, and March 21,

1 the date of the petition to dissolve the corporation,
2 there were two to three meetings of the elders to discuss
3 dissolution of the corporation?

4 A. Yeah. I could say safely there were in two or
5 three meetings discussion about dissolution.

6 Q. Was there any discussion in any of those two to
7 three meetings about what would happen to the assets of
8 Community Chapel upon dissolution of the corporation?

9 A. Yes.

10 Q. What was your understanding of what was going
11 to occur to the assets?

12 A. An unknown, that that was depending on action
13 taken in court. In the event of an accepted dissolution,
14 if it went into receivership, that would mean one thing,
15 and then it could go any way at that point, too. It
16 depended.

17 Q. Were the assets to go to a non-profit
18 corporation?

19 A. Yes.

20 Q. You understood that?

21 A. I understood that.

22 Q. In these elders' meetings before March 21, was
23 there a discussion about a new corporation being formed
24 to possibly in the future accept the assets of a
25 dissolved Community Chapel?

1 A. Yes, that was the potential.

2 Q. Do you recall who brought that up?

3 A. Huh-uh. I remember several people talking
4 about it.

5 Q. Who talked about it?

6 A. Lanny Peterson, Scott, George Bowker.

7 Q. Anyone else?

8 A. We all talked about it. As far as it
9 originating with anybody, I really couldn't say. I do
10 remember statements from them, but --

11 Q. In these pre-March 21, '88 elders' meetings, do
12 you recall what Lanny Peterson said about a future
13 corporation for the dissolved corporation assets?

14 A. No, I couldn't tell you. I couldn't give you a
15 quote.

16 Q. I'm not asking you to recall -- I doubt I could
17 recall what everyone said, but do you remember what he
18 said, to the best of your memory, and if you could tell
19 me that, please.

20 MR. ANDERSON: Of course, the hearsay
21 objection is continuing.

22 A. I have to be honest with you. I really
23 couldn't tell you. I really don't know. I remember
24 being in the conversation.

25 Q. (By Mr. Pierce) You gave me three people that

1 you did recall talking about a new corporation to accept
2 the assets, and I just thought I would start with one and
3 see if you recalled him saying anything. Let's go to
4 Scott Hartley. Do you recall Scott Hartley saying
5 anything in one of these pre-March 21 elder meetings
6 about a potential corporation to accept the assets of
7 Community Chapel if it was dissolved?

8 A. No.

9 Q. You recall them talking about it, but you don't
10 recall what he said?

11 A. Uh-huh.

12 Q. Do you recall anything that George Bowker would
13 have said?

14 A. No.

15 Q. Why do you recall these three people out of all
16 of the elders as having talked about that issue?

17 A. I am wondering. It could be that I talked to
18 them personally, and we discussed ourselves and, you
19 know, batting around ideas.

20 Q. Prior to March 21 but not in an elders'
21 meeting?

22 A. See, that I couldn't tell you. I really
23 honestly at this point am not sure whether I could say
24 absolutely that we had discussed these things personally
25 at a meeting or whether it was outside of a meeting, but

1 it was discussed in a meeting not at real great length
2 because, you know, that is where it is at.

3 Q. Did any individual talk to you after March 1,
4 1988, with regard to your being a pastor of a new church?

5 A. Yes.

6 Q. Who were those individuals?

7 A. Not from the eldership. There have been
8 different people that have approached me and asked would
9 I or had I thought of being a pastor.

10 Q. After March 1, 1988, who would those
11 individuals be?

12 A. Boy, Lorraine Frank. Nobody has asked me
13 "Would you please become pastor."

14 Q. I'm not asking --

15 A. Right. I just want to make it clear. It has
16 been stated "Are you going to be pastor?" Boy, who -- I
17 would guess it has happened at least probably half a
18 dozen times.

19 Q. Besides Lorraine Frank, who are the other
20 individuals who would have discussed pastorship with you
21 after March 1, 1988?

22 A. I could guess Jenni Wilson, but I'm not sure.

23 Q. Jenni?

24 A. Jenni, yes. J-e-n-n-i, Wilson. I could guess
25 Kevin Anderson, a Bible college student. I could guess

1 George Bowker. There it would have been just a question.
2 I could guess Robin Anderson. It's been passing
3 conversation.

4 Q. With these individuals?

5 A. Yeah.

6 Q. Do you recall other individuals?

7 A. Not offhand. I am having a hard time. I could
8 even be wrong with those. It's been passing statements,
9 and I talk to a lot of people.

10 Q. That is your job, isn't it, talking?

11 A. Exactly.

12 Q. You said, I believe, when you started this
13 answer or at the end of the previous answer that it was
14 not included with any conversation with any of the
15 elders?

16 A. Correct.

17 Q. Why?

18 A. Did I say that?

19 Q. Yes, why did you say that?

20 A. I have not been asked to become a pastor by any
21 of the elders. But we may have talked, like George and I
22 may have talked about it. He may have asked me.

23 Q. You do not recall a conversation with George
24 Bowker with regard to that issue?

25 A. I am sure we did. We are close friends. We

1 have talked a lot. I know I have the -- the question is,
2 though, how many have approached me with it. Whether I
3 brought it up to George or whether he brought it up to
4 me, who knows.

5 Q. The question is not who approached you. Have
6 you had any discussions after March 1, 1988, with any
7 individual with regard to your being pastor of a church?

8 A. That would be -- that's it.

9 Q. The list that you gave me?

10 A. Uh-huh.

11 Q. You don't recall any other individuals? If you
12 don't recall, just say --

13 A. At this point, I don't. Honestly, if I sat and
14 thought for quite a while, I may come up with some other
15 names. But right now, off the top of my head, I can't.

16 Q. Do you know of any actions that have been taken
17 from the elders or the senior elders with regard to the
18 assets of the corporation being protected for the benefit
19 of the future corporation?

20 A. You would have to explain to me --

21 MR. ANDERSON: Did you say "decisions"?

22 Q. (By Mr. Pierce) Do you know of any individual
23 taking any action during the year 1988 to move the assets
24 of the corporation either now or into the future into a
25 new corporation to be formed or formed at the present

1 time?

2 A. No.

3 Q. Do you know of any of the property of the
4 Community Chapel being moved off the premises at the
5 present time for protection or for any purpose other than
6 in the normal operation of the Community Chapel?

7 A. No.

8 Q. Are you familiar with a 1985 memorandum to
9 ministers that was prepared by Jack Hicks regarding the
10 reimbursement or gifts to ministers?

11 A. Yes.

12 Q. When did you become familiar with that?

13 A. I finally remembered having received it
14 initially when it was brought up in an elders' meeting at
15 some time.

16 Q. Did you bring it up in an elders' meeting?

17 A. No.

18 Q. Did somebody else bring it up at an elders'
19 meeting?

20 A. Yes.

21 Q. Do you know who did?

22 A. It could have been Scott, or it could have been
23 Don Lockrem. It could have been -- no, I guess I don't
24 really remember who brought it up.

25 Q. It was not you, though?

1 A. No.

2 Q. Let me check through the exhibits to see if I
3 haven't missed something here.

4 (Discussion off the record.)

5 Q. (By Mr. Pierce) I will show you what has been
6 marked as Exhibit 116 to these proceedings, which appears
7 to be a March 13, 1988, letter directed to Donald
8 Barnett, which has signatures of a number of employees in
9 the corporation. Would you review that and see if your
10 signature is included in there.

11 A. Yes, it should be. Yes, it is.

12 Q. Who requested that you sign that document?

13 MR. ANDERSON: I object to the form of the
14 question. It is leading.

15 A. I don't remember being requested to sign it. I
16 remember being shown it with the choice of whether or not
17 I wanted to sign it. I believe it was brought in one of
18 our meetings to us that we were in the meeting, and I
19 couldn't tell you who brought it in. I don't remember
20 who made it up.

21 Q. (By Mr. Pierce) What you are saying, am I
22 correct to say, is this Exhibit 116 was shown to you in
23 an elders' meeting, and that is where you saw it on the
24 first occasion?

25 A. I believe so.

1 Q. You don't recall who --

2 A. I am pretty sure. As far as who had it, I
3 think Loren Krenelka had it.

4 Q. Why do you say that?

5 A. It just appears to me that he had it.

6 No. No, I think it was David Motherwell. I
7 think David Motherwell had it.

8 Q. Did David Motherwell say anything about
9 Exhibit 116, that letter, at the elders' meeting?

10 A. All I can remember is it was read. The content
11 of it is already, obviously, assented to by all of the
12 eldership. So, we would clearly be those that would have
13 this mentality and want to present it.

14 Q. Was there any discussions by any individual at
15 the time that Mr. Motherwell presented it?

16 A. I am sure there was.

17 Q. Do you recall what was said by Scott Hartley?

18 A. No, I couldn't tell you.

19 Q. Do you recall what anyone else said about that
20 document?

21 A. What I recall is that it was already being
22 signed. There were sheets going around that were being
23 signed, and it appeared that the majority of the staff
24 would be signing it. If there was only one signing it,
25 it was me. I would have signed it, anyway, but I recall

1 there was a majority of the staff that was signing it.

2 Q. So, the first time you saw it was when staff
3 was signing it?

4 A. Yeah, it was already being signed.

5 Q. So, this was not at an elders' meeting the
6 first time you saw it?

7 A. I believe it was, but it was already out. In
8 other words, this wasn't just drawn up by the eldership
9 committee, as I recall. I didn't draw it up. I had
10 nothing to do with drawing it up.

11 Q. But the first time you saw it was not when
12 staff was signing it outside of an elders' meeting, but
13 rather at an elders' meeting, after it had already been
14 presented and was being presented to staff members?

15 A. Yes, I believe it was being presented in the
16 eldership at the same time it was being presented outside
17 of the eldership, I believe.

18 Q. This has a date of March 13, '88. Do you
19 recall when that was?

20 A. Huh-uh.

21 Q. I can tell you that was a Sunday, March 13,
22 1988. Does that refresh your memory as to where you were
23 when you first saw this letter?

24 A. I didn't think it was a Sunday. It could have
25 been. It could have been a Sunday when we were signing

1 it, but I didn't think that it was. This was presented
2 to Don Barnett on the Sunday; is that what you are
3 saying?

4 Q. No. I am just saying it has a date of
5 March 13, 1988, which is a Sunday.

6 A. I would assume it was printed up on Sunday and
7 signed at some date after that. I would assume, but I
8 may be wrong.

9 Q. Do you recall at one of the Sunday services
10 that staff members -- Sunday service, March 13, 1988 --
11 staff members at Community Chapel were asked to go back
12 and see their department heads in the foyer to discuss
13 matters?

14 A. I remember hearing about it, but I wasn't
15 there.

16 Q. Would that have occurred on March 13, 1988,
17 during the Sunday service?

18 A. That is a guess, because I wasn't there. I
19 remember hearing about it happening.

20 Q. You would not have been present on March 13,
21 1988, at Sunday services?

22 A. I wasn't present when that happened. If that
23 is what happened on the 13th, I wasn't there. I missed
24 several Sundays.

25 Q. The reason for missing was what?

1 A. I can't remember them all. There was one
2 sickness. One, you know --

3 Q. Would you be traveling to other churches?

4 A. No, I think a couple of them I was with my
5 family. I think we just stayed home.

6 Q. Do you recall any discussion in any meeting
7 with the elders or Scott Hartley or Jack DuBois where a
8 discussion of the offerings at East Campus were
9 discussed?

10 A. Uh-huh.

11 Q. Do you recall the first time this was
12 discussed?

13 A. No. I wouldn't recall that.

14 Q. Do you recall any discussions that occurred?

15 A. Yes.

16 Q. Tell us what you recall.

17 A. Well, concerning offerings, I was gone. I was
18 gone, and I missed a couple or three Sundays in a row
19 shortly after the -- somewhere during this time. I
20 recall discussions about offerings either not being
21 taken or something similar to that after the fact, and
22 that we, you know -- I believe that there was a -- either
23 some fears or concerns or whatever about what possibly
24 could be done with the money, and that decision was later
25 reversed to take offerings on the East Campus.

1 Q. Was there a meeting held to discuss taking
2 offerings?

3 A. No.

4 Q. Who made the decision to take offerings?

5 A. Probably, like all of our decisions have been,
6 basically a joint decision, discussion, and then
7 agreement or disagreement or whatever.

8 Q. Would this have been at an elders' meeting?

9 A. When I remember talking about it, it was at an
10 elders' meeting.

11 Q. That was a discussion to start taking offerings
12 again?

13 A. Uh-huh.

14 Q. Do you recall anything that was said at that
15 meeting by any of the individuals?

16 A. As far as individuals, again, I know Scott was
17 talking. Chris Matthews was talking. Lanny Peterson
18 would have been talking. Usually, in a meeting,
19 everybody talks at one point or another. So, probably
20 everybody had something to say about it. At that point,
21 I just recall that the conclusion that I came to, anyway,
22 was that, obviously, the funds were under corporate
23 protection and corporate policy, whatever, and they would
24 not be able to be used by a disfellowshipped pastor and,
25 primarily, by his own choice, and that rather it was

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1 under a corporate. So, offerings should be taken and
2 would be taken.

3 Q. Did somebody express the desire that offerings
4 not be taken at the eldership meeting?

5 A. At one of the elders' meetings.

6 Q. Offerings were stopped at one point in time on
7 the East Campus; is that correct?

8 A. Uh-huh, to my understanding, one weekend, and I
9 wasn't there.

10 Q. The elders discussed starting up the offerings
11 again on the East Campus, and you were present at that
12 elders' meeting?

13 A. Yes.

14 Q. At that elders' meeting, where it was discussed
15 as to whether or not to have offerings taken up again on
16 the East Campus, did any individuals express a desire
17 that offerings not be taken?

18 A. There was no dissent. There was no dissent.
19 It was basically a decision based on more information had
20 to be gathered. So, there wasn't somebody that said no.

21 Q. I am not asking about a vote, yea or nay. I am
22 asking whether anybody provided any information as to why
23 or that they did not want the offerings to be taken.

24 A. No, not based on the new information.

25 Q. What was the new information that was provided?

1 A. Basically, what I just shared, that funds were
2 not under a specific direction of a disfellowshipped
3 pastor, but they were rather corporate funds and,
4 therefore, would be subject to the majority, the senior
5 elders and the corporation.

6 Q. I will show you what is marked as Exhibit 116,
7 which is an exhibit to Loren Krenelka's deposition, and
8 on it is three sections. The first is employees who are
9 already signed. Number two is employees who have
10 submitted resignations, and number three is the following
11 employees have resignations pending if Don Barnett
12 remains the pastor and president of Community Chapel. On
13 Page 2, which is a continuation of Item 3, your name
14 appears here?

15 A. Yes.

16 Q. Do you have a resignation pending?

17 A. Consciously and mentally, yes. I do not have a
18 sheet of paper that says I will resign, but that is what
19 I will do. I have a resignation pending, yes.

20 Q. Have you expressed that to anybody?

21 A. I am sure I have. It has been basically an
22 understood concept since way back in the time of early
23 March, after Don's disfellowship and, at that point,
24 coming back into the pulpit, and from that point, it has
25 been my personal conviction. I am sure we have expressed

1 that plenty of times, you know.

2 Q. Are you familiar with the operation of the
3 corporation as a business?

4 A. Not really a whole lot. I have never involved
5 myself. I have never been involved in that area.

6 Q. Do you have any training in the operations of a
7 church?

8 A. No, no training. I have been strictly
9 theological.

10 Q. Do you have any information that the offerings
11 in this corporation have been intentionally lowered in
12 order for the corporation to have less income coming in
13 from the East Campus?

14 MR. ANDERSON: I object to the form of the
15 question.

16 Do you understand the question?

17 A. Well, it is definitely somewhat unclear, as far
18 as objecting. As far as I know, I already answered that.
19 The objection that I am aware of was the one that was
20 made when --

21 Q. (By Mr. Pierce) Continue on, if you can.

22 A. -- was made on that Sunday morning when,
23 evidently, offerings were requested to not be given. But
24 whatever Sunday that was, you would have that date.

25 Then after that point, after further

1 discussion, it was concluded that offerings should be
2 continued.

3 Q. Do you know of any individuals who have
4 discussed or intend to keep the offerings lower on the
5 East Campus?

6 MR. ANDERSON: I object to the form of the
7 question.

8 Q. (By Mr. Pierce) You can answer.

9 THE WITNESS: You are objecting to the
10 form of the question?

11 Q. (By Mr. Pierce) You can answer it. It is a
12 legal position that he is taking, but it doesn't mean you
13 do not have to answer the question. The judge will make
14 a determination later as to whether or not this answer
15 should stand.

16 MR. ANDERSON: Repeat your question.

17 (The pending question was
18 read by the court reporter.)

19 A. Have discussed keeping offerings lower or
20 discussed --

21 Q. (By Mr. Pierce) Discussed or intended to keep.

22 A. Or intended to keep offerings lower -- at this
23 point, the intention, I couldn't answer that. Discussing
24 to keep offerings lower, the only discussion was that we
25 need to explain to the people, "Give your offerings."

1 What they do with them, whether they give or whether they
2 don't give is entirely up to them.

3 Q. On a scriptural basis, is there an obligation
4 for the members of the congregation to provide funds to
5 the corporation, to the church?

6 A. Yeah. If you would say "obligation," no. It
7 is a request, definitely, scriptural request.

8 Q. Is there a tithing obligation?

9 A. It is not an obligation, but it is a request.
10 I would make a differentiation between the two. Just
11 like it is not an obligation to pray, but it is a
12 request.

13 Q. There is a tithing obligation in the Old
14 Testament, isn't there?

15 A. Yes, under the law.

16 Q. Do you know if Community Chapel has adopted
17 that Old Testament standard for the tithing obligation
18 for members of the congregation?

19 A. It basically an accepted standard, but so is
20 certain amounts of prayer and other things. So, it is
21 not an obligation. It is an accepted standard.

22 Q. First, there is an obligation under the Old
23 Testament to provide a tithing?

24 A. Yes.

25 Q. That is an obligation?

1 A. That is an obligation.

2 Q. Do you know if Community Chapel has adopted
3 that Old Testament standard of tithing?

4 A. It has definitely not accepted that Old
5 Testament obligation. It is used as a standard for
6 teaching purposes but not an obligation.

7 Q. Could you explain to me what the standard for
8 teaching obligation means.

9 A. A standard for teaching purposes.

10 Q. What does that mean?

11 A. What that means is, if one is to support a work
12 or a ministry, that it would be expected of them to give
13 to a degree. That would represent the free-will offering
14 of his heart and depending on the needs that are present,
15 depending on the needs that are present and depending on
16 the free will of the heart. Generally, a person would
17 give a tenth or more, at least in our day and age. Many
18 don't, but many do. My understanding -- I have not
19 followed the tithing percentages of the people in our
20 congregation. But I have heard at times that it has been
21 60 percent that tithe and 40 percent don't, somewhere
22 around there. This has been in past years.

23 Q. I didn't hear you.

24 A. I'm just saying it is not an obligation, proven
25 by the fact certain percentages of the obligation do not

1 tithe, evidently. I have never looked at the figures. I
2 don't know. I have heard something to the effect, in
3 past years, 60 percent do tithe, and maybe 40 percent
4 don't.

5 Q. Correct me if I am wrong. You said the tithing
6 obligation is only for teaching purposes?

7 A. It is a standard for teaching purposes,
8 definitely.

9 Q. By "standard," is that as the general term
10 would be used in ordinary speech context?

11 A. If a person were to want to say, "Well, how
12 much do I give?" well, here is a standard. This is how
13 they did it in the Old Testament, and this is the
14 reasons. You have to make your own decision, but this is
15 the standard.

16 Q. Tithing is to be done by the congregation based
17 upon the need that is present and the conviction in their
18 heart?

19 A. Uh-huh.

20 Q. Is that a correct interpretation?

21 A. Good.

22 You can become a theological teacher.

23 Q. Besides tithing, are there other forms of
24 contributions to the church by members of the
25 congregation?

1 A. Yes, time, contributing time. You can
2 volunteer.

3 Q. I mean on a monetary basis.

4 A. If you are talking about the term "tithe" and
5 "offering" -- is that what you are referring to?

6 Q. Yes.

7 A. Basically, all that means is an offering is any
8 percentage above a tithe. A tithe is 10 percent.

9 Q. The concept of offering is also used at
10 Community Chapel?

11 A. Oh, yes.

12 Q. The purpose of giving is the purpose by the
13 congregation it be used?

14 A. Certainly.

15 Q. So, I assume, if it is the amount above the
16 tithe, then the tithing obligation for giving of the
17 congregation must be used, too?

18 A. Sure. It is a standard but nobody is forced.

19 Q. Do you talk to the members of the congregation
20 with regard to their tithing obligation?

21 A. At times.

22 Q. When the need is present?

23 A. Uh-huh.

24 Q. We certainly can't force their heart to give if
25 they don't want to?

1 A. Exactly.

2 Q. But we do talk to the congregation when the
3 need is present?

4 A. It has happened.

5 Q. Is there a present need in the corporation for
6 funds to be tithed or offerings to be made?

7 A. As far as I know, as much as there ever was.
8 There always has been.

9 Q. You have been in charge of two services since
10 March 4, 1988?

11 A. Why have you not presented to the congregation
12 the need of the corporation and a discussion with regard
13 to tithing and offerings?

14 A. Any more than I haven't done it in the past. I
15 have never done it personally.

16 Q. Have any of the other members of the elders
17 done it?

18 A. Rarely, if ever. It has always been Don
19 Barnett, the pastor.

20 Q. There is no pastor at the East Campus?

21 A. No.

22 Q. Has there been one person who has taken the
23 responsibility to seeing to the operation of the
24 services, worship services, on the East Campus for the
25 members that are following the elders?

1 A. There is generally a committee of four that
2 choose preachers.

3 Q. Who is the committee of four?

4 A. The committee of four to choose preachers is
5 Lanny Peterson -- he is the chairman -- myself, Greg
6 Thiel and Russ Mackenzie.

7 Q. Does this committee of four get together to
8 discuss what is going to occur at the services?

9 A. No. It is basically, as one has something to
10 add or if one wants to preach, we have our basic rallying
11 point has been Lanny. He is the chairman, if he wants to
12 make a point or take the service himself or whatever.

13 Q. Do you feel that a minister who is ministering
14 to the congregation has a duty to see to the financial
15 well-being of the church and the congregation?

16 A. Overall, obviously.

17 Q. Do you think those matters have to be discussed
18 with the congregation and brought forward in some means
19 by the ministers who are ministering?

20 A. Obviously, the pulpit is the means of
21 communication for whatever needs to be communicated.

22 Q. We know the means of making that communication
23 to the members of the congregation. My question is: Do
24 you feel that the minister who is ministering has an
25 obligation to communicate the needs to the congregation?

1 A. In the financial area, this would not be an
2 individual personal responsibility. Very few of the
3 others even deal with the financial areas of the church.
4 If one should or shouldn't, that would, of course, have
5 to be a decision that came from those that were dealing
6 in the financial areas.

7 Q. I am not talking about the elders, and I am not
8 talking about the ones dealing in the financial. I am
9 talking about the people ministering, people in charge of
10 the services.

11 A. That is what I am saying.

12 Q. You do not believe that ministers should have
13 that obligation to bring these matters before the
14 congregation?

15 A. Like I said, that would be a -- generally, an
16 overall, of course, obviously, because the pulpit would
17 be the place for that information to be disseminated. If
18 there was one pastor over the church, he would see to it
19 very carefully, I am sure, that that would take place.

20 Q. Do you know of any other churches where the
21 pastor has been set aside by the elders, and the elders
22 have gone forward or somebody similar to the elders has
23 gone forward to control the operation of the church or
24 worship services?

25 A. I don't know of any. I have heard. Alexander

1 Dowie, who was at the turn of the century, was put out by
2 his elders. The reason I bring him up is because he is
3 quite a renowned figure. So, he is known among certain
4 Christian circles.

5 As far as in my day and looking about that the
6 elders have put out a pastor, I probably have heard of
7 cases. I can't think of any right now.

8 Q. In the last approximately 80 years, do you know
9 of any event in any other church in any other faith
10 similar to the one at Community Chapel where the elders
11 have decided that the pastor should not be any longer
12 allowed to lead the flock, parishioners, or however you
13 want to refer to it?

14 A. Yes, I have heard of case.

15 Q. Can you tell me one.

16 A. I think there was one over here at the Angle
17 Lake Neighborhood Church, I believe, where a pastor was
18 basically ousted by the elders, ten years, fifteen years
19 ago, I would guess.

20 Q. At this Angle Lake Church, where the pastor was
21 put out, the elders had the responsibility to see to the
22 contributions that were coming into the church to keep it
23 operating, didn't they?

24 A. Who knows? I don't know very much about that
25 particular situation.

1 Q. Did you look into the obligation of yourself as
2 the minister for Community Chapel to see to the proper
3 operation of the church as the minister?

4 A. There may be a misunderstanding you have
5 concerning my responsibility, so I will clarify it.

6 Q. Sure.

7 A. My responsibility is over the preaching of the
8 Word, and I have not been involved in financial matters
9 concerning the operation of the corporation. In fact,
10 the idea of a corporation is quite distinct from the
11 scriptural understanding of the church. It is basically
12 a functional system for a large ministry which is, you
13 know, outside of the definitions of Biblical function of
14 the church. So, my responsibility has not been in the
15 financial area.

16 Q. If we did not have a corporation here, and we
17 had a number of members of this church here, the only way
18 this church could operate, wouldn't you agree, is if
19 people gave money to the church?

20 A. Well, certainly, financially.

21 Q. If you were ministering to these people for
22 their church without considering a corporation at all,
23 you would need funds to do that to provide benefits; is
24 that correct?

25 A. Certainly.

1 Q. Are you saying that, as a minister of a church,
2 the minister does not have an obligation for the benefit
3 of the church to go out and to seek funds to operate and
4 run the church?

5 A. Certainly, if he has that oversight.

6 Q. Other than the committee of four, is there
7 anybody else who has the oversight with regard to the
8 ministering to the members of the congregation?

9 A. That is a multi-handed question, because we all
10 minister. All of the elders minister to the church, and
11 all of the ministers minister to the church. The four in
12 the committee just deal with the preaching and the actual
13 direction of the service. If anybody, any minister, has
14 anything else they want to share during the service or to
15 deal with any matters, of course, they have the freedom
16 to do so. Those four are not now all of a sudden
17 representing the entire direction of the corporation.
18 All they deal with is the services, as far as the general
19 running of the services.

20 Q. The running of the services to this committee
21 of four has been delegated by the entire eldership?

22 A. Yes, basically, because these four are and have
23 been the basic preachers. That's why. They have been
24 the ones that have been doing the most preaching from the
25 pulpit.

1 Q. Are you familiar with the bylaws of the
2 Community Chapel?

3 A. Some of them.

4 Q. Are you familiar with portions of the bylaws
5 that relate to the Community Church?

6 A. I guess I don't understand.

7 Q. I show you what has been marked as Exhibit 82.
8 There is on the second page of that exhibit, in the
9 Index, a section entitled "Division 2, Church of
10 Community Chapel and Bible Training Center"?

11 A. Okay.

12 Q. Are you familiar with this division of the
13 bylaws of the corporation dealing with the church?

14 A. You know, ten years ago, I read through them.
15 I haven't really looked at them recently. There have
16 been aspects of them I have looked at recently. It would
17 be a partial familiarity. There is no way I could, of
18 course, reiterate the specific detailed authority and
19 responsibility delineation. That is why we have the
20 bylaws. I don't have that in my head.

21 Q. Excuse me. The reason we have bylaws is what?

22 A. It is detailed. I don't have all of the
23 details in my head. You are asking me am I familiar. I
24 am familiar they exist.

25 (Discussion off the record.)

1 Q. (By Mr. Pierce) I will show you what is
2 Exhibit 82 to these depositions, Page 25, which has under
3 it Section J. Could you read that for us, Section J.

4 A. "We believe that all New Testament believers
5 should purpose in their heart to financially support the
6 ministry of their church with at least as much liberality
7 as the tithe and offering which were required to be given
8 to the Lord under the Old Covenant."

9 Q. The Old Covenant is the Old Testament that we
10 were talking about?

11 A. Right.

12 Q. Is this a portion of the tenets that you
13 believe in?

14 A. Yes.

15 Q. Have you viewed the other portions of the
16 bylaws at one point in time to determine if those were
17 words that you could live by?

18 A. It was just curiosity reading. As far as live
19 by them, you know, it would just totally depend. There
20 have always been aspects of the bylaws that I never
21 really reviewed and really thought about. Some of them I
22 have had questions about. But I have never made any
23 diligent search to decide whether or not I agreed with
24 all of it. I am sure that I would. I agree with that.
25 I am sure I would agree with most, if not all, of the

1 tenets of faith. I would imagine that I agree with them
2 all.

3 Q. Mr. Yokers, when the pastor was reinstated by
4 the judge to be the president and pastor of the
5 corporation of Community Chapel and Bible Training
6 Center, did you have some concerns with regard to your
7 ability to follow the directions of the pastor, Don
8 Barnett?

9 A. I had no concerns. I mean, you know, there
10 wasn't any concern, really.

11 Q. You signed that --

12 A. That is what I say. There was no concern.

13 MR. ANDERSON: Is the question clear?

14 A. I was already clear on what I was going to do.
15 So, I had no concern.

16 Q. (By Mr. Pierce) You never intended to follow
17 Don Barnett in any way with regard to the operation of
18 the business or the church; is that correct?

19 A. No, I definitely could not follow him in
20 spiritual matters. As far as the corporation, the
21 corporation is a state institution. I didn't have much
22 choice there. So, I have had no problem or contesting
23 with that. It is just, as far as any spiritual
24 direction, I will not receive that from him.

25 Q. Why didn't you just move on to another church,

1 rather than stay in Community Chapel when the pastor was
2 reinstated as the pastor at Community Chapel?

3 A. Because I am an elder. As an elder, I have a
4 personal -- a deep personal conviction of my
5 responsibility for the people. It is a very clear
6 Biblical principle that all of the elders should have the
7 shepherd's heart, which I have, and I love them, and I
8 teach in Bible college, and I preach. I felt like now,
9 more than ever, they could use what I have for them, what
10 I have given them to continue. So, in my mind, I
11 couldn't in good faith at that point just walk off.

12 Q. You were a Bible college teacher commencing in
13 1969; is that correct?

14 A. '73 or '74.

15 Q. During that time period, you continued to
16 follow the teachings of Donald Barnett as a pastor?

17 A. Basically. I have had differences, but
18 basically.

19 Q. Up until what point in time?

20 A. As far as following him?

21 Q. Yes.

22 A. Well --

23 Q. An approximate date.

24 A. That is an interesting question. I could take
25 that several ways. Give them all -- there aren't any

1 directives from Don that I have ever just disregarded up
2 to this day, actually. He doesn't give me many, if any,
3 directives. He is involved with many things that aren't
4 just the Bible college.

5 As far as his spiritual leadership, that has
6 been a great question to me ever since 1985, of his
7 ability to spiritually lead our church. So, this was
8 just simply the coup de gras on concerns that I have had
9 for some time.

10 Q. Why not express your concerns to members of the
11 Community Chapel that would follow your direction and
12 move to an areas where you could better serve the members
13 of the church that were willing to follow your
14 interpretations of the Bible and teachings?

15 A. A disagreement and a concern certainly wasn't a
16 reason to leave or divide at that time.

17 Q. When did you first believe that you were unable
18 to follow the direction of Donald Barnett as the overseer
19 of the Community Chapel?

20 A. That came during our discussions, eldership
21 meetings and discussions, with Don.

22 Q. So, not in 1985?

23 A. No. No. You know, you can have grave
24 concerns, particularly because of the basic -- there has
25 just been a lot of intimidation toward dissenting views.

1 A concern would be a matter of personal prayer and hoping
2 that the Lord would deal with the heart. It certainly
3 wouldn't -- concerns wouldn't be a matter for me to rise
4 up and try to start another church. I have never had any
5 desire to do that, and I don't now.

6 Q. You have no desire to be a pastor of a church?

7 A. No, not at this point.

8 Q. Have you indicated that to every person who has
9 made an inquiry to you?

10 A. Everybody I know who has talked to me, I have
11 told them very clearly, because of what the Lord has
12 shared with my heart, at this point, it is out of the
13 question. I don't know when it could be changed because
14 I have been called into the ministry by the Lord. So,
15 whatever route that takes in the future -- but right now,
16 definitely not.

17 Q. You don't believe you would be able to shepherd
18 members of the flock as a pastor rather than as an elder?

19 A. Definitely. Definitely, if I were pastor, I
20 would have a greater control over, you know -- and a
21 larger voice, naturally.

22 Q. You have no experience in the financial areas
23 to operate a church as a pastor?

24 A. No. I have taught on it, basically, but not
25 specifically, and I have never dealt with it. I have

1 never been a part of it.

2 Q. What did your teachings involve with regard to
3 this?

4 A. Basically, in starting a church, a small
5 church, and some of the basic steps that need to be done,
6 you know, as far as collections and either as a
7 fellowship or as a newly incorporated church, whatever.

8 Q. Have you talked with any elders of Community
9 Chapel with regard to any type of fellowship or new
10 church, the formation of one, and provided them with any
11 information they might need since January 1, 1988?

12 A. Sure, basically what I have already told you.

13 Q. We know there was a general discussion in two
14 to three elders' meetings between March 4 and March 21.
15 Other than the information that you provided to us that
16 there was the basic discussion that it might occur at
17 some point in time, did anyone request information about
18 how to do it?

19 A. No.

20 Q. Did you volunteer to provide that information
21 to anyone?

22 A. No.

23 MR. PIERCE: I have no further questions

24 MR. ANDERSON: I just have a few.

25

E X A M I N A T I O N

1
2 BY MR. ANDERSON:

3 Q. Are you familiar with the number of people in
4 attendance at a Sunday morning service, say, in January
5 of 1988, an average, if there is an average service?

6 A. No. I have heard figures that our church
7 attendance --

8 MR. PIERCE: I object to any hearsay that
9 might have come in with regard to self-supporting without
10 foundation.

11 Q. (By Mr. Anderson) You have no idea how many
12 people were there in January?

13 A. No. I know it would be over a thousand in
14 January we are talking about.

15 Q. How about right the last four Sundays; do you
16 know approximately how many individuals have come to the
17 East Campus?

18 A. There wasn't any East Campus. The two campuses
19 didn't start until --

20 Q. We are talking about right now.

21 A. That didn't happen in January.

22 Q. I am moving on.

23 A. You are in March?

24 Q. Do you know how many --

25 MR. PIERCE: I think he said the last

1 four.

2 A. On the East Campus?

3 Q. (By Mr. Anderson) Yes.

4 A. I have heard numbers anywhere from 750 to 350,
5 and that depends on which service. Some services are
6 more attended than others. Sunday morning is usually
7 the largest.

8 Q. Are you familiar with a lot of people at your
9 church?

10 A. Yes.

11 Q. Do you know what a lot of people do for a
12 living?

13 A. Probably, not that. I am not, you know, close
14 friends. I could be generally aware, maybe.

15 MR. ANDERSON: No further questions.

16
17 FURTHER EXAMINATION

18 BY MR. PIERCE:

19 Q. Do you have any problems with my reviewing that
20 tape recording from March 24?

21 A. No.

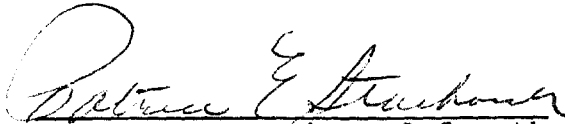
22 Q. Do you know who I would contact with regard to
23 other tape recordings of elders' meetings in 1988?

24 A. Loren Krenelka, I would suppose.

25 Q. Did you get these from some individual?

That I am neither attorney for, nor a relative or employee of any of the parties to this action; further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially interested in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 20th day of April 1988.


NOTARY PUBLIC in and for the
State of Washington residing at
Seattle.

Page 2 of 2

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