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COMMUNITY CHAPEL AND BIBLE)
TRAINING CENTER, et al.)
)
Defendants.)
)
_____)

GREETINGS:

You are hereby commanded to appear at the office of Blackburn, Moren, Lageschulte & Cornell, P.S., Roosevelt-Pinehurst Building, 11320 Roosevelt Way, N.E., Seattle, Washington 98125, on Tuesday the 30th day of August, 1988, commencing at the hour of 9:30 a.m., to give testimony, upon oral deposition in the above-entitled action, and to bring with you the following:

All documents regarding your representation of Maureen Jorgensen at any and all times.

HEREIN FAIL NOT AT YOUR PERIL

DATED this 23 day of August, 1988.

PRESTON, THORGRIMSON,
ELLIS & HOLMAN

By Catherine D. Shaffer
Catherine D. Shaffer
Attorney for Plaintiff

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COMMUNITY CHAPEL AND BIBLE)
TRAINING CENTER, et al.)
)
Defendants.)
)
_____)

TO: ALL PARTIES AND THEIR COUNSEL

YOU ARE HEREBY NOTIFIED that the testimony of JACK A. HICKS, will be taken at the instance and request of Plaintiff Jorgensen in the above action on Friday, the 2nd day of September, 1988, at the hour of 9:30 a.m., at the office of Preston, Thorgrimson, Ellis & Holman, 5400 Columbia Seafirst Center, Seattle, Washington 98104; subject to continuance or adjournment from time to time or place to place until completed and to be taken on the ground and for the reason that said witness will give evidence material to the establishment of Jorgensen's case.

DATED this 23rd day of August, 1988.

PRESTON, THORGRIMSON,
ELLIS & HOLMAN

By 
Catherine D. Shaffer

FILED

AUG 26 2 57 PM '88

SUPERIOR COURT CLERK
SEATTLE, WA

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

KATHY LEE BUTLER, et ux.,)
et al.,)

Plaintiffs,)

vs.)

DONALD LEE BARNETT, et ux.,)
et al.,)

Defendants.)

-----)
SANDY EHRLICH, et vir., et)
al.,)

Plaintiffs,)

vs.)

RALPH ALSKOG, et ux., et)
al.,)

Defendants.)

-----)
MAUREEN P. JORGENSEN,)
Plaintiff,)

vs.)

CONSOLIDATED/TRACT ONE
NO. 86-2-18176-8

NOTICE OF DEPOSITION

NOTICE OF DEPOSITION

- 1 -

LAW OFFICES OF
PRESTON, THORGRIMSON, ELLIS & HOLMAN
5400 COLUMBIA SEAFIRST CENTER
701 FIFTH AVENUE
SEATTLE, WASHINGTON 98104-7011
(206) 623-7560

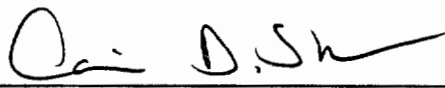
1 COMMUNITY CHAPEL AND BIBLE)
 2 TRAINING CENTER, et al.)
 3 Defendants.)
 4 _____)

5 TO: ALL PARTIES AND THEIR COUNSEL

6 YOU ARE HEREBY NOTIFIED that the testimony of CHARLES V.
 7 MOREN, will be taken at the instance and request of Plaintiff
 8 Jorgensen in the above action on Tuesday, the 30th day of
 9 August, 1988, at the hour of 9:30 a.m., at the office of
 10 Blackburn, Moren, Lageschulte & Cornell, P.S.,
 11 Roosevelt-Pinehurst Building, 11320 Roosevelt Way, N.E.,
 12 Seattle, Washington 98125; subject to continuance or adjourn-
 13 ment from time to time or place to place until completed and to
 14 be taken on the ground and for the reason that said witness
 15 will give evidence material to the establishment of Jorgensen's
 16 case.

17 DATED this 23rd day of August, 1988.

18 PRESTON, THORGRIMSON,
19 ELLIS & HOLMAN

20 By 
 21 Catherine D. Shaffer

In the Superior Court, for King County, State of Wash. No. 86-2-18176-8

Kathy Lee Butler, et ux, et al, Plaintiffs,

AFFIDAVIT OF SERVICE OF

vs. Donal Lee Barnett, et ux, et al, Defendants,

NOTICE of Deposition; SUBPOENA Duces Tecum Re: Oral Examination of Jack A. Hicks, 09-02-88 @ 9:30 a.m.

Sandy Ehrlich, et vir, et al, Plaintiffs,

vs. Ralph Alskog, et ux, et al, Defendant

Maureen P. Jorgensen, Plaintiff

State of Washington Community Chapel and Bible Training Center, et al, Defendants.

FILED 26 2 51 PM '88 SUPERIOR COURT SEATTLE, WASH.

The writ served was accompanied by four answer forms and three postage prepaid envelopes which were pre-addressed to the Clerk of the Court, to the Plaintiff or his attorney, and to the Defendant, and cash or check payable to the garnishee, to the amount of Ten Dollars. A copy of the summons served is attached hereto

The undersigned, being first duly sworn, on oath deposes and says: That he is now and at all times herein mentioned was a citizen of the United States and resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above entitled action and competent to be a witness therein.

That on 8/24/88 at 11:35 a M., at 1620 Key Tower, 1000 2nd Ave., Seattle

King County, Washington, affiant duly served the above-described documents in the above-entitled matter upon

John C. Graffe - Rosenow, Hale & Johnson

by then and there personally delivering a true and correct copy thereof to and leaving same with

Kathy Reed, Assistant to John C. Graffe, authorized to accept.

That at the time and place set forth above affiant duly served the above described documents in the above-entitled matter upon

by then and there, at the residence and usual place of abode of said person(s), personally delivering true and correct copy(ies) thereof to and leaving the same with

being a person of suitable age and discretion then resident therein.

Affiant further states that he is informed and believes, and therefore alleges, that neither of said defendants is in the military service of the United States.

TRIPS @ MILES

Subscribed and Sworn to before me 8/25/88

P. Nolan pdt [Signature]

SERVICE ATTEMPTED AT:

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

Service Fees 12.00 Travel 1.50 Return Fee 5.00 Cert. Mail Total \$ 18.50

124 04

In the Superior King State of Wash. No. 86-2-18176-8
Kathy Lee Butler, et al, et al, Court

Plaintiffs,
vs.
Donal Lee Barnett, et ux, et al, Defendants,
Sandy Ehrlich, et vir, et al, Plaintiff
vs.
Ralph Alskog, et ux, et al, Defendant
Maureen P. Jorgensen, Defendant
Garnishee Plaintiff,

AFFIDAVIT OF SERVICE OF NOTICE of Deposition; SUBPOENA Duces Tecum re: Oral Examination of Charles V. Moren, 08-30-88 @ 9:30 a.m.

FILED
AUG 26 2 58 PM '88
SUPERIOR COURT SEATTLE, WA

State of Washington vs. Community Chapel and Bible Training Center, et al,
County of King ss. Defendants.

The writ served was accompanied by four answer forms and three postage prepaid envelopes which were pre-addressed to the Clerk of the Court, to the Plaintiff or his attorney, and to the Defendant, and cash or check payable to the garnishee, to the amount of Ten Dollars.
 A copy of the summons served is attached hereto

The undersigned, being first duly sworn, on oath deposes and says: That he is now and at all times herein mentioned was a citizen of the United States and resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above entitled action and competent to be a witness therein.

That on 8/24/88 at 12:27 p M., at 701 5th Ave. 47th Fl., Seattle,

King County, Washington, affiant duly served the above-described documents in the above-entitled matter upon

Jeff Campiche - Kargianis & Austin

by then and there personally delivering a true and correct copy thereof to and leaving same with

Michael Sullivan, Administrative Staff

That at the time and place set forth above affiant duly served the above described documents in the above-entitled matter upon

by then and there, at the residence and usual place of abode of said person(s), personally delivering true and correct copy(ies) thereof to and leaving the same with

being a person of suitable age and discretion then resident therein.
Affiant further states that he is informed and believes, and therefore alleges, that neither of said defendants is in the military service of the United States.

____ TRIPS @ _____ MILES

Subscribed and Sworn to before me 8/25/88

SERVICE ATTEMPTED AT:

[Signature]
P. Nolan pdt
[Signature]

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

Service Fees 12.00 Travel 1.50 Return Fee 5.00 Cert. Mail Total \$ 18.50

RESIDENCE SERVICE

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SUPERIOR COURT CLERK
SEATTLE, WA

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

KATHY LEE BUTLER, et ux.,
et al.,)

Plaintiffs,)

vs.)

DONALD LEE BARNETT, et ux.,
et al.,)

Defendants.)

-----)

SANDY EHRLICH, et vir., et
al.,)

Plaintiffs,)

vs.)

RALPH ALSKOG, et ux., et
al.,)

Defendants.)

-----)

MAUREEN P. JORGENSEN,)

Plaintiff,)

vs.)

NO. 86-2-18176-8

SUBPOENA DUCES TECUM
RE: ORAL EXAMINATION OF
CHARLES V. MOREN

SUBPOENA DUCES TECUM

LAW OFFICES OF
PRESTON, THORGRIMSON, ELLIS & HOLMAN
5400 COLUMBIA SEAFIRST CENTER
701 FIFTH AVENUE
SEATTLE, WASHINGTON 98104-7011
(206) 623-7580

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1 COMMUNITY CHAPEL AND BIBLE)
 2 TRAINING CENTER, et al.)
 3 Defendants.)
 4 _____)

5 GREETINGS:

6 You are hereby commanded to appear at the office of
 7 Blackburn, Moren, Lageschulte & Cornell, P.S.,
 8 Roosevelt-Pinehurst Building, 11320 Roosevelt Way, N.E.,
 9 Seattle, Washington 98125, on Tuesday the 30th day of August,
 10 1988, commencing at the hour of 9:30 a.m., to give testimony,
 11 upon oral deposition in the above-entitled action, and to bring
 12 with you the following:

13 All documents regarding your representation of Maureen
 14 Jorgensen at any and all times.

15 HEREIN FAIL NOT AT YOUR PERIL

16 DATED this 23 day of August, 1988.

17 PRESTON, THORGRIMSON,
 18 ELLIS & HOLMAN

19 By Catherine D. Shaffer
 20 Catherine D. Shaffer
 21 Attorney for Plaintiff
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FILED

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SEATTLE, WA

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

KATHY LEE BUTLER, et ux.,)
et al.,)

Plaintiffs,)

vs.)

DONALD LEE BARNETT, et ux.,)
et al.,)

Defendants.)

-----)
SANDY EHRLICH, et vir., et)
al.,)

Plaintiffs,)

vs.)

RALPH ALSKOG, et ux., et)
al.,)

Defendants.)

-----)
MAUREEN P. JORGENSEN,)

Plaintiff,)

vs.)

NO. 86-2-18176-8

SUBPOENA DUCES TECUM
RE: ORAL EXAMINATION OF
CHARLES V. MOREN

SUBPOENA DUCES TECUM

1 COMMUNITY CHAPEL AND BIBLE)
 2 TRAINING CENTER, et al.)
 3 Defendants.)
 4 _____)

5 GREETINGS:

6 You are hereby commanded to appear at the office of
 7 Blackburn, Moren, Lageschulte & Cornell, P.S.,
 8 Roosevelt-Pinehurst Building, 11320 Roosevelt Way, N.E.,
 9 Seattle, Washington 98125, on Tuesday the 30th day of August,
 10 1988, commencing at the hour of 9:30 a.m., to give testimony,
 11 upon oral deposition in the above-entitled action, and to bring
 12 with you the following:

13 All documents regarding your representation of Maureen
 14 Jorgensen at any and all times.

15 HEREIN FAIL NOT AT YOUR PERIL

16 DATED this 23 day of August, 1988.

17 PRESTON, THORGRIMSON,
 18 ELLIS & HOLMAN

19 By C. D. Shaffer
 20 Catherine D. Shaffer
 21 Attorney for Plaintiff
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FILED

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SUPERIOR COURT CLERK
SEATTLE, WA

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

KATHY LEE BUTLER, et ux.,
et al.,)

Plaintiffs,)

vs.)

DONALD LEE BARNETT, et ux.,
et al.,)

Defendants.)

-----)
SANDY EHRLICH, et vir., et
al.,)

Plaintiffs,)

vs.)

RALPH ALSKOG, et ux., et
al.,)

Defendants.)

-----)
MAUREEN P. JORGENSEN,)

Plaintiff,)

vs.)

CONSOLIDATED/TRACT ONE
NO. 86-2-18176-8

NOTICE OF DEPOSITION

NOTICE OF DEPOSITION

- 1 -

LAW OFFICES OF
PRESTON, THORGRIMSON, ELLIS & HOLMAN
5400 COLUMBIA SEAFIRST CENTER
701 FIFTH AVENUE
SEATTLE, WASHINGTON 98104-7011
(206) 623-7560

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COMMUNITY CHAPEL AND BIBLE)
TRAINING CENTER, et al.)
)
Defendants.)
)
_____)

TO: ALL PARTIES AND THEIR COUNSEL

YOU ARE HEREBY NOTIFIED that the testimony of CHARLES V. MOREN, will be taken at the instance and request of Plaintiff Jorgensen in the above action on Tuesday, the 30th day of August, 1988, at the hour of 9:30 a.m., at the office of Blackburn, Moren, Lageschulte & Cornell, P.S., Roosevelt-Pinehurst Building, 11320 Roosevelt Way, N.E., Seattle, Washington 98125; subject to continuance or adjournment from time to time or place to place until completed and to be taken on the ground and for the reason that said witness will give evidence material to the establishment of Jorgensen's case.

DATED this 23rd day of August, 1988.

PRESTON, THORGRIMSON,
ELLIS & HOLMAN

By *Catherine D. Shaffer*
Catherine D. Shaffer

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FILED
Aug 29 11 21 AM '88
SUPERIOR COURT CLERK
SEATTLE, WA

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

KATHY LEE BUTLER, et ux., et al.,	)	CONSOLIDATED/TRACT ONE
	)	NO. 86-2-18176-8
Plaintiffs,)	
	)	NOTICE OF DEPOSITION
vs.)	
)	
DONALD LEE BARNETT, et ux., et al.,)	
)	
Defendants.)	
-----)	
SANDY EHRLICH, et vir., et al.,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
RALPH ALSKOG, et ux., et al.,)	
)	
Defendants.)	
-----)	
MAUREEN P. JORGENSEN,)	
)	
Plaintiff,)	
)	
vs.)	

NOTICE OF DEPOSITION

- 1 -

LAW OFFICES OF
PRESTON, THORGRIMSON, ELLIS & HOLMAN
5400 COLUMBIA SEAFIRST CENTER
701 FIFTH AVENUE
SEATTLE, WASHINGTON 98104-7011
(206) 623-7560


1 COMMUNITY CHAPEL AND BIBLE)
 2 TRAINING CENTER, et al.)
 3 Defendants.)
 4 _____)

5 TO: ALL PARTIES AND THEIR COUNSEL

6 YOU ARE HEREBY NOTIFIED that the testimony of CHARLES V.
 7 MOREN, will be taken at the instance and request of Plaintiff
 8 Jorgensen in the above action on Tuesday, the 30th day of
 9 August, 1988, at the hour of 9:30 a.m., at the office of
 10 Blackburn, Moren, Lageschulte & Cornell, P.S.,
 11 Roosevelt-Pinehurst Building, 11320 Roosevelt Way, N.E.,
 12 Seattle, Washington 98125; subject to continuance or adjourn-
 13 ment from time to time or place to place until completed and to
 14 be taken on the ground and for the reason that said witness
 15 will give evidence material to the establishment of Jorgensen's
 16 case.

17 DATED this 23rd day of August, 1988.

18 PRESTON, THORGRIMSON,
19 ELLIS & HOLMAN

20 By 
 21 Catherine D. Shaffer

In the Superior King 86-2-18176-8
Kathy Lee Butler, et al, for et al, Co. State of Wash. No.

Plaintiffs,

vs.
Donal Lee Barnett, et ux, et al,

Defendants, FILED

Sandy Ehrlich, et vir, et al,

Plaintiff
Plaintiffs AUG 29 11 AM '88

vs.
Ralph Alskog, et ux, et al,

Defendant ERX
Defendants SEATTLE, WA

Maureen P. Jorgensen,

Plaintiff,
Garnishee Defendant

AFFIDAVIT OF SERVICE OF

NOTICE of Deposition; SUBPOENA
Duces Tecum re: Oral Examination
of Jack A. Hicks, 09-02-88 @ 9:30A

State of Washington vs.
Community Chapel and Bible Training Center, et al,
County of King ss. Defendants.

The writ served was accompanied by four answer forms and three postage prepaid envelopes which were pre-addressed to the Clerk of the Court, to the Plaintiff or his attorney, and to the Defendant, and cash or check payable to the garnishee, to the amount of Ten Dollars.
 A copy of the summons served is attached hereto

The undersigned, being first duly sworn, on oath deposes and says: That he is now and at all times herein mentioned was a citizen of the United States and resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above entitled action and competent to be a witness therein.

That on 8/24/88 at 4:50 P M., at 1621 Smith Tower, Seattle

King County, Washington, affiant duly served the above-described documents in the above-entitled matter upon

Richard H. Adler - Adler, Giersch and Read, PS

by then and there personally delivering a true and correct copy thereof to and leaving same with

Pamela Freeman, Receptionist in the office of Richard H. Adler

RESIDENCE SERVICE

That at the time and place set forth above affiant duly served the above described documents in the above-entitled matter upon

by then and there, at the residence and usual place of abode of said person(s), personally delivering true and

correct copy(ies) thereof to and leaving the same with

being a person of suitable age and discretion then resident therein.

Affiant further states that he is informed and believes, and therefore alleges, that neither of said defendants is in the military service of the United States.

TRIPS @ MILES

Subscribed and Sworn to before me 8/26/88

P. Nolan pdt

SERVICE ATTEMPTED AT:

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

Service Fees 12.00 Travel 1.50 Return Fee 5.00 Cert. Mail Total \$ 18.50

127

Kathy Lee Butler, et al, et al,

King Plaintiffs,

AFFIDAVIT OF SERVICE OF

vs.

Donal Lee Barnett, et ux, et al,

Defendants, Plaintiff

NOTICE of Deposition; SUBPOENA Duces Tecum re: Oral Examination of Jack A. Hicks, 09-02-88 at 9:30 a.m.

Sandy Ehrlich, et vir, et al,

Plaintiffs,

vs.

Ralph Alskog, et ux, et al,

Defendant Defendants

Maureen P. Jorgensen,

Plaintiff Garnishee Defendant

Aug 29 11 21 AM '88

SUPERIOR COURT CLERK SEATTLE, WA

State of Washington Community Chapel and Bible Training Center, et al, County of King Defendants.

The writ served was accompanied by four answer forms and three postage prepaid envelopes which were pre-addressed to the Clerk of the Court, to the Plaintiff or his attorney, and to the Defendant, and cash or check payable to the garnishee, to the amount of Ten Dollars. A copy of the summons served is attached hereto

The undersigned, being first duly sworn, on oath deposes and says: That he is now and at all times herein mentioned was a citizen of the United States and resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above entitled action and competent to be a witness therein.

That on 8/24/88 at 2:45 p M., at 800 Washington Bldg., 1325 4th Ave., Seattle,

King County, Washington, affiant duly served the above-described documents in the above-entitled matter upon

Michael J. Bond - Lee, Smart, Cook, Martin & Patterson, PS, Inc.,

by then and there personally delivering a true and correct copy thereof to and leaving same with

Connie A. Wooldridge, Receptionist in the office of Michael J. Bond

That at the time and place set forth above affiant duly served the above described documents in the above-entitled matter upon

by then and there, at the residence and usual place of abode of said person(s), personally delivering true and correct copy(ies) thereof to and leaving the same with

being a person of suitable age and discretion then resident therein.

Affiant further states that he is informed and believes, and therefore alleges, that neither of said defendants is in the military service of the United States.

TRIPS @ MILES

Subscribed and Sworn to before me 8/26/88

P. Nolan pdt

SERVICE ATTEMPTED AT:

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

Service Fees 12.00 Travel 1.50 Return Fee 5.00 Cert. Mail Total \$ 18.50

128

RESIDENCE SERVICE

In the Superior King Co. State of Wash. No. 86-2-18176-8

Kathy Lee Butler, et al, Plaintiffs,

vs. Donal Lee Barnett, et ux, et al, Defendants.

Sandy Ehrlich, et vir, et al, Plaintiffs,

vs. Ralph Alskog, et ux, et al, Defendants.

Maureen P. Jorgensen, Plaintiff, Garnishee Defendant

State of Washington vs. Community Chapel and Bible Training Center, et al, County of King ss. Defendants.

FILED AUG 29 1988 SUPERIOR COURT CLERK SEATTLE, WA NOTICE of Deposition; SUBPOENA Duces Tecum Re: Oral Examination of Jack A Hicks, 09-02-88 @ 9:30 a.m.

The writ served was accompanied by four answer forms and three postage prepaid envelopes which were pre-addressed to the Clerk of the Court, to the Plaintiff or his attorney, and to the Defendant, and cash or check payable to the garnishee, to the amount of Ten Dollars. A copy of the summons served is attached hereto

The undersigned, being first duly sworn, on oath deposes and says: That he is now and at all times herein mentioned was a citizen of the United States and resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above entitled action and competent to be a witness therein.

That on 8/24/88 at 3:20 p M., at 4002 Tacoma Mall Blvd., #200, Tacoma, Pierce,

King County, Washington, affiant duly served the above-described documents in the above-entitled matter upon John L. Messina - Messina Duffy

by then and there personally delivering a true and correct copy thereof to and leaving same with Vickie A. Franes, Administrative Assistant

That at the time and place set forth above affiant duly served the above described documents in the above-entitled matter upon

by then and there, at the residence and usual place of abode of said person(s), personally delivering true and correct copy(ies) thereof to and leaving the same with

being a person of suitable age and discretion then resident therein. Affiant further states that he is informed and believes, and therefore alleges, that neither of said defendants is in the military service of the United States.

TRIPS @ MILES

Subscribed and Sworn to before me 8/26/88 B. Doniega sj

SERVICE ATTEMPTED AT: Notary Public Seal and Signature of Edna L. Baldwin, NOTARY PUBLIC in and for the State of Washington, residing at Tacoma

Service Fees 6.00 Travel 12.00 Return Fee 5.00 Cert. Mail Total \$ 23.00

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RESIDENCE SERVICE

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

KATHY LEE BUTLER, et ux.,
et al.,

Plaintiffs,

vs.

DONALD LEE BARNETT, et ux.,
et al.,

Defendants.

SANDY EHRLICH, et vir., et
al.,

Plaintiffs,

vs.

RALPH ALSKOG, et ux., et
al.,

Defendants.

MAUREEN P. JORGENSEN,

Plaintiff,

vs.

CONSOLIDATED/TRACT ONE
NO. 86-2-18176-8

NOTICE OF DEPOSITION


1 COMMUNITY CHAPEL AND BIBLE)
 2 TRAINING CENTER, et al.)
 3 Defendants.)
 4 _____)

5 TO: ALL PARTIES AND THEIR COUNSEL

6 YOU ARE HEREBY NOTIFIED that the testimony of CHARLES V.
 7 MOREN, will be taken at the instance and request of Plaintiff
 8 Jorgensen in the above action on Tuesday, the 30th day of
 9 August, 1988, at the hour of 9:30 a.m., at the office of
 10 Blackburn, Moren, Lageschulte & Cornell, P.S.,
 11 Roosevelt-Pinehurst Building, 11320 Roosevelt Way, N.E.,
 12 Seattle, Washington 98125; subject to continuance or adjourn-
 13 ment from time to time or place to place until completed and to
 14 be taken on the ground and for the reason that said witness
 15 will give evidence material to the establishment of Jorgensen's
 16 case.

17 DATED this 23rd day of August, 1988.

18 PRESTON, THORGRIMSON,
 19 ELLIS & HOLMAN

20 By 
 21 Catherine D. Shaffer

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

KATHY LEE BUTLER, et ux.,
et al.,

Plaintiffs,

vs.

DONALD LEE BARNETT, et ux.,
et al.,

Defendants.

SANDY EHRLICH, et vir., et
al.,

Plaintiffs,

vs.

RALPH ALSKOG, et ux., et
al.,

Defendants.

MAUREEN P. JORGENSEN,

Plaintiff,

vs.

NO. 86-2-18176-8

SUBPOENA DUCES TECUM
RE: ORAL EXAMINATION OF
CHARLES V. MOREN

1 COMMUNITY CHAPEL AND BIBLE)
2 TRAINING CENTER, et al.)

3 Defendants.)
4 _____)

5 GREETINGS:

6 You are hereby commanded to appear at the office of
7 Blackburn, Moren, Lageschulte & Cornell, P.S.,
8 Roosevelt-Pinehurst Building, 11320 Roosevelt Way, N.E.,
9 Seattle, Washington 98125, on Tuesday the 30th day of August,
10 1988, commencing at the hour of 9:30 a.m., to give testimony,
11 upon oral deposition in the above-entitled action, and to bring
12 with you the following:

13 All documents regarding your representation of Maureen
14 Jorgensen at any and all times.

15 HEREIN FAIL NOT AT YOUR PERIL

16 DATED this 23 day of August, 1988.

17 PRESTON, THORGRIMSON,
18 ELLIS & HOLMAN

19 By Catherine D. Shaffer
20 Catherine D. Shaffer
21 Attorney for Plaintiff
22
23
24
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IN RE THE GUARDIANSHIP OF:
ALLAN E. SMALLEY,
alleged incompetent.

vs.

Plaintiff

Defendant

Garnishee Defendant

AFFIDAVIT OF SERVICE OF

NOTICE OF PETITION FOR
APPOINTMENT OF GUARDIAN;
PETITION FOR APPOINTMENT
OF GUARDIAN OF PERSON
AND ESTATE

State of Washington

County of King

ss.

The writ served was accompanied by four answer forms and three postage prepaid envelopes which were pre-addressed to the Clerk of the Court, to the Plaintiff or his attorney, and to the Defendant, and cash or check payable to the garnishee, to the amount of Ten Dollars.

A copy of the summons served is attached hereto

The undersigned, being first duly sworn, on oath deposes and says: That he is now and at all times herein mentioned was a citizen of the United States and resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above entitled action and competent to be a witness therein.

That on 8/18/88 at 11:28 aM., at Western State Hospital, Ft. Steilacoom, Pierce,
~~King~~ County, Washington, affiant duly served the above-described documents in the above-entitled matter upon

Allan E. Smalley

by then and there personally delivering a true and correct copy thereof to and leaving same with _____

Allan E. Smalley

in the presence of Tina M. Williamson, Mental Health Therapist

That at the time and place set forth above affiant duly served the above described documents in the above-

entitled matter upon _____

by then and there, at the residence and usual place of abode of said person(s), personally delivering _____ true and

correct copy(ies) thereof to and leaving the same with _____

being a person of suitable age and discretion then resident therein.

Affiant further states that he is informed and believes, and therefore alleges, that neither of said defendants is in the military service of the United States.

_____ TRIPS @ _____ MILES

Subscribed and Sworn to before me 8/22/88

C. Dunayski

sj

SERVICE ATTEMPTED AT:

Edna L. Baldwin

NOTARY PUBLIC in and for the State
of Washington, residing at _____

Tacoma

Service Fees 6.00 Travel 25.00 Return Fee 5.00 Cert. Mail _____ Total \$ 36.00

RESIDENCE SERVICE

IN RE THE GUARDIANSHIP OF:
ALLAN E. SMALLEY,
alleged incompetent.

vs.

Plaintiff

Defendant

Garnishee Defendant

AFFIDAVIT OF SERVICE OF

NOTICE OF PETITION FOR
APPOINTMENT OF GUARDIAN;
PETITION FOR APPOINTMENT
OF GUARDIAN OF PERSON
AND ESTATE

State of Washington

County of King

ss.

The writ served was accompanied by four answer forms and three postage prepaid envelopes which were pre-addressed to the Clerk of the Court, to the Plaintiff or his attorney, and to the Defendant, and cash or check payable to the garnishee, to the amount of Ten Dollars

A copy of the summons served is attached hereto

The undersigned, being first duly sworn, on oath deposes and says: That he is now and at all times herein mentioned was a citizen of the United States and resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above entitled action and competent to be a witness therein.

That on 8/18/88 at 11:24 AM. at Western State Hospital, Ft. Steilacoom,
Pierce,

~~King~~ County, Washington, affiant duly served the above-described documents in the above-entitled matter upon
Western State Hospital

by then and there personally delivering a true and correct copy thereof to and leaving same with _____
Joan Higginbotham, Administrative Assistant II

RESIDENCE SERVICE

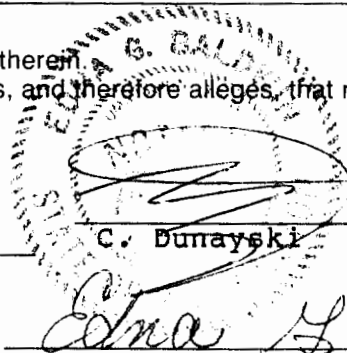
That at the time and place set forth above affiant duly served the above described documents in the above-entitled matter upon _____

by then and there, at the residence and usual place of abode of said person(s), personally delivering _____ true and correct copy(ies) thereof to and leaving the same with _____

being a person of suitable age and discretion then resident therein.
Affiant further states that he is informed and believes, and therefore alleges, that neither of said defendants is in the military service of the United States.

_____ TRIPS @ _____ MILES

Subscribed and Sworn to before me 8/22/88



C. Dunayski sj

SERVICE ATTEMPTED AT:

NOTARY PUBLIC in and for the State
of Washington, residing at Tacoma

Service Fees 6.00 Travel _____ Return Fee 5.00 Cert. Mail _____ Total \$ 11.00

In the Superior Court, State of Wash. No. 86-2-18176-8
King
Kathy Lee Butler, et al, for et al, Plaintiffs,

AFFIDAVIT OF SERVICE OF

vs.
Donal Lee Barnett, et ux, et al, Defendants,
Sandy Ehrlich, et vir, et al, Plaintiffs,
vs.
Ralph Alskog, et ux, et al, Defendant,
Maureen P. Jorgensen, Plaintiff,
SUPERIOR COURT CLERK
Defendants.

NOTICE of Deposition; SUBPOENA
Duces Tecum re: Oral Examination
of Jack Hicks, 09-02-88 @ 9:30 AM

FILED

AUG 30 11 05 AM '88

State of Washington vs. Community Chapel and Bible Training Center, et al,
County of King ss. Defendants.

The writ served was accompanied by four answer forms and three postage prepaid envelopes which were pre-addressed to the Clerk of the Court, to the Plaintiff or his attorney, and to the Defendant, and cash or check payable to the garnishee, to the amount of Ten Dollars.
 A copy of the summons served is attached hereto

The undersigned, being first duly sworn, on oath deposes and says: That he is now and at all times herein mentioned was a citizen of the United States and resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above entitled action and competent to be a witness therein.

That on 8/24/88 at 12:35 P.M., at 701 5th Ave. 31st Fl., Seattle

King County, Washington, affiant duly served the above-described documents in the above-entitled matter upon Rodney D. Hollenbeck and Tim Donaldson

by then and there personally delivering ² a true and correct copy thereof to and leaving same with Wendy Ferger, Office Clerk in the office of Evans Craven & Lackie

RESIDENCE SERVICE

That at the time and place set forth above affiant duly served the above described documents in the above-entitled matter upon

by then and there, at the residence and usual place of abode of said person(s), personally delivering true and correct copy(ies) thereof to and leaving the same with

being a person of suitable age and discretion then resident therein.
Affiant further states that he is informed and believes, and therefore alleges, that neither of said defendants is in the military service of the United States.

TRIPS @ MILES
Subscribed and Sworn to before me 8/25/88 P. Nolan pdt

SERVICE ATTEMPTED AT:
NOTARY PUBLIC in and for the State of Washington, residing at Seattle

Service Fees 12.00 Travel 1.50 Return Fee 5.00 Cert. Mail Total \$ 18.50

130 [Signature]

FILED

AUG 30 11 05 AM '88

SUPERIOR COURT CLERK
SEATTLE, WA

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

KATHY LEE BUTLER, et ux.,
et al.,

Plaintiffs,

vs.

DONALD LEE BARNETT, et ux.,
et al.,

Defendants.

SANDY EHRLICH, et vir., et
al.,

Plaintiffs,

vs.

RALPH ALSKOG, et ux., et
al.,

Defendants.

MAUREEN P. JORGENSEN,

Plaintiff,

vs.

CONSOLIDATED/TRACT ONE
NO. 86-2-18176-8

NOTICE OF DEPOSITION

NOTICE OF DEPOSITION

- 1 -

LAW OFFICES OF
PRESTON, THORGRIMSON, ELLIS & HOLMAN
3400 COLUMBIA SEAFIRST CENTER
701 FIFTH AVENUE
SEATTLE, WASHINGTON 98104-7011
(206) 823-7580

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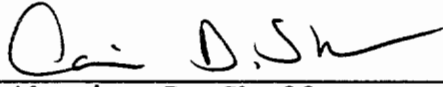
COMMUNITY CHAPEL AND BIBLE)
TRAINING CENTER, et al.)
)
Defendants.)
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TO: ALL PARTIES AND THEIR COUNSEL

YOU ARE HEREBY NOTIFIED that the testimony of CHARLES V. MOREN, will be taken at the instance and request of Plaintiff Jorgensen in the above action on Tuesday, the 30th day of August, 1988, at the hour of 9:30 a.m., at the office of Blackburn, Moren, Lageschulte & Cornell, P.S., Roosevelt-Pinehurst Building, 11320 Roosevelt Way, N.E., Seattle, Washington 98125; subject to continuance or adjournment from time to time or place to place until completed and to be taken on the ground and for the reason that said witness will give evidence material to the establishment of Jorgensen's case.

DATED this 23rd day of August, 1988.

PRESTON, THORGRIMSON,
ELLIS & HOLMAN

By 
Catherine D. Shaffer

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

KATHY LEE BUTLER, et ux.,
et al.,

Plaintiffs,

vs.

DONALD LEE BARNETT, et ux.,
et al.,

Defendants.

SANDY EHRLICH, et vir., et
al.,

Plaintiffs,

vs.

RALPH ALSKOG, et ux., et
al.,

Defendants.

MAUREEN P. JORGENSEN,

Plaintiff,

vs.

NO. 86-2-18176-8

SUBPOENA DUCES TECUM
RE: ORAL EXAMINATION OF
CHARLES V. MOREN

SUBPOENA DUCES TECUM

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COMMUNITY CHAPEL AND BIBLE)
TRAINING CENTER, et al.)
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Defendants.)
)
)

GREETINGS:

You are hereby commanded to appear at the office of
Blackburn, Moren, Lageschulte & Cornell, P.S.,
Roosevelt-Pinehurst Building, 11320 Roosevelt Way, N.E.,
Seattle, Washington 98125, on Tuesday the 30th day of August,
1988, commencing at the hour of 9:30 a.m., to give testimony,
upon oral deposition in the above-entitled action, and to bring
with you the following:

All documents regarding your representation of Maureen
Jorgensen at any and all times.

HEREIN FAIL NOT AT YOUR PERIL

DATED this 23 day of August, 1988.

PRESTON, THORGRIMSON,
ELLIS & HOLMAN

By Catherine D. Shaffer
Catherine D. Shaffer
Attorney for Plaintiff

FILED

AUG 30 11 05 AM '88

SUPERIOR COURT CLERK
SEATTLE, WA

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

KATHY LEE BUTLER, et ux.,)
et al.,)

Plaintiffs,)

vs.)

DONALD LEE BARNETT, et ux.,)
et al.,)

Defendants.)

-----)

SANDY EHRLICH, et vir., et)
al.,)

Plaintiffs,)

vs.)

RALPH ALSKOG, et ux., et)
al.,)

Defendants.)

-----)

MAUREEN P. JORGENSEN,)

Plaintiff,)

vs.)

CONSOLIDATED/TRACT ONE
NO. 86-2-18176-8

NOTICE OF DEPOSITION

NOTICE OF DEPOSITION

- 1 -

LAW OFFICES OF
PRESTON, THORGRIMSON, ELLIS & HOLMAN
3400 COLUMBIA SEAFIRST CENTER
701 FIFTH AVENUE
SEATTLE, WASHINGTON 98104-7011
(206) 623-7380

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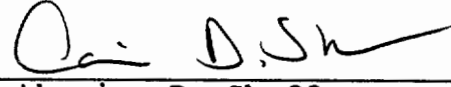
COMMUNITY CHAPEL AND BIBLE)
TRAINING CENTER, et al.)
)
Defendants.)
)
_____)

TO: ALL PARTIES AND THEIR COUNSEL

YOU ARE HEREBY NOTIFIED that the testimony of CHARLES V. MOREN, will be taken at the instance and request of Plaintiff Jorgensen in the above action on Tuesday, the 30th day of August, 1988, at the hour of 9:30 a.m., at the office of Blackburn, Moren, Lageschulte & Cornell, P.S., Roosevelt-Pinehurst Building, 11320 Roosevelt Way, N.E., Seattle, Washington 98125; subject to continuance or adjournment from time to time or place to place until completed and to be taken on the ground and for the reason that said witness will give evidence material to the establishment of Jorgensen's case.

DATED this 23rd day of August, 1988.

PRESTON, THORGRIMSON,
ELLIS & HOLMAN

By 
Catherine D. Shaffer

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

KATHY LEE BUTLER, et ux.,)
et al.,)
)
Plaintiffs,)
)
vs.)
)
DONALD LEE BARNETT, et ux.,)
et al.,)
)
Defendants.)

NO. 86-2-18176-8

SUBPOENA DUCES TECUM
RE: ORAL EXAMINATION OF
CHARLES V. MOREN

-----)
SANDY EHRLICH, et vir., et)
al.,)
)
Plaintiffs,)
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vs.)
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RALPH ALSKOG, et ux., et)
al.,)
)
Defendants.)

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MAUREEN P. JORGENSEN,)
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Plaintiff,)
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vs.)
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COMMUNITY CHAPEL AND BIBLE)
TRAINING CENTER, et al.)
)
Defendants.)
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_____)

GREETINGS:

You are hereby commanded to appear at the office of Blackburn, Moren, Lageschulte & Cornell, P.S., Roosevelt-Pinehurst Building, 11320 Roosevelt Way, N.E., Seattle, Washington 98125, on Tuesday the 30th day of August, 1988, commencing at the hour of 9:30 a.m., to give testimony, upon oral deposition in the above-entitled action, and to bring with you the following:

All documents regarding your representation of Maureen Jorgensen at any and all times.

HEREIN FAIL NOT AT YOUR PERIL

DATED this 23 day of August, 1988.

PRESTON, THORGRIMSON,
ELLIS & HOLMAN

By Catherine D. Shaffer
Catherine D. Shaffer
Attorney for Plaintiff

FILED

SEP 19 04 AM '88

SUPERIOR COURT CLERK
SEATTLE, WA

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

KATHY LEE BUTLER, et ux.,)
et al.,)

Plaintiffs,)

vs.)

DONALD LEE BARNETT, et ux.,)
et al.,)

Defendants.)

-----)
SANDY EHRLICH, et vir., et)
al.,)

Plaintiffs,)

vs.)

RALPH ALSKOG, et ux., et)
al.,)

Defendants.)

-----)
MAUREEN P. JORGENSEN,)

Plaintiff,)

vs.)

CONSOLIDATED/TRACT ONE
NO. 86-2-18176-8

NOTICE OF DEPOSITION

132

1 COMMUNITY CHAPEL AND BIBLE)
2 TRAINING CENTER, et al.)


3 Defendants.)
4)

5 TO: ALL PARTIES AND THEIR COUNSEL

6 YOU ARE HEREBY NOTIFIED that the testimony of CHARLES V.
7 MOREN, will be taken at the instance and request of Plaintiff
8 Jorgensen in the above action on Tuesday, the 30th day of
9 August, 1988, at the hour of 9:30 a.m., at the office of
10 Blackburn, Moren, Lageschulte & Cornell, P.S.,
11 Roosevelt-Pinehurst Building, 11320 Roosevelt Way, N.E.,
12 Seattle, Washington 98125; subject to continuance or adjourn-
13 ment from time to time or place to place until completed and to
14 be taken on the ground and for the reason that said witness
15 will give evidence material to the establishment of Jorgensen's
16 case.

17 DATED this 23rd day of August, 1988.

18 PRESTON, THORGRIMSON,
19 ELLIS & HOLMAN

20 By 
21 Catherine D. Shaffer

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

KATHY LEE BUTLER, et ux.,)
et al.,)
)
Plaintiffs,)
)
vs.)
)
DONALD LEE BARNETT, et ux.,)
et al.,)
)
Defendants.)

NO. 86-2-18176-8
SUBPOENA DUCES TECUM
RE: ORAL EXAMINATION OF
CHARLES V. MOREN

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SANDY EHRLICH, et vir., et)
al.,)
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Plaintiffs,)
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vs.)
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RALPH ALSKOG, et ux., et)
al.,)
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Defendants.)

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MAUREEN P. JORGENSEN,)
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Plaintiff,)
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vs.)
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SUBPOENA DUCES TECUM

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COMMUNITY CHAPEL AND BIBLE)
TRAINING CENTER, et al.)
)
Defendants.)
)
_____)

GREETINGS:

You are hereby commanded to appear at the office of Blackburn, Moren, Lageschulte & Cornell, P.S., Roosevelt-Pinehurst Building, 11320 Roosevelt Way, N.E., Seattle, Washington 98125, on Tuesday the 30th day of August, 1988, commencing at the hour of 9:30 a.m., to give testimony, upon oral deposition in the above-entitled action, and to bring with you the following:

All documents regarding your representation of Maureen Jorgensen at any and all times.

HEREIN FAIL NOT AT YOUR PERIL

DATED this 23 day of August, 1988.

PRESTON, THORGRIMSON,
ELLIS & HOLMAN

By Catherine D. Shaffer
Catherine D. Shaffer
Attorney for Plaintiff

In the SUPERIOR Court, for KING County, State of Wash. No. 86 2 18176 8

KATHY LEE BUTLER, et ux.,
et al.,

FILED

AFFIDAVIT OF SERVICE OF

DONAL LEE BARNETT, et ux., et al.,

SEP 19 9
Plaintiff
Defendant

**NOTICE OF DEPOSITION; SUBPOENA
DUCES TECUM RE: ORAL
EXAMINATION OF JACK A. HICKS
9/27/88 at 9:30 AM**

Garnishee Defendant

State of Washington

County of King

ss.

The writ served was accompanied by four answer forms and three postage prepaid envelopes which were pre-addressed to the Clerk of the Court, to the Plaintiff or his attorney, and to the Defendant, and cash or check payable to the garnishee, to the amount of Ten Dollars

A copy of the summons served is attached hereto

The undersigned, being first duly sworn, on oath deposes and says: That he is now and at all times herein mentioned was a citizen of the United States and resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above entitled action and competent to be a witness therein.

That on 8/24/88 at 3:30 p M., at #301 Tacoma Mall Office Bldg., Tacoma,
Pierce,

~~King~~ County, Washington, affiant duly served the above-described documents in the above-entitled matter upon

Jack G. Rosenow and Marilyn W. Schultheis, Rosenow, Hale & Johnson

2 copies

by then and there personally delivering ~~a~~ true and correct ~~copy~~ thereof to and leaving same with _____

Marilyn W. Schultheis, Attorney at Law

RESIDENCE SERVICE

That at the time and place set forth above affiant duly served the above described documents in the above-entitled matter upon _____

by then and there, at the residence and usual place of abode of said person(s), personally delivering _____ true and correct copy(ies) thereof to and leaving the same with _____

being a person of suitable age and discretion then resident therein.

Affiant further states that he is informed and believes, and therefore alleges, that neither of said defendants is in the military service of the United States.

_____ TRIPS @ _____ MILES

Subscribed and Sworn to before me 8/29/88 B. Boniego sj

SERVICE ATTEMPTED AT:

SALLY A. BRYAN
STATE OF WASHINGTON
NOTARY PUBLIC
My Commission Expires 4 11 89

Sally A. Bryan
NOTARY/PUBLIC in and for the State
of Washington, residing at _____ Tacoma

Service Fees 12.00 Travel _____ Return Fee 5.00 Cert. Mail _____ Total \$ 29.00

129



SUPERIOR COURT OF WASHINGTON
COUNTY OF KING

FILED

SEP 12 11 4 35

BUTLER, EHRLICH, JORGENSEN

Plaintiff,

BARNETT, ALSKOG, ^{VS.} COMMUNITY CHAPEL AND BIBLE
TRAINING CENTER

Defendant.

86-2-18429-5 (Consolidated)
86-2-18176-8 ✓
86-2-26360-8

No. _____

ORDER REASSIGNING CASE TO CIVIL
TRACK I
(CLERKS' ACTION REQUIRED)

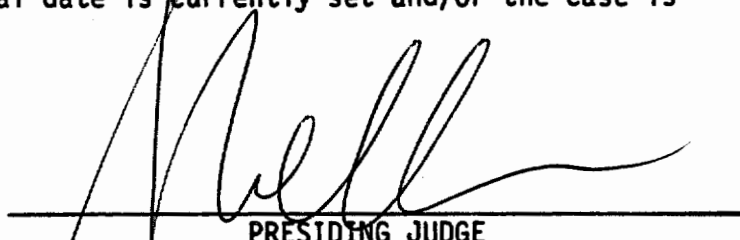
THIS MATTER having been previously accepted for assignment to Civil Track I, and it being determined that said case must be reassigned to another judge as a result of the following:
death of judge

NOW, THEREFORE:

IT IS HEREBY ORDERED that the above-captioned case, originally assigned to Judge
Little _____, Department Number 19, has been reassigned to Judge

John Riley _____, Department Number 25. The lawyers must contact the newly-
assigned judge within five(5) court days from the date of this order to schedule the
initial conference in this matter. If a trial date is currently set and/or the case is
noted for trial, it is hereby stricken.

DATED: September 8, 19 88.


PRESIDING JUDGE

Jeff Campiche
TO: 701 - 5th Ave., No. 4700
Seattle, WA 98104
624-5370

Richard Adler
1621 Smith Tower
TO: Seattle, WA 98104
682-4267

John Messina
4218 So. Steele St.
Tacoma, WA 98407
TO: 472-6000

Susan Jones
5400 Columbia Seafirst Ctr.
Seattle, WA 98104
623-7580

TO: Rod Hollenbeck
701 - 5th Ave., No. 3100
Seattle, WA 98104

Marilyn Schultheis
Jack G. Rosenow
TO: 301 Tacoma Mall Bldg.
Tacoma, WA 98409
473-0725

John C. Graffe
1717 - 1st Interstate Ctr.
Seattle, WA 98104
TO: 223-4770

Michael Bond
800 Washington Bldg.
Seattle, WA 98101
624-7990

THIS FORM MUST BE FILED IN THE CLERKS' OFFICE, CALENDAR CONTROL Window #11, ROOM E-609

134

FILED

KING COUNTY, WASHINGTON

OCT 4 1988

SUPERIOR COURT CLERK
MELISSA R. KEATING
DEPUTY

CIVIL TRACK I
JUDGE JOHN RILEY

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IN THE SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

KATHY LEE BUTLER, et vir.,

Plaintiffs,

vs.

DONALD LEE BARNETT, et ux.,

Defendants.

SANDY EHRLICH, et vir.,

Plaintiffs,

vs.

RALPH ALSKOG, et vir.,

Defendants.

NO. 86-2-18176-8

DEFENDANT(S) REQUEST FOR
PLAINTIFF(S) STATEMENT
OF DAMAGES

TO: Plaintiff(s) above named and to their Attorney(s) of Record
Herein:

In accordance with RCW 4.28.360, the defendant(s) request(s)
statement from the plaintiff(s) setting forth separately the
amounts of any special damages and general damages sought in
this action within fifteen (15) days after service.

DATED this 16th day of September, 1988.

HELSELL, FETTERMAN, MARTIN
TODD & HOKANSON

By Pauline V. Smetka
PAULINE V. SMETKA

Attorneys for Defendant(s)
Ralph and Rosemary Alskog

135

REQUEST FOR STATEMENT
OF DAMAGES

HELSELL, FETTERMAN, MARTIN, TODD & HOKANSON
1500 WASHINGTON BUILDING
PO BOX 21846
SEATTLE, WASHINGTON 98111
(206) 292-1144

FILED
KING COUNTY, WASHINGTON
OCT 4 1988
SUPERIOR COURT CLERK
MELISSA R. KEATING
DEPUTY

CIVIL TRACK I
JUDGE JOHN RILEY

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

KATHY LEE BUTLER, et vir.,)
et al.,)

Plaintiffs,)

vs.)

DONALD LEE BARNETT, et ux.,)
et al.,)

Defendants.)

No. 86-2-18176-8

NOTICE OF ASSOCIATION
OF COUNSEL

SANDY EHRLICH, et vir,)
et ux.,)

Plaintiffs,)

vs.)

RALPH ALSKOG, et vir.,)
et ux.,)

Defendants.)

TO: All Interested Parties and to their Attorneys of Record:

YOU AND EACH OF YOU will please take notice that the law firm of
HELSELL, FETTERMAN, MARTIN, TODD & HOKANSON has associated with the
law firm of ROSENOW, HALE & JOHNSON in representing defendants, Ralph
and Rosemary Alskog in the above captioned case.

DATED this 27th day of September, 1988.

ROSENOW, HALE & JOHNSON

HELSELL, FETTERMAN, MARTIN,
TODD & HOKANSON

By: 

By: 
Pauline V. Smetka

NOTICE OF ASSOCIATION OF COUNSEL

HELSELL, FETTERMAN, MARTIN, TODD & HOKANSON
1500 WASHINGTON BUILDING
P.O. BOX 21846
SEATTLE, WASHINGTON 98111
(206) 292-1144

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00:00

FILED

RECEIVED
JULY 27 1988

Kangaroo, Austin & Erickson

1988 OCT 21 PM 4:12

OCT 21 1988

OCT 21 PM 4:08

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA.

Preston, Thorgimson, Ellis & Holman

KING COUNTY
SUPERIOR COURT

**CIVIL TRACK ONE
THE HONORABLE JOHN W. RILEY**

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

1
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3
4 KATHY LEE BUTLER, et. ux.,)
5 et. al.,)
6
7 Plaintiffs,)
8 v.)
9 DONALD LEE BARNETT, et. ux.,)
10 et. al.,)
11 Defendants,)
12 Third Party Plaintiffs,)
13 v.)
14 GARY LIEN,)
15 Third Party Defendant.)

**CONSOLIDATED/TRACK ONE
NO. 86-2-18176-8**

**DEFENDANT BARNETT'S MOTION
AND AFFIDAVIT FOR SEPARATE
TRIALS**

16
17 SANDY EHRLICH, et. ux., et. al.,)
18 Plaintiffs,)
19 v.)
20 RALPH ALSKOG, et. ux., et. al.,)
21 Defendants.)

22
23 MAUREEN P. JORGENSEN,)
24 Plaintiff,)
25 v.)
26 COMMUNITY CHAPEL AND BIBLE)
27 TRAINING CENTER, et. al.,)
28 Defendants.)
29

**DEF. BARNETT MOT./AFF FOR
SEPARATE TRIALS - 1
DMF15004789.701**

Evans, Craven & Lachic, P.S.
LAWYERS

137
2000 COLUMBIA CENTER, 1000 AVENUE
SEATTLE, WASHINGTON, 98101
(206) 386-5555

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COME NOW defendants Barnett by and through their attorneys of record and move the court for an order separating trial of the claims of the above-named plaintiffs. This motion is made pursuant to CR 42(b) and is based on the affidavit of counsel attached hereto and on the pleadings on file herein.

By order of Judge Gary Little, this matter was consolidated for purposes of discovery. Defendants Barnett would be prejudiced if the claims of all plaintiffs were tried together. The claims of plaintiffs are various and involve several defendants. Defendants Barnett have been sued for personal liability, for contractual liability, for vicarious and for direct liability. The issues of law and the facts, witnesses and experts are as divergent as the claims themselves. The trier of fact will of necessity be misled if all evidence on one claim is allowed to be presented for evaluation of a totally separate claim. Defendants Barnett move for an order requiring that each separate cause captioned above be tried separately.

DATED 10-21-88

EVANS CRAVEN & LACKIE, P.S.

By Rodney D. Hollenbeck
RODNEY D. HOLLENBECK
Attorneys for Defendants Barnett

DEF. BARNETT MOT./AFF FOR
SEPARATE TRIALS - 2
DMF15004789.701

Evans, Craven & Lackie, P.S.
LAWYERS

A F F I D A V I T

STATE OF WASHINGTON)
County of King) ss.

RODNEY D. HOLLENBECK, being first duly sworn on oath deposes and says:

1. I am over 21 years of age, competent to testify, and set forth the following ministerial facts. I make this affidavit based upon my understanding of Judge Riley's request for procedural motions to be filed on or before October 21, 1988.

2. The above entitled causes of action consist of various claims by each of the plaintiffs against different defendants.

3. Plaintiffs Ehlrich have made claims arising out of an alleged sexual relationship between Sandy Ehlrich and defendant Ralph Alskog.

4. Plaintiffs Lemke have made claims arising out of the alleged activity of defendant Robert Howerton with minor Sybil Lemke.

5. Plaintiffs Chabot have made claims based upon the breakup of the marriage between Dee Chabot and Michael Chabot with no allegations of any direct sexual misconduct on the part of any defendant.

6. Plaintiffs Butler, Brown and Hall all have made claims based upon the alleged sexual activity of Don Barnett.

7. Several, but not all, Plaintiffs have alleged causes of action against Community Chapel and defendants Barnett for spiritual teachings and practices, negligent supervision and negligent counseling.

8. Plaintiffs Kitchell have asserted claims based on their marital disharmony.

DEF. BARNETT MOT./AFF FOR
SEPARATE TRIALS - 3
DMF15004789.701

Evans, Crawford Luckie, P.S.
LAWYERS

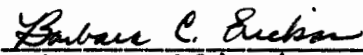
1 9. Such a gamut of claims and plaintiffs preclude
2 defendants from effectively defending themselves and equally
3 preclude the trier of fact from being able to distinguish and
4 preserve a distinction among the claims herein.

5 10. Justice will best be served if the causes of action
6 captioned herein are separated for trial.

7 11. Attached hereto as Exhibit A is a brief previously
8 submitted by defendant Barnett on this issue of separate trials.

9 
10 _____
11 RODNEY D. HOLLENBECK

12 SUBSCRIBED AND SWORN to before me this 21st day of October,
13 1988.

14 
15 _____
16 Notary Public in and for the State
17 of Washington, residing at
18 3/18/89 Seattle.
19 My commission expires:

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31 DEF. BARNETT MOT./AFF FOR
32 SEPARATE TRIALS - 4
DMF15004789.701

Evans, Crawford Luckie, P.L.L.C.

LAWYERS

1000 3rd AVENUE, SUITE 2000
SEATTLE, WASHINGTON 98104

(206) 386-5555

CIVIL TRACK 1
JUDGE GARY LITTLE

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

KATHY LEE BUTLER, et vir., et al.,)

Plaintiffs,)

v.)

DONALD LEE BARNETT, et ux.,)

et al.,)

Defendants.)

SANDY EHRLICH, et vir., et al.,)

Plaintiffs,)

v.)

RALPH ALSKOG, et ux., et al.,)

Defendants.)

No. 86-2-18176-8
(Consolidated)

DEFENDANT BARNETTS' RESPONSE
BRIEF IN SUPPORT OF DEFENDANT
ALSKOGS' MOTION FOR SEPARATE
TRIAL AND IN OPPOSITION TO
PLAINTIFFS MOTION FOR JOINDER

RECEIVED
MAR 21 1988
JUDGE
GARY M. LITTLE

COMES NOW DEFENDANTS', Don and Barbara Barnett, through their undersigned counsel to join and in support of defendants Alskogs' motion for separate trial and submit the following memorandum of points and authorities.

I. FACT AND PROCEDURE

The above entitled cause of action consists of various claims made by each of the plaintiffs against different defendants. Plaintiffs Ehrlich have made claims for the alleged sexual relationship between Sandy Ehrlich and defendant, Ralph Alskog. Plaintiffs Lemke have made claims for the alleged activity of defendant, Robert Howerton. Plaintiff Reynolds has

BARNETTS' RESPONSE BRIEF
AND BRIEF IN OPPOSITION : 1

EXHIBIT A

Evans, Crawford Luckie, P.S.
LAWYERS

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SEATTLE, WASHINGTON 98104

(206) 386 5555

1 made claims for the alleged sexual relationship between Kathryn
2 Reynolds and defendant, Scott Hartley. Plaintiffs Chabot have
3 made claims based upon the breakup of the marriage between Dee
4 Chabot and Michael Chabot. Plaintiffs Butler have made claims
5 based upon the alleged activity of Don Barnett, Brown and Hall.

6 In addition, plaintiffs have alleged causes of action
7 against Community Chapel and Bible Training Center, and Don and
8 Barbara Barnett claiming that spiritual teachings and practices
9 led to the aforementioned claims.

10 Plaintiffs have now moved this court to allow them to amend
11 to add additional plaintiffs. Catherine and Ron Kitchell and
12 their children wish to join adding claims based upon marital
13 disharmony.

14 Defendants Barnett now join defendant Alskog's request for a
15 separate trial and oppose plaintiffs motion to add plaintiffs on
16 the basis that a joinder and consolidated trial would prejudice
17 defendant Barnetts' ability to effectively defend against each
18 independent claim.

19 II. LAW AND ARGUMENT

20 A. Separate Trials

21 Separate trials are proper to prevent delay or prejudice.
22 CR 20 (b). "The right to order separate trials is a matter of
23 discretion vested in the trial court by the rules." Maki v.
24 Aluminum Bldg. Products, 73 Wn. 2d 23, 25, 436 P.2d 186 (1968).

25 Claims have been made against defendants Barnett based upon
26 the spiritual teachings of Don Barnett and upon their alleged
27 responsibility for the acts of the various defendants. Each of
28 the alleged claims arise out of separate occurrences. Plaintiffs
29 have urged this court that the claims based upon the spiritual
30 teachings of Don Barnett link the other alleged claims. At best,

31 BARNETTS' RESPONSE BRIEF
32 AND BRIEF IN OPPOSITION : 2

Evans, Craven & Luckie, P.S.

LAWYERS

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SEATTLE, WASHINGTON 98104

1 this indicates similarity. It does not lead to the conclusion
2 that the occurrences were the same. Williams v. Maslan, 192 Wn
3 616, 74 P.2d 217 (1937).

4 Defendants Barnett have defenses arising from the religious
5 teachings claims which are similar. However, the Barnetts must
6 also defend upon claims that they are vicariously responsible for
7 each of the independent occurrences. Each of these defenses is
8 separate and specific to the claims against each other defendant.
9 Separate trials are necessary to allow defendants Barnett an
10 opportunity to fairly present each of these defenses.

11 A consolidated trial subjects the Barnetts to self-apparent
12 prejudice. The Barnetts have a right to defend each claim
13 against the other defendants as well as the claims against them.
14 The multiplicity of claims would complicate the presentation of
15 the Barnetts' defense before a jury. There is a risk that
16 independent defenses against each isolated occurrence would be
17 disregarded.

18 B. JOINDER

19 Joinder is proper only if the parties wishing to join assert
20 claims arising out of the same transaction, occurrence, or series
21 of transactions or occurrences and there are material questions
22 of law or fact in common. CR 20 (a). The Kitchells do not
23 allege claims arising out of the same transaction, occurrence, or
24 series of occurrences alleged by any of the other defendants.
25 They allege generally that the spiritual teachings of Don Barnett
26 adversely affected them. However, the alleged problems which
27 they experienced are separate from the alleged problems of the
28 other parties to this action. The Kitchells do not state
29 allegations against many of the other defendants nor do they
30 allege specific activities which relate to the activities alleged

31 BARNETTS' RESPONSE BRIEF
32 AND BRIEF IN OPPOSITION : 3

Evans, Crockett Luckie, P.S.

LAWYERS

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SEATTLE, WASHINGTON 98104

1 in the claims of other plaintiffs. Consequently, the Kitchells
2 have failed to meet the first requirement for joinder. They have
3 failed to allege claims arising out of the same transaction,
4 occurrence, or series of occurrences. See, Williams v. Maslan,
5 192 Wn. 616, 74 P.2d 217 (1937).

6 Further, parties may be added only upon such terms as are
7 just. CR 21. As stated herein, the multiplicity of claims in
8 this action prejudices the Barnetts ability to fairly present
9 defenses which apply separately to each claim. The joinder of
10 additional parties at this stage would cause further prejudice to
11 the Barnetts defense.

12 III. CONCLUSION

13 The Barnetts are forced to defend alleged claims based upon
14 the spiritual teachings of Don Barnett. Additionally, the
15 Barnetts must defend against the separate acts of the other
16 defendants. These defenses could not be fairly presented should
17 the Barnetts be forced to defend additional claims which do not
18 arise out of the claims made by present parties to the above
19 entitled cause of action or defend a multiplicity of distinct
20 claims in a single trial.

21 DATED this 24th day of March, 1988.

22
23 EVANS CRAVEN & LACKIE

24
25 BY Tim Donaldson
26 TIM DONALDSON
27 Attorney for defendants'
28 Barnett

29
30
31 BARNETTS' RESPONSE BRIEF
32 AND BRIEF IN OPPOSITION : 4

Evans, Craven & Lackie, P.S.
LAWYERS

400 FLEXIBLE COLUMBIA CENTER, 201 5TH AVENUE
SEATTLE, WASHINGTON 98101

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Preston, Thorgrimson, Ellis & Holman

Civil Track I
Honorable John Riley

FILED
JUDGES RILEY & HOLMAN

FILED

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KING COUNTY SUPERIOR COURT
SUPERIOR COURT CLERK
SEATTLE, WA



SUPERIOR COURT OF WASHINGTON
COUNTY OF KING

KATHY LEE BUTLER, et vir., et al.,
Plaintiffs,
vs.
DONALD LEE BARNETT, et ux., et al.,
Defendants.
SANDY EHRLICH, et vir., et al.,
Plaintiffs,
vs.
RALPH ALSKOG, et ux., et al.,
Defendants.

NO. 86-2-18176-8

(Consolidated)

NOTE FOR MOTION CALENDAR

(Clerk's Action Required)

TO: THE CLERK OF THE COURT; and to all other parties per list on reverse side:

PLEASE TAKE NOTICE that an issue of law in this case will be heard on the date below and the Clerk is directed to note this issue on the appropriate calendar.

Calendar Date: November 10, 1988 Day of Week Thursday

Nature of Motion: Defendants Barnett's Motion for Separate Trial

DESIGNATED CALENDAR

- | | |
|--|---|
| <input type="checkbox"/> Civil Motion (LR 7) (9:30) | <input type="checkbox"/> FAMILY LAW MOTION (LR 94.04) |
| <input type="checkbox"/> Summary Judgment (LR 56) (9:30) | <input type="checkbox"/> (W291) |
| <input type="checkbox"/> Supplemental Proceeding (LR 69) (1:30) | |
| <input type="checkbox"/> Presiding Judge (Trial Date Motions Only) (11:15 or 1:30 Daily) | <input type="checkbox"/> Domestic Motion (9:30) |
| Time of Hearing: _____ | <input type="checkbox"/> Sealed File Motion (1:30) |
| | <input type="checkbox"/> Support Motion (1:30) |
| | <input type="checkbox"/> Modification (1:30) |

EX PARTE MOTION (LR 0.9(b)) (W285)

The following motions are heard 9:00-12:00 and 1:30-4:15:

- | | | |
|--|------------------------|--|
| <input type="checkbox"/> Adoption | Time of Hearing: _____ | <input type="checkbox"/> Receivership (LR 66) (2:00) |
| <input type="checkbox"/> Dissolution | Time of Hearing: _____ | <input type="checkbox"/> Sealed File Motion (9:30) |
| <input type="checkbox"/> Ex Parte Motion | Time of Hearing: _____ | |
| <input type="checkbox"/> Probate | Time of Hearing: _____ | |

DEPARTMENTAL HEARINGS (LR 40(b))

Special Setting Before Judge/Commissioner:

Time of Hearing: 2:00 p.m.

The Honorable John Riley

Room E854

Typed Name: Rodney D. Hollenbeck

OF: EVANS, CRAVEN & LACKIE, P.S.

DATED: October 21, 1988

Attorney for: Defs. Barnett

Telephone: 386-5555

LIST NAMES, ADDRESSES AND TELEPHONE NUMBERS OF ALL PARTIES REQUIRING NOTICE ON REVERSE SIDE.

EVANS, CRAVEN & LACKIE, P.S.
Suite 3100, Columbia Center
701 5th Avenue
Seattle, WA 98104
Phone: 386-5555

138

List Of Names, Addresses And Telephone Numbers Of All Parties Requiring Notice:

NAME: Richard H. Adler
ADLER, GIERSCH & READ
Address: 1211 Smith Tower
Seattle, Washington 98104
Phone: 682-4267

Telephone:

Attorney For: Co-Counsel for Pls. Ehrlich, et al.

NAME: John L. Messina
MESSINA DUFFY
Address: 200 Benj. Franklin Bldg.
4002 Tacoma Mall Blvd.
Tacoma, Washington 98409
Phone: 472-6000

Telephone:

Attorney For: Co-Counsel for Pls. Ehrlich, et al.

NAME: Pauline V. Smetka
HELSELL, FETTERMAN, MARTIN, TODD &
Address: HOKANSON
1500 Washington Building
Seattle, Washington 98111
Phone: 292-1144

Telephone:

Attorney for: Co-Counsel for Defs. Alskog

NAME: Michael J. Bond
LEE, SMART, COOK, MARTIN &
Address: PATTERSON, P.S., INC.
800 Washington Building
1325 Fourth Avenue
Seattle, Washington 98101
Telephone: Phone: 624-7990

Attorney For: For Def. Community Chapel & Bible Training Center

NAME: Robert P. Howerton
3507 South 40th St.
Address: Tacoma, Washington 98409

Telephone: Def. Pro Se

Attorney For:

List Of Names, Addresses And Telephone Numbers Of All Parties Requiring Notice:

NAME: Jack Rosenow
ROSENOW, HALE & JOHNSON
Address: Suite 301 Tacoma Mall Boulevard
Tacoma, WA 98409
Phone: 838-1767

Telephone:

Attorney For: Defs. Alskog

NAME: George Kargianis/Jeff Campiche
KARGIANIS, AUSTIN & ERICKSON
Address: 47th Floor, Columbia Center
701 Fifth Avenue
Seattle, Washington 98104
Phone: 624-5370

Telephone:

Attorney For: For Pls. Butler, et al.

NAME:

Address:

Telephone:

Attorney for:

NAME: Susan Delanty Jones
PRESTON, THORGRIMSON, ELLIS & HOLMAN
Address: 5400 Columbia Center
701 Fifth Avenue
Seattle, Washington 98104
Phone: 623-7580

Telephone:

Attorney For: For Pl. Jorgensen

NAME:

Address:

Telephone:

Attorney For:

FILED

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Civil Trial Court I
Honorable John Riley

CLERK
SEATTLE, WA



**SUPERIOR COURT OF WASHINGTON
COUNTY OF KING**

KATHY LEE BUTLER, et vir, et al.,
Plaintiffs,

DONALD LEE BARNETT, et ux., et al.,
Defendants.

SANDY EHRLICH, et vir., et al.,
Plaintiffs,

RALPH ALSKOG, et ux., et al.,
Defendants.

NO. 86-2-18176-8
(Consolidated)

**NOTE FOR MOTION CALENDAR
(Clerk's Action Required)**

TO: THE CLERK OF THE COURT; and to all other parties per list on reverse side:

PLEASE TAKE NOTICE that an issue of law in this case will be heard on the date below and the Clerk is directed to note this issue on the appropriate calendar.

Calendar Date: November 10, 1988 Day of Week Thursday

Nature of Motion: Re Note of Plts Motion to Compel Identification of Defs Howertons'
Attorney

DESIGNATED CALENDAR

- Civil Motion (LR 0.7) (9:30)
 - Summary Judgment (LR 56) (9:30)
 - Supplemental Proceeding (LR 69) (1:30)
 - Presiding Judge (Trial Date Motions Only) (11:15 or 1:30 Daily)
- Time of Hearing: _____

FAMILY LAW MOTION [LR 0.5(b) LR 94.04] (W291)

- Domestic Motion (9:30)
- Sealed File Motion (1:30)
- Support Motion (1:30)
- Modification (1:30)

EX PARTE MOTION [LR 0.9(b)] (W623)

The following motions are heard 9:00-12:00 and 1:30-4:15:

- Adoption Time of Hearing: _____
- Dissolution Time of Hearing: _____
- Ex Parte Motion Time of Hearing: _____
- Probate Time of Hearing: _____

- Receivership (LR 66) (2:00)
- Sealed File Motion (9:30)

DEPARTMENTAL HEARINGS [LR 40(b)]

Special Setting Before Judge/Commissioner:
Time of Hearing: 2:00 p.m.

The Honorable John Riley
Room E854

Typed Name: Ann J. Durham

OF: Adler Giersch, P.S.

DATED: October 21, 1988

Attorney for: Plaintiffs Ehrlich

Telephone: (206)682-0300

ORIGINAL

LIST NAMES, ADDRESSES AND TELEPHONE NUMBERS OF ALL PARTIES REQUIRING NOTICE ON REVERSE SIDE.

LAW OFFICES OF
ADLER, GIERSCH AND READ, P.S.
1621 SMITH TOWER
SEATTLE, WA 98104
(206) 682-4267

139
y

List Of Names, Addresses And Telephone Numbers Of All Parties Requiring Notice:

NAME: John L. Messina
MESSINA DUFFY
Address: 200 Benjamin Franklin Building
4002 Tacoma Mall Builevard
Tacoma, WA 98409

Telephone: (206)472-6000

Attorney For: Co-counsel for Plaintiffs Ehrlich, et al.

NAME: Pauline V. Smetka
HELSELL, FETTERMAN, MARTIN, TODD & HOKANSON
Address: 1500 Washington Building
Seattle, WA 98111

Telephone:(206)292-1144

Attorney For: Co-counsel for Defendants Alskog

NAME: Michael J. Bond
LEE, SMART, COOK, MARTIN & PATTERSON, P.S., INC.
Address: 800 Washington Building
1325 Fourth Avenue
Seattle, WA 98101

Telephone: (206)624-7990

Attorney for: Defendant Community Chapel & Bible Training Center

NAME: Robert P. Howerton
3507 S. 40th Street
Address: Tacoma, WA 98409

Telephone:

~~Attorney For~~ Defendant

NAME: Rod D. Hollenbeck
EVANS, CRAVEN & LACKIE
Address: 34th Floor, Columbia Center
701 Fifth Avenue
Seattle, WA 98104

Telephone: (206) 586-5555

Attorney For: Defendants Barnett

List Of Names, Addresses And Telephone Numbers Of All Parties Requiring Notice:

NAME: George Kargianis/Jeff Campiche
KARGIANIS, AUSTIN & ERICKSON

Address: 47th Floor, Columbia Center
701 Fifth Avenue
Seattle, WA 98104

Telephone: (206)624-5370

Attorney For: Plaintiffs Butler, et al.

NAME: Donald & Christine Hall

Address: P. O. Box 168
Big Fork, MT 59911

Telephone:

~~XXXXXXXXXX~~ Plaintiffs

NAME: Susan Delanty Jones
PRESTON, THORGRIMSON, ELLIS & HOLMAN

Address: 5400 Columbiz Center
701 Fifth Avenue
Seattle, WA 98104

Telephone: (206)623-7580

Attorney for: Plaintiff Jorgensen

NAME:

Address:

Telephone:

Attorney For:

NAME:

Address:

Telephone:

Attorney For:

FILED

CIVIL TRACK I
THE HONORABLE JOHN RILEY

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

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KATHY LEE BUTLER, et ux.
et al.,

Plaintiffs,

v.

DONALD LEE BARNETT, et ux.,
et al.,

Defendants.

SANDY EHRLICH and MICHAEL
EHRLICH, Wife and Husband;
LARRY LEMKE, Parent, LARRY
LEMKE, Guardian ad litem on
behalf of SYBIL N. LEMKE, a
Minor; DEE CHABOT, Parent;
DEE CHABOT, Guardian ad litem
on behalf of SHAWNA MICHELLE
CHABOT, MICHAEL GRANT CHABOT,
and NICHOLAS STERLING CHABOT,
Minors; CATHERINE KITCHELL
and RONALD KITCHELL, Wife and
Husband; CATHERINE KITCHELL,
Guardian ad litem on behalf
of WENDY KITCHELL, a Minor,

Plaintiffs,

v.

RALPH ALSKOG and ROSEMARY
ALSKOG, Husband and Wife;
ROBERT HOWERTON and JANE DOE
HOWERTON, Husband and Wife;
DONALD LEE BARNETT and
BARBARA BARNETT, Husband and
Wife; COMMUNITY CHAPEL AND
BIBLE TRAINING CENTER, a
Washington Corporation;
"JOHN DOES" 1-4 and "JANE
DOES" 1-4, Husbands and
Wives; FIRST DOE CORPORATION;
and FIRST DOE PARTNERSHIP,

Defendants.

CLERK
SEATTLE, WA

No. 86-2-18176-8

PLAINTIFFS' MOTION TO COMPEL
IDENTIFICATION OF DEFENDANTS
HOWERTON'S COUNSEL OF RECORD
AND TO CLARIFY DEFENDANTS
HOWERTON'S ANSWER

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ORIGINAL

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MOTION

COME NOW the plaintiffs, Sandy Ehrlich, et. vir., et. ux., by and through their attorney Ann J. Durham of Adler Giersch, P.S., and hereby move this Court to order Defendants Robert Howerton and Jane Doe Howerton, husband and wife, to identify their counsel of record and to clarify their Answer. This motion is based upon the records and files contained herein, the attached Declaration of Ann J. Durham, and the efficient management of this Court's resources and time.

FACTS

Briefly, the records indicate that Michael J. Bond, attorney for Defendants, Michael W. Bugni attorney for Defendants, and David L. Martin of attorneys for all defendants, except John Does 1 through 4, Jane Does 1 through 4, and First Doe Corporation and First Doe Partnership, each have entered notices of appearance on behalf of more than one defendant in this action. Thereafter, several notices of appearance were filed for each individual defendant, except Defendants Robert Howerton and Jane Doe Howerton, husband and wife. At this time, the records do not indicate which attorney is currently representing Defendants Howerton.

Additionally, attorneys Michael J. Bond and Michael W. Bugni filed an answer and counterclaim on behalf of all named defendants on or about December 12, 1986. Subsequently, both counsels entered a notice of withdrawal of representation for Defendants Howerton. All other defendants in this action filed answers individually, by and through their subsequent counsels of record.

1 Defendants Howerton have never filed an individual answer.

2 Plaintiffs seek to determine the identity of defendant
3 Howerton's counsel of record in order to comply with the pre-trial
4 and discovery procedures outlined by the Honorable John W. Riley,
5 pursuant to CR 16 and CR 26(f) and 26(g). Plaintiffs, at this
6 time, are confused as to how to proceed with the service of papers
7 and on how to acquire the signing of discovery requests,
8 responses, and objections with regard to Defendants Howerton.
9 Such confusion is likely to waste considerable court time and
10 economy, and is likely to create additional stumbling blocks to
11 the smooth operation of pre-trial matters and as well as during
12 the trial itself.

13 As the Court is aware, this case involves a large number of
14 plaintiffs, defendants, and attorneys, all of which are inter-
15 related. In addition, the defendants have potential conflicts of
16 interest among themselves, including Defendants Howerton's
17 potential cross-claim against other defendants in this matter.
18 Plaintiffs seek an order identifying the attorney of record in
19 order to avoid later procedural problems as the trial date nears.

20 This motion is accompanied by a proposed order as required by
21 local civil rule 7(d)(2)(d)(vi).

22 RESPECTFULLY SUBMITTED this 21st day of October, 1988.

23 ADLER GIERSCH, P.S.

24
25 BY: 

26 Ann J. Durham

27 Attorney for Plaintiffs Ehrlich

28 PLAINTIFFS' MOTION TO COMPEL - 3

LAW OFFICES OF
ADLER GIERSCH, P.S.
SUITE 600
401 SECOND AVE. S.
SEATTLE, WA 98104
(206) 682-0300

FILED

CIVIL TRACK I
THE HONORABLE JOHN RILEY

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

KATHY LEE BUTLER, set vir. (WA)
et al.,)
SEATTLE, WA

Plaintiffs,)

v.)

DONALD LEE BARNETT, et ux.,)
et al.,)

Defendants.)

No. 86-2-18176-8

DECLARATION OF ANN J. DURHAM
IN SUPPORT OF MOTION TO COMPEL
AND TO CLARIFY

SANDY EHRLICH and MICHAEL)
EHRLICH, Wife and Husband;)
LARRY LEMKE, Parent, LARRY)
LEMKE, Guardian ad litem on)
behalf of SYBIL N. LEMKE, a)
Minor; DEE CHABOT, Parent;)
DEE CHABOT, Guardian ad litem)
on behalf of SHAWNA MICHELLE)
CHABOT, MICHAEL GRANT CHABOT,)
and NICHOLAS STERLING CHABOT,)
Minors; CATHERINE KITCHELL)
and RONALD KITCHELL, Wife and)
Husband; CATHERINE KITCHELL,)
Guardian ad litem on behalf)
of WENDY KITCHELL, a Minor,)

Plaintiffs,)

v.)

RALPH ALSKOG and ROSEMARY)
ALSKOG, Husband and Wife;)
ROBERT HOWERTON and JANE DOE)
HOWERTON, Husband and Wife;)
DONALD LEE BARNETT and)
BARBARA BARNETT, Husband and)
Wife; COMMUNITY CHAPEL AND)
BIBLE TRAINING CENTER, a)
Washington Corporation;)
"JOHN DOES" 1-4 and "JANE)
DOES" 1-4, Husbands and)
Wives; FIRST DOE CORPORATION;)
and FIRST DOE PARTNERSHIP,)

Defendants.)

ORIGINAL

DECLARATION OF ANN J. DURHAM - 1

LAW OFFICES OF
ADLER GIERSCHE, P.S.
SUITE 600
401 SECOND AVE. S.
SEATTLE, WA 98104
(206) 682-0300

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[Signature]

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I, Ann J. Durham declare as follows:

1. I am of the attorneys of record for plaintiffs Ehrlich, et al., in the consolidated action cause No. 86-2-18176-8, currently pending in King County Superior Court. I have personal knowledge of and am familiar with all the records and files contained herein.

2. As set forth in my Motion to Compel, there have been three attorneys who have filed Notices of Appearance on behalf of defendants Robert Howerton and Jane Doe Howerton.

3. Although attorneys for each and every other defendant have entered more recent Notices of Appearance, thereby clarifying exactly who they are representing, there has been no such clarification filed on behalf of Defendants Howerton.

4. Similarly, Defendants Howerton have never filed an individual Answer in this action. The only Answer on record was prepared by attorneys Michael J. Bond and Michael Bugni.

5. In reviewing the complaint and answers filed in this case, I can identify several areas of potential conflict among the defendants.

6. In order to comply with the Court's Order regarding the pre-trial procedures in this case, it is necessary for me to identify to whom I should send my discovery requests, objections and other communications regarding Defendants Howerton's case.

7. I believe that the clarification and identification of Defendants Howerton's counsel of record would be the most efficient management of the Court's resources at this time.

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I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE
OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

DATED this 21st day of October, 1988.


Ann J. Durham

FILED

CIVIL TRACK I
THE HONORABLE JOHN RILEY

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

KATHY LEE BUTLER, et vir.)
et al.,)

Plaintiffs,)

v.)

DONALD LEE BARNETT, et ux.,)
et al.,)

Defendants.)

No. 86-2-18176-8

NOTICE OF CHANGE OF FIRM ADDRESS

SANDY EHRLICH and MICHAEL)
EHRLICH, Wife and Husband;)
LARRY LEMKE, Parent, LARRY)
LEMKE, Guardian ad litem on)
behalf of SYBIL N. LEMKE, a)
Minor; DEE CHABOT, Parent;)
DEE CHABOT, Guardian ad litem)
on behalf of SHAWNA MICHELLE)
CHABOT, MICHAEL GRANT CHABOT,)
and NICHOLAS STERLING CHABOT,)
Minors; CATHERINE KITCHELL)
and RONALD KITCHELL, Wife and)
Husband; CATHERINE KITCHELL,)
Guardian ad litem on behalf)
of WENDY KITCHELL, a Minor,)

Plaintiffs,)

v.)

RALPH ALSKOG and ROSEMARY)
ALSKOG, Husband and Wife;)
ROBERT HOWERTON and JANE DOE)
HOWERTON, Husband and Wife;)
DONALD LEE BARNETT and)
BARBARA BARNETT, Husband and)
Wife; COMMUNITY CHAPEL AND)
BIBLE TRAINING CENTER, a)
Washington Corporation;)
"JOHN DOES" 1-4 and "JANE)
DOES" 1-4, Husbands and)
Wives; FIRST DOE CORPORATION;)
and FIRST DOE PARTNERSHIP,)

Defendants.)

NOTICE OF CHANGE OF FIRM ADDRESS

ORIGINAL

LAW OFFICES OF
ADLER GIERSCH, P.S.
SUITE 600
401 SECOND AVE. S.
SEATTLE, WA 98104
(206) 682-0300

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TO: THE CLERK OF THE COURT; and
TO: ALL PARTIES OF RECORD AND THEIR COUNSEL:

PLEASE TAKE NOTICE that the firm address and telephone number
ofr ADLER GIERSCH, P.S., attorneys for Plaintiffs, have changed
and are as follows:

ADLER GIERSCH, P.S.
Suite 600, The Court in the Square
401 Second Avenue South
Seattle, Washington 98104
(206) 682-0300

DATED this 21st day of October, 1988.

ADLER GIERSCH, P.S.

BY: *Ann J. Durham*
Ann J. Durham
Attorney for Plaintiff

NOTICE OF CHANGE OF FIRM ADDRESS

LAW OFFICES OF
ADLER GIERSCH, P.S.
SUITE 600
401 SECOND AVE. S.
SEATTLE, WA 98104
(206) 682-0300

FILED

1988 OCT 28 PM 4:16

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA.

Civil Track I
The Honorable John Riley

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF KING

KATHY LEE BUTLER, et vir.,)	
et al.,	)	Consolidated
)	
Plaintiffs,	)	No. 86-2-18176-8
)	
v.	)	AFFIDAVIT OF SERVICE
	)	BY MAIL
DONALD LEE BARNETT, et ux.,)	
et al.,)	
Defendants.)	

I, Kristi L. deRham duly sworn on oath deposes and says:

That I am a citizen of the United States and a resident of the State of Washington, over the age of twenty-one years and not a party to this action; that on the 28th day of October, 1988, I caused a copy of the Plaintiffs Jorgensen's First Revised Lay Witness List to be deposited in the United States Mail in an envelope with first class postage prepaid, addressed to the following:

1. Jeff Campiche
Kargianis & Austin
4700 Columbia Seafirst Center
701 Fifth Avenue
Seattle, Washington 98104

AFFIDAVIT OF SERVICE
BY MAIL - 1

LAW OFFICES OF
PRESTON, THORGRIMSON, ELLIS & HOLMAN
5400 COLUMBIA SEAFIRST CENTER
701 FIFTH AVENUE
SEATTLE, WASHINGTON 98104-7011
(206) 623-7580

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2. Richard H. Adler
Adler, Giersch and Read, P.S.
1211 Smith Tower
Seattle, Washington 98104
- 3
3. John L. Messina
Messina Duffy
4002 Tacoma Mall Boulevard, Suite 200
Benjamin Franklin Building
Tacoma, Washington 98409
- 4
4. Jack Rosenow
Marilyn W. Schultheis
Rosenow, Hale & Johnson
Suite 301, Tacoma Mall Office Building
Tacoma, Washington 98409
- 5
5. Robert Howerton and Jane Doe Howerton
Pro Se
3507 South 40th
Tacoma, Washington 98409
- 6
- 7
- 8
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Kristi L. deRham

Kristi L. deRham

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15 SIGNED AND SWORN to before me this 28th day of October,
1988.

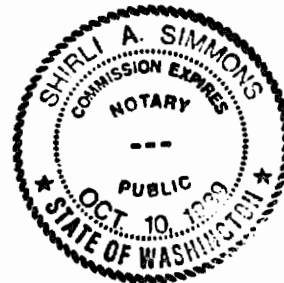
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18 *Shirli A. Simmons*

NOTARY PUBLIC
My Commission Expires: 10-10-89

19



AFFIDAVIT OF SERVICE
BY MAIL - 2

LAW OFFICES OF
PRESTON, THORGRIMSON, ELLIS & HOLMAN
5400 COLUMBIA SEAFIRST CENTER
701 FIFTH AVENUE
SEATTLE, WASHINGTON 98104-7011
(206) 623-7540

COPY RECEIVED
OCT 28 1983
EVANS, CRAVEN & LACKIE, P.S.

Civil Track I
The Honorable John Riley

FILED
1988 OCT 28 PM 4:17
KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA.

OCT 28 1988

SEATTLE, WA.
KING COUNTY
SUPERIOR COURT

JOHN W. RILEY
IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

KATHY LEE BUTLER, et vir.,)	
et al.,	)	Consolidated
)	
Plaintiffs,	)	No. 86-2-18176-8
)	
v.	)	PLAINTIFFS JORGENSEN'S
	)	FIRST REVISED LAY
DONALD LEE BARNETT, et ux.,	)	WITNESS LIST
et al.,)	
Defendants.)	

Pursuant to the Court's letter dated October 5, 1988, Maureen Jorgensen, plaintiff in No. 82-2-26360-8, which has been consolidated with this case, hereby submits her revised lay witness list, together with a brief summary of the expected testimony of each witness.

1. George Alberts

Former elder and minister of counseling at Community Chapel and Bible Training Center ("CCBTC"). Jorgensen and Alberts talked at length in at least one long conversation in the fall of 1985, about her poor health in 1985 and her need for financial assistance for medical bills. He took notes during

PLAINTIFFS JORGENSEN'S FIRST
REVISED LAY WITNESS LIST - 1

ORIGINAL

LAW OFFICES OF
PRESTON, THORGRIMSON, ELLIS & HOLMAN
5400 COLUMBIA SEAFIRST CENTER
701 FIFTH AVENUE
SEATTLE, WASHINGTON 98104-7011
(206) 623-7580

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1 the conversation.

2

3 2. Blackburn, John

4 A lawyer who was CCBTC's attorney in 1975, when Jorgensen
5 was being urged to give or loan a large sum of money to the
6 Chapel. At the time he was the partner of Charles Moren, who
7 represented Jorgensen in the competency litigation in 1975.
8 Expected to testify that he did represent CCBTC at time Don
9 Barnett arranged for Moren to "represent" Jorgensen.

10

11 3. David and Nancy Dobbs

12 Were present at the Friday evening service in October, 1985
13 when Don Barnett publicly rebuked Jorgensen for failing to be
14 "obedient" to his direction and for "continuing to yield to
15 'demons.'" Will testify that Barnett left the pulpit and came
16 down to the pew where Jorgensen lay, all the while continuing
17 a tirade directed at her.

18

19 4. William Ellis

20 Was special attorney retained by Charles Moren to provide
21 tax advice to both CCBTC and Jorgensen regarding her proposed
22 gift to CCBTC in 1975. He did not regard Jorgensen as his
23 client; his fees were paid by CCBTC.

24

25

26

PLAINTIFFS JORGENSEN'S FIRST
REVISED LAY WITNESS LIST - 2

1 5. Jack Filbrick, M.D.

2 Jorgensen's physician at the time she decided to leave the
3 Chapel late in 1985. Has knowledge about the condition of her
4 health at that time.

5
6 6. Grennan, Brian

7 A CCBTC member who was present at the service when Barnett
8 rebuked Jorgensen.

9
10 7. Hunt, David

11 A CCBTC member who was directed by Don Barnett to be
12 Jorgensen's "spiritual connection" in 1985. He was a witness
13 to an attempt by Jorgensen to persuade Barnett to listen to
14 Jorgensen's plea for financial and personal assistance after her
15 husband left her to be with his "connection," and she had no
16 money for everyday expenses and mounting medical bills.

17
18 8. I'Anson, Thomas

19 Jorgensen's father. He brought a guardianship petition in
20 1975 to have Jorgensen declared incompetent to manage her
21 financial affairs, as a result of her "decision" to give a gift
22 or loan of approximately \$500,000 to CCBTC. Has knowledge about
23 her health, living arrangements, extent of injuries from her
24 accident, and the Alaska litigation that resulted a the net
25 recovery to Jorgensen of approximately \$730,000 early in 1985.

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PLAINTIFFS JORGENSEN'S FIRST
REVISED LAY WITNESS LIST - 3

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9. Johnson, Keith and Debbie

Former Chapel members who witnessed the October, 1985 rebuke of Jorgensen by Barnett, and were shocked and upset by Barnett's behavior. Now living in Arizona, they could be available for telephone deposition.

10. McGregor, Jeff

Former personal editor for Don Barnett's writings at CCBTC. After Jorgensen contacted him about her financial and personal concerns, he wrote a letter to Barnett on Jorgensen's behalf.

11. Moren, Charles

Attorney who represented Jorgensen in the guardianship action brought by Jorgensen's father, and who was successful in having the petition dismissed. He also represented Jorgensen during the negotiations over the form of her gift to CCBTC, but will testify that the scope of his representation did not include either advising her of the advisability and consequences of such a large gift or inquiring of her how she was to live if she gave away such a large sum. He will also testify that he did not advise her of all the consequences of her acceptance of a no-interest loan to the church, but only told her all loan repayments would be non-taxable income to her. He did not inquire about the nature and extent of her injuries and daily living requirements, nor advise her to seek advice about her

1 future financial needs. Partner of CCBTC's attorney at time
2 Barnett retained him for Jorgensen.

3
4 12. Morin, Maureen

5 Former CCBTC member, who was Jorgensen's roommate during
6 a period prior to the execution of the \$480,000 note. Will
7 testify to Barnett's many contacts with Jorgensen during the
8 course of the Alaska litigation, and to the fact that Barnetts
9 were closely involved with Jorgensen and directed many aspects
10 of Jorgensen's life prior to December, 1975.

11
12 13. Pangburn, Dennis

13 Jorgensen's former husband, who left her for his
14 "connection" and was subsequently disfellowshipped after his
15 divorce from Jorgensen. Was present at the execution of the
16 promissory note by CCBTC representatives, has knowledge of the
17 discussions regarding the no-interest feature of the note,
18 Barnett's pressure on Jorgensen to accept no interest, and to
19 donate back the principal repayments to CCBTC.

20
21 14. Parkinson, Bill and Debbie

22 Former members of CCBTC, friends of Jorgensen who attempted
23 to intervene with chapel authorities on Jorgensen's behalf in
24 1985 when she was ill and destitute and sought help as promised
25 her when she agreed to turn over the funds from her tort
26

PLAINTIFFS JORGENSEN'S FIRST
REVISED LAY WITNESS LIST - 5

1 settlement to CCBTC.

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15. Sabourin, Mike and Maureen

Mike Sabourin is a former elder and counselor at CCBTC. At the request of Don Barnett, he and Maureen Sabourin listened to a tape of the Friday night service when Barnett rebuked Jorgensen. The Sabourins were not present at the service, but heard the tape later while traveling in their car to Spokane.

16. Seibold, Roy

Former financial adviser to CCBTC. Was involved in the structuring of the transaction by which Jorgensen gave a gift of approximately \$100,000 to CCBTC and accepted a no-interest note from CCBTC to evidence a loan of \$480,000. Seibold will testify that John Blackburn was CCBTC's attorney in 1975, and that Don Barnett told the chapel's steering committee that he had recommended to Jorgensen that Blackburn's law partner, Charles Moren, represent her in structuring the gift or loan to CCBTC. He will also testify that he never participated in conversations with Jorgensen about her intention to give or loan money to CCBTC and that all such negotiations were conducted by Don Barnett. Seibold now lives in California, and is available for a telephone deposition.

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17. Snoey, Wayne

Former security manager at CCBTC. It is believed he assisted Don Barnett in shredding certain documents from the CCBTC counseling center in 1986 or 1987, and that these documents included records of Jorgensen's conversations with George Alberts or Marvin Williams regarding her need for financial assistance from CCBTC, as agreed by Barnett as an inducement to the gift and loan in 1975.

18. A.C. Torgerson, M.D.

Auburn surgeon who performed gall bladder surgery on Jorgensen in March, 1985. The surgery resulted in medical expenses of approximately \$10,000, for which Jorgensen sought assistance from CCBTC.

19. Wagner, Jim

Former tape librarian at CCBTC. He will testify that it was common for Barnett or others in authority at CCBTC to instruct him or his staff to erase portions of tapes of services or other events. He does not remember ever being directed to erase any portion of the service when Barnett rebuked Jorgensen in October, 1985.

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19. Wagner, Jim

Former tape librarian at CCBTC. He will testify that it was common for Barnett or others in authority at CCBTC to instruct him or his staff to erase portions of tapes of services or other events. He does not remember ever being directed to erase any portion of the service when Barnett rebuked Jorgensen in October, 1985.

1 20. Jorgensen, Maureen

2 Plaintiff in Jorgensen v. Community Chapel. She will
3 testify about her early contacts with CCBTC after the automobile
4 accident that caused her severe injuries and quadriplegia; about
5 repeated contacts with Don and Barbara Barnett in the early
6 1970's and about the pervasive involvement of the Barnetts in
7 virtually every aspect of Jorgensen's life; about the long
8 series of private meetings between Jorgensen and Don Barnett,
9 in which Barnett repeatedly told her that she must give any
10 proceeds from the Alaska lawsuit to CCBTC for its work, since
11 she would be "healed." In any event, CCBTC would take care of
12 all her needs for life if she donated the funds. She will
13 testify about the authoritarian teachings of Barnett that kept
14 Jorgensen and her former husband, Dennis Pangburn, in thrall to
15 CCBTC for many years. She will also testify about continual
16 financial problems arising from the fact that their monthly
17 income from the loan repayments, which was often their only
18 income, was far too small to meet their expenses, which were
19 substantial because of Jorgensen's disability. She will also
20 testify about her lengthy and increasingly desperate attempts
21 to seek assistance from CCBTC, in accordance with its earlier
22 promise to take care of her needs, when her husband abandoned
23 her for his "spiritual connection" in 1985 and she was beset
24 with medical expenses in addition to her already heavy living
25 expenses. She will testify that Barnett ignored her pleas for
26

PLAINTIFFS JORGENSEN'S FIRST
REVISED LAY WITNESS LIST - 8

1 many months and then severely and cruelly rebuked her in a
2 public worship service before 2500 people in October, 1985,
3 causing her extreme emotional distress and adding to her anxiety
4 about how she was going to survive without sufficient financial
5 resources to meet her daily requirements.

6 DATED this 28 day of October, 1988.

7 PRESTON, THORGRIMSON,
8 ELLIS & HOLMAN

9 By *Susan Delanty Jones*
10 Susan Delanty Jones
11 Catherine D. Shaffer
12 Attorneys for Plaintiff
13 Maureen Jorgensen
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PLAINTIFFS JORGENSEN'S FIRST
REVISED LAY WITNESS LIST - 9

FILED

CIVIL TRACK I
THE HONORABLE JOHN RILEY

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

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KATHY LEE BUTLER, et vir.,
et al.,

Plaintiffs,

v.

DONALD LEE BARNETT, et ux.,
et al.,

Defendants.

No. 86-2-18176-8

SANDY EHRLICH and MICHAEL
EHRLICH, Wife and Husband;
LARRY LEMKE, Parent, LARRY
LEMKE, Guardian ad litem on
behalf of SYBIL N. LEMKE, a
Minor; DEE CHABOT, Parent;
DEE CHABOT, Guardian ad litem
on behalf of SHAWNA MICHELLE
CHABOT, MICHAEL GRANT CHABOT,
and NICHOLAS STERLING CHABOT,
Minors; CATHERINE KITCHELL
and RONALD KITCHELL, Wife and
Husband; CATHERINE KITCHELL,
Guardian ad litem on behalf
of WENDY KITCHELL, a Minor,

DECLARATION OF MAILING

Plaintiffs,

v.

RALPH ALSKOG and ROSEMARY
ALSKOG, Husband and Wife;
ROBERT HOWERTON and JANE DOE
HOWERTON, Husband and Wife;
DONALD LEE BARNETT and
BARBARA BARNETT, Husband and
Wife; COMMUNITY CHAPEL AND
BIBLE TRAINING CENTER, a
Washington Corporation;
"JOHN DOES" 1-4 and "JANE
DOES" 1-4, Husbands and
Wives; FIRST DOE CORPORATION;
and FIRST DOE PARTNERSHIP,

Defendants.

DECLARATION OF MAILING - 1

ORIGINAL

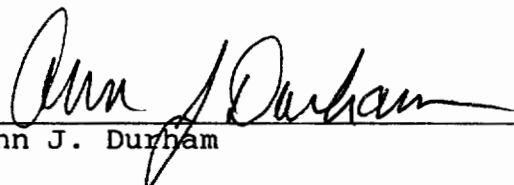
LAW OFFICES OF
ADLER GIERSCH, P.S.
SUITE 600
401 SECOND AVE. S.
SEATTLE, WA 98104
(206) 682-0300

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I, Ann J. Durham, swear under penalty of perjury under the laws of the State of Washington, that on the 1st day of November, 1988, I placed in the United States mail, first class, postage prepaid, a true and correct copy of PLAINTIFFS EHRLICH'S ET AL BRIEF IN OPPOSITION TO DEFENDANTS ALSKOG'S AND BARNETT'S MOTIONS FOR SEPARATE TRIALS to Defendant Robert Howerton at 3507 S. 40th, Tacoma, Washington 98409.

FURTHER your declarant sayeth naught.


Ann J. Durham

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

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4 KATHY LEE BUTLER, et vir.,)
et al.,)

5 Plaintiffs,)

6 v.)

7 DONALD LEE BARNETT, et ux.,)
8 et al.,)

9 Defendants.)

No. 86-2-18176-8

10 SANDY EHRLICH and MICHAEL)
EHRLICH, Wife and Husband;)
11 LARRY LEMKE, Parent, LARRY)
LEMKE, Guardian ad litem on)
12 behalf of SYBIL N. LEMKE, a)
Minor; DEE CHABOT, Parent;)
13 DEE CHABOT, Guardian ad litem)
on behalf of SHAWNA MICHELLE)
14 CHABOT, MICHAEL GRANT CHABOT,)
and NICHOLAS STERLING CHABOT,)
15 Minors; CATHERINE KITCHELL)
and RONALD KITCHELL, Wife and)
16 Husband; CATHERINE KITCHELL,)
Guardian ad litem on behalf)
17 of WENDY KITCHELL, a Minor,)

18 Plaintiffs,)

19 v.)

20 RALPH ALSKOG and ROSEMARY)
ALSKOG, Husband and Wife;)
21 ROBERT HOWERTON and JANE DOE)
HOWERTON, Husband and Wife;)
22 DONALD LEE BARNETT and)
BARBARA BARNETT, Husband and)
23 Wife; COMMUNITY CHAPEL AND)
BIBLE TRAINING CENTER, a)
24 Washington Corporation;)
"JOHN DOES" 1-4 and "JANE)
25 DOES" 1-4, Husbands and)
26 Wives; FIRST DOE CORPORATION;)
and FIRST DOE PARTNERSHIP,)

27 Defendants.)
28

PLAINTIFFS EHRLICH'S ET AL BRIEF
IN OPPOSITION TO DEFENDANTS
ALSKOG'S AND BARNETT'S MOTIONS
FOR SEPARATE TRIAL

ORIGINAL

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ISSUES

(1) Whether this Court should sever the action brought by Plaintiff Sandy Ehrlich against Defendants Ralph Alskog, an elder of the Community Chapel and Bible Training Center (hereinafter "CCBTC"), and Donald Lee Barnett, pastor of CCBTC, from other claims arising out of a series of occurrences involving Ralph Alskog, Donald Barnett, and CCBTC.

(2) Whether this Court should sever the claims brought by the named plaintiffs arising out of the same series of occurrences involving Ralph Alskog, Robert Howerton, CCBTC, and Donald Barnett as the president of the CCBTC Corporation and as the pastor and counsellor of CCBTC.

FACTS

The lawsuits in question all involve the sexual exploitation and abuse of members of the congregations of Community Chapel and Bible Training Center (hereinafter "CCBTC"), by either the pastor or agents of the church. The underlying basis of the joint claims is that the defendants were acting to further church purposes and that the plaintiffs were injured because they were deceived about the defendants' positions within CCBTC.

It will be essential to plaintiff's claims at trial that a jury be told of the atmosphere in which these events occurred. The join actions are similar in nature and involve common questions of law and fact. The basis of the lawsuits involves Donald Barnett, the pastor, and other agents of CCBTC who have encouraged members of the congregation to form intimate attachment

1 with members of the opposite sex as part of the regular services
2 in the church. These intimate attachments are encouraged to be
3 formed with persons other than the members' spouses. These
4 intimate attachments have been called a revelation known as
5 "spiritual connections". The currently joined claims all seek to
6 have official agents of CCBTC held accountable for their behavior
7 and conduct. There will be expert testimony regarding common
8 questions of fact concerning cults, mind control, and the
9 "spiritual connections" teachings. Thus, if these claims are
10 severed, many witnesses, experts, parties, resources, and court
11 time and money will be unnecessarily duplicated to re-address
12 essentially identical questions of law and fact which arose out
13 of a series of occurrences surrounding CCBTC and directly
14 affecting each plaintiff.

15 LAW

16 The purpose of joinder of causes of action is to avoid
17 multiplicity in suits and to prevent waste of judicial resources
18 through unnecessary duplications of effort. Longenecker v.
19 Brommer, 59 Wn. 2d 552 (1962); Department of Labor & Industries
20 v. City of Kennewick, 31 Wn. App. 777 (1982), reversed on other
21 grounds, 99 Wn. 2d 225 (1983); Roberts v. Port of Seattle, 46 Wn.
22 2d 509 (1955); Cooper v. Runnels, 48 Wn. 2d 108 (1955). For some
23 reason, defense counsel has failed to address this issue in
24 defendants' briefs. Moreover, in quoting a hypothetical in
25 Williams v. Maslan, 192 Wash. 616 (1937) [see Motion of Defendant
26 Alskog for Separate Trial at page 5], defense counsel inexplicably
27

28 BRIEF IN OPPOSITION TO DEFENDANTS' MOTIONS - 3

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ADLER GIERSCH, P.S.
SUITE 600
401 SECOND AVE. S.
SEATTLE, WA 98104
(206) 682-0300

1 omitted the first sentence of the quoted paragraph, which reads,
2 "The purpose of the rule is to avoid multiplicity of actions."
3 Williams, at 620. Additionally, in citing CR 42, defense counsel
4 only quotes from CR 42(b), omitting the related CR 42(a), which
5 reads:

6 (a) Consolidation. When actions involving a common
7 question of law or fact are pending before the court, it
8 may order a joint hearing or trial of any or all of the
9 matters in issue in the action; it may order all concerning
the proceedings therein as may tend to avoid unnecessary
costs or delay. [Emphasis added.]

10 Similarly, when quoting from Brown v. General Motors Corp.,
11 67 Wn. 2d 278 (1965), defense counsel for Alskog selectively
12 quotes language from page 282 of the case [see Motion of Defendant
13 Alskog for Separate Trial, at page 8], but omits the policy
14 language on this same page, which reads, "piecemeal litigation is
15 not to be encouraged". Brown, at 282. Thus, despite defense
16 counsel's representations and omissions otherwise, there is a
17 strong public policy in this state not to try actions separately
18 where such would waste time, efforts, and judicial resources. An
19 analogous case arose in Mangham v. Gold Seal Chinchillas, Inc.,
20 69 Wn. 2d 37 (1966), wherein the Washington Supreme Court affirmed
21 a defendant's denial of severance of claims. In Mangham,
22 defendants claimed, as herein, that there were no common questions
23 of fact or law and that there were no "series of transactions"
24 present to support the denial of severance.

25 Mangham involved a series of claims of fraud surrounding a
26 "sales pitch". The Washington Supreme Court ruled:

27 The connection between these sales which make them

28 BRIEF IN OPPOSITION TO DEFENDANTS' MOTIONS - 4

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1 potentially a series of related transactions is that the
2 sales representation which was allegedly made by the
3 several salesmen involved in these six claims is
4 essentially the same.

5 Id., at 40.

6 The Washington Supreme Court then added:

7 The fact that the transactions were separated in some
8 instances by substantial periods of time or that the
9 salesmen were different men (who were averred to be
10 "independent contractors") is immaterial, in view of the
11 pleadings and averments of the respondents that each of
12 these men made essentially the same sales presentation to
13 each of the six families who purchased the chinchillas.
14 The allegations that the defendant corporation was a
15 source of authority for the representations of essentially
16 identical character made to these six purchasers of
17 chinchillas is sufficient to show a series of transactions
18 for the purpose of passing upon a pre-trial motion for
19 severance under Rule 20. [emphasis added]

20 Id., at 41.

21 Finally, the Court concluded in Mangham:

22 Petitioners have also claimed that there are no common
23 questions of fact or law in this case. We disagree. The
24 detailed evidence and the facts relating to each
25 transaction must be separately proven at the trial.
26 However, in view of the answers to the interrogatories now
27 in the record, we are of the opinion that common questions
28 of fact are involved, such as, were the essentially
similar representations and warranties made by the
salesmen authorized by the defendants? With regard to the
common question of law, it is clear to us that the
question of whether these essentially similar
representations and warranties were fraudulently made is
a common question of law.

29 Id., at 41.

30 In the case at bar, essentially the same occurrences resulted
31 from the negligence, misrepresentations and malpractice of CCBTC
32 and its agents. Each plaintiff's claim involves similar torts,
33 such as outrage, ministerial and pastoral malpractice, counselor

34 BRIEF IN OPPOSITION TO DEFENDANTS' MOTIONS - 5

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1 malpractice, negligent counseling, wrongful disfellowship, loss
2 of consortium, destruction of parent\child relationship, and
3 defamation. In addition, all of plaintiffs' claims represented
4 by our office arise from the same factual pattern whereby
5 Defendant Donald Barnett is the president, pastor, and counsellor
6 in control of the church and its agents. He is, thereby, a
7 defendant for the same causes of action for each plaintiff such
8 as spiritual teachings and practices, negligent supervision, and
9 negligent counseling. Therefore, to sever any of these claims
10 would be asking the plaintiffs to try their case in a vacuum and
11 would force unnecessarily duplicative testimony and expense for
12 a separate trial.

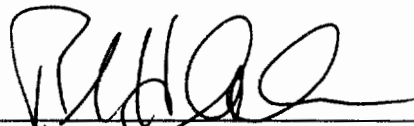
13 CONCLUSION

14 Plaintiffs Ehrlich, Lemke, Chabot, and Kitchell respectfully
15 request that Defendants Alskog's and Barnett's motions to sever
16 be denied and that the trials proceed as consolidated by this
17 court.

18 RESPECTFULLY SUBMITTED this 31ST day of October, 1988.


19 ADLER GIERSCH, P.S.

20
21 BY:



Richard H. Adler
Attorney for Plaintiffs Ehrlich

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23
24 BY:



Ann J. Durham
Attorney for Plaintiffs Ehrlich

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28 BRIEF IN OPPOSITION TO DEFENDANTS' MOTIONS - 6

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ADLER GIERSCH, P.S.
SUITE 600
401 SECOND AVE. S.
SEATTLE, WA 98104
(206) 682-0300

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ORIGINAL

CIVIL TRACK ONE
THE HONORABLE JOHN RILEY

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

KATHY LEE BUTLER, et. ux.,)
et. al.,)

Plaintiffs,)

v.)

DONALD LEE BARNETT, et. ux.,)
et. al.,)

Defendants.)

No. 86-2-18176-8

DEFENDANT BARNETT'S REBUTTAL
BRIEF IN SUPPORT OF MOTION FOR
FOR SEPARATE TRIALS

SANDY EHRLICH, et. ux., et. al.,)

Plaintiffs,)

v.)

RALPH ALSKOG, et. ux., et. al.,)

Defendants.)

MAUREEN P. JORGENSEN,)

Plaintiff,)

v.)

COMMUNITY CHAPEL AND BIBLE
TRAINING CENTER, et. al.,)

Defendants.)

DEF'S REBUTTAL BRIEF IN SUP
OF MOTION FOR SEP TRIALS
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I. LEGAL ARGUMENT

Defendants Barnett make a motion requesting severance of plaintiff's actions for purposes of trial.

Plaintiffs have misrepresented the lawsuits in question as involving assorted allegations of sexual exploitation and abuse of members of the congregation by the pastor, an agent of the church. The following summary and specific actions against defendant Barnett, and their bases of evidence, include lawsuits brought by numerous plaintiffs involving a wide range of activities over a decade of time.

Kathy Butler and her children have brought an action against Don Barnett and the Community Chapel arising from allegations that in 1975 she engaged in sexual foreplay with Don Barnett and was negligently counseled by Don Barnett with regard to her marriage. It is anticipated that plaintiff Butler will assert that she left the church for a period of time, then returned and was sexually harassed by Donald Barnett on several occasions. Kathy Butler left the church in the spring of 1986. The basis of Kathy Butler's allegations predate any notion of "spiritual connections" which arose in 1985 at the CCBTC.

Sandi Brown has brought an action with her husband and children arising out of activities in the summer of 1979 in which Don Barnett kissed her repeatedly over a three-month period of time, and on one occasion, she alleges, touched her breast.

Mr. and Mrs. Brown remain together; they left the church in 1980 and have never returned as members. This activity predates the spiritual connections.

Chris Bradley Hall alleges that sexual foreplay occurred between herself and Don Barnett prior to the calendar year 1981

1 on at least one occasion. She left the church shortly thereafter
2 and has never returned to membership in same.

3 Sybil Lemke alleges that Robert Howerton kissed her in his
4 car in the summer of 1985 and attempted to put his hand on her
5 thigh, at which point in time she stopped him from doing same.

6 Sybil Lemke has no allegation of any direct contact with Don
7 Barnett and simply includes him in the cause of action as head
8 pastor promoting the concept of spiritual connections.

9 Sandy Ehrlich alleges she engaged in sexual activities short
10 of intercourse with defendant Ralph Alskog in the fall of 1985.
11 There is no allegation of any sexual contact with Don or Barbara
12 Barnett. The allegations against Don Barnett in this instance
13 are based upon his failure to supervise Ralph Alskog as an
14 employee, and upon his promotion of the religious concept of
15 spiritual connections.

16 The Kitchells are claiming that the spiritual connections
17 concept at the church caused marital disharmony. The Kitchells
18 remain married; they have left the church.

19 Dee Chabot alleges that spiritual connections caused her
20 marriage failure. There are no allegations concerning Donald
21 Barnett in any direct role with the Chabot family.

22 Maureen Jorgensen has brought a motion to intervene, based
23 upon the addition of an allegation that the concept of spiritual
24 connections disrupted her marriage with Dennis Pangburn. In
25 addition to Jorgensen's complaint, she includes contractual
26 allegations of Barnett's undue influence in the loan of a
27 substantial sum of money to the church in 1975, and a breach of
28 contract as to oral promises made at that time.

29 By bringing all these causes of action in one suit, the
30 numerous plaintiffs are, in essence, attempting to sidestep

1 Evidence Rule 4, which provides that evidence of other wrongs or
2 acts are not admissible to prove the character of a person in
3 order to show that he acted in conformity therewith.

4 Further, by combining these various incidents which occurred
5 on different dates with separate defendants, the causes of
6 action compound and create extremely prejudicial effects.

7 In the case of Maki v. Aluminum Products, 73 Wn. 2d 23, 436
8 P.2d 186 (1968), five different plaintiffs sued together,
9 claiming the defendant sold and installed an aluminum setting to
10 them under false and fraudulent representations. The various
11 transactions in that case occurred during a period of
12 approximately three months, and the plaintiffs allege that they
13 were of the same general character and that the representations
14 were part of a common, fraudulent scheme.

15 The court in Maki ordered that each plaintiff's case be
16 tried separately against the same defendant. The court, holding
17 for separate trials, noted that, although the transactions were
18 alleged to be of the same general character, they occurred on
19 different dates during a period of almost three months. The
20 court further characterized the transactions as unrelated.

21 The actual activities in the instant case involve differing
22 allegations involving separate families. The plaintiffs'
23 voluntary involvement in the CCBTC adversely affected their lives
24 through individual occurrences involving various parties over a
25 twelve year period. Upon review of the witness list, the number
26 of crossover witnesses appears to be extremely limited. The only
27 manner in which defendants Barnett can hope to achieve some
28 semblance of a fair trial, given the attendant prejudicial
29 effects of compound allegations by individuals at different
30 times, is to isolate each plaintiff's action for separate trial.

31 **DEF'S REBUTTAL BRIEF IN SUP**
32 **OF MOTION FOR SEP TRIALS**
15004857 : 4

James Crawford Larkin, D.D.

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RESPECTFULLY submitted this 4th day of NOVEMBER,
1988.

EVANS CRAVEN & LACKIE, P.S.

By Rodney D. Hollenbeck
RODNEY D. HOLLENBECK
Attorneys for Defendant

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Proctor, Thompson, Ellis & Holman
Attorneys at Law

CIVIL TRACK ONE
THE HONORABLE JOHN RILEY

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

KATHY LEE BUTLER, et. ux.,)
et. al.,)

Plaintiffs,)

v.)

DONALD LEE BARNETT, et. ux.,)
et. al.,)

Defendants.)

CONSOLIDATED
No. 86-2-18176-8

DEFENDANTS' BARNETT FIRST
REVISED LAY WITNESS LIST

ORIGINAL

SANDY EHRLICH, et. ux., et. al.,)

Plaintiffs,)

v.)

RALPH ALSKOG, et. ux., et. al.,)

Defendants.)

MAUREEN P. JORGENSEN,)

Plaintiff,)

v.)

COMMUNITY CHAPEL AND BIBLE
TRAINING CENTER, et. al.,)

Defendants.)

DEF'S REBUTTAL BRIEF IN SUP
OF MOTION FOR SEP TRIALS
15004857 : 1

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1 Pursuant to the Court's letter dated October 5, 1988,
2 defendants Donald Lee Barnett and Barbara Barnett, Case No. 82-2-
3 26360-8, which has been consolidated with the above-captioned
4 case, hereby submit their revised lay witness list, together with
5 a brief summary of expected testimony for each witness.
6

7 Jorgensen v. Barnett, et al.

8 1. Donald Barnett

9
10 Defendant in Jorgensen v. Community Chapel, et al. Pastor
11 Barnett will testify about his contacts with Maureen Jorgensen
12 throughout her involvement in the Community Chapel and Bible
13 Training Center ("CCBTC") and refute allegations concerning
14 alleged undue influence in Maureen Jorgensen's decision regarding
15 the proceeds of her Alaska lawsuit which were, in part, loaned to
16 CCBTC.

17 Don Barnett will testify as to the "rebuke" in October,
18 1985.

19 2. Barbara Barnett

20 Wife of Donald Barnett and employee of counseling center at
21 CCBTC. Barbara Barnett will testify as to her contacts with
22 Maureen Jorgensen and Dennis Pangburn during the time of their
23 participation as members of CCBTC.

24 3. Cal Freden

25 Former senior elder at CCBTC. Cal Freden will testify as to
26 his involvement as a member of the board of senior elders and the
27 agreements reached between Maureen Jorgensen and CCBTC, and
28 actions taken. Cal Freden will testify as to his knowledge of
29 Dennis and Maureen Pangburn in subsequent events occurring
30 between Dennis Pangburn, Maureen Jorgensen, and CCBTC prior to
31 his departure from CCBTC in the early 1980's.

32 4. Jack Hicks

Former senior elder and business manager of CCBTC. Mr.

1 Hicks will testify as to his knowledge of Maureen and Dennis
2 Pangburn's financial participation in CCBTC and financial
3 payments to Maureen and Dennis Pangburn during his years as
4 business manager and senior elder.

5 Further, Mr. Hicks will testify as to his knowledge of
6 reported attempts by Maureen Pangburn to contact CCBTC seeking
7 assistance with medical expenses.

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5. E. Scott Hartley

Current senior elder of CCBTC. Mr. Hartley will testify as to his knowledge of the original loan to CCBTC and grant activity involving Maureen Jorgensen and Dennis Pangburn, as well as promissory notes executed in September of 1985 between Maureen, Dennis Pangburn, and CCBTC.

Further, Mr. Hartley will testify as to his knowledge of the negotiations between Maureen Pangburn, her attorneys, and CCBTC prior to the loan; the execution of loan documents, and any knowledge he has of subsequent financial activities between the Pangburns and CCBTC.

6. Jack DuBois

Former senior elder of CCBTC and senior elder during the 1970's and 1980's.

Mr. DuBois will testify as to his participation in the initial loan between Maureen Pangburn and CCBTC, and the execution of the promissory note and payments to the Pangburns during the pendency of their membership in the church.

8. Dennis Pangburn

See plaintiff Jorgensen's First Revised Lay Witness List (No. 12).

9. Sherri Pangburn

Current wife of Dennis Pangburn. May be called to testify as to the events involving her spiritual connection with Dennis Pangburn in 1985 and her interaction with Maureen Jorgensen at that time.

1
2 **10. Maxine Glover**

3 Sister of Dennis Pangburn. Member of CCBTC. May be called
4 to testify as to her knowledge and observation of Dennis and
5 Maureen Pangburn during the time of their marriage and membership
6 in CCBTC. Ms. Glover may be called to testify as to Dennis'
initial involvement in CCBTC.

7 **11. Glenn Hoag**

8 Initial designer of house built by Dennis and Maureen
9 Pangburn with financial assistance of CCBTC.

10 **12. Dan and Sherry O'Brien**

11 Former CCBTC employee and assistant to Don Barnett. They
12 will testify as to Don Barnett's involvement in bringing Maureen
13 Jorgensen to CCBTC. The O'Briens will testify as to Maureen's
14 involvement in bible college.

15 They will further testify as to Don Barnett's involvement
16 with Dennis Pangburn and Maxine Glover bringing them into the
17 church. They will testify as to their interaction with Dennis
18 and Maureen Pangburn after their marriage and their attitudes
towards the church.

19 **13. Alice Ricks**

20 Alice Ricks worked for Dennis and Maureen Pangburn in 1974-
21 1975. She will testify as to her conversations with Maureen
22 Pangburn concerning the use of the proceeds from her Alaska
23 lawsuit as it related to CCBTC and the voluntary nature of same.

24 Alice Ricks will testify as to her observations and
25 knowledge of the relationship between Dennis and Maureen Pangburn
26 and her observations of the contact between Don and Barbara
27 Barnett and the Jorgensens during her employment for Dennis and
Maureen.

28 **14. Peggy Manee**

29 Worked as an assistant in household chores in aid to Maureen
30 Jorgensen after marriage of Maureen and Dennis. She will testify

1 as to conversations with the Pangburns regarding their
2 interaction with Donald and Barbara Barnett concerning house
3 plans and their marital disputes ten (10) years prior to the
4 concept of spiritual connections being introduced at CCBTC.

5 **15. Sandra Burton**

6 Worked as an in-house aid for Dennis and Maureen Pangburn.
7 She will testify as to observations and knowledge in that
8 capacity regarding marital status and contacts with defendants
9 Barnett.

10 **16. The following individuals have been listed by plaintiff's
11 counsel and may be called should plaintiff fail to do so:**

- 12 a. John Blackburn (No. 2)
- 13 b. William Ellis (No. 4)
- 14 c. Thomas I'Anson (No. 9)
- 15 d. Charles Moren (No. 11)
- 16 e. Roy Siebold (No. 16)

17 **Ehrlich v. Community Chapel, et al.**

18 **1. Donald Barnett**

19 Defendant in Ehrlich v. Community Chapel will testify as to
20 his personal knowledge of the relationship between Ralph Alskog
21 and Sandi Ehrlich and his actions in respect thereto.

22 **2. Barbara Barnett**

23 Wife of Donald Barnett will testify as to her personal
24 knowledge of the Ralph Alskog/Sandi Ehrlich relationship.

25 **3. Ralph Alskog**

26 Ralph Alskog will be called to testify as to his knowledge
27 of the Ralph Alskog/Sandi Ehrlich relationship. It is
28 anticipated that plaintiffs will call Sandi Ehrlich. Defense
29 will cross-examine same.

30 **4. Catherine Gasek**

1 Catherine Gasek may be called to testify as to state of
2 mind, statements and admissions made regarding the relationship
3 between Ralph Alskog and Sandi Ehrlich, as well as the teachings
4 at CCBTC. She was a member at CCBTC.

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5. Marilyn Downs

She was a member at CCBTC. She may be called to testify as to her knowledge of the state of mind and statements made by Sandi Ehrlich regarding the Ehrlich/Alskog relationship. She will testify of her understanding of the teachings at CCBTC.

6. Karen Herbert

Karen Herbert was a member of CCBTC. She may be called to testify on the state of mind and statements made by Sandi Ehrlich regarding the Alskog/Ehrlich relationship.

7. Michael Beaton

Michael Beaton may be called to testify about his relationship with Sandi Ehrlich subsequent to the Alskog/Ehrlich relationship.

8. Deb Beaton

Deb Beaton will testify about her knowledge of actions by Sandi Ehrlich subsequent to the Alskog/Ehrlich relationship.

9. Alice Ricks

Member of CCBTC. Will testify as to state of mind and statements made by Sandi Ehrlich regarding relationship as well as teachings at CCBTC.

10. Defendants reserve the right to call witnesses identified by other counsel in this matter if not called by those parties.

Lemke v. Barnett, et al.

1. Bob Howerton

Will be called to testify as to his activities with Sybil

1 Lemke.

2 2. Don and Barbara Barnett

3 Will testify to any knowledge regarding allegations brought
4 by Sybil Lemke.

5 3. Chani Hayes

6 Will testify as to state of mind and statements made by
7 Sybil Lemke regarding allegations in this case.

8 4. Larry Lemke and the former Mrs. Larry Lemke (Sybil's mother)

9 Will be called regarding their relationship with daughter,
10 Sybil, their knowledge of her activities within the church, their
11 marital relationship, and their activities within the church.

12 5. Remaining witnesses listed in defendant Barnett's first
13 witness list would only be called should certain facts be denied
14 by Sybil Lemke or Larry Lemke during pending discovery
15 statements, admissions, and activities surrounding their personal
16 lives and activities within CCBTC.

17 6. School teachers and/or school counselors of Sybil Lemke yet
18 to be discovered may be called to testify.

19 7. Kathryn Reynolds

20 Former member of CCBTC and Lemke family friend.

21 8. Alex Tennent

22 Former CCBTC member and family friend.

23 Chabot v. Community Chapel, et al.

24 1. Don Barnett

25 Defendant in Chabot v. Community Chapel, et al. will testify
26 as to any contact with Chabots during their participation in
27 CCBTC.

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31 DEF'S REBUTTAL BRIEF IN SUP
32 OF MOTION FOR SEP TRIALS
15004857 : 7

Evans, Crawford Luckie, P.C.
LAWYERS

(206) 386-5555

1 2. Barbara Barnett

2 Same as No. 1 Donald Barnett.

3
4 3. Chabot Family (Dee, Brian, Shawna)

5 Will be called to testify as to their actions, activities,
6 and personal contact with Donald and Barbara Barnett during their
7 participation in CCBTC.

8 4. Dan O'Brien

9 Former member of CCBTC and friend of Chabots will testify as
10 to his knowledge of all the Chabots while participants in CCBTC.

11 5. Defendants Barnett may call any witness listed by other
12 parties to testify of the Chabots' activities in the church and
13 allegations in this lawsuit.

14 6. Teachers of Chabot children (yet to be discovered) may be
15 asked to testify.

16 Kitchell v. Butler, et al.

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18 1. Don and Barbara Barnett

19 Will testify of knowledge and personal contacts with
20 Kitchells.

21 2. Ron and Katie Kitchell

22 3. Witnesses listed by plaintiffs may be called if not called
23 by plaintiff.

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25 Butler v. Barnett, et al.

26 1. Donald Barnett

27 Will be called to testify as to his interaction with Kathy
28 Butler.

29 2. Bill Slorah

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31 DEF'S REBUTTAL BRIEF IN SUP

32 OF MOTION FOR SEP TRIALS

 15004857 : 8

James Crawford Luskie, P.A.

LAWYERS

2006-386-5535

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2 Will be called to testify of actions observed, state of
3 mind, statements made by Kathy Butler during the time frame of
4 allegations of CCBTC and Don Barnett.

5 3. John Swenson

6 Will be called to testify as to state of mind, actions,
7 activities of Kathy Butler prior to alleged activities with Don
8 Barnett.

9 4. E. Scott Hartley

10 Will testify of personal knowledge and communication with
11 Kathy Butler in his official capacities as senior elder at CCBTC.

12 5. Jack Hicks

13 Former senior elder and executive at CCBTC. Will testify as
14 to personal contact and interaction with Kathy Butler from his
15 administrative capacities, as well as her family's.

16 6. Kathy Lien Butler's immediate family, including her
17 surviving mother and brothers will be called to testify as to
18 Kathy's home life if necessary, to verify or refute Kathy
19 Butler's allegations of child molestation by brothers and father
during her youth.

20 7. Defendants Barnett may call those witnesses listed by Butler
21 if not called by plaintiff Butler.

22 8. Teachers of Randy and Scott Lien at CCBTC school (records
23 previously provided by plaintiff's counsel).

24 Brown v. Barnett, et al.

25 1. Don and Barbara Barnett

26 Will testify concerning their personal interaction and
27 knowledge of the allegations of Sandi Brown.

28 2. George Alberts

1 Will testify as to his investigation into the allegations of
2 Sandi Brown in the calendar year 1979, his results and findings.

3 3. E. Scott Hartley

4 Will testify of investigations into Sandi Brown's
5 allegations in 1979 and resultant findings.

6 4. Defendants Barnett may call any witnesses listed by
7 plaintiff Brown to address their knowledge of Brown's activities
8 and allegations before, during, and after their participation in
9 CCBTC.

10 5. Teachers at CCBTC of Troy Tiner and Tara Brown (records
11 previously provided).

12 Hall v. Barnett, et al.

13 1. Donald and Barbara Barnett

14 Will testify as to their knowledge of facts regarding
15 allegations of Chris Bradley Hall.

16 2. Cal and Mary Freden

17 Will testify as to their knowledge of the facts, state of
18 mind, and statements made by Chris Bradley Hall.

19 3. Donald T. Hall

20 Former husband of Chris Bradley Hall. Will testify as to
21 his knowledge of the state of mind and statements made by Chris
22 Bradley Hall in this matter.

23 4. Robert George Bradley

24 Former husband of Chris Bradley Hall will testify as to
25 state of mind, admissions, and facts regarding allegations of
26 Chris Bradley Hall.

27 5. Defendants Barnett may call any witness listed by plaintiff
28 Hall to testify regarding knowledge and perception of plaintiff
29 Hall's activities in the church.
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DATED this 4th day of November, 1988.

EVANS CRAVEN & LACKIE, P.S.

By Rodney D. Hollenbeck
RODNEY D. HOLLENBECK
Attorneys for Defendants

DEF'S REBUTTAL BRIEF IN SUP
OF MOTION FOR SEP TRIALS
15004857 : 11

Evans, Craven & Lackie, P.S.
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KING COUNTY
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The Honorable John W. Riley
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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

RECEIVED MALE & JOHNSON

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KATHY LEE BUTLER, et ux.,
et al.,

Plaintiffs,

v.

DONALD LEE BARNETT, et ux.,
et al.,

Defendants.

NO. 86-2-18176-8

CONTENTIONS OF FACTS AND
LAW OF PLAINTIFF
MAUREEN JORGENSEN

SANDY EHRLICH, et vir., et al.,

Plaintiffs,

v.

RALPH ALSKOG, et ux., et al.,

Defendants.

ADLER GIERSCHE, P.S.
NOV 7 1988

MAUREEN P. JORGENSEN,

Plaintiff,

v.

COMMUNITY CHAPEL AND BIBLE
TRAINING CENTER, et al.,

Defendants.

JORGENSEN CONTENTIONS OF
FACTS AND LAW

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