

FEDERAL BUREAU OF INVESTIGATION

RYMUR (JONESTOWN)

BB-31B TIM STOEN-LEGAL

BUFILE:89-4286

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1 JEFFREY A. HAAS Attorney at Law 2 3609 Sacramento Street San Francisco, CA 94118 (415) 922-6200 3 MARGARET RYAN Attorney at Law 5 294 Page Street San Francisco, CA 94102 6 (415) 626-0979 7 Attorneys for Petitioner

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

IN THE CITY AND COUNTY OF SAN FRANCISCO

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In re the marriage of

Petitioner; GRACE LUCY STOEN

No.719-147

14 a

Respondent: TIMOTHY O. STOEN

REQUEST FOR EXCLUSION OF PUBLIC

c.c. 4360

C.C. 4360 C.C. 4600

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25 26 Petitioner requests the above court to issue an order prohibiting the public from inspecting all pleadings and other documents on file herein and for exclusion of the public from all hearings relating to the custody issue.

DATED: 8-11-17

BB- 31-6-1

DECLARATION OF GRACE L. STOEN

I am the Petitioner in this action and am moving to regain physical custody of my 5 year old son, JOHN VICTOR STOEN.

I am aware that the PEOPLE'S TEMPLE has gained considerable publicity and attention as of late. I have been contacted numerous times to make public statements and to supply
information. I remain concerned that my son's readjustment to a
normal and stable homelife will be adversely affected if litigation regarding his custody gains widespread public attention.

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

Executed this May of August, 1977 at San Francisco California.

GRACE LUCY STOEN

BB- 31- b-2

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LAMSEN & BAAS 3009 Swerm.enio Street Fan Francisco, Ca 94118 922-6200

Attorney(s) for Participant

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	SUPERIOR COURT OF CAUSOR	NIA, COUNTY OF FIRE INVIICESCO
in se the	marriage of	CASE (MINER)
Palitioner:	CHACE PACA SAUCH	1/20/1/20/
Respondent	THOMY O. SYCLA	T-HIGN (PAREALOSE)
1. This pet	ition is for:	
	al separation of the parties pursuant to Civil Code Section 4506(1) Civil Code Section 4506(2)	
3	olution of the marriage pursuant to: Civit Code Section 4506(1) Civit Code Section 4506(2) (mstar all marriage) (incore Respondent)	this state for at least six months and of this county for at least
three m	onths immediately preceding the filing of	this petition.
	ity of the marriage pursuant to: Civil Code Section 4400 Civil Code Section 4401 Civil Code Section 4425()	•
2. Statistice	il information;	the second of th
a. Husb	and's social security number:	2 Wile's social security number: .
b. Date	and place of marriage:C/27/.7D ,	Pod rod Valley Calif.
14pai	of separation:	
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Form Adopted by Rule 1221 of Judgeof Council of Colifornia Revised Livetine Impacy 1, 1073

John Victor Stoen

PETITION (MARRIAGE)

BB- 31-6-3

1-25-72

Cardonia Menicajie Sarvico Burada, Mi Estaci stani 1934

Male

All property otherwise subject to disagreement of the parties.	position by the court in this proceeding has l	been disposed of by written
		or any winner
The following described property is in	subject to disposition by the court in this proce	eding:
Residential property Respondent's pension	& retirement benefits	-
The state of the s	and the second of the second o	···
	·	·
Petitioner requests that the following de	scribed propérty be confirmed as petitioner's	separate property:
		•
Petitioner requests that:		•
•	Petitioner	
	(Patitioner/Respondent/Other	(Specify)
	Potitioner	
(nct)	(Petitioner/Respondent)	
	Petitioner	
Altorney's fees and costs	hn awarded [Pattioner/Respondent]	
	if the marriage and reader such judgments a	nd make such injunctive or
Petitioner declare: under penalty of petitioner declare; under penalty of petition was executed on	erlyry that the foregoing, including any attac 221777 foregoing, including any attac	hments, is true and correct i.300 California
•	je j	(Sognature)
(Allerney for Peliticaer)		
•	Petitioner requests that the following de Petitioner requests that: a. Custody of children be awarded b. Support of children be awarded c. Spausal support	Petitioner requests that the following described property be confirmed as petitioner's Petitioner requests that: a. M. Custody of children be awarded: (Petitioner b. M. Support of children be awarded c. M. Spunsel support. (act) (Petitioner/Respondant) d. M. Property rights be determined as provided by law e. M. Altorney's fees and costs. (act) (petitioner/Respondent) (act) (petitioner/Respondent) (act) (petitioner/Respondent) (act) (petitioner/Respondent) (act) (petitioner/Respondent) (act) (petitioner/Respondent)

3. Properly statement:

JEFFREY A. CASS Attorney at law 2 3609 Sagramento Street San Francisco, CA 94118 (415) 922-6200 JIARGARDIO RYAN Attorney at Law 5 294 Page Struct San Prancisco, CA 94102 (415) 626-0070 6 7 Attorneys for Petitioner 8 9 SUPPLIER COURT FOR THE STATE OF CALIFORNIA IN THE CITY AND COUNTY OF SAN FRANCISCO 10 11 In re the narriage of Mc. 719-147 12 Petitioner: GRACE LUCY STORM) REVISED ORDER RE CHILD CUSTODY 13 and: 14 Respondent: TIMOTHY O. STOWN) 15 16 GOOD CAUSE APPEARING: 17 Petitioner is awarded custody of JOHN VICTOR STORM, ace 18 5, d.p.b. 1/25/72 pending further order of this court. 19 2. Petitioner's Order to Show Cause Re Custody is continued 20 for farther hearing until Modanger 18, 1977, Dept. 13 at 9:00 At. 21 3. Good cause appearing, the RTW. JIM JOHES is ordered 22 joined as a party to this action pursuant to Section 5159 of the 23 24 California Civil Cocc.

HARGARET RYAN ATTORNET AT LAW

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-1-85-31-6-5

4. Pursuant to Section 5154(1)(d) of the California Civil

Code, the court directs that service of this order, the summons

effected upon proof of the doing of the following acts: (1) the

and petition upon Claimant JOMES shall be deemed to have been

mailing of a copy of this order, the summons and petition first class postage prepaid, to the PENDEFND JIM JONES, c/o PEOPLE'S TEMPLE, 1851 Geary Street, San Francisco, California. Said mailing shall occur no later than September 1, 1977; (2) the mailing of this order, the surmons and petition airmail postage to PEV. JIM JOHNS, c/s THE PROPIE'S TREPIE AGRICULTURAL HISSION, Guyano. Said mailing shall occur no later than September 1, 1977: (3) the mailing of a copy of this order to CHAPLES GARRY, Attorney at Law, 1256 Market Street, San Francisco, California. Said mailing shall occur no later than September 1, 1977; and (4) publication of this order in the Recorder, a newspaper of general circulation for 4 times in 4 successive weeks as provided in Government Code 6664 . The last day of publication shall be no later than November !! , 1977. In the alternative, REV. JONES may be personally served. 5. Pursuant to Section 5160(2) of the California Civil Code,

- 5. Pursuant to Section 5160(2) of the California Civil Code, Claimant Rev. JLI JOHES is ordered to appear before this court on NOVEMAS 18 , 1977 Room 481, City Hall, to show cause why Petitioner should not be awarded custody to said minor.
- 6. Pursuant to Section 5160(2) of the California Civil Code, Claimant RFY. JULY TOUTS is advised that a failure to appear at the time and place designated above may result in a decision eleverse to himself.
- 7. Any previous declaration or statement signed by either Petitioner or Respondent authorizing Claimant MONES to act as guardian of said minor shild in hareby declared null and void.
- 8. The parties and their agents are restrained from removing said minor from the city and County of San Francisco pending

MARGARET RYAN ATTORNEY AT LANE 894 PAGE STREET 9 FRANCISCO, CA 8410

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France, Additions and Telephone No. of Attorney(s).

Spane Priaw for U.S of Gourt Clark Only

JETFRY A. PAAS Housen & dons 3600 Sacravento San Francisco, CA 24118 (415) 922-6300

ATTORNEY FOR . Tofficionor .

SUPERIOR COURT OF GAS PUBLIA, COUNTY OF

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In reithe marriage of

Petitioner: GRACE LUCY SECOLI

and

Respondent: TINDIY O. STORM

CASIL HUMBER

719-347

SUFIMOUS (MAURIAGE)

NOTICE! You have been sued. The court may discide agoinst you without your being heard unless you receoud within 30 days. Resid the information below.

pAYISOI Usted ha eldo demanúado. El tribunal puede decidir contra Ud. sin audiencia a menos que Ud. respenda duntro de 30 días. Les la información que sigue.

- 1. To the Respondent (See footnote*):
 - a The petitioner has filed a petition concerning your marriage. You may file a written response within 30 days of the date that this summons is served on you.
 - b. If you fail to file a written response within such time, your default may be entered and the court may enter a judgment containing injunctive or other orders concerning division of property, spousal support, child custody, child support, attorney's fees, costs, and such other relief as may be granted by the court, which could result in the garnishment of wages, taking of money or property, or other relief.
 - c. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your written response, if any, may be first on time.

Dated.

(SEAL)

_____, Deputy

BB- 31-6-8

^{*} The response and other certified gapers must be in writing and in the form prescribed by the California Rules of Court. They must be filled in this court, with the proper filing fee and proof of service of a cutry of vach undertailiner.

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	3609 Sacraranto Street
	Fan Francisco, Ca 94118
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	Attorney(s) for Part Congression
	CARL M. CLEM, Clark
	SUPEROR COURT OF CAUSE
	SUPERIOR COURT OF CAUFORNIA, COUNTY OF SAIL PRANCISCO
	in re the marriage of
	CASE NUMBER CONTROL OF THE PROPERTY OF THE PRO
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	Espondent: ATTYONERS
	TINOTHY O. STOEN
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	Dissolution of the morriage pursuant to: Girl Code Section 4506 [1]
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	(Perinan/Emparisms) three months immediately preceding the filling of this petition.
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	Civil Code Section 4400
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i	2. Statistical information
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4/	U. Doir and place of marriage. C/27/70 De Suns 3 to 10
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	separation is:years,
	d. There are One children of this marriage including the following minor children:
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JEFFRIY A. HAAS Attorney at Law 3609 Sacramento Street San Francisco, CA 94118 (415) 922-6200 3 HARGARET RYAN Attorney at Law 294 Page Street San Francisco, CA 94102 (415) 626-0979 7 Attorneys for Petitioner 8 9 SUPERIOR COURT FOR THE STATE OF CALIFORNIA IN THE CITY AND COUNTY OF SAN FRANCISCO 10 11 No. 719-147 12 In re the marriage of REVISED ORDER RU CHILD CUSTODY Petitioner: GRACE LUCY STOFN) 13 and 14 Respondent: TIMOTHY O. STOEN 15 16 17 GOOD CAUSE APPEARING: 1. Petitioner is awarded custody of JOHN VICTOR STOWN, age 18 5, d.o.b. 1/25/72 pending further order of this court. 19 Petitioner's Order to Show Cause Re Custody is continued 20 for further hearing until Noungel 18, 1977, Dept. 13 at 9:00 AM. 21 3. Good cause appearing, the REW. JIM JOHES is ordered 22 joined as a party to this action pursuant to Section 5159 of the 23 California Civil Code. 24 Pursuant to Section 5154(1)(d) of the California Civil 25 Code, the court directs that service of this order, the summons 26 and petition upon Claimant JONES shall be deemed to have been

effected upon proof of the doing of the following acts: (1) the

BB- 31-6-11

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mailing of a copy of this order, the summons and petition first. class postage prepaid, to the REVEREND JIM JONES, c/o PEOPLE'S TEMPLE, 1851 Geary Street, San Francisco, California. Said mailing Shall occur no later than September 1, 1977; (2) the mailing of this order, the surmons and petition airmail postage to REV. JIM JONES, C/O THE PEOPLE'S TEMPLE AGRICULTURAL MISSION, Guyana. Said mailing shall occur no later than September 1, 1977; (3) the mailing of a copy of this corder to CHARLES GARRY, Attorney at Law, 1256 Market Street, San Francisco, California. Said mailing shall occur no later than September 1, 1977; and (4) publication of this order in the Recorder, a newspaper of general circulation for 4 times in 4 successive weeks as provided in Government Code 6074 . The last day of publication shall be no later than November 11 .. 1977. In the alternative, REV. JONES may be personally served.

5. Pursuant to Section 5160(2) of the California Civil Code. Claimant Rev. JIN JOHES is ordered to appear before this court on Novembr. 8 1977 Room 481, City Hall, to show cause why Petitioner should not be awarded custody to said minor.

6. Pursuant to Section 3160(8) of the California Civil Code, Claimant REV. JIN: JONES is advised that a failure to appear at a the time and place designated above may result in a decision adverse to himself.

7. Any previous declaration or statement signed by either Petitioner or Respondent authorizing Claimant JONES to act as guardian of said minor child is hereby declared null and void.

8. The parties and their agents are restrained from removing said minor from the City and County of San Francisco pending BB- 31-b-12 一点。据是一种

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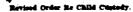
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Revised Order Re CRIM Chatchy.

SUPERIOR COURT FOR THE STATEof California in the City and County of San Francisco.

In re the Marriage of Petitioner:
GRACE LUCY STOEN and Respondent:
TIMOTHY O. STOEN —No. 715-147.
Good cause appearing:

1. Pétitioner is awarded custody of JOHN VICTOR STOEN —98. 3. date of birth January 25. 1972. pending further weder of this court.

2. Petitioner's Order to Show Cause See Custody in continued for further hearing of the california Civil Code.

4. Pursuant to Section 5154(1)((d) of the California Civil Code.

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5. Pursuant to Section 5154(1)((d) of the California Civil Code.

6. Pursuant to Section 5154(1)((d) of the California civil Code.

7. Exercise to the mailing of a copy of this order, the summons and petition first class postage orpasid, to the REV-ZERROD JIM JONES. Code FEDOPLE'S TEMPLE. 1851 Ceary Stores San Francisco. California Said mailing shall occur no later than September 1, 1977; (d) the continued of this order. The summons and petition alternation of this order the summons of the code of the California Civil Code. California. Beld mailing shall occur no later than September 1, 1977; and (d) publication of this order to committee the summons of the code of the California Civil Code. California to Section 1188(2) of the California Civil Code. California Civil Code. Califo

restrained from removing said minor-from the City and County of San Fran-cisco pending further order of this sourt.

Divide of the Superior Court, Donald B. KING.

Divide of the Superior Court, Endorsed: Filed Oct. 14. 1977. CARL. M. Ollesn. Clerk. By: SUE WALKER, Deputy Clerk.

JEFFREY A. HAAB. 1909 Sacramento Street. San Francisco, California Hills; MAKGARET RYAN. 234 Page Street, San Francisco. California Phil2, Attor-parys for Petitioner.

So. 45652 Oct 18-4t-Tu-R







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JET FOLY A. PAAS Honsen & dans 3609 Sacramento San Prancisco, CA 04118 (415) 902-6300

ATTORNEY FOR: . Patitioner

SUPERIOR COURT OF CALLS DISA, COUNTY OF and the second of the second

In reithe marriage of

Petitioner: GRACE LEGY CLOCK

Perpondent: YI DDIY O. STORII

CACCINUMBER 717-147

SUBMICHIS (MAHRIAGE)

MOTICE! You have been sued. The court may decide against you without your being filterd onless you recaond within 35 days. Read the information fallow.

¡AVISOI Usted ha sido demanúado. El tribunal puede dicidir contra Ud. sin audiencia a menos que Ud, responda dontro de 30 días. Lez la información que sigue.

- 1. To the Respondent (See (Jotnote*):
 - a The petitioner has filed a petition concerning your marriage. You may file a written response within 30 days of the date that this summons is served on you.
 - b. If you fail to file a written response within such time, your default may be entered and the court may enter a judgment containing injunctive or other orders concerning division of property, spousal support, child custody. child support, attorney's fees, costs, and such other relief as may be granted by the court, which could result in the garnistiment of wages, taking of money or property, or other relief.
 - c. If you wish to seek the edvice of an attorney in this matter, you should do so promptly so that your written response, if any, may be filed on time.

Clerk Dated

(SEAL)

_____ , Deputy

The response and other permitted papers must be in writing and in the form prescribed by the California Rules of Court. They must be filled in this court with the proper filling fee and proof of service of a copy of each on delithiner.

The time when a summons is dicemed served on a party may vary discensing proof the method of service. For example, see CCP 413.10 through 415.40.

Form thronted by Rule 1953 of The Jim 28 Colocatof Fritzing Revolutions of the two January 1, 1275

FULL OF S (FLAMMEDE)

(Services and during of Service) BB- 31-6-14

1 TIMOTHY OLIVER STOEN 120 Montgomery Street, Suite 1700 San Francisco, California 94104

3 Telephone: (415) 391-5020

Attorney for Plaintiffs

JUN 7 1978 John J. Corcoren, ___ * County Clerk M. MEDARIS, DEPUTY

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

WADE B. MEDLOCK and MABEL M. MEDLOCK, husband and wife,

Plaintiffs,

VS.

JAMES WARREN JONES, also known as JIM JONES; PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, a 15 nonprofit corporation; ENOLA M. NELSON; ENOLA M. NELSON REALTY; 16 HUGH FORTSYN; JAMES MCELVANE; and FIRST DOE through FIFTIETH DOE, inclusive,

Defendants.

COMPLAINT FOR COMPENSATORY AND PUNITIVE DAMAGES FOR CONVERSION BASED ON COERCION AND FOR INTENTIONAL INFLIC-TION OF EMOTIONAL DISTRESS

Plaintiffs allege:

FIRST CAUSE OF ACTION

1. Plaintiffs are informed and believe and thereon allege that 22 defendant JAMES McELVARE is, and at all times herein mentioned was, a resident of the County of Los Angeles, State of California.

2. Defendant PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST ("PEOPLES 25 26 TEMPLE") is, and at all times herein mentioned was, a nonprofit cor-

BB-31-6-15

1 poration organized and existing under and by virtue of the laws of 2 the State of California. PEOPLES TEMPLE at all times herein mention-3 ed represented itself as a church.

- 3. Plaintiffs are informed and believe and thereon allege that defendant ENOLA M. NELSON is, and at all times herein mentioned was. a real estate broker licensed by the State of California and doing business as defendant ENOLA M. NELSON REALTY at 5760 Rodeo Road, Los Angeles, California.
- 4. Plaintiffs are informed and believe and thereon allege that 10 defendant JAMES McELVANE is, and at all times herein mentioned was, a real estate salesman licensed by the State of California and doing business as a salesman for defendants ENOLA M. NELSON and ENOLA M. 13 NELSON REALTY.

- 5. Plaintiffs are informed and believe and thereon allege that 15 defendant JAMES WARREN JONES ("JONES"), also known as JIM JONES, was at all relevant times herein mentioned the president of defendant 17 PEOPLES TEMPLE.
- 6. Plaintiffs WADE B. MEDLOCK and MABEL M. MEDLOCK are, and at 18 19 all times herein mentioned were, husband and wife and residents of 20 the County of Los Angeles, State of California.
- 21 7. Plaintiffs are ignorant of the true names and capacities of 22 defendants sued herein as FIRST DOE through FIFTIETH DOE, inclusive, 23 and therefore sue these defendants by such fictitious names. Plain-24 tiffs will amend this complaint to allege their true names and capa-25 cities when ascertained. Plaintiffs are informed and believe and 26 thereon allege that each of the fictitiously named defendants is re-

I sponsible in some manner for the occurrences herein alleged, and that 2 plaintiffs' damages as herein alleged were proximately caused by their conduct.

8. Defendants JONES, PEOPLES TEMPLE, ENOLA M. NELSON ("NELSON"). 5 ENOLA M. NELSON REALTY ("NELSON REALTY"), HUGH FORTSYN ("FORTSYN"). JAMES McELVANE ("McELVANE"), and FIRST DOE through FIFTIETH DOE, inclusive, were the agents and employees of their codefendants JONES, PEOPLES TEMPLE, NELSON, NELSON REALTY, FORTSYN, McELVANE, and FIRST DOE through FIFTIETH DOE, inclusive, and in doing the things hereinafter alleged were acting within the course and scope of such agency and the permission and consent of their codefendants.

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- 9. Plaintiffs are informed and believe and thereon allege that on or about February 1, 1977, in the County of Los Angeles, State of California, defendants, and each of them, knowingly and wilfully con-15 spired and agreed among themselves to unlawfully extort, convert, 16 and misappropriate from plaintiffs, by fraud and deceit and by threads of death and bodily harm, the net proceeds from the forced sale of 18 plaintiffs' real property in the County of Los Angeles, State of Cal-19 ifornia, which said defendants knew to have a fair market value of approximately \$190,000.00 and an equity value to plaintiffs of approxi-21 mately \$130,000.00.
- 22 10. On February 1, 1977 plaintiffs were the owners of two par-23 cels of real property, herein referred to respectively as the BALDWIN 24 HILLS PROPERTY and the SECOND AVENUE PROPERTY, in the County of Los 25 Angeles, State of California, described as follows:
 - a. BALDWIN HILLS PROPERTY: a three-bedroom house at 4644

Don Zarembo Drive, Los Angeles, California, having a fair market
value on that date of approximately \$125,000.00 and outstanding encumbrances of approximately \$40,000.00, thereby constituting an equity
value in plaintiffs of approximately \$85,000.00.

b. SECOND AVENUE PROPERTY: a triplex and five-room house at 3891 and 3891 3/4 2nd Avenue, Los Angeles, California, having a fair market value on that date of approximately \$65,000.00 and outstanding encumbrances of approximately \$20,000,00, thereby constituting an equity value in plaintiffs of approximately \$45,000.00.

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19 20 11. Plaintiffs became members of defendant PEOPLES TEMPLE in 1971, whose minister and president was defendant JONES. In 1975 defendant JONES began to pressure plaintiffs to sell all they had, give all proceeds from such sales to defendant PEOPLES TEMPLE, and "go communal". Plaintiffs resisted this pressure, whereupon defendant JONES gradually increased it. Defendant JONES employed various stratagems to induce plaintiffs to sell the above-described properties, one approach being that the money was needed to develop the Peoples Temple Agricultural Mission in Guyana, South America, which was then being established by defendant JONES.

12. Plaintiff WADE B. MEDLOCK is 71 years of age, and plaintiff

MABEL M. MEDLOCK is 67 years of age. Plaintiffs worked together in

their own maintenance business for 33 years to acquire their equity

in the above-described properties as security for their senior years.

Neither plaintiff at any time wished to sell either parcel of pro
perty or to donate either parcel to anyone, including defendant JONES

and defendant PEOPLES TEMPLE. Plaintiffs were living in the BALDWIN

HILLS PROPERTY as their residence at all relevant times until on or about August 1, 1977. Plaintiffs had no appreciable assets beyond the aforesaid properties.

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13. On or about February 13, 1977 in the County of Los Angeles, State of Californía, defendant JONES personally called plaintiffs: into the "council room" of the PEOPLES TEMPLE church building at 1366 Alvarado Boulevard, Los Angeles. Present with defendant JONES at said time and place were at least seven other members of defendant PEOPLES TEMPLE, including defendants FORTSYN, NELSON, and McELVANE, all acting as agents for defendant JONES. Defendant JONES at said time and place presented to plaintiffs certain documents previously filled out by defendants NELSON, NELSON REALTY, and McELVANE author-13 izing the sale of the BALDWIN HILLS PROPERTY and the SECOND AVENUE 14 PROPERTY. The sales prices were listed substantially lower than the 15 fair market values in order to expedite immediate sales. When plain-16 tiffs hesitated, defendant JONES personally order them to sign the documents by stating to plaintiffs the following threat:

> You will either sign these papers or you will die. We are not taking your property but just protecting it.

14. Plaintiffs interpreted the aforesaid statement by defendant JONES as a threat they would be killed if they did not sign the documents presented by him. Plaintiffs were not permitted to read the documents nor to ask questions concerning them. Any and all apparent consents of each plaintiff to the aforesaid authorizations were obtained by defendants solely through duress and menace of unlawful and. ²⁶ violent injury to the person of each plaintiff.

15. At the time of signing the aforesaid documents each plaintiff was mindful of having heard defendant JONES say with respect to an individual who had given property to defendant PEOPLES TEMPLE and then reneged and then died, "I killed him."

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16. Plaintiffs are informed and believe and thereon allege that defendant JONES ordered the other defendants to act as his agents in coercing their signatures on all other documents which would be required to be signed in escrow in order to result in the proceeds of the sales of the above-described parcels being taken by defendant 10 PEOPLES TEMPLE. All apparent consents by plaintiffs to all such other 11 documents were obtained by defendants solely through reminders of 12 the aforesaid threat of defendant JONES and soley through said duress 13 and menace of unlawful and violent injury to the person of each plain-14 tiff.

17. On May 13, 1977, in the County of Los Angeles, State of Cal-15 16 ifornia, defendants reminded plaintiffs or the aforesaid threat of 17 defendant JONES and ordered them to sign a document relating to the 18 escrow of the sale of the BALDWIN HILLS PROPERTY (Escrow Number 1183-19 PW) entitled "Escrow Amendment/Supplement" to Escrow Instructions. 20 A copy of Page 1 of the Disclosure/Settlement Statement for the afore-21 said sale is attached as "Exhibit A (Baldwin Hills)" and made a part 22 hereof. A copy of the aforesaid Escrow Amendment/Supplement is at-23 tached as "Exhibit B (Baldwin Hills)" and made a part hereof. The 24 aforesaid Amendment/Supplement was addressed to Crestwood Escrow Ser-25 vice in Inglewood, California, and reads as follows:

From sellers net proceeds at close of escrow, escrow holder is authorized and instructed to make one-half of net proceeds payable to PEOPLES TEMPLE and onehalf payable to MABEL M. MEDLOCK.

The apparent consent of plaintiffs, and each of them, to the aforesaid document was obtained by defendants solely through duress and menace of unlawful and violent injury to the person of each plaintiff.

1B. Plaintiffs are informed and believe and thereon allege that defendant JONES, upon learning that plaintiff MABEL M. MEDLOCK had attempated to withhold from defendant PEOPLES TEMPLE her one-half of the proceeds from the sale of the BALDWIN HILLS PROPERTY, was furious 12 and ordered the other defendants to intensify the reminders of the 13 threats constituting duress and menace as above alleged. On May 17, 14 1977, in the County of Los Angeles, State of California, defendants reminded plaintiff MABEL M. MEDLOCK of the aforesaid threats, and or-16 dered her to sign a document relating to the escrow of the BALDWIN 17 HILLS PROPERTY sale in the form of a letter addressed to Crestwood 18 Escrow Service, a copy of which is attached hereto as "Exhibit C (Baldwin Hills)" and made a part hereof. Said letter reads as follows:

> You have heretofore been handed an instruction by me dated May 13, 1977, providing that certain funds be paid to me at the close of Escrow. I now CANCEL THAT INSTRUCTION.

Instead, please pay all funds due to me from this Escrow to PEOPLES TEMPLE of the Disciples of Christ, a California Corporation.

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1 The apparent consent and authorization of plaintiff MABEL M. MEDLOCK to the aforesaid letter was obtained by defendants solely through said duress and menace of unlawful and violent injury to the person of each plaintiff.

19. On May 13, 1977, in the County of Los Angeles, State of Cal-6 ifornia, defendants reminded plaintiffs of the aforesaid threat of defendant JONES and ordered them to sign a document relating to the escrow of the sale of the SECOND AVENUE PROPERTY (Escrow Number 1074-PW) entitled "Escrow Amendment/Supplement" to Escrow Instructions. A copy of Page 1 of the Settlement Statement for the aforesaid sale 11 is attached as "Exhibit D (Second Avenue)" and made a part hereof. The aforesaid Amendment/Supplement was addressed to Crestwood Escrow 13 Service in Inglewood, California, and reads as follows:

> From sellers net proceeds at close of escrow, escrow holder is authorized and instructed to make one-half of net proceeds payable to PEOPLES TEMPLE and onehalf payable to MABEL M. MEDLOCK.

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17 The apparent consent of plaintiffs, and each of them, to the afore-18 said document was obtained by defendants solely through said duress 19 and menace of unlawful and violent injury to the person of each 20 plaintiff.

20. Plaintiffs are informed and believe and thereon allege that 22 defendant JONES, upon learning that plaintiff MABEL M. MEDLOCK had 23 attempted to withhold from defendant PEOPLES TEMPLE her one-half of the proceeds from the sale of the SECOND AVENUE PROPERTY, was furious 25 and ordered the other defendants to intensify the reminders of the ²⁶ threats constituting duress and menace as above alleged. On May 17,

1977, in the County of Los Angeles, State of California, defendants reminded plaintiff MABEL M. MEDLOCK of the aforesaid threats, and or-3 dered her to sign a document relating to the escrow of the SECOND 4 AVENUE PROPERTY sale in the form of a letter addressed to Crestwood Escrow Service, a copy of which is attached hereto as "Exhibit E-(Second Avenue)" and made a part hereof. Said letter reads as follows:

> You have heretofore been handed an instruction by me dated May 13, 1977, providing that certain funds by paid to me at the close of Escrow. I now CANCEL THAT INSTRUCTION.

> Instead, please pay all funds due to me from this Escrow to PEOPLES TEMPLE of the Disciples of Christ, a California Corporation.

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The apparent consent and authorization of plaintiff MABEL M. MEDLOCK 15 to the aforesaid letter was obtained by defendants solely through duress and menace of unlawful and violent injury to the person of each plaintiff.

21. On or about July 28, 1977, defendants ordered plaintiffs to vacate their BALDWIN HILLS PROPERTY residence because escrow was about to close. Plaintiffs stated to defendants that they would not 21 have sufficient monies to maintain themselves and requested the sum 22 of \$10,000.00 from the net proceeds being claimed by defendant PEO-23 PLES TEMPLE, but defendants stated to plaintiffs that \$10,000.00 "is too much" and agreed that plaintiffs should receive the sum of \$7,000.00 instead.

22. The sales of both the BALDWIN HILLS PROPERTY and the SECOND

a. Net proceeds from sale of BALDWIN HILLS PROPERTY: \$37,003.08; and

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b. Net proceeds from sale of SECOND AVENUE PROPERTY: \$11.506.99.

23. Plaintiffs are informed and believe and thereon allege that in addition to the above-enumerated net proceeds totalling \$48,510.07 paid over to defendant PEOPLES TEMPLE, that defendants NELSON and NELSON REALTY were ordered under duress by defendant JONES to pay. 12 and in fact did pay, over to defendant PEOPLES TEMPLE the sum of 13 \$5,217.00, which represented their real estate sales commission of 14 \$2,535.00 from the sale of the BALDWIN HILLS PROPERTY and \$2,682.00 from the sale of the SECOND AVENUE PROPERTY.

24. At all times herein mentioned, and in particular on or about 17 July 31, 1977, plaintiffs were, and still are, the owners and were, 18 and still are, entitled to the possession of the following personal property: Monies constituting the net proceeds from the sales of the above-described properties paid over to defendant PEOPLES TEMPLE.

25. On or about July 31, 1977, the above-mentioned personal property had a value of \$48,510.07, and on that date was in the possession of plaintiffs at Los Angeles, County of Los Angeles, State of California.

26. On or about August 1, 1977, in the County of Los Angeles, 26 State of California, defendants converted the aforesaid personal prol perty to their own use, as a proximate result of which plaintiffs lost the value of their entire equity in the above-described proper-3 ties (less the above-mentioned payment of \$7,000.00), all to plaintiffs' damage in the sum of ONE HUNDRED TWENTY-THREE THOUSAND DOLLARS (\$123,000.00).

27. At the time of the conversion, defendants were fully aware that the property was the property of plaintiffs and that plaintiffs were entitled to possession thereto, and notwithstanding that knowledge, defendants wrongfully, maliciously, and with intent to injure plaintiffs, converted it as hereinabove alleged. By reason thereof, plaintiffs are entitled to exemplary and punitive damages in the sum of TWELVE MILLION DOLLARS (\$12,000,000.00).

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SECOND CAUSE OF ACTION

- 28. Plaintiffs reincorporate the allegations of their First 16 Cause of Action as though fully set forth at length herein.
- 29. Plaintiffs are informed and believe and thereon allege that 18 on or about June 16, 1977, in the City and County of San Francisco, 19 State of California, defendants, and each of them excepting defendants 20 NELSON and NELSON REALTY, knowingly and wilfully conspired and agreed among themselves to intentionally inflict emotional distress and 22 mental suffering on plaintiffs should they refuse to follow defendant 23 JONES to "Jonestown", Guyana, South America, and thereby become un-24 able effectively to protest and complain to legal authorities about the 25 above-alleged unlawful extortion and conversion. Said infliction of 26 emotional distress and mental suffering was to be done by threats of

death and bodily injury made by persons in the County of Los Angeles State of California, who would be selected by, and who would act upon the express orders of, defendant JONES in Guyana, South America Defendant JONES would transmit such orders in pre-arranged code by courier and by international shortwave amateur radio.

30. On or about January 20, 1978, in the County of Los Angeles, State of California, defendant FORTSYN telephoned plaintiffs and made the following threat twice, once to each plaintiff: ...

> You know what happened to Chris. Jim wants you to come to Guyana.

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 At the time of defendant FORTSYN making the above-mentioned 12 threat, the defendants, and each of them, knew that plaintiffs would regard, as they did in fact regard, the name "Chris" as a reference to Christopher Lewis, a member of defendant PEOPLES TEMPLE and bodyguard of defendant JONES known publicly to have been murdered on the streets of San Francisco, California in December 1977 shortly after returning from Guyana, South America. At said time the defendants, and each of them, also knew that plaintiffs would regard, as they in fact did regard, the name "Jim" as a reference to defendant JONES.

32. Plaintiffs are informed and believe and thereon allege that 21 defendant JONES on or about January 14, 1978, personally ordered, by means of courier and amateur shortwave radio, the making of the afore said threat, and by the same means dictated its wording, using a prearranged code. Plaintiffs are informed and believe and thereon allege that defendant JONES knew and intended that his order would be thus received and acted upon in the County of Los Angeles, State of Califormia so as to result in the making of the aforesaid threat and the consequent injury to plaintiffs.

- 33. Defendants did the acts and things herein alleged pursuant to, and in furtherance of, the conspiracy and agreement above alleged.
- 34. Upon being threatened by FORTSYN as above alleged, plaintiffs became fearful that they would be murdered by defendants. As the proximate result of the aforementioned threat, plaintiffs suffered humiliation, mental anguish, and emotional and physical distress, and have been injured in mind and body, all to plaintiffs' damages in the sum of SIX HUNDRED THOUSAND DOLLARS (\$600,000.00) each.
- 35. As a further proximate result of the aforementioned threat, plaintiffs are informed and believe and thereon allege they will be required to employ physicians and surgeons to examine, treat, and care for them, and may incur medical expenses for hospital bills in an amount which has not yet been ascertained.
- 36. The aforementioned acts of defendants were willful, wanton, malicious, and oppressive, and justify the awarding of exemplary and punitive damages in the amount of TWO MILLION DOLLARS (\$2,000,000.00)

THIRD CAUSE OF ACTION

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- 37. Plaintiffs reincorporate the allegations of their First and Second Causes of Action as though fully set forth at length herein.
- 38. On or about March 26, 1978, in the County of Los Angeles,
 24 State of California, defendant McELVANE approached plaintiff WADE B.
 25 MEDLOCK. Plaintiff WADE B. MEDLOCK said to McELVANE:
 - I don't believe in Jim anymore.

Defendant McELVANE at said time and place then made the following threat to plaintiff WADE B. MEDLOCK in the presence of plaintiff MABEL M. MEDLOCK:

You better watch out. What happened to Chris could happen to you.

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39. At the time of defendant McELVANE making the above-mentioned threat, the defendants, and each of them, knew that plaintiffs would regard, as they did in fact regard, the name "Chris" as a reference to Christopher Lewis as above alleged.

- 40. Plaintiffs are informed and believe and thereon allege that defendant JONES on or about March 19, 1978, personally ordered, by means of courier and amateur shortwave radio, the making of the afore-is said threat, which was to be rendered by defendant McELVANE after the approached plaintiff WADE B. MEDLOCK and ascertained that said plaintiff's attitude was one likely to cause trouble for defendants JONES and PEOPLES TEMPLE. Plaintiffs are informed and believe and thereon allege that defendant JONES knew and intended that his order would be thus executed by defendant McELVANE in the County of Los Angeles, State of California so as to result in the making of the aforesaid threat and the consequent injury to plaintiffs.
- 21 41. Defendants did the acts and things herein alleged pursuant 22 to, and in furtherance of, the conspiracy and agreement alleged in 23 paragraph 29 herein.
- 42. Upon being threatened by defendant McELVANE as above alleged, plaintiffs became even more fearful that they would be murdered by defendants. As the proximate result of the aforementioned threat,

l plaintiffs suffered humiliation, mental anguish, and emotional and 2 physical distress, and have been injured in mind and body, all to 3 plaintiffs' damages in the sum of SIX HUNDRED THOUSAND DOLLARS (\$600,000.00) each. 43. As a further proximate result of the aforementioned threat.. plaintiffs are informed and believe and thereon allege they will be required to employ physicians and surgeons to examine, treat, and care for them, and may incur medical expenses for hospital bills in an amount which has not yet been ascertained. 9 10 44. The aforementioned acts of defendants were willful, wanton, malicious, and oppressive, and justify the awarding of exemplary and 11 j 12 punitive damages in the amount of TWO MILLION DOLLARS (\$2,000,000.00). 13 WHEREFORE, plaintiffs pray judgment as follows: 14 1. For general damages in the sum of \$2,523,000.00. 15 16 2. For medical and related expenses according to proof. 17 3. For punitive damages in the sum of \$16,000,000.00. 4. For costs of suit herein incurred. 18 19 5. For such further and other relief as the court may deem 20 proper. 21 June 6, 1978. DATED: 22 23 24 Attorney for Plaintiffs 25 26

1 Trial by jury is demanded on all issues. DATED: June 6, 1978. TIMOTHY LIVER STOEN Attorney for Plaintiffs

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GW.

GREAT WESTERN SAVINGS AND LOGG ASSOCIATION

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EXHIBIT A (BALDWIN HEAT 31-6-3)

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ESCROW AMENDMENT/SUPPLEMENT

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To: CRESTWOOD ESCROW SERVICE

401 East Manchester Boulevard, Suite 209

Inglewood, California 90301

Ec: Escrow No. 1183-PW

Escrow Officer: Pat Worrill

Centlemen:

Mou have heretofore been handed an instruction by mc dated May 13, 1977, providing that certain funds be paid to me at the close of Escrow. I now CANCEL THAT INSTRUCTION.

Instead, please pay all funds due to me from this Escrow to PEOPLES TEMPLE of the Disciples of Christ, a California Corporation.

Dated: at Los Angeles, this 17th day of May, 1977.

#ND OF INSTRUCTION.....

Mickel Strippi of lack

Receipt is hereby acknowledged of a copy of this document.

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EXHIBIT D (SECOND AVENUE)

To: Crestwood Escrow Service 401 East Manchester Boulevard, Suite 209 Inglewood, California 90301

Her Escrow No. 1074-PW Escrow Officer Pat Worrill

Gentlemen:

You have heretofore been handed an instruction by me dated May 13, 1977, providing that certain funds be paid to me at the close of Escrow. I now CANCEL THAT INSTRUCTION.

Instead, please pay all funds due to me from this Escrov to PEOPLES TEMPLE of the Disciples of Christ, a California Corporation.

Dated: at Los Angeles, this 17th day of May, 1977.

END OF INSTRUCTION.....

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Receipt is hereby acknowledged of a copy of this document.

nichel mmedlock

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_			
rti	ficate.	An action for personal injury,	for filing in a district other than the Central District must be accompanied by the wrongful death or clamage to property presented for filing in the Central District he ground is the residence of a party, name and residence shall be stated.
থ	The	e undersigned declares that the al	pove entitled matter is filed for proceedings in the
_			3 of this court for the checked reason:
		Nature of Action	Ground
1	1	Adoption	Petitioner resides within the district
l	2	Conservator	Positioner or conservatee resides within the district
l	3	Conteact	Performance in the district is expressly provided for
	4	Equity	The cause of action arose within the district
	5	Eminent Domain	The property is located within the district
	6	Family Law	Plaintiff, defendant, petitioner or respondent resides within the district
	7	Forceable Entry	The property is located within the district
	8	Guardianship	Petitioner or ward resides within the district
	9	Haheas Corpus	No action pending, the person is held within the district
	10	Mandate*	The defendant functions wholly within the district
	11	Name/Change	The petitioner resides within the district
}	12	Parsonal Property	The property is located within the district
	13	Probate	Decedent resided or petitioner resides within the district
	14	Prohibition*	The defendant functions wholly within the district
	15	Review*	The defendant functions wholly within the district
	16	Small Claims Appeal	The lower court is located within the district
	17	Title to Real Property	The property is located within the district
•	18	TORT	The cause of action arose within the district
	19	TORT*	The cause of action arose outside of this county
	20 21	Transferred Action Unlawful Detainer	The lower court is located within the district The property is located within the district
	•		, , , , , , , , , , , , , , , , , , , ,
		The residence of the positione	r _, respondent, deceased, conservatec, ward, plaintiff, or defendant
			(Name)
			y that the foregoing is true and correct and this declaration was executed o
? M	e 7,		at, California.
			Timothy Oliver Staen (Signature of Attorney)
erc	gative v	writs concerning a court of interior ju	risdiction and Tort Actions arising outside of the county may be filed in Central District only
	_		Rule 2 LASCI

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PARENTAL CONSENT AND POWER OF ATTURNEY

STATE OF CALIFORNIA)
COUNTY OF Mendocino) ss.
UNITED STATUS OF AHERICA)

1, Grace L. Stoen and Timothy Stoen hereby declare:	
. I am the natural parent /kogxx gunr.Max/	
of John Stoen , s minor, born April 27, 1974.	
. I hereby consent to said minor going to Guyana, South America, to live	
and be cared for there under the Guardinaship or custody of	
Joyce Touchette .	
I hereby appoint Sharon Cobb of Redwood Vaktoriif.	
nd <u>Jim Jones</u> of <u>S. F.</u> ,Calif.	
and Helen Swinney of Redwood Valley, Calif.	-
s my attorneys-in-fact, jointly and severally, to take any and all action	
my of them deem fit for the welfare of said minor. By this power of attor-	
mey, I give each of the aforesaid attorneys-in-fact the right to the care,	
usiody, supervision, and control of said minor anywhere throughout the work	α,
and to travel anywhere with said minor throughout the world.	
Executed on this9th day of March	_,
1976, at Ukiah ,Californi	.a
SIGNED Draw L. Strew	
Fuilty Ostain	
Wkr	_

BB- 31-6-37

STATE OF GALLSONNIA) S COURTY OF) SS. UNITED STATES OF AMELICA)

On March 9th before me, the Undersigned,

A Notary Public in and for said County and State, personally appeared

Grace L. Stoen and Timothy Stoen known to me to be the

pernon whose names are repossified to the within instruments and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAR.



Jimes Rhandolge

DEAR, GENE, PEARLE ARE SO CONSIDERATE AND THE BELLE ARE SO CONSIDERATE AND THE BELLE ARE SO CONSIDERATE AND THE BELLE ARE SO BY THE BELLE AND THE BELLE AN Post Car. MY SON, JOHN VICTOR, IS WITH CUYET! THE AND DON'T DREAT. HE CAN READ, HAS DEVELOPED HIS MUTTAR COMPONION TREMENTOUSLY, AND EVENE CHAINN, ESQUEE IS LEARNING ALL KINDS OF INTERESTING P.o. Box 15023 THINGS ABOUT NATURE. TO M bevoos and his other teachers ARE GIFTED THEORETKALLY AND SAN FRANCISCO, CALIFORNIA PRINTHABLY. HE IS PERFIVANTS LOTS OF LOVE AND AFFECTION, AND IS - 94115 MAPY AS A LARK. HAVE GEEN ATTENDAD TO MARIOU U.S.A. FOAL MATTER CONTINUE WITH HT I HALL BE CENTED WITH MAN BE CENTED WITH MAN SOM!

STRING & 1870 P. ANTERENY, ARMED RESERVED TO ALL . SINCEPPELY, ARMED AIR MAIL

TO CAROLYN LAYTON

Law Office Report #54 November 4, 1978 page 1 from June

1. P.T. v. Stoen lawsuit:

in October Without consulting any of us, Charles filed a notice of deposition for examination of Stoen's bank records. We knew nothing of this until Nov. 1, when Hallinan filed a responsive motion for protective order against such deposition. See copies attached. At that time Charles filed a responsive declaration in support At that time Charles filed a responsive declaration in support of his motion for deposition. Hallinan attached as exhibits to TOS's supporting declaration copies of excerpts from letter sent to media accusing Stoen of things, and copy of letter sent to Franchise Tax Board accusing TOS of working against P.T. Charles blew up when he saw the exhibits and said here was another example of how we do things without his authorization. Well, this deposition business was done without our authorization. Charles told Jean that this was done in consultation with Mazor, and that Mazor had the account number of a Swiss bank account and told Charles. the account number of a Swiss bank account and told Charles he didn't know whose it was, and Charles said if it wasn't Stoen then it must be ours. He said this to Mazor. This whole operation was done by Charles in conjunction with Mazor, not with us.

If you read TOS's declaration, you will see his usual pattern of sticking in irrelevant stuff in order to attach outrageous exhibits, and this time he focuses on letter campaigns. The letter to the Franchise Tax Board is a form letter which would have been used by someone to re-write, and his publicizing it informs us that someone has given it to him. However, the issue of the deposition concerns bank accounts and has nothing to do with letterwriting.

The hearing on the deposition is this coming Tuesday, November The hearing on the deposition is this coming Tuesday, November 7. Charles will not be there. He will be in Santa Rosa on another case. Tom called him in an effort to change his mind and get him to appear for us, but Charles became angry and explained that this was a strategy of his because Pesonen is on intimate terms with the judge, that he meeter with him in his chambers a lot of cases, and Charles does not have a good relationshp with the judge involved. He was agry at our telling him what to do. Same old story.

2. Medlock v. P.T.:

The hearing on the motion for change of venue lost, and the judge ruled against us. So Charles and a new attorney in his office, Neil Rosenbaum, who is not a California attorney, but is licensed through the N.Y.+Pa bars and did the research and writing of the pleadings, tiled a Petition for Writ of Mandate. See attached. I talked with Rosenbaum a little because I had to come in and sign a verification. He is young, English accent, careless enough that he forgot to add the verification til after Charles had taken the papers to LA to file them so the verification had to be sent in late. He was in a rush and I didn't get to talk to him much, but he's part-time and will only be there for a month, after which he will be working for a judge.

) 630 Brs 4

TO CAROLYN LAYTON

Law Office Report #54 November 5, 1978 page 2

from June

3. Apostolic Corp. - The past decision up to now has been to let the corporation lapse, don't formally dissolve it. Attached is copy of the latest we've received from Franchise Tax Board. In the past we were told to ask Bentzman about this, and when we did, he asked the usual questions about where are the records, did you file a return, and why didn't you. We already know the answer; no return was filed; the penalties are greater for not filing than for filing and not paying. The records are not here of course. So any help Bentzman can give is extremely limited and I would rather not pursue it with him anyway. As these forms come in, are we to continue to ignore them as if they didn't exist? What will eventually happen in re to "enforcement action"?

Another thing with Apostolic: we've received the attached checks from time to time, and when I sent a questin over about them some time ago, I got a note back from Maria saying "a letter needs to be written asking that these checks be reissued in the name of the president of the corporation because it has been dissolved, and include corp. resolution." Well, I asked about this when I went overseas, and Sarah and Chaikin didn't have any final answer on it mainly becaus the corporation is not dissolved and the minutes of the corporation were back here and we didn't know who the current officers were who would sign such a letter. I have looked up in theminutes the current status of the corp and officers and this is it: Terry Carter, is president; Annie Moore is secretary; and Mike Prokes is Vice President. There is no treasurer. The corporation made an official resolution discontinuing corporate operations as of January 31, 1977. Nothing further was done to dissolve the corporation. Going through the file I found the attached Dissolution form which was sent by Janet Evans of the Stark firm, which you may wish to re-examine should there be a change of heart.

4. Truth Enterprises, Inc. - on law office report #53, section III, under "Tax Things for Tish, Item 1" I described a problem we're having with the Board of Equalization because of the error in Harold's having posted SF Bart tax onto the use tax permit quarterly reports. Tish sent a radio message back saying phone the person in charge of that Board, say account is closed, that records were sent to Tish and she will correspond with them there, no longer operative, and do nothing without consultation." May I remind you folks that the letter sent to the Board explaining that the SF Bart tax inclusion is a bookkeeper's error, was not done without consultation; rather it was done via radio instructions received July 16, 1978, and further that I discussed this whole thing with Tish when I went overseas and she said nothing about any change in direction. Bonnie informs us this weekend that the Board called the Ranch Friday and asked about the SF Bart tax inclusion, and Bonnie told them that the bookkeeper was in San Francisco and the business itself wasn't. The telephone call will be made and the latest info re bookkeeper Tish, etc will be conveyed, but we are dubious what will happen after that. Meanwhile, we're still waiting for instructions on how to dissolve Truth as a corporation - were

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Law Office Report #54

November 5, 1978

page 3

from June

promised instructions via the radio last July but have heard nothing further, and no one had anything to give me when I went Overseas. See Tim Clancy's latest memo on Truth Enterpreises, attached. We would like to have some direction on this please.

See law office report #53, section III, tax things for Tish, Item 14. This concerns the notice from the Franchise Tax Bd Item 14. This concerns the notice from the Franchise Tax Bd that we received for several months, just Labeled "LE, 1859 Geary" and eventually came addressed "LE TEMPLE."
The latest on this isthat I called Bentzman to help us by calling Franchise Tax Board, but he did not have time, so I called Franchise Tax Board myself. I explained how we had been receiving these notices for several months but douldnt identify them until the latest that came addressed LE TEMPLE, and it finally dawned on us that they must mean the church, and I explained that ours was a tax exempt charitable church corporation, and we did not pay income tax and this did not make sense. It didnt make sense to the woman I talked to either, and she agreed that it must be a computer error. either, and she agreed that it must be a computer error, expecially after I pointed out toher the mix up in the account number, which had been spaced out to look like a social security number but after we doubled checked, it turned out to be our federal employer identification number divided up to resembele a social security number. She said dont worry and that whe would send us an explanation. In the meantime I typed up a letter for attorney Bentzman's signature, confirming the telephone call, and he signed it and it went to SF and Sacramento Franchise Tax Boards. The next day he called Franchise Tax Board himself and they explained after checking that the reason for the mix-up was that the Bank of Montreal had been sending interest statements to the Franchise Tax Board. Apparently every wonth the Bank of Montreal sends us interest statements on a savings account we have there and Jean Brown deposits that interest into a P.T. account. That must have been interpreted as income by the Franchise Tax Board and thus the sli-up. This is still going on and being unraveled, and a letter is going to the Bank of Montreal explaining the situation.

As far as Tish's radio instructions of 11/1 in which she said tell Bentzman to do nothing, get an extension of time, and send her full copies of reports Bentzman filed on annual information returns - by the time those instructions came, the phone call had already been made and the letter sent to the Franchise Tax Board. Also, see Law Office Report \$26, dated April 20, 1978 (I am attaching a copy of it) re the late filing of the annual information returns. Tish says there was a mistake on those forms. Sorry but we did not have any clearer directions to go on, nor did we have any figures othe than past years to compare. So we did what had to be done in order to get the forms in on time, and Jean and Bentaman and I sat down together and prepared the info returns for 1974, 1976 and 1975, and they all went intogether at once, late but finally it was resolved as you will see from the attachment. 6. Stockton property in the name of P.T. - former Loren Roberts property. Loren Roberts does not come to the church any more and is hostile. His sister Lorine Davis left some months ago also. Years ago he turned over deeds on his property in Stockton and it was recorded in P.T.'s name. At the same time he turned over pinck slips on cars and personal papers, and we still have some of those papers. He eventually sold his house himself, but the Stockton property remained in our name and we are still stuck with it. At one point the City wanted to demolish it and I think that was done because it was a public eyesore. Now there are back taxes on it, dating back to 1972, in the total amount of \$766.36. See attached statement of delinquent taxes. McElvane has always said we should pay this because of negative p.r. value, but I have disagreed because the property has been ours for years. We have neglected it and it has been sold to the State for taxes because it ran past the 5 year limit - but we're still listed as owner, along with the State, and we get the tax bill.

We have just received a letter from McFarland Energy Inc. wanting to lease for oil and gas exploration purposes, for 5 years, pooling this lease with group of other leases to have a large enough block of land in which to drill a gas well, at \$5.00 per acre rental, or \$10 per single lot. In other words, they are offering us \$10 to lease out the lot.

- a. How do we get rid of this property?
 b. Do we have to pay back taxes? What will happen if we dont?
- . Should we sign the lease and accept the oil/gas offer?

Clearances on people to go over:

- a. Esther Johnson, mother in law of Coty Johnson, and son Bobbie. Lives in IA. Her husband, dad of Bobbie, is not a member. They are not separated. He wants her and Bobbie to go, and he has signed consent for the child to go. He has asked her when will she be going overseas, because he wants to move his daughter in the house when she leaves. He told her he bought her clothes to take overseas and he doesnt anderstand why she's not gone yet. He says he doesnt want his son to get in with the IA gangs. Vee thinks that the real reason for him wanting to get Esther out of there is that he has another woman he wants to bring into the house. The husband has in the past attended the church 6 times; he doesnt go to any other church. The child Bobbie is 12 years old.
- b. Melvin Lowery he is officially off probation as of October 26, and we have the attached Certificate of Discharge to prove it. Archie needs him to stay and work on the crew, because as Archie puts it, he has only 3 consistent worksers Melvin, Don Davis, and David Gallie. So as far as we are concerned, legally Melvin is okay to go, but it will be awhile because of the tremendous workload on the crew, with the crating and the packing of the barrels, etc.

- 3. Law Office overseas supplies Shipments are going out with each person that goes over, in duffel bags. We have been able to procure everything so far, and I think the only thing we will have to buy is the sassaxxand legal ruled pleading paper, the onionskin paper, and the batteries, earphones, foot pedal, and cassettes for the tape recorders. Otherwise, sw we have access to everything else. It has to go out little by little in the duffel bags, because there is such a rush on Patty's christmas stuff, and both items have equal priority. If we crate it, you wont get it for a year. So, into duffel bags it will go. Don Davis has been able to score a great deal in his late night garbage runs, in the financial district outside of stationary stores, etc. I have packed up a bunch of beautiful large legal size envelopes he found, about 200 of them white Japanese rice paper, beautiful grain to it, and some more manila envelopes which are imprinted First Class Mail on them. He found a huge crate of the stuff and that will fo over on one of the regular crates, but I scavenged about 300 out for us. Be sure to check the inventories I labeled everything and wrapped each item in plastic, labeled "BEA ORSOT, LAW OFFICE, RUSH" or BEA GRUBBS. I wanted to keep the law office stuff out of Patty's bags because I was afraid that Patty's bags would go on upriver but apparently everything is all mixed up so check each enventory carefully to catch the stuff before it goes on to Patty.
- . One question that was asked previously was how many people remain back here who gave property.

 LA is still ehecking on this, but Vee recalls:
 Clara Causey she stopped coming, didn't want to leave her children.
 Runnicutts they are working on wife's passport.
 Dorothy Lewis not ready yet.

 Exie Eleby Vee says there is no way that Exie would ever leave
 Melita Gibson, the child of which she is legal guardian and
 Jean Gibson is the natural mother, behind. So that puts us in
 an awkward position as Jean Gibson's latest attitude is relief
 that the child light remain with her rather than go with Exie overseas.

 If we get court permission for the child to travel with Exie,
 we risk Jean Gibson's attitude; if we have Exie remain, we
 risk problems because hers is the case where the deed is being
 challenged byher son who says it was a forgery and he never
 signed over his interest to her before she gave it to P.T.

 We have heard nothing further from him on that, and Vee remembers
 that Exie's son is very ill in the hospital right now so that
 may be done with...
- 10. Mary Baldwin is overseas. She should write to her children right away. Apparently one daughter is a co-signer on her checks, and has not been able to cash the cheks since Mary went over, but told Vee she is planning to sign Mary sname to them and will not go through the process of forwarding the checks to Mary. Has not heard from Mary at all and this does not help the situation. When Mary lived in LA, she did not know how to write and this may be one reason she has not writen to children, but by now, knowing Jonestown, she may have been taught to write someone should look into this case.

11. Taxes

- a. Shanda and Bruce Oliver someone should sit down with them and fill out the attached card - no refund will come without it. It's probably because they're married and Shanda's first income tax return using the name Oliver.
- b. Annette Jones latest received from IRS on tax liability due.
- c. Danny & Edith Kutulas statement of adjustment to account on 1974 income tax return. I'm not sure if this is a bill or a refund. Judging from the code number explanation on the reverse side for #01 and 30, it sounds like there was a penalty for not filing and tax unpaid when due; but then the penalty was eliminated...???
- d. Patricia Cartmell latest notice from IRS on tax due for 1975, \$39.66
- 12. Sale of Ernest Jones property escrow has closed and the money is held up until a 2nd trust deed is cleared up apparently Ernest Jones owed on a 2nd trust deed and Mac needs to know if it was paid off and to whom and where can he get proof of it being paid off without having to go to a title company and paying \$13 an hour for them to make a search. See actached page describing the deed of trast in question. We used to have a file onthis property but I cannot find it anywhere, and the sale is held up until this is settled. This question has been asked over the radio but in case more clarification is needed, here it is.
- 13. Ray and Agnes Jones refund on 1973 taxes when I was overseas, Tish suggested possible way to try to get refund on tax shich was filed way past statum of limitations, alleging having been out of the country and records missing, etc. Here is a notice from the IRS for tax returns filed for Ray and Agnes for 1973, dening the refund because the return was filed more than 3 years after due date. I checked our file on the return that was prepared by Harold/Tish earlier this year and the refund they would be getting is \$600. So please have someone (Jann Gervich) get together with Tish and with Ray and Agnes and prepare such a letter and send it in, either to me to forward on or direct to IRS. Considering the amount of refund involvedm it might be worth it, but I dont know what the odds are that they will get anything. On closer look, they also got a denial letter for 1972, so please combine into 1 letter their request for reconsideration for both the 1973 and 1972 returns. Copies 6f letters from IRS are attached.
- 14. After I got back from overseas, waiting for me was a note from Harriet asking for stuff to bring with me to overseas well it didnt reach me til I got back but what I'm wondering is, will you still want the stuff: She asks for xeroxes of rough drafts of TOS letters, drafts of corporate documents that he did; names of cases he represented us on, etc. Medlock file. LA apartment file.

and xeroxes of any other thing where he shows himself as our counsel. Will you still need this foryour work with Mark? Sorry I didnt get the note til I came back because obviusly it would have helped a great deal, considering the content of Charles briefcase when we got there.

15. FOIA on Tom Adams FCC License - attached is copy of latest letter from the attorney in Washington who is pursuing FOIA for us to try to find the Goldwater file. The FOIA stuff hasnt bent sent us by the attorney yet; tomorrow Tpm is going to call him in the morning and ask him to send whatever file material he finds directs to Tom rather in care of Bentzman so that we bypass Garry's office, since the monitored conversations may very likely contain our remarks about Garry et al. and that could prove to be embarrassing and uncomfortable. We want to get the file direct, and we want to deal direct with the attorney in washington, becase as it stands now, we are paying double, a bill to the Washington attorney and a bill to Bentzman for the time that he has us in his office explaining whatxweeks the Washington attorney's letters to us and setting up conference calls.

PATRICK SARSFIELD HALLINAN
Hallinan & Blum
345 Franklin Street
San Francisco, California 94102
Telephone: (415) 861-1151
Attorney for Defendant

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

PEOPLES TEMPLE OF THE DISCIPLES)
OF CHRIST, a nonprofit corporation,)
JEAN BROWN, and JAMES McELVANE,)

Plaintiffs,

. 740531

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v.

ANSWER TO COMPLAINT

TIMOTHY OLIVER STOEN,

Defendant.

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Defendant answers to complaint herein as follows:

- Defendant denies each and every allegation of paragraphs
 III, IV, V, VI, X, XI, XV, XVI (first paragraph so numbered), XVI
 (second paragraph so numbered), XVII, and XVIII.
- Answering paragraph VII, defendant admits that in
 February 1977 he joined the PEOPLES TEMPLE commune in Guyana,
 South America, but denies each and every other allegation therein.
- 3. Answering paragraph VIII, defendant admits the allegations in the second and third sentences (lines 18-20), but denies each and every other allegation therein.

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4. Answering paragraph IX, defendant admits that in February 1978 he claimed that he and his wife have spent over \$18,000 in the attempt to return their son to them both, but denies each and every other allegation therein.

- 5. Answering paragraph XIII, defendant denies the allegations contained in lines 21 and 22.
- 6. Answering paragraph XIV, defendant denies the allegations contained in the sentence in lines 4 through 8. FIRST DEFENSE: UNCLEAN HANDS--DISOBEDIENCE OF COURT ORDER
- 7. Plaintiffs are guilty of wrongful conduct, contempt of court, and unclean hands in connection with the transaction and subject matter of their suit (i.e., an alleged personal vendetta involving the custody of defendant's child John Victor Stoen) in that they are contumaciously detaining said child in direct violation of a California Superior Court order granting joint legal custody of the child to defendant Stoen and his wife Grace. On November 18, 1977, in Civil Case No. 719147, the Superior Court of the State of California for the City and County of San Francisco found that Rev. Jim Jones, the leader of plaintiff PEOPLES TEMPLE, had been properly served and determined that he is in violation of its order to appear. The Court ordered:
- a. "that Reverend Jim Jones will immediately deliver the minor, JOHN VICTOR STOEN, to the Petitioner";
- b. that "the District Attorney of the City and County of San Francisco shall take all actions necessary to locate Reverend Jim Jones and to secure Reverend Jim Jones' compliance with this

order";

c. that petitioner "is granted leave to institute contempt proceedings against the Reverend Jim Jones."

A copy of the Order is attached hereto as Exhibit A and made a part hereof.

Upon being served this order on November 18, 1977, PEOPLES
TEMPLE attorney Charles Garry was quoted in the November 19 "San
Francisco Examiner" as saying, "Jones will have to decide how to
respond to the court action." Plaintiff PEOPLES TEMPLE, as the
alter ego of Reverend Jim Jones, is currently holding John Victor
Stoen in Guyana, South America. Plaintiffs PEOPLES TEMPLE, BROWN,
and McELVANE are knowingly aiding and abetting in the continuing
disobedience of this Superior Court order.

SECOND DEFENSE: UNCLEAN HANDS--PERJURY IN COMPLAINT

8. Plaintiffs are guilty of perjury, conspiracy to commit perjury, fraud, and unclean hands in connection with the transaction of their suit in that they knowingly conspired to, and did in fact, include perjury as paragraph VI (and elsewhere) of their verified complaint. Paragraph VI alleges, inter alia, that defendant consulted with PEOPLES TEMPLE member Maria Katsaris and "obtained confidential information concerning ... certain sexual advances made by her father towards her when she was a child."

Paragraph VI further alleges that in April or May, 1977, defendant advised "Maria Katsaris that she should go to Guyana to avoid the possibility of her father's instituting conservatorship proceedings."

All of the allegations of paragraph VI of the complaint,

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including particularly the aforementioned, are false. Defendant is informed and believes and thereon alleges that these allegations were contrived for the sole purpose of getting defendant removed as attorney for Steven Katsaris. Incorporated herein by reference is the Declaration by Steven A. Katsaris opposing Application for Preliminary Injunction, filed in the within action and signed by Steven A. Katsaris. Said declaration includes as an exhibit within the lawsuit attached thereto a hand-written letter sent by Maria Katsaris to her father in August 1977 which is inconsistent with the aforesaid allegations. Said declaration also includes as an exhibit a professional polygraph report, dated May 3, 1978, of a lie detector examination voluntarily undertaken by Steven Katsaris; it concludes that he "is telling the truth" in answering "no" to the itemized test questions, including "Did you ever make any sexual advances toward Maria Katsaris?"

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Defendant is informed and believes and thereon alleges that on July 1 and 2, 1978, the falsehoodscontained in paragraph VI of the complaint were knowingly contrived, with no participation whatever by Maria Katsaris, in two long conversations conducted over international shortwave radio between Jonestown, Guyana and San Francisco, California on equipment owned by plaintiff PEOPLES TEMPLE and operated by its members, including plaintiff BROWN. Defendant is informed and believes and thereon alleges with respect to these conversations that:

a. the participants therein were all members of PEOPLES TEMPLE and were acting as agents of plaintiffs PEOPLES TEMPLE, b. the participants in Jonestown, Guyana included Teresa Buford and Harriet Tropp; those in San Francisco included June Crym, Tom Adams, and plaintiff BROWN;

c. codes were used for real names and events throughout these conversations in violation of the regulations of the Federal Communications Commission:

- d. inconsistent stories were put forward and discussed as to what statement should be given attorney Charles Garry (code names "Dr. Iverson" and "Pete") by plaintiffs BROWN and McELVANE as to exactly "when" defendant advised Maria Katsaris, as to the subjects of defendant's consultations with her, as to the course of action he suggested for her, and as to the intermediaries used in the consultations to allow for different geographical locales for "attorney" and "client";
- e. a participant in Jonestown indicated that PEOPLES TEMPLE members Eugene Chaikin, Sandra Bradshaw, and Jim Jones would be the persons who would have the final approval on the version to be submitted to Garry;
- f. it was decided that neither BROWN nor McELVANE, although the only individual plaintiffs in the action, would be allowed to verify the complaint containing the false story because they were too important to the current operations of PEOPLES TEMPLE in the United States to risk, should worse come to worst, a perjury indictment;
 - g. it was decided instead that Carol Stahl, the president

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of plaintiff PEOPLES TEMPLE only in name, would verify the complaint even though she was unknowledgeable as to the relevant facts because she was expendable to operations in the United States and could be shipped to Guyana;

h. the version ending up as paragraph VI of the complaint was finally approved by Chaikin, Bradshaw, and Jones as the story best calculated to induce a judge to erroneously believe that defendant had misused confidential information in the suit filed by Steven Katsaris against Jim Jones and PEOPLES TEMPLE in Mendocino County on May 16, 1978; and

i. the aforesaid participants decided it would be too difficult to contrive a satisfactory "specific" story with respect to misuse of confidential information by defendant in the Medlock lawsuit and the Cobb lawsuit, and therefore Garry was to be told to formulate a consolidated complaint for an injunction so as to use the false specific allegations relating to Steven Katsaris as a lever for removing defendant from the Medlock suit and the Cobb suit (for which only "generalized conclusions" would be alleged).

The allegations inserted into paragraph VI of the complaint in this action are totally false. The complaint was verified "under penalty of perjury" by the president of plaintiff PEOPLES TEMPLE, i.e., Carol Stahl, on July 3, 1978.

THIRD DEFENSE: UNCLEAN HANDS--SUPPRESSION OF EVIDENCE

 Plaintiffs are guilty of contempt, wrongful conduct, and unclean hands in connection with the transaction and subject

-6- BB-31-6-52

1 matter of their suit in that they have willfully conspired to 2 suppress, and have in fact suppressed, evidence necessary to a 3 proper disposition of the suit (including the application for a preliminary injunction), i.e., the testimony of Carol Stahl, president of plaintiff PEOPLES TEMPLE. Carol Stahl is the only 5 person to have signed the verification of the complaint herein 6 7 (pursuant to the requirement that a verification be attached to any complaint which serves as the application for an 8 injunction). Defendant is informed and believes and thereon 9 alleges that on or about July 4, 1978, plaintiffs ordered Carol 10 11 Stahl immediately to leave the United States so as to be outside the jurisdiction of this court, and that she did in fact so leave. 12 Defendant is informed and believes and thereon alleges that the 13 purpose of plaintiffs was to prevent Carol Stahl from being 14 cross-examined at an evidentiary hearing on the preliminary 15 injunction and thereby revealing the perjury in paragraph VI 16 17 and elsewhere in the complaint.

Defendant is informed and believes and thereon alleges with respect to the above-mentioned international shortwave radio conversations held on July 1 and 2, 1978, that:

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- a. a participant in San Francisco advised Jonestown that Charles Garry regarded Carol Stahl as a necessary person to have available for the hearing;
- b. someone in Jonestown said that Eugene Chaikin would disapprove and that it would be too dangerous to the interests of PEOPLES TEMPLE to have her testify under oath, and that she

was too unknowledgeable anyway; and

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c. a story was contrived between Jonestown and San Francisco, which was to be delivered to Garry and the court, to the effect that Carol Stahl's daughter in Guyana required a doctor outside the country, thereby necessitating Stahl's presence as guardian to make the arrangements.

FOURTH DEFENSE: UNCLEAN HANDS--ABUSE OF JUDICIAL PROCESS

10. Plaintiffs are guilty of wrongful conduct, the tort of abuse of process, and unclean hands in connection with the transaction and subject matter of their suit in that they had ulterior purposes in filing the lawsuit and committed willful acts in the use of process not proper in the regular conduct of a judicial proceeding. Defendant is informed and believes and thereon alleges that these ulterior purposes were to: a) divert the attention of the public and media from the savage and illegal practices of PEOPLES TEMPLE and Jim Jones itemized in the three lawsuits filed on behalf of Steve Katsaris, Wade and Mabel Medlock, and James Cobb, Jr., respectively; b) coerce defendant to expend his energies and limited funds in defending this sham lawsuit based on perjured allegations so as to inhibit his prosecuting of the three above-mentioned legitimate lawsuits brought on behalf of truly oppressed victims of PEOPLES TEMPLE; and c) introduce as part of a court record a document (Exhibit C-2 of the complaint) which plaintiffs know is totally false and spurious and which plaintiffs know is so utterly lacking in legal significance that it could not be introduced in either of the two custody proceedings, involving the same child John Victor Stoen, brought in California and Guyana, respectively.

The willful acts in the use of process not proper include those set forth in the first three affirmative defenses set forth above and those inherent in the description of the ulterior purposes of plaintiffs set forth above.

WHEREFORE defendant prays that plaintiffs take nothing by this action and that defendant be awarded costs and all other just relief.

PATRICK SARSFIELD HALLINAN for defendant

-9- 88- 31-6-55

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VERIFICATION

I am the defendant in this action; the foregoing answer is true of my own knowledge, except as to those matters stated in it on my information and belief, and as to those matters I believe it to be true.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on August 1, 1978, at San Francisco, California.

Jimothy Oliver Atoen
TIMOTHY OLIVER STOEN

BB- 31-6-56

LE CROXTON

JEFFREY A. HAAS Attorney at Law 3609 Sacramento Street San Francisco, CA 9411 (415) 922-6200 44R3 - 1978 ENTERED 10 4603 4 E HOV 21 1977 CARL M. OLSEL, Clark

MARGARET RYAN Attorney at Law 294 Page Street San Francisco, CA 94102 (415) 626-0979

Attorneys for Petitioner

NOV1 6 1977 CARL M. OLSER, Clerk

SUPERIOR COURT FOR THE STATE OF CALIFORNIA IN THE CITY AND COUNTY OF SAN FRANCISCO

In re the marriage of

No. 719-147

Petitioner: GRACE LUCY STOEN

ORDER RE CHILD CUSTODY

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Respondent: TIMOTHY O. STOEN

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> The matter of the order to show cause re the custody of the minor child JOHN VICTOR STOEN, born January 25, 1972 came on regularly for hearing on November 18, 1977 in Department 13 of the above entitled court. Petitioner GRACE LUCY STOEN was present personally and through her attorneys of record, Jeffrey Baas and Margaret Ryan. Respondent TIMOTHY O. STOEN appeared in pro per. There was no appearance by Claimant JIM JONES.

GOOD CAUSE APPEARING, the court made the following finding and orders:

1. Based upon the declarations on file it is found that

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MAR3 - 1978

ONLY OF GLOTH, CONSTY TRANS OF SAN PRINCIPLE, AND EL-SYSTON CLEEK OF THE BYSTYN ME COUNTY OF THE STATE, OF CHILD & S. . AND THE SAN COUNTY OF SAN

Claimant Reverend Jam Jones had actual motice of the pendency of the proceedings, of his joinder, of this court's order directing him to appear and of the instant hearing.

- 2. It is also found that contrary to the order of this court that Reverend Jim Jones failed to appear before this court on November 18, 1977 at 9:00 AM.
- 3. Based on testimony offered at the hearing of November 18, 1977 and a written stipulation filed therein, the court finds and orders that it is in the best interest of the minor child, JOHN VICTOR STOEN that his physical custody, care and control be awarded to Petitioner GRACE LUCY STOEN, his natural mother. Reasonable visitation will be reserved to Respondent TIMOTHY O. STOEN. Petitioner and Respondent will share joint legal custody. This court hereby fully incorporates by reference the stipulation between the parties signed on November 18, 1977 and, the order arising therefrom.
- 4. It is ordered that Reverend Jim Jones will immediately deliver the minor, JOHN VICTOR STOEN, to the Petitioner, GRACE LUCY STOEN, or to her authorized representative.
- 5. It is ordered that pursuant to Section 4604 of the California Civil Code, the District Attorney of the City and County of San Francisco shall take all actions necessary to locate Reverend Jim Jones and to secure Reverend Jim Jones' compliance with this order.
- 6. It is further ordered that Petitioner is granted leave to institute contempt proceedings against the Reverend Jim Jones.
- Based on testimony offered at the hearing on November 18,
 1977 by both Petitioner and Respondent and notarized documents

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MAR3 - 1978

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provided to and filed with the court, the court finds and orders that all previous statements signed by either Petitioner or Respondent or both authorizing one JOYCE TOUCHETTE, JIM JONES, or any other person to act as quardian of said minor child is hereby declared null and void.

ORDERED this 18th day of November, 1977 and signed the 18th day of November, 1977.

JUDGE OF THE SUPERIOR COURT

FRANK 5 FINNEGAN

: 200.4603 uz = 9

MARGARET RYAM APPENDITY AT LAST SAN PRANCINCO, CA BANKS

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PATRICK SARSFIELD HALLINAN Hallinan & Blum 345 Franklin Street San Francisco, California 94102

Telephone: (415) 861-1151

Attorney for Defendant

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

PEOPLES TEMPLE OF THE DISCIPLES)
OF CHRIST, a nonprofit corporation,)
JEAN BROWN, and JAMES MCELVANE,)

NO. 740531

Plaintiffs,

Plaintills

MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION TO APPLICATION FOR PRELIMINARY INJUNCTION

TIMOTHY OLIVER STOEN,

v.

Defendant.

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I. A PRELIMINARY INJUNCTION CANNOT BE ISSUED BECAUSE PLAINTIFFS ARE BARRED BY THE DOCTRINE OF UNCLEAN HANDS.

A. A party seeking the interposition of a court of equity must come into court with clean hands. Where plaintiffs' conduct means they have unclean hands, a preliminary injunction will be denied. London v. Marco (1951) 103 Cal App2d 450, 453, 229 P2d 401.

B. As defendant's verified answer makes clear, plaintiffs "PEOPLES TEMPLE, BROWN, and McELVANE have come into this court with flagrantly unclean hands.

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BB- 31-6- 60

1. First, they are aiding and abetting in the disobedience by Jim Jones of a California Superior Court order dated November 18 1977, which involves the subject matter of this action, i.e., an alleged personal vendetta concerning the custody of John Victor Stoen.

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- 2. Secondly, plaintiffs have unclean hands in that it appears they have knowingly contrived to insert perjury into paragraph VI of the verified complaint. On July 1 and 2, 1978, they contrived a totally false story best calculated to induce a judge to erroneously believe that defendant acquired confidential information concerning the lawsuit filed by Steven Katsaris. To do so, plaintiffs had to contumaciously manipulate and dupe their attorney.
- 3. Thirdly, plaintiffs have unclean hands in that it appears they have suppressed evidence which is necessary to the disposition of this case. On July 1 and 2, 1978, they arranged for Carol Stahl, the nominal president of PEOPLES TEMPLE and the only person they were willing to let verify the complaint, to leave the United States and the jurisdiction of this court. It appears they did this to prevent her being cross-examined at an evimentiary hearing and thereby revealing the perjury in paragraph VI of the complaint.
- 4. Pourthly, plaintiffs have unclean hands in that they are abusing the judicial process. It appears they have ulterior motives: (a) to divert the attention of the media and the public from the savage and unlawful acts itemized in the three lawsuits

filed against them by defendant, (b) to coerce Timothy Stoen to expend his energies and limited funds in defending this sham lawsuit of plaintiffs based on perjured allegations so as to inhibit his prosecuting of the three legitimate lawsuits brought on behalf of truly oppressed victims of PEOPLES TEMPLE; and (c) to introduce as part of a court record a document (Exhibit C-2 of the complaint) which plaintiffs know is totally false and spurious, and which plaintiffs know is so utterly lacking in legal significance that it could not be introduced in either of the two custody proceedings, involving the same child John Victor Stoen, brought in California and Guyana, respectively. None of the foregoing acts of unclean hands are proper in the use of the judicial process

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II. A PRELIMINARY INJUNCTION CANNOT BE ISSUED BECAUSE
PLAINTIFFS HAVE NOT ALLEGED SPECIFIC FACTS BUT SIMPLY HEARSAY
CONCLUSIONS.

A. Unless a statement which is in the nature of a conclusion is supported by the specific facts or circumstances on which it rests, it is insufficient to sustain an application for an injunction. Willis v. Lauridson (1911) 161 Cal 106, 108, 118 P 530. The facts alleged must be so specific that the court can infer the conclusions drawn by plaintiff were correct.

Provident Land Corp. v. Provident Irrigation Dist. (1937) 22 Cal App2d 105, 79 P2d 392. Inferences, generalities, presumptions, and conclusions have no place in a pleading asking for an injunction.

Davitt v. American Bakers' Union (1899) 124 Cal 99, 56 P 775. The

facts must be so specific that if they were shown to be false, the verifier of the complaint would be subject to an indictment for perjury. Ancora-Citronelle Corp. v. Green (1974) 41 CA3d 146, 115 CR 879 ("The availability of criminal sanctions for perjury was calculated to insure that injunction applications be substantially supported by a truthful factual representation, and made in good faith.").

B. Clearly, the complaint and declaration filed by plaintiffs herein are totally insufficient as to specificity of facts.

Plaintiffs allege three theories for the removal of Timothy Stoen as attorney on the three complaints already filed by him. (Since there are no facts alleged as to future "soliciting" or "accepting" of professional employment, and no facts alleged as to any specific items of "confidential" information likely to be disclosed in the future, plaintiffs' complaint herein should be interpreted as one to enjoin defendant from "prosecuting any complaints already filed.")

The first theory is unlawful "solicitation". But there is not one fact, not one date, not one conversation put forward as to when any solicitation occurred as to Steven A. Katsaris, Wade and Mabel Medlock, or James Cobb, Jr. As their declarations show, each of these victims of PEOPLES TEMPLE approached Timothy Stoen on their own initiative and requested his help.

The second theory of plaintiffs is that defendant filed his lawsuits out of a "personal vendetta". While defendant acknowledges he has animus towards PEOPLES TEMPLE and their savage practices, there is no showing whatever that he acted "solely"

out of spite, which is what Rule 2-110 of the California State Bar Rules of Professional Conduct pertains to. If anything, defendant has shown an extremely objective and nonvindictive attitude towards plaintiffs in light of their provocative threats (see his declaration) that he would be killed and that Jim Jones would commit "the ultimate sacrifice" (i.e. kill John Victor Stoen) if defendant did not back off on his custody proceedings. The best test, of course, in determining whether defendant is acting "solely" out of spite is to review the complaints he drafted on behalf of Katsaris, the Medlocks, and Cobb. The wrongdoing of PEOPLES TEMPLE and Jim Jones were therein supported by allegations of (1) specific facts (2) verified under penalty of perjury (3) by persons in a position to know.

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 The third and final theory of plaintiffs in seeking, this injunction is that defendant misused "confidential" information. For some reason, plaintiffs were unable to come up with anything specific on either Medlocks or Cobb. As to Medlocks, they alleged that defendant "planned, advised and arranged the transfer of" their property. No dates, no facts as to the contents of his advice, no facts as to what acts he took to "arrange" the transfer. As to Cobb, plaintiffs do not allege anything except the very generalized conclusion that the allegations of Cobb's complaint "concern various incidents about which defendant obtained confidential information during the course of his attorney-client relationship with plaintiff PEOPLES TEMPLE." What incidents? The threats to kill Jim Cobb? The department of "Diversions"?

The plan to murder 1100 people? For some reason, plaintiffs have chosen not to itemize these "incidents".

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There remains, then, only one conceivable theory under which the plaintiffs may proceed: the alleged misuse of confidential information affecting the Katsaris lawsuit. In paragraph VI of PEOPLES TEMPLE's complaint, the defendant is alleged to have acquired confidential information from Maria Katsaris regarding possible conservatorship proceedings instituted by her father and regarding her having been sexually abused by him. But there is no declaration from Maria Katsaris. She is the only person who could possibly know what she told Timothy Stoen (who denies in his verified declaration that any such conversations took place). The questions become obvious: is PEOPLES TEMPLE afraid to produce Maria Katsaris and let her testify in court? If so, is it because their complaint does contain perjury in paragraph VI? Is plaintiffs' decision to use Carol Stahl as the sole verifier for the purpose of providing a colorable defense of "hearsay" to an indictment for perjury?

To summarize, plaintiffs have totally failed on <u>any</u> theory to allege specific facts which have been verified by someone in a position to know whether they are true or false. Their application for an injunction should, for this reason alone, be denied.

- 111. A PRELIMINARY INJUNCTION CANNOT BE ISSUED BECAUSE PLAINTIFFS ULTIMATE CASE IS, IF NOT A SHAM, UTTERLY DOUBTFUL.
- A. An injunction cannot be granted where plaintiff's ultimate right to relief is doubtful. Thayer Plymouth Center, Inc.

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B. Plaintiffs' underlying case for damages is utterly doubtful. They cannot obtain damages if they have no theory of a violation of a legal right. But the only theory they have available to them, taking a look only at plaintiffs pleadings and construing all ambiguous interpretations in their favor, is paragraph VI. And the failure of plaintiffs to file a declaration by Maria Katsaris verifying those allegations shows a reluctance to let her come forward and testify at a trial on the lawsuit. Furthermore, if the declarations and answer filed on behalf of the defendant are considered, there appears no reasonable possibility that a jury or judge could believe the allegations of paragraph VI. Hence plaintiffs' ultimate case is, if not a sham, utterly doubtful.

IV. A PRELIMINARY INJUNCTION CANNOT BE ISSUED BECAUSE IT WOULD VIOLATE THE CONSTITUTIONAL GUARANTEES OF FREEDOM OF SPEECH AND RIGHT TO COUNSEL.

A. An injunction cannot be granted where it would interfere with the constitutional guarantees of freedom of speech.

US Const, Amend I; Calif Const, Art I, §9; Rosicrucian Fellowship

v. Rosicrucian Fellowship Non-Sectarian Church (1952) 39 Cal2d,

145, 245 P2d 481. The right to be represented in a civil case by counsel of one's choice is fundamental. The refusal to recognize or allow appearance or representation by such counsel is a denial

of due process and therefore an act in excess of jurisdiction.

US Const, Amend XIV; Calif Const, Art I, \$7(a); Witkin, 1 Cal.

Proc., 2d, Jurisdiction, \$194; See Ex parte Gordan (1891) 92 C.

478, 28 P. 489.

B. The declarations of Steven A. Katsaris, Wade and Mabel Medlock, and James Cobb state that Timothy Stoen is their choice of counsel and request he not be removed. Katsaris says his interest will be "gravely compromised" if Mr. Stoen were no longer to represent him. He gives his reasons as including the fact that Mr. Stoen is "extremely capable", and he attaches Stoen's professional resume and character references. Any injunction of a court would constitute a prior restraint on the freedom of speech of everyone involved, in violation of the Federal and State constitution, and would also constitute a violation of the constitutional rights of Katsaris and the Medlocks and Cobb to the counsel of their constitutional choice.

There is no adequate competing consideration because, interaliated there is no irreparable injury threatened. No specific future acts of "solicitation" or "accepting" of professional employment are alleged by plaintiffs. No specific "confidential" information as to type or source, is alleged as likely to be disclosed. In reality plaintiffs appear to have one aim in mind; the removal of Stoen from pending cases as the attorney for the persons claiming to be victimized by them. Even if plaintiffs' allegations had been more specifically pleaded and even if they were true, they would have an adequate remedy of damages at law, i.e. ascertainable

damages resulting from the existing lawsuits of Katsaris, Medlocks, and Cobb.

FOR EACH AND ALL OF THE ABOVE REASONS, THE APPLICATION BY PLAINTIFFS FOR A PRELIMINARY INJUNCTION SHOULD BE DENIED.

Respectfully submitted,

PATRICK SARSFIED HALLINAN

Attorney for Defendant

-9-

BB- 31-6-68

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      CHARLES R. GARRY, ESQ.
      GARRY, DREYFUS, MCTERNAN, BROTSKY,
 2
            HERNDON & PESONEN, INC.
      1256 MARKET STREET AT CIVIC CENTER
 3
      BAN FRANCISCO, CALIFORNIA $4102
      TEL: 864-3131
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                     SUPERIOR COURT OF CALIFORNIA
 9
           IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO
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   PEDPLES TEMPLE OF THE DISCIPLES
OF CHRIST, a nonprofit corporation, 12 JEAN BROWN, and JAMES MCELVANE,
                                               NO.
13
                        Plaintiffs.
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                                               ORDER TO SHOW CAUSE
                                               AND TEMPORARY
   TIMOTHY OLIVER STOEN.
                                               RESTRAINING ORDER
16
                        Defendant.
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              On reading the Complaint, supporting Declarations,
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   and Points and Authorities on file in this action, and it appearing
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   from these that this is a proper case for issuance of an order to
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   show cause and a temporary restraining order, and that unless a
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   temporary restraining order issues, plaintiffs will suffer
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   irreparable injury before the matter can be heard on notice,
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              IT IS ORDERED that defendant, TIMOTHY OLIVER STOEN,
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appear before this Court in the courtroom of Department

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-1- BB-31-6-69

ARRY, DREYFUS, MCTERNAN, BROTSKY
HERNDON & PESONEN, INC.
1288 MARKET STREET AT CIVIC CENTER
BAN FRANCISCO, CALIFORNIA \$1182

No.		, at _			or	n _			
then	and	there	to show	cause	why	а	preliminary	injunction	should

not be issued enjoining defendant from:

.1. Soliciting professional employment from ex-members of PEOPLES TEMPLE, relatives of members of PEOPLES TEMPLE, or from any other persons for the purpose of generating suits against plaintiffs or any of them or against any officers, directors or members of plaintiff PEOPLES TEMPLE;

2. Accepting professional employment adverse to his former client PEOPLES TEMPLE or to any directors, officers or members of PEOPLES TEMPLE, including all plaintiffs herein, during the course of which employment he will have or might have occasion to use any confidential information obtained in the course of the attorney-client relationship between defendant and PEOPLES TEMPLE;

- 3. Disclosing under any circumstances any confidential information obtained during the course of the attorney-client relationship between defendant and PEOPLES TEMPLE, and between defendant and any officers, directors or members of PEOPLES TEMPLE, including all plaintiffs herein, unless such disclosure is with the written consent of the PEOPLES TEMPLE:
- 4. Prosecuting any complaint already filed which was filed in violation of the attorney-client privilege or the prohibition against accepting employment adverse to a former client, during the course of which defendant will have, or might have, occasion to use any confidential information obtained

RAY, DREYFUS, MCTERNAN, BROTSKY HERNDON & PESONEN, INC.
1834 MARKET ATTENIC CENTER
BAN FRANCISCO, CALIFORNIA 94183
TEC. 9423331

during the course of the attorney-client relationship between defendant and PEOPLES TEMPLE.

IT IS FURTHER ORDERED that, pending the hearing on the order to show cause, defendant, his agents, officers, employees, and representatives, and all persons acting in concert or participating with him, are hereby enjoined from:

- 1. Soliciting professional employment from ex-members of PEOPLES TEMPLE, relatives of members of PEOPLES TEMPLE, or from any other persons for the purpose of generating suits against plaintiffs or any of them or against any officers, directors or members of plaintiff PEOPLES TEMPLE;
- 2. Accepting professional employment adverse to his former client PEOPLES TEMPLE or to any directors, officers or members of PEOPLES TEMPLE, including all plaintiffs herein, during the course of which employment he will or might have occasion to use any confidential information obtained in the course of the attorney-client relationship between defendant and PEOPLES TEMPLE;
- 3. Disclosing under any circumstances any confidential information obtained during the course of the attorney-client relationship between defendant and PEOPLES TEMPLE, and between defendant and any officers, directors or members of PEOPLES TEMPLE, including all plaintiffs herein, unless such disclosure is with the written consent of the PEOPLES TEMPLE;
- 4. Prosecuting any complaint already filed which was filed in violation of the attorney-client privilege or the

-3- BB- 31-b-71

TRY, DREYFUS, MCTERNAN, BROTSKY
HERNDON & PESONEN, INC.
1356 MARKET STREET AT CIVIC CENTER
BAN FRANCISCO CALIFORNIA \$4101

prohibition against accepting employment adverse to a former client, during the course of which defendant will have, or might have, occasion to use any confidential information obtained during the course of the attorney-client relationship between defendant and PEOPLES TEMPLE.

IT IS FURTHER ORDERED that a copy of the Complaint, Declarations, and Points and Authorities, together with a copy of this Order to Show Cause and Temporary Restraining Order, be served on defendant not later than

Date**d**:_____

JUDGE OF THE SUPERIOR COURT

-4- 88- 31-6-72

<u> </u>							
NAME AND ADDRESS OF ATTORNE CHARLES R. GARRY, ES	· · · · · · · · · · · · · · · ·	NE NO: 864-3131	FOR COURT USE ONLY:				
GARRY, DREYFUS, MCTE	rnan, brotsky, herndon 6	PESONEN, INC.					
1256 Market Street at San Francisco, Califo	t Civic Center						
ATTORNEY FOR Plaintif							
	branch court, if any, and Post Office and S]				
Superior Court of City and County of	the State of Califor	rnia					
City and county of City Hall, San Fra	ncisco, California	•	1				
			<u> </u>				
PLAINTIFF: PEOPLES TEM	PLE OF THE DISCIPLES	S OF CHRIST.					
-	corporation, JEAN B	•					
JAMES MCELV	ANE						
DEFENDANT:	UED CTARN						
TIMOTHY OLI	VER SIDEN	•					
							
	SUMMONS		CASE NUMBER:				
NOTICE! You have been	sued. The court may decide	¡AVISO! Usted ha sid	o demandado. El Tribunal puede				
• ,	eing heard unless you respond	decidir contra Ud. si	n audiencia a menos que Ud. re-				
within 30 days. Read the ir	tormation below.	sponda dentro de 30 d	lias. Lea la información que sigue.				
1. TO THE DEFENDANT: A	civil complaint has been filed by t	the plaintiff against you. ((See footnate*)				
a. If you wish to defend	I this lawsuit, you must, within 30	days after this summo	ns is served on you, file with this				
court a written plead	ing in response to the complaint.	(If a Justice Court, you docket). Holong you	must file with the court a written to so, your default will be entered				
			st you for the relief demanded in				
the complaint, which	could result in garnishment of wa	ges, taking of money or	property or other relief requested				
in the complaint.	he advice of an attorney in this	matter was about do	en manadin an dhaf ar an cha				
response, if any, may		matter, you should do	so promptly so that your written				
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DATED:		. Clerk, By	, Deputy				
DAILD.,		. OEIX, Dy	, Depoty				
SEAL)	2. NOTICE TO THE PERSON SI	-	•				
	As an individual defer As the person sued up	noant. nder the fictitious name c	· ·				
			· · · · · · · · · · · · · · · · · · ·				
	c. 🔲 On behalf of: , , ,						
	Under: CCP 416.10 (Cor	noration)	CCP 416.60 (Minor)				
	CCP 416.20 (Defunct Corporation) CCP 416.70 (Incompetent)						
		ociation or Partnership)	CCP 416.90 (Individual)				
	Other: d. By personal delivery o	in (Date)	•				
TVen mana Canada Carri industri	ross-complaint, "plaintiff" includes cross-c						
plurat and masculine includes tem Pules of Court Your original plea attorney and on each plaintiff not	r-rie and neuter. A written pleading, includir ding must be filed in this court with prope	ng an answer, demoirer, etc., mi ir filing tses and proof frat a c	ast be in the form required by the Catiforn a				
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Form Adopted by Rule 982 of The Judgest Council of California	e CCP 413 10 Inrough 415_40.	7000 510 31- 500 510 31-	•				

GARRY, DREYFUS, MCTERNAN, BROTSKY, HERNOON & PESONEN, INC.
1234 MARKET STREET AT CHIC CENTER
SAN TRANCISCO, CALIFORNIA 94182
TEL: 844-313

CHARLES R. GARRY, ESQ.
GARRY, DREYFUS, MCTERNAN, BROTSKY,
HERNDON & PESONEN, INC.
1256 Market Street at Civic Center
San Francisco, California 94102
Telephone: 864 3131

Attorneys for Plaintiffs

SUPERIOR COURT OF CALIFORNIA

IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, a nonprofit corporation, JEAN F. BROWN, and JAMES MCELVANE,

Plaintiffs,

vs.

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TIMOTHY OLIVER STOEN,

Defendant.

NO.

COMPLAINT FOR TEMPORARY RESTRAINING ORDER, PRELIMINARY AND PERMANENT INJUNCTIONS, AND DAMAGES [C.C.§§3333, 3422; C.C.P. §§526, 527]

Plaintiffs allege:

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Plaintiff PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, hereinafter "PEOPLES TEMPLE," is, and at all times mentioned herein was, a nonprofit corporation organized and existing under and by virtue of the laws of the State of California, with its principal place of business in the City and County of San Francisco. Plaintiffs BROWN and McELVANE are individuals and

ARY, DREYFUS, MCTERNAN, BROTSK
HERNDON & PESONEN, INC.
1184 MARKET STRET AT CIVIC CENTER
BAN FRANCISCO, CALIFORNIA \$4102
TELL SAAALIVI

are members of plaintiff PEOPLES TEMPLE.

II

Defendant is, and at all times mentioned herein was, an attorney at law with his office in the City and County of San Francisco.

III

Defendant served as chief legal counsel for plaintiff PEOPLES TEMPLE from 1970 until approximately August of 1977. He represented plaintiff PEOPLES TEMPLE in various litigation matters, drafted various legal documents for plaintiff PEOPLES TEMPLE, drafted amendments to PEOPLES TEMPLE corporate articles, drafted PEOPLES TEMPLE's corporate bylaws, wrote numerous letters on behalf of plaintiff PEOPLES TEMPLE, and negotiated numerous transactions, including real estate transactions, on behalf of plaintiff PEOPLES TEMPLE, as its attorney. As legal counsel he routinely gave legal advice to the Board of Directors, officers and members of plaintiff PEOPLES TEMPLE, including plaintiffs BROWN and McELVANE.

ΊV

During his years as legal counsel to plaintiff PEOPLES TEMPLE, and in the course of the attorney-client relationship between plaintiff PEOPLES TEMPLE and defendant, defendant acquired an intimate knowledge of the confidential affairs of each of the plaintiffs. Defendant obtained confidential information concerning all aspects of plaintiff PEOPLES TEMPLE's organization, finances, real estate transactions, methods of

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operation, and relationships with members, former members, and relatives of members.

v

In his capacity as legal counsel for plaintiff PEOPLES TEMPLE, defendant planned, guided and arranged various real estate transactions between it and its members. In particular, defendant planned, advised and arranged the transfer of certain real property in the County of Los Angeles from Wade B. Medlock and Mabel M. Medlock to plaintiff PEOPLES TEMPLE.

VI

In his capacity as legal counsel for plaintiff, defendant counseled and advised members of plaintiff PEOPLES TEMPLE concerning possible legal problems that might arise as a result of the hostility of some of their relatives to plaintiff PEOPLES TEMPLE. In particular, he advised member Maria Katsaris concerning possible legal problems that might arise because of her father's hostile attitude toward plaintiff. During the course of his consultations with Maria Katsaris, as attorney for plaintiff PEOPLES TEMPLE, defendant obtained confidential information concerning her relationship with her father, STEVEN A. KATSARIS, and certain sexual advances made by her father towards her when she was a child. In April or May, 1977, defendant advised plaintiff PEOPLES TEMPLE and Maria Katsaris that she should go to Guyana to avoid the possibility of her father's instituting conservatorship proceedings against her and that, in the event her father should pursue her to Guyana, the

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 sexual advances towards her by her father should be made public.

VII

In February 1977 defendant STOEN joined Reverend Jim Jones and the Peoples Temple commune in Guyana, South America. In September 1976 defendant had sent John Victor Stoen, a four year old boy born to defendant's ex-wife, Grace Stoen, there. Defendant had previously admitted, in an affidavit signed in 1972, that this child was the son of Jim Jones. In that affidavit defendant stated that he had asked Jones to sire a child for him because he had not been able to do so himself and, in his admiration and respect for Jones, wanted him to father the child. See Exhibits C-1, C-2 and C-3, attached hereto.

VIII

During the period in which defendant was a member of and legal counsel for PEOPLES TEMPLE, he appeared and said he was devoted to the PEOPLES TEMPLE and its cause, and to its Pastor, the Reverend Jim Jones. As late as August 1977, he stated that he had esteem for Jones and that Jones helped him to develop an empathy toward the persecuted. As a result defendant said that he intended to develop a national law firm to help people who are prosecuted on some pretect, for their religious beliefs. At that time, defendant STOEN threatened to file a libel suit against New West Magazine and the Mendocino Grapevine because of various allegations against the PEOPLES TEMPLE and STOEN that appeared in those publications. See Exhibits A and B

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attached hereto.

IX

In August 1977, while still counsel for the plaintiff, a custody battle ensued between defendant, his ex-wife Grace Stoen, and the Reverend Jim Jones. This battle was accompanied by a great deal of publicity. In February 1978 defendant STOEN claimed to have spent over \$18,000 in the attempt to return the boy to Grace Stoen. See Exhibit D, attached hereto. During this battle the affidavit described in Paragraph VII, supra, was made public.

X

The battle described in Paragraph IX, <u>supra</u>, engendered feelings of great bitterness and hostility in defendant STOEN, directed towards Jim Jones, the PEOPLES TEMPLE, and all of its directors, officers and members. As a result of the bitterness and hostility engendered by this custody battle, defendant began a personal vendetta against Jones, the Temple, its directors and officers and all of its members, including plaintiffs herein. The actions described in the following paragraphs of this Complaint were all taken as a part of this personal vendetta.

XI

Defendant has solicited and continues to solicit, and has accepted and continues to accept, employment which is adverse to the interests of plaintiffs and each of them, and in the course of that solicitation and employment has used and continues to use confidential information received during the

RRY, DREVFUS, MCTERNAN, BROTSKI HERNDON & PESONEN, INC. 1138 MARKET STREET AT CIVIC CENTER SAM FRANCISCO CLIFORNIA 94193 course of his attorney-client relationship with plaintiff PEOPLES TEMPLE.

XII

On May 22, 1978 defendant filed a complaint for compensatory and punitive damages for libel on its face and for slander, in the Superior Court of the State of California in and for the County of Mendocino, Civil Action #39911, on behalf of Steven A. Katsaris, against, among others, plaintiff PEOPLES TEMPLE. The allegations of that complaint concern the relationship between Maria Katsaris and her father, Steven A. Katsaris, and various statements allegedly made concerning that relationship. See Exhibit E attached hereto.

XIII

On June 7, 1978, defendant filed a complaint for compensatory and punitive damages for conversion based on coercion and for intentional infliction of emotional distress, in the Superior Court of the State of California in and for the County of Los Angeles, Civil Action #243292. That complaint was filed on behalf of Wade B. Medlock and Mabel M. Medlock against, among others, plaintiffs PEOPLES TEMPLE and McELVANE. The subject matter of that action is the real estate transaction referred to in Paragraph V, supra. See Exhibit F attached hereto.

XIV

On June 22, 1978 defendant filed a complaint for compensatory and punitive damages for intentional infliction of emotional distress and for libel on its face, in the Superior

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Court of the State of California in and for the City and County of San Francisco, Civil Action #739907. That complaint was filed on behalf of James Cobb, Jr., against, among others, plaintiffs PEOPLES TEMPLE and BROWN. The allegations of that complaint concern various incidents about which defendant obtained confidential information during the course of his attorney-client relationship with plaintiff PEOPLES TEMPLE. See Exhibit G attached hereto.

XV

Defendant utilized confidential information obtained during the course of his attorney-client relationship with plaintiff PEOPLES TEMPLE in drafting the complaints described in Paragraphs XII-XIV <u>supra</u>, and will continue to use such confidential information in the prosecution of those actions unless and until he is enjoined by court order from so doing.

XVI

Defendant's wrongful conduct, as alleged in the preceding paragraphs of this Complaint, unless and until enjoined and restrained by order of this Court, will cause great and irreparable injury to plaintiffs and each of them in that each of their reputations will be damaged by the publicity generated by suits brought against them by defendant in the course of his campaign of harassment and persecution, plaintiffs and each of them will be forced to spend countless hours in the defense of these suits, and plaintiffs and each of them will be prejudiced in the defense of these actions by defendant's wrongful and

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illegal use of confidential information in his prosecution of the suits. Plaintiffs and each of them will be further irreparably injured by the fact that confidential information concerning them is being made public by defendant.

XVI

Plaintiffs and each of them have no adequate remedy at law for the injuries currently being suffered and which will continue to be suffered unless and until plaintiff is enjoined from his wrongful conduct, since it will be impossible for plaintiffs or any of them to ascertain the precise amount of damage which will be suffered if defendant's wrongful conduct is not enjoined, and since, if defendant is not enjoined, plaintiffs and each of them will be forced to institute a multiplicity of suits to obtain adequate compensation for their injuries.

IIVX

As a proximate result of defendant's wrongful conduct plaintiff PEOPLES TEMPLE has been damaged in the sum of \$50,000,000.00 due to damage to its reputation and in the sum of \$500,000.00 in attorneys' fees. Plaintiffs, and each of them, will be further damaged in like manner so long as defendant's conduct continues. The full amount of such damages is not now known to plaintiffs, or to any of them.

XVIII

Defendant did the things herein alleged with intent to harass and oppress plaintiffs and each of them, and such acts

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were done maliciously and oppressively. Plaintiffs, and each of them, are therefore entitled to punitive damages in the sum of \$100,000,000.00.

WHEREFORE, plaintiffs, and each of them, pray judgment against defendant as follows:

- 1. For an order requiring defendant to show cause, if any he has, why he should not be enjoined as hereinafter set forth, during the pendency of this action;
- 2. For a temporary restraining order, a preliminary injunction, and a permanent injunction, all enjoining defendant and his agents, servants, and employees, and all persons acting under, in concert with, or for them from:
- a. Soliciting professional employment from ex-members of PEOPLES TEMPLE, relatives of members of PEOPLES TEMPLE, or from any other persons for the purpose of generating suits against plaintiffs or any of them or against any officers, directors, or members of plaintiff PEOPLES TEMPLE;
- b. Accepting professional employment adverse to his former client PEOPLES TEMPLE or to any directors, officers or members of PEOPLES TEMPLE, including all plaintiffs herein, during the course of which employment he will have or might have occasion to use any confidential information obtained during the course of the attorney-client relationship between defendant and PEOPLES TEMPLE.
- c. Disclosing under any circumstances any confidential information obtained during the course of the

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attorney-client relationship between defendant and PEOPLES TEMPLE, and between defendant and any officers, directors or members of PEOPLES TEMPLE, including all plaintiffs herein, unless such disclosure is with the written consent of the PEOPLES TEMPLE.

- d. Prosecuting any complaint already filed, which was filed in violation of the attorney-client privilege or the prohibition against accepting employment adverse to a former client, during the course of which the defendant will have, or might have, occasion to use any confidential information obtained during the course of the attorney-client relationship between defendant and PEOPLES TEMPLE.
- 3. For damages in the sum of \$50,500,000.00 plus damages in such further sums as may be sustained and as are ascertained before final judgment herein;
 - 4. For punitive damages in the sum of \$100,000,000.00;
 - 5. For costs of suit herein incurred; and
- For such other and further relief as the Court deems proper.

Dated: July ___, 1978.

CHARLES R. GARRY Attorney for Defendants

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MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION

PLAINTIFFS ARE ENTITLED TO A PRELIMINARY INJUNCTION TO PRESERVE THE STATUS QUO PENDING A DETERMINATION OF THE MERITS OF THIS ACTION.

In determining whether to grant a preliminary injunction the trial court must balance the equities and determine which party is more likely to be injured by the exercise of its discretion.

The discretion must then be exercised in favor of that party.

Continental Bakery Co. v. Katz, 68 Cal. 2d 512 at 528 (1968);

California State Univ., Hayward v. National Collegiate Athletic

Ass'n., 47 Cal. App. 3d 533 at 544 (1975).

In the above-entitled case the equities are clearly on the side of plaintiff. The facts, as set forth in the Complaint and in the Declaration of Carol Stahl, show that defendant STOEN is engaged in a personal vendetta against plaintiff PEOPLES TEMPLE, the Reverend Jim Jones, and all of the other plaintiffs herein. In the course of that vendetta he has solicited, and continues to solicit, professional employment adverse to his former clients, plaintiffs herein, in the course of which he has disclosed, and will continue to disclose, confidential information obtained during the course of his attorney-client relationship with plaintiffs. This conduct is prohibited by California Business and Professions Code Section 6068(e), which states:

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It is the duty of an attorney: . .

(e) To maintain inviolate the confidence, and at every peril to himself to preserve the secrets, of his client.

The conduct engaged in by defendant and described in the Complaint and Declaration of Carol Stahl in the within-entitled case is also prohibited by California State Bar Rules of Professional Conduct, Rules 2-101, 2-110, and 4-101. Rule 2-101 states in pertinent part:

A member of the State Bar shall not solicit professional employment by advertisement or otherwise.

Rule 2-110 states:

A member of the State Bar shall not accept employment to accomplish any of the following objectives, nor shall he do so if he knows or should know that the person who employs him wishes to accomplish any of the following purposes:

(1) Bring a legal action, conduct a defense, or assert a position in litigation, or otherwise take steps, solely for the purpose of harassing or maliciously injuring any person or to prosecute or defend a case solely out of spite.

(2) Present a claim or defense in litigation that is not warranted under existing law, unless it can be supported by good faith argument for an extension, modification or reversal of existing law.

(3) Take or prosecute an appeal solely for delay, or for any other reason not in good faith.

Rule 4-101 states:

A member of the State Bar shall not accept employment adverse to a client or former client, without the informed and written consent of the client or former client, relating to a matter in reference to which he has obtained confidential information by reason of or in

the course of his employment by such client or former client.

An attorney is forbidden to do either of two things after severing his relationship with a former client. He may not do anything which will injuriously affect his former client in any matter in which he formerly represented him nor may he at any time use against his former client knowledge or information acquired by virtue of the previous relationship. Wutchumma Water Co. v. Bailey, 216 Cal. 564 at 573 (1932); Sheffield v. State Bar, 22 Cal. 2d 627 at 630 (1943); Earl Scheib, Inc. v. Superior Court of Los Angeles County, 253 Cal. App. 2d 703 at 706.

The courts have interpreted these rules to forbid subsequent representation of another against a former client not merely when the attorney will be called upon to use confidential information obtained in the course of the former employment, but in every case when, by reason of such subsequent employment, he may be called upon to use such confidential information. Galbraith v. State Bar, 218 Cal. 329 at 332-333 (1933); Sheffield v. State Bar, supra at 630; Earl Scheib, Inc. v. Superior Court of Los Angeles County, supra at 707.

The injunction sought herein seeks only to restrain defendant from engaging in conduct which is clearly prohibited by Business and Professions Code Section 6068(e) and Rules 2-101, 2-110, and 4-101 of the State Bar Rules of Professional Conduct, as those Rules have been interpreted by the California Supreme Court. This restraint is necessary to prevent further

damage to plaintiffs from defendant's disclosure of confidential information and the adverse publicity generated by that disclosure. The injunction is also necessary to protect the plaintiffs from the necessity of defending themselves against suits filed only as a result of the unethical conduct of defendant.

The purpose of a preliminary injunction is to preserve the status quo pending the final determination of the merits of the action. Continental Bakery Co., supra at 528; United States Hertz, Inc. v. Niobrara Farms, 41 Cal. App. 3d 68 at 79 (1974). Such preservation is obviously crucial in this case. Defendant filed three suits in the course of the thirty day period between May 22 and June 22, 1978. If he is not restrained by court order, he will continue to solicit adverse employment and to file suits against plaintiff, all to the detriment of plaintiff's reputation, and to their damage through the disclosure of confidential information, and the expenditure of time, money and energy in defense of these suits. The status quo can be preserved only by the issuance of the court order requested herein.

II. PLAINTIFFS ARE ENTITLED TO A TEMPORARY RESTRAINING ORDER, BECAUSE PLAINTIFFS WILL SUFFER IRREPARABLE INJURY UNLESS DEFENDANT IS RESTRAINED BY COURT ORDER, PENDING A HEARING ON THIS MATTER, FROM THE ACTIONS COMPLAINED OF HEREIN.

C.C.P. §527(a) provides that a temporary restraining order may be granted without notice where great or irreparable inury would result to the applicant before the matter can be heard on notice.

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Defendant in this case is involved in a personal vendetta against plaintiffs. In the course of this vendetta he has already filed three suits against plaintiffs and has disclosed much confidential information concerning plaintiffs. Only one of these complaints has been served upon any of the plaintiffs to this date. But if defendant is not immediately restrained from proceeding with the vendetta pending a hearing on this matter, he may succeed in serving plaintiffs with the remaining two complaints, which will generate further damaging publicity. If not restrained, he may also disclose further confidential information and file further suits, all to the irreparable injury of plaintiffs and each of them, as described above and in the Declaration of Stahl.

CONCLUSION

For all of the reasons stated above, plaintiffs respectfully request that the Temporary Restraining Order and the Order to Show Cause attached hereto issue forthwith.

IJ

DECLARATION OF CAROL STAHL IN SUPPORT OF COMPLAINT FOR TEMPORARY RESTRAINING ORDER, PRELIMINARY AND PERMANENT INJUNCTIONS, AND DAMAGES

Carol Stahl declares:

- 1. I am president of plaintiff PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST (hereinafter "PEOPLES TEMPLE"), a nonprofit corporation.
- 2. I have personal knowledge of the following facts and am competent to testify as to the truth of these facts if called as a witness.
- 3. Defendant TIMOTHY OLIVER STOEN served as legal counsel for PEOPLES TEMPLE from 1970 until approximately July of 1977. He represented plaintiff PEOPLES TEMPLE in various litigation matters, drafted various legal documents for plaintiff PEOPLES TEMPLE, drafted amendments to PEOPLES TEMPLE corporate articles, drafted PEOPLES TEMPLE's corporate bylaws, wrote numerous letters on behalf of plaintiff PEOPLES TEMPLE, and negotiated numerous transactions, including real estate transactions, on behalf of plaintiff PEOPLES TEMPLE, as its attorney. As legal counsel he routinely gave legal advice to the Board of Directors, officers and members of plaintiff PEOPLES TEMPLE, including plaintiffs BROWN and McELVANE.
- 4. On June 5, 1978 I was personally served on behalf of PEOPLES TEMPLE with a complaint for compensatory and punitive damages, filed in the Superior Court of the State of California in and for the County of Mendocino, Civil Action #39911.

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This complaint was filed by defendant STOEN on behalf of Steven Katsaris and against, among others, plaintiff herein PEOPLES TEMPLE. PEOPLES TEMPLE has already been forced to spend considerable time, energy and funds in responding to this suit. I am aware of at least two other suits filed by STOEN against PEOPLES TEMPLE and the other plaintiffs in this action, though none of the plaintiffs herein has yet been served with these complaints. One of these complaints was filed on June 7, 1978 in the Superior Court in and for the County of Los Angeles, Civil Action #24392. This complaint was filed by defendant STOEN on behalf of Wade B. and Mabel M. Medlock against, among others, plaintiffs herein PEOPLES TEMPLE and McELVANE. The other complaint was filed on June 22, 1978 in the Superior Court in and for the City and County of San Francisco, Civil Action #739907. That complaint was filed by STOEN on behalf of James Cobb, Jr. against, among others, plaintiffs herein PEOPLES TEMPLE and BROWN. These complaints may be served upon the plaintiffs herein, or any of them, any day. As soon as the above-described complaints are served on plaintiffs, or any of them, plaintiffs and each of them will be forced to expend more time, energy and funds responding to these suits.

5. In drafting these complaints defendant utilized and revealed confidential information obtained during the course of his attorney-client relationship with plaintiffs and each of them, without the consent of plaintiff PEOPLES TEMPLE or any other plaintiff herein.

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 6. The filing of each of the suits described in Paragraph 4 supra generated a multitude of news stories adverse to plaintiff PEOPLES TEMPLE and to the other plaintiffs herein. These stories appeared in newspapers throughout California. The adverse publicity generated by these complaints was particularly adverse in the County of Mendocino, the location of one of the actions. This publicity has caused irreparable damage to the reputation of the PEOPLES TEMPLE and of the other plaintiffs herein.

7. Defendant solicited the professional employment within the course of which he filed the suits described in Paragraph 4. He continues to solicit employment adverse to the interests of his former clients, PEOPLES TEMPLE and the other plaintiffs herein, for the purpose of harassing and 'destroying these plaintiffs.

- 8. Defendant STOEN's solicitation of employment adverse to his former clients, plaintiffs herein, and his violation of the attorney-client privilege of these former clients is a part of a personal vendetta of defendant STOEN against the PEOPLES TEMPLE. He will continue this solicitation and violation of the attorney-client privilege unless and until he is restrained by court order from so doing.
- 9. The activities described in the preceding paragraphs of this Declaration have caused, and will continue to cause if not immediately restrained, irreparable injury to the reputation of plaintiff PEOPLES TEMPLE and the other

Uklah, Mendocino County, California Tuesday, August 23, 1977

Stoen reacts to Grapevine article

Ukiah weekly target of \$5 million lawsuit

By GEORGE HUNTER

Timothy Oliver "Tim" Stoen, former assistant district attorney for Mendocino County whose beliefs are closely linked to those of the Rev. Jim Jones, pastor of the Peoples Temple Church, is preparing to file a \$5 million lawsuit against the Mendocino Grapevine, a Ukiah weekly.

Stoen, who flew here last weekend from New York City to confer with Ukiah attorney Pat Finnegan, told the Daily Journal that he would also seek damages of some \$13 million from New West, a San Francisco bi-weekly magazine which has carried two "expose" articles relating to Peoples Temple and its pastor.

Stoen said that an article appearing in a recent issue of the Ukiah weekly had damaged his reputation. "I intend to practice law here in Ukiah and it is essential that I clear my name," Stoen said.

"I must show the world that a newspaper cannot wrongfully hurt innocent people without being brought to account."

Noting that he was prepared to do battle on all levels, Stoen said: "I'm a street fighter. Feople will come to appreciate that fact that I'm a street fighter.

"I feel like Alfred Dreyfus," Stoen said, referring to the French Army officer of the 18th century who was convicted by an Army court and imprisoned on Devil's Island for defending his religious beliefs.

"I'm experienced enough with our jury system to believe in it. I'll put my true? in the system," Stoen said.

that he was "afraid" of Rev. Jones. "I want to dispel that allegation," he said.

The former assistant district atterney also was sharply critical to charges that he had used his public office to spy for Jones. "I've always made known my esteem for Jim Jones," he said. "I have nothing to hide and no one can show a single instance where I ever used my public office to show favoritism toward the church.

Stoen charged that the reporting of New West magazine was irresponsible in that the magazine article quoted the Mendocino Grapevine verbatim. Stoen said he would prove the statements to be untrue and malicious in motivation and that the Grapevine violated the newspaper canon of ethics, giving Stoen no chance to reply to the accusations.

The demands for retraction and damages will be contained in a complaint filed here. The suit against New West magazine will be filed in San Francisco.

Stoen was "loaned" to San Francisco city and county in 1975 to prosecute voter fraud after a large-scale scandal surfaced. Out of 39 indictments returned by the Grand jury, 37 convictions were obtained. Stoen was then asked by San Francisco District Attorney Joseph Freitas to accept the post

of special prosecutor with a large staff of attorneys to fight organized crime and public corruption. Stoen accepted the post then resigned when he felt that he was needed in Guyana, a small South American country, to help Jones in establishing a communal-type center, Jonestown, for minorities and the underprivileged.

Stoen has established residence in Manhattan in order that he may be admitted to the New York State bar.

"Jones has helped me develop an empathy toward the persecuted," Stoen said. "I intend to develop a national law firm to help people who are prosecuted, on some pretext, for their religious beliefs. Stoen said he was worried about "creeping totalitarialism" that left no room for dissent.

Stoen hopes to attract idealistic young attorneys to his organization.



FORMER ASSISTANT DA TIM STORY 31- 6 - 93

EXHIBIT A

AUGUST 25, 1977

The Weekly Newspaper of Mendocino County, California

NUMBER 166

200c

Peoples Temple Articles Bring Libel Suit Threat

By Vicki Allen

The recent disclosures about the Pooples Temple have resulted in the threat of a libri suit signing. New West Magazina and the Magadecine Grapovice.

doctor Grapovice,
Although so such lawsuit has
been filed, a high official of the
controversial church says it's
coming.

Tim Steen, former analotant district attorney of Mondocine, County, appeared in Utilal last weekend to consult with attorney Pat Finnegan.

In an interview with the Ukish Daily Journal, Stoon announced his plans to seek \$13 million is damages against New West and \$5 million against the Grapevise.

Stoon then left town and could not be reached for common by the Grapevine, Finneyen said he does not know when Stoon will return.

The Orapsvine has not been ask-

'ed for a retraction and has not generod a list of the statements alleged to be libelous.

Articles about the Peoples Temple appeared in the July 21, July 28, Aug. 4 and Aug. 16 lesues of the Grapovine.

After New West pristed the conclusions of its extensive investigation into the practicus of the church, news reports were also published in the San Francisco Examiner, the San Francisco Chronicle and the Press Demo-

According to Finnegan, Steen hasn't seen the articles in those publications.

publications.

"The articles in the Grapovine came to Times alication first," the alicancy sold.

"We had to start somewhere so

"We had to start somewhere so we started in Ukish." "H's ail speculation." said Page

Schens, the attorney for the Grapovice, who pointed out no suit had been filed, "Until we require their staims, we cannot assess what the problem is and we cannot respond,"

Once the Grapovine lea s what is alleged to be defametery, Suphone said, then a response will be prepared.

Coincidentally, the day after from announced his legal plans, the San Francisco Examiner published a copyrighted story about a tape recording of Stora which is being given to the California Attornoy General,

According to the page one article the last Francisco District Attorncy's Office says it is turning over a tape of these arranging a payment to an ex-member of the Pooples Tomple who claims his name was forged on a property transfer document.

The Sun Francisco DA's office is investigating allegations that temple leaders bust members and forced others to turn property

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over to the church.

over to the church.

Tim Refluctum, who wrote the
Examiner article with Nancy Dooley, said he was not aware Stoen
was in the country and had no
knowledge of the intended lawsuit.

Finnegan said he doesn't know
when the suit will be filed.

The demand for a vetraction will
be described as the manufacture.

be "33 specific as we can make B," he said, "Nobody is being sued yet," Finnegan added, "My plans right

Planegan accect. "My plane right pow are to file a demand for a re-traction." He also said, "Anything I file will be filed on behalf of Tim Scen. I'm concerned solely with

Soon. I'm concerned solely with articles that reflect adversely on I'm Stoen."
If a libel suit is brought against: the Grapevine, it will be filed in Eschocino Courty, Finnegan said. A suit against New West would be filed in Ean Francisco.

According to the original New

According to the original New West article, 30 parcels of prop-arry in Neurocian County were descred to the Peoples Temple from 1958. That Aug. I copyrighted story contains statements from Grace Scen, who claims her hurband mainized questionthle gifts of property to the druces.

Grapevice and other publications were based on interviews with: former church members who told of Peoples Temple leaders staging phony exacer cures, lying to the congregation about contributions collected at services, besting

collected at services, besting members and pressuring them to donite property.

Life irside the temple was said to be "a mixture of Sparian regimentation,"

Pey, Jones started the unorthodischurch in Redwood Valley with 100 members in 1965.

The membership reportedly elimbed to 20,000 when bases were enrithlished in San Francisco and Los Arreles.

were established in San Francis-co and Los Angeles.

Boen, the church's chief legal advisor, has been a member for several years.

Ee left his job in the Memberlan Comby DA's effice in May, 1976 to become a special prosecutor for voter fraud in San Francisco for voter fraud in Ean Francisco Courty. He resigned from the San Francisco District Attorney's Office in April to join Rev. Jores in Guyana, South America. Rosat's wife, Grace; who left him earlier this year, is now seating centrely of their five-year-off soon.

"I Literal to practice haw here in Ucha and it is essential that I clear my rame," Soon said in the Journal article by editor George Hutter,

Muster.

Fe also said, "I'm a street figure," and compared himself to French Army officer Alfred elf

Dreyfus, who was sentenced to Devil's Island in the last century. Although the article says floor plans to practice law in Udah, it also says he has established resideice in New York because he in-tends to open a law firm to defend people who are prosecuted for their religious beliefs.

It is not known when Stoen left

for the Journal article, Storn said he was given no opportunity to re-around to the accountloss made

against him, but the Grapevine has been unable to discover his whereabouts.

Rev. Joses has been in Guyana and Charles Garry, the Eun Fran-ciscs attorney who has been rep-resenting the Peoples Temple, has declined to comment.

has declined to comment.

Last weak's Grapevine carried a
lengthy article titled "The Other
Side of Peoples Temple," hared,
oe the church's own tewspaper
and sintements made by prominew people in defense of the
church.

Ironically, the New West article
noted the Peoples Temple's activittes in social and medical proerams and its aumorat of the

grams and its support of the press.
The church supported the four

The church supported the four Fresno reasons via the to juil rather than reveal the names of their news sources and it 1974, the Peoples Temple made donations of more than \$4,000 to 14 modia organizations "in defense of a free press."

According to a July 20 article in the Press Democrat, donations included \$500 each to that tenness included \$500 each to that tenness.

included \$300 each to that news-paper and to the Uslah Daily Jour-nal.

morarized questionship gifts of property to the church.

The magnitud also says a 22-year-old think man, the took his serve that atterney is a member of the same law firm that is representing Journal publisher year-old think man, the took his serve that some property to the church. The article quites the church. The article quites the man's mother.

For mer tergis members have also teld reporters that Soen appeared to be afraid of the Rev. Jim Jores.

The articles in New West, the Grapevine and other publications were based on interviews.

POWER OF ATTORNEY

I, the undersigned, am the father of John V. Stoen , a minor of the age of 4

James W. Jones, Maria Katsaris, Joyce

I hereby name and appoint Touchette, Paula Adams, Jan Wilsey, Debbie Touchette, Helen Swinney, and Eva Pugh, jointly and severally, my attorney(s) in fact with full power and authority to take all steps, exercise all powers and rights, that I might do in connection with said minor. Without limiting the generality of the foregoing, I specifically authorize her/him/them to procure any and all medical and hospital/dental care that may be necessary or desireable; to apply for passports or other travel documents on said minor's behalf; arrange for said minor to travel or travel with them out of the country; place him in any public or private school that she/he/they may deem appropriate; and to do any and all action that she/he/they deem(s) appropriate for my said son's wellbeing.

Executed on September 30, 1976 at San Francisco, California.

Timothy O. Stoen

Subscribed and sworn to before me this 30 day of September, 1976

Martho & Klingvan

MARTHA E. KLINGMAN
MOTARY PUBLIC-CALIFORNIA
CITY AND COUNTY OF
SAN FRANCISCO
My Commission Expires April 5, 1950

EXHIBIT C-1 BB- 31-6- 96

TO WHOM IT MAY, CONCERN

I, Timothy Oliver Stoen, hereby acknowledge that in April, 1971, I entreated my beloved pastor, James W. Jones, to sire a child by my wife, Grace Lucy (Grech) Stoen, who had previously, at my insistence, reluctantly but graciously consented thereto. James W. Jones agreed to do so, reluctantly, after I explained that I very much wished to raise a child, but was unable, after extensive attempts, to sire one myself. My reason for requesting James W. Jones to do this is that I wanted my child to be fathered, if not by me, by the most compassionate, honest, and courageous human being the world contains.

The child, John Victor Stoen, was born on January 25, 1972. I am privileged beyond words to have the responsibility for caring for him, and I undertake this task humbly with the steadfast hope that said child will become a devoted follower of Jesus Christ and be instrumental in bringing God's kingdom here on earth, as has been his wonderful natural father.

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

Timothy Oliver Stoen Post Office Box 126 Ukiah, California 95482

Dated: February 6, 1972

Witnessed: Diacit. 11. mee

EXHIBIT C-2

DEAR GENE, AM REALLY ENLLYING GUYANA THE PEORE ARE SO CONSIDERATE AND HELPAUL. AM VERY IMPRESSED BY 1 THE GOVERNMENT LEAGUES. MY SON, JOHN VICTOR, IS WITH ME AND DING BREAT. HE CAN READ, HIS DEVELOPED HIS MOTOR COURDINATION TREMEMBUSLY, AND THINGS ARAIT INTERPLIES EUSENE CHAIKIN, ESQUIRE THINGS AGOUT NATURE. TO M P.O. BOX 15023 68468S AND HIS OTHER TEACHERS ARE GIFTED THERRETICALLY AND SAN PRANCUSCO, CALIFORNIA PRACTICABLY. HE IS RECEIVING LOTS OF LOVE AND AFFECTION, AND IS : 94115 MARY TO ALTOK. PAVE REEN ATTENDIES TO VATRIOUS U.S.A. BE CONTRACTOR CONTRACTOR AND LAND SON AIR MAIL REGARDS TO ALL SINTERPLY, Zince

By KATHY HUNTER important to love and hold out a helping mediately taken into their hearts.

ex traitedy is now being played on a stage which reaches from the

remote jungles of Guyans to Ukiah, and from San Francisco to the nation's Capital

The major roles involve: in the traditional feshion of great theater, two men of high principles brought low by a fatal flaw in their character --- one by fwide and one by an unquestioning faith which blinded him to reality.

The gods only trouble themselves with those men who are great in spirit and attempt to challenge their Olymplan omnipotence -the little men are left relatively undisturbed to play out their own roles in this life, whether they are chosen or thrust upod them by the fates.

Two men -once closer than any brothers —are now locked in a battle to the drath, a battle in which no and can be foretold at this time

4. The stakes? The future of a six-yearold child and the integrity of a church founded on the premise that it is more hand to one's fellow man than to follow the time-honored dogma laid down by established religions.

There are no heroes or villains in this tragedy built upon human frailities only two desperately driven men fighting for the mind and body of a boy they both claim as their son. The mother of the child. Grace Stoet. stands in the wings awaiting the out-, come of the drama which began when she first committed herself to a man dedicated to a cause and who marched to a different drummer.

The woman, hardly more than a girl when she first placed her hand in that of Ukiah Altorney Tim Stoon, became his wife in a moving ceremony conducted by the Rev. Jim Jones in the Peoples Temple at Redwood Valley, filled to capacity by those who wanted to excress their joy at the union of these two young people, and all present agreed she could not have been more appropriately named, for she was graciousness personiled and was im-

If Grace, as her husband now admits had any doubts about the new world into which she was entering, she gave no sign and threw herself into the activities of the church which meant so much to her new husband.

A year and a half later, after a most difficult pregnancy, she gave birth to a son, whom her husband promptly called John-John, The Santa Hosa hospital records show that the boy was born at 2:06 p.m. on Jan. 25 of 1972 and that her husband was not only in the " loopital with her but had been at her side constantly, before and during the delivery.

The boy, now age six, is far removed from that hospital room in which he waited his first protesting cry upon entering this world and the home in which he was reared for the next four . years by Grace and Tim Steen.

He is now living in a "quasicommune" village 100 air miles from Georgetown, Guyana, off the coast of South America, with no telephones and

unreachable except by air. Jim Jones who established the commune and brought from 850 to 900 of his people there to help the natives learn modern agricultural practices to improve their way of life, claims that John John is his son and refused to lut Grace and Timsee the boy although they had traveled all the way from San Francisco to Guyana seeking to regain the child's custody.

Jones says Tim Steen algoed a paper affirming that John-John was not bis son; that he had asked Jones to "sire a child" for him because he was incapable of doing so himself and, in his admiration and respect for Jones wanted him to father the child.

Stoon maintains that medical tests prove he is more than capable of siring . a child, He does not tleny signing the statement but said "Jim asked it as a proof of faith" and he at that time. believed so strongly in Jones that he prevailed upon his wife to agree to go along with the statement. Steen also adds that, as an attorney, he was well

aware the statement would not hold up in court and he new believes that Jones demanded it in order to "hold it over my head" in case he ever decided to: leave the church.

"I was a fool," Stoen said in a twehour telephone interview with this ... "We had no idea he would be reporter late yesterday,

The rift between Stoen and his wife widened over the years as he became more and more preoccupied with the affairs of the church and she became pomore and more discrickanted with Jones and his changing attitudes, However, when Jones asked her to go to San Francisco and work with the people there as a counselor and supporter of the church, she agreed to please her husband.

It was in San Francisco that Grace became more and more questioning of Jim Jones and his methods and approaches to people and finally decided that she had "had it" and that to save her sanity she had to get away to "think things out" and plan her future, "

Stoon said she left John-John with the Pountes Temple because she felt it basi for the child that his normal routine. should not be disturbed. Months before, she and her husband had given their power of attorney to Jones and several 'trusted nurses" to look after the child's interests in case anything happened to sither her or Tim.

Stuen said restorday:

"Grace felt the highest act of love for John-John was to leave him there in an customed until she got established and got her mind together us to the sature."

Stoon said, with more than a little '. Htternene:

t, 'removed from the country."

lis repeated again;

I was a fool.

And what of the other side of the coin? At no time did Stoen permit himself to supress anger or animosity toward the Jim Jones "I practically worshipped,"

He does, however, believe that the continuing harasaments Jones and his antily enduced in Redwood Valley from those opposed to "nigger lovers" und Jones' philosophy that all men are created equal but "some need more". nelp than others," led to a suspicion of those about him and prompted him to engage personal bedyguards during his last years here.

Storn also believes that as more and more people came into Jones church? and saw him as a "father figure" or "the second coming." Jones has much with reality and saw himself as anaviour of manking and, according to Save. put himself above God- of al. least, as sitting by his right hand,

Steen said the change became only gradually apparent to him and that. because he believed so firmly in the good the church did, he did not want to luces it in any way,

(Contains Page 2)

117th Year No. 247 Ukiah, Mendocino County, California Monday, February 27, 1978 12 Pages—8 Page Tab' 2 Sections—15 Cents

(Cont'd from Page 1) to others that he might have:

different races that Jim and his wife, Marceline, adopted." cared for and loved as their one's brother. very own. He knows of Jim's deep compassion for those in need; of his love of all animal ufe; of his sincere desire to establish upon this earth a' arue brotherhood of man.

Stocn remembers when he was first appointed director of " the Legal Services Foundation acre and had no money available to clean up the offices allotted him and how he? ippealed to Jim and the next day 25 members of the church! turned up with mops, brooms, paint brushes and sheer to put the place in

He knows of the families in need who did not qualify for i iny assistance due to Sureaucratic regulations and o whom Jim Jones held out us hand and opened up his

Stoon firmly believes that fervor which cannot the senseless persecution Jim / ignored:

and his family and "Hove my son so much I am neglected my wife although I He tells, almost proudly of He speaks of the children of mankind and destroyed peace on earth and love for 'Grace."



REV. JIM JONES Claims he's the father

But, Stocn says with a

peped he cannot forget the Redwood Valley was the humiliation Jim puts me her. man down to the lowest don't wish any harm to him for the return of her son. reached a point of no return, common denominator of but I will do everything in my nower that is ethical to ensure forever a cherished dream of his return to me and to

Despite Stoen's turning of the other check in the best Christian tradition, his humaness as a man who feels: he has been betrayed by one he trusted and for whom he gave up his former rather "posh" way of living, complete with Porsche and the wardrube and female companionship to go along with it. one cannot help but detect that, despite his protestations, he is a bitter, completely dis!llusloned man who will stop at nothing to revalu the child he says is his and. revenge himself upon the man he has come to consider as having feet of clay - and a very poor grade of clay, at that.

terms "the neglect of my and the fates willing, that she attempt to regain custody of wife" for the church and the and the child he firmly John - of the threats. man to whom he had given his believes is his, will be reunited that had been made and of the ve "We do learn from our to complete devotion -only to in a normal family relation-government's demand that mistakes and this has beenlose all he held dear. "I ship

ve so much of himself brought a great and heroic just wish Jim to get well and I. to Jim Jones and her demand demanded the return of her, leave Guyana himself



TIMISTOEN Tug-of-war over child

He tells of his deep love for

Despite all that has hap parishioners suffered in willing to go through whatever, loved her dearly- I neglected how his wife faced Jim Jones man to all who knew him, sent warmth and feeling catalyst which, in the end, through to get my son back. I. He tells of his wife's return of what he had become and cwn safety but refused to son.

> "She really told him off." Stoen said. "She told him he and the government there had had become too hard on his come completely under his people, that he was not spell, feeling that a man who making them happy and that 'could do what he did for their he had lost his kindness which drew so many people to him in venture, could do no wrong the first place."

> angry" with her for facing plane out of the country," and him down and said the pastor was actually an atheist -that he came to believe at the end apent more than \$18,000 of our that "there couldn't be any own money trying to get our other God than him." "

He acknowledged that he we're not giving up," had seen what he considered true faith healing performed by Jones but accused Jones of coming to believe that he, not God, was responsible for the healing.

Stoen told of his fears for his : her and of his hopes that life and that of his wife when, obtain more money to con-He bitterly regrets what he sometime in the future, God they went to Guyana in an they leave the country at once, one very tough leason."

Stoen, a mild-mannered and told him what she thought his wife to Trinidad for her although "Jim has tremendous 'clout' there, for he has 's 'charlsmatic' personality people in his agricultural and anyone who tried to interfere with him or his work, -Stoen said Jones was "very , would find himself on the next."

> "Grace and I have already ; son buck," Stoen said, "but.,

He spoke, almost casually of the death threats he had received and the threatening' calls to his aging mother.

"Our present goal is to try to pay off our present debts and out of this nightmare," and, he added.

Group forms to protest BB-31-b-100



TIMOTHY OLIVER STOEN
120 Nontgomery Street, Suite 1700
San Francisco, California 94104
Telephone: (415) 391-5020

Actorney for Plaintiff

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ENDORSED-FILE

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134 221978

VIOLA RICHARDSON MENDOCINO COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF MENDOCINO

STEVEN A. KATSARIS,

Plaintiff,

v

JAMES WARREN JONES, also known as JIM JONES; SANERA BRADSHAW, also known as SANDRA INGRAM; PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, is a nonprofit corporation; PAULA ADAMS; and FIRST DOE through FIFTIETH DOE, inclusive,

Defendents.

No. 39911

AMENDED COMPLAINT FOR COM-PENSATORY AND PUNITIVE DAMAGES FOR LIBEL ON ITS FACE AND FOR SLANDER FER SE

Plaintiff alleges:

FIRST CAUSE OF ACTION

- 1. Plaintiff is informed and believes and thereon alleges that Defendent SANDRA BRADSHAW, also known as SANDRA INGRAM, is end at a times herein mentioned was a resident of Mendocino County, Californ
- 24 2. Defendant PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST was an 25 is a nonprofit corporation organized and existing under and by wir 26 of the laws of the State of California.

BB-31-6-101

EXEIBIT E

1 TIMOTHY OLIVER STOEN 120 Montgomery Street, Suite 1700 San Francisco, California 94104

3 Telephone: (415) 391-5020

Attorney for Plaintiffs

EILED

JUN 7 1978 han J. Corcoren, -- ? County Class

BY H. HEDIRIS, DEPUTY

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

10 [WADE B. MEDLOCK and MABEL M. MEDLOCK, husband and wife,

Plaintiffs,

JAMES WARREN JONES, also known as JIM JONES; PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, a 15 [nonprofit corporation; ENOLA M. HELSON; ENOLA M. NELSON REALTY; 16 HUCH FORTSYN; JAMES MCELVANE; and FIRST DOE through FIFTIETH 17 DOE, inclusive,

Defendants.

COMPLAINT FOR COMPENSATORY AND PUNITIVE DAMAGES FOR CONVERSION BASED ON COERCION AND FOR INTENTIONAL INFLIC-TION OF EMOTIONAL DISTRESS

Plaintiffs allege:

FIRST CAUSE OF ACTION

1. Plaintiffs are informed and believe and thereon allege that 23 defendant JAMES McELVARE is, and at all times herein mentioned was, 24 a resident of the County of Los Angeles, State of California.

2. Defendant PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST ("PEOPLE 26 [TEMPLE") is, and at all times herein mentioned was, a nonprofit cor-

JUN 2 |2 1978 TIMOTHY OLIVER STOEN 120 Montgomery Street, Suite 1700 2 San Francisco, California 94104 CARL M. OLSEN, Clork Telephone: (415) 391-5024 3 Attorney for Plaintiff 5 6 7 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA 8 IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO JAMES COBB, JR., 10 Plaintiff, 11 12 COMPLAINT FOR COMPENSATORY AND 13 PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, a nonprofit corporation; JAMES WARREN JONES, also PUNITIVE DAMAGES FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS AND FOR LIBEL ON ITS FACE known as JIM JONES; TERESA BU-FORD; JEAN F. BROWN; PAMELA G. MOTON; and FIRST DOE through FIFTIETH DOE, inclusive, 17 Defendants. 81 19 Plaintiff alleges: FIRST CAUSE OF ACTION 20 21

1. Defendant PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST ("PEOPLES 22 TEMPLE") is, and at all times herein mentioned was, a nonprofit corporation organized and existing under and by virtue of the law of the 24 State of California. Plaintiff is informed and believes and thereco alleges that the principal place of business of defendant PEOPLES 26 TEMPLE is at 1859 Geary Boulevard in the City and County of San Fran-

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BB-31-6-103

EXHIBIT G

VERIFICATION

I, CAROL STAHL

am

President of plaintiff PEOPLES TEMPLE, a nonprofit in the corporation, above entitled action.

I have read the foregoing Complaint for Temporary Restraining Order, Preliminary and Permanent Injunctions; and Damages; Memorandum of Points and Authorities; and Declaration in Support of Complaint and know the contents thereof; and the same is true of my own knowledge, except as to the matters which are therein stated upon my information or belief, and as to those matters I believe it to be true.

I declare under penalty of perjury the foregoing is true and correct. Executed on July ____, 1978 at San Francisco, California.

CAROL STAHL

GARRY, DREYTUS, MCTERNAN, BROTSKY, HERNDON & PESONEN, INC.
1336 MARKET STREET AT CIVIC CENTER SAN FRANCISCO, CAUTORNIA 94102

CAROL STAHL

1 PATRICK SARSFIELD HALLINAN Hallinan & Blum 2 345 Franklin Street San Francisco, California 94102 3 Telephone: (415) 861-1151 Attorney for Defendant 5 7 8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA 9 IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO 10 PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, a nonprofit corporation,) 11 JEAN BROWN, and JAMES McELVANE, NO. 740531 12 Plaintiffs, DECLARATION BY WADE B. MEDLOCK AND MABEL M. MEDLOCK 13 v. OPPOSING APPLICATION FOR

Defendant.

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TIMOTHY OLIVER STOEN,

We, Wade B. Medlock and Mabel M. Medlock, husband and wife, hereby declare as follows:

- 1. We are the plaintiffs in a lawsuit entitled WADE B.

 MEDLOCK and MABEL M. MEDLOCK vs. JAMES WARREN JONES, PEOPLES TEMPLE,

 JAMES MCELVANE, et al, filed on June 7, 1978, in the Superior

 Court for the County of Los Angeles, Civil Case No. C243292. A

 copy of the complaint is attached and made a part hereof. Our

 attorney is Timothy Oliver Stoen.
- This declaration is made in opposition to plaintiff's application for a preliminary injunction. We are requesting that

-188-31-6-105

PRELIMINARY INJUNCTION

Timothy Oliver Stoen be allowed to remain our attorney and help us get back the money stolen from us by PEOPLES TEMPLE.

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3. I, Wade B. Medlock, am 71 years old. I, Mabel M. Medlock, am 67 years of age. For 33 years we worked together in our own maintenance business in Los Angeles to acquire equity in two pieces of property as security for our senior years. In February 1977, our pastor, Jim Jones, called us into the "council room" of the PEOPLES TEMPLE church in Los Angeles and showed us some papers already filled out. We knew that they were for the sale of our properties, and we did not want to sign. When we hesitated, Jim Jones said to us personally, in front of a number of other people in the room, that if we didn't sign those papers immediately we would "die". We took this as a serious threat we would be killed, and we therefore signed against our will. When the escrow closed in August 1977, we were given \$7,000.00 and PEOPLES TEMPLE took more than \$48,000.00. (Both properties had been sold at prices far below fair market value.) We were heartsick but were afraid for our lives to complain to anyone. Jim Jones then started putting a lot of pressure on us to go to Guyana, where a number of our relatives are. But we did not want to live in any jungle, so we kept refusing.

4. Members of PEOPLES TEMPLE kept coming to us and asking us why we did not go to Guyana. In January 1978, an associate PEOPLES TEMPLE minister, Hugh Fortsyn, threatened both of us with the same fate (murder) as had happened to Christopher Lewis. On Easter Sunday of this year JAMES McELVANE threatened that we

had better watch out because "what happened to Chris could happen to you."

- 5. On April 25, 1978, ex-members of PEOPLES TEMPLE held a meeting of "Concerned Relatives" at a baptist church in Los Angeles. At the meeting we told the people what PEOPLES TEMPLE and Jim Jones had done to us. Afterwards Steve Katsaris said we should sue the church, and he told us to talk to Tim Stoen. Tim Stoen said to call him the next day, which we did. On April 26 we took the papers we had gotten from the escrow company to Tim Stoen to look at. He said we had been "extorted" and that we had a good case against PEOPLES TEMPLE but that they would probably try to sell all their property before we got a judgment. But since we don't have enough to live on, we are not going to give up.
- 6. We asked Tim Stoen not to file the lawsuit until we could move to safer living quarters. We were in constant fear that PEOPLES TEMPLE would send someone into our apartment at night and stab us. When we moved in May, we told Tim Stoen to file the lawsuit, which he did. Since then we have not received any more threats from PEOPLES TEMPLE.
- 7. Tim Stoen never talked with us about selling our property or turning it over to PEOPLES TEMPLE. He very seldom came to Los Angeles. He had nothing to do with our transferring it to the church. We did not even see him from September 1976 until the meeting in April 1978.
 - 8. Tim Stoen never asked us to sue PEOPLES TEMPLE or JAMES

Mccelvane. We asked him to do it for us. We are very glad he did. We do not want him taken off our case.

9. We authorize Tim Stoen to disclose all of the information we have given him regarding our lawsuit.

-4- BB- 31-6-108

1	VERIFICATION
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3	I, the undersigned, say:
4	I am a declarant in this action: kxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
5	of my own knowledge, except as to the matters that are stated in
6	it on my information and belief, as as to those matters, I believe
7	them to be true.
8 ¦	
9	Executed on July 24, 1978, at
10 ,	Los Angeles
11	
12	I declare under penalty of perjury that the above is
13	true and correct.
14	\sim \sim \sim \sim \sim
15	Wax B. Medurk
16	WADE B. MEDLOCK
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18	Mabel M. Me block
19	MABEL M. MEDLOCK
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BB-31-6-109

PATRICK SARSFIELD HALLINAN
Hallinan & Blum
345 Franklin Street
San Francisco, California 94102

Telephone: (415) 861-1151

Attorney for Defendant

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

PEOPLES TEMPLE OF THE DISCIPLES)
OF CHRIST, a nonprofit corporation,)

NO.

740531

Plaintiffs,

DECLARATION BY JAMES COBB, JR. OPPOSING APPLICATION FOR PRELIMINARY INJUNCTION

v.

TIMOTHY OLIVER STOEN,

Defendant.

JEAN BROWN, and JAMES McELVANE,

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I, James Cobb, Jr., declare:

1. I am the plaintiff in a lawsuit entitled COBB vs. PEOPLES TEMPLE, JAMES WARREN JONES, JEAN F. BROWN, et al, filed on June 22, 1978, in the Superior Court for the City and County of San Francisco, Civil Case No. 739907. A copy of the complaint is attached and made a part hereof. My attorney is Timothy Oliver Stoen.

2. This declaration is made in opposition to plaintiff's application for a preliminary injunction. I am requesting that Timothy Oliver Stoen, the defendant in this action, be allowed

-BB. 31-6-110

to remain as my attorney and to push my lawsuit.

 3. On May 11, 1978, Mr. Stoen and I were attending a dinner at a friend's house in San Francisco. At the dinner I brought up the subject of an open letter on PEOPLES TEMPLE stationery that had come to my attention. It was dated March 14, 1978 and was addressed to "All U.S. Senators and Members of Congress". It falsely accused me of being a "radical Trotskyite" who recommended a "violent course."

(A copy of this letter is an exhibit in the attached complaint) I told Mr. Stoen that this ridiculous letter was the last straw, and asked him if he would file a lawsuit against PEOPLES TEMPLE and Jim Jones.

4. Shortly after quitting PEOPLES TEMPLE in 1973, I began being harrassed by them. Ever since, I have thought it only a matter of time (maybe tomorrow) that I would be killed by them. When the situation presented itself last summer, I engaged in exposing Jim Jones and his evil practices in PEOPLES TEMPLE. I have considered taking legal action against Jones many times before, but it was not until March of 1977 that I felt to seek an attorney.

5. A few days after our dinner conversation of May 11, 1978, I visited Mr. Stoen at his office on Montgomery Street and brought with me a list of things that PEOPLES TMEPLE and Jim Jones had done to me since 1973. Mr. Stoen agreed to be my attorney.

• 6. During all this time from 1973 until now, I have been having trouble concentrating in dental school because of the threats

-2- BB- 31-6-111

1	which are mentioned in my lawsuit. The thing that has bothered
2	me the most was the threat that my son would be harmed if I
3.	didn't stop "badmouthing" PEOPLES TEMPLE.
4	7. Mr. Stoen never approached me at any time to be my
5	attorney. He did not in any way solicit my case. I feel much
,6	better now that I am exposing Jim Jones and PEOPLES TEMPLE in
7	the courts. I think one reason Jones has gotten away with so
8	much is that people abused by him, did not sue him earlier. No
9	further libels on me by PEOPLES TEMPLE have come to my attention
10	since I filed my lawsuit.
11	8. I consent to Mr. Stoen disclosing to anyone all of
12	the circumstances by which I asked him to be my attorney. I
13	consent to his disclosing any and all of the information about my
14	lawsuit that has come to his attention from anyone, including me
15	It would be difficult for me to find another trial attorney
16	competent as Tim Stoen, particularly with experience equivalent
17	to his as special prosecutor in San Francisco.
18	I declare under penalty of perjury that the foregoing
19	is true and correct.
20	Executed on July 30, 1978, at Berkeley, California.
21	•
22	JAMES COBB, JR.
23	JAMES COBB, JR.
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BB-31-6-112

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as

Also attached to declaration of james cobb, as exhibits, which I didnt copy because too bulky and we already have them anyway:

 the full complaint of James Cobb and all of his exhibits that he originally had on his complaint

TIMOTHY OLIVER STOEN 120 Montgomery Street, Suite 1700 San Francisco, California 94104

(415) 391-5020 Telephone:

Attorney for Plaintiff

ENDORSED **JUN 2 2 1978**

CARL M. OLSEN. Clerk P. W. MURPHY

739907

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

JAMES COBB, JR.,

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Plaintiff,

PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, a nonprofit corporation; JAMÉS WARREN JONES, also known as JIM JONES; TERESA BU-FORD; JEAN F. BROWN; PAMELA G. MOTON: and FIRST DOE through 16 FIFTIETH DOE, inclusive,

Defendants.

No.

COMPLAINT FOR COMPENSATORY AND PUNITIVE DAMAGES FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS AND FOR LIBEL ON ITS FACE

Plaintiff alleges:

FIRST CAUSE OF ACTION

1. Defendant PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST ("PEOPLES TEMPLE") is, and at all times herein mentioned was, a nonprofit corporation organized and existing under and by virtue of the law of the State of California. Plaintiff is informed and believes and thereon alleges that the principal place of business of defendant PEOPLES 26 TEMPLE is at 1859 Geary Boulevard in the City and County of San Fran-

BB- 31-6-114

Jie,

If you think that you are working only to destroy our friend, you're badly underestimating the course you are on. This is going down on the record as a deliberate attempt to starve out hundreds of good people. You'll be remembered for much more than just a personal wendetts.

Even though what you're trying to do is impossible, you're going to earn for yourselves the bitterest of enemies. We have solid evidence that one of your crowd participated in Chris' death. A whole lot of people not even associated with us can back that up. Whether or not you decide to respond to this hardly matters now. Since you are no doubt fully aware of who you're in with and what you are working for, I count this communication probably a waste of my time. We have real class enemies to deal with, and really aren't worrying about your clumsey efforts. But in the future, don't try to say you didn't know. It won't wash. If you had cared anything about what was right, you would have checked with the efficials that live there and have seen the work, and asked them about the kind of society we're building there. But like I said; in the future, don't plead ignorance.



Jim Cobb 103^A Cole St. Apt. A San Francisco, CA

EXHIBIT A1

AB- 31-6-116

PATRICK SARSFIELD HALLINAN
Hallinan & Blum
345 Franklin Street
San Francisco, California 94102
Telephone: (415) 861-1151
Attorney for Defendant

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, a nonprofit corporation, JEAN BROWN, and JAMES MCELVANE,

Plaintiffs,

TIMOTHY OLIVER STOEN,

Defendant.

NO. 740531

DECLARATION BY STEVEN A.
KATSARIS OPPOSING APPLICATION
FOR PRELIMINARY INJUNCTION

I, Steven A. Katsaris, declare:

- I am the plaintiff in a lawsuit entitled KATSARIS vs.
 JONES, PEOPLES TEMPLE, et al, filed on May 16, 1978, in the
 Superior Court for the County of Mendocino, Civil Case No. 39911.
 A copy of the amended complaint (filed May 22, 1978) is attached
 and made a part hereof. My attorney is Timothy Oliver Stoen.
- 2. This declaration is made in opposition to plaintiff's application for a preliminary injunction. I am requesting that Timothy Oliver Stoen, the defendant in the within action, be allowed to remain as attorney of record on my behalf and to

BB-31-6-117

prosecute my lawsuit through to its conclusion.

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3. I have known Timothy Oliver Stoen since 1972, when he was an assistant district attorney in Mendocino County, where I work and reside. As the Director of Trinity School for Children in the small community of Ukiah, California, I am regularly brought into contact with attorneys, law enforcement officials, and others in civic leadership capacities. Even before I met Mr. Stoen, I had heard of him and knew he enjoyed the respect and esteem of the community leaders as a very capable, effective, and decisive attorney.

- 4. On April 11, 1978, I was the spokesman for a group of "Concerned Relatives" and delivered to PEOPLES TEMPLE representatives in San Francisco a document entitled, "Accusation of Human Rights Violations by Rev. James Warren Jones Against Our Children and Relatives at the Peoples Temple Jungle Encampment in Guyana, South America." On the following day an article appeared in the "Santa Rosa Press Democrat" newspaper quoting a representative of PEOPLES TEMPLE, Sandra Ingram, as stating that I was a child molester. This was the second instance where PEOPLES TEMPLE representatives had publicly defamed me with this totally false charge. I was determined to expose their vicious and unfounded attacks, which in my opinion were designed to intimidate me into silence concerning the true nature of their organization.
- 5. The expenses of maintaining two of my children in college,

 Elaine at Stanford and Anthony at the University of California,

 Chico, along with the large sums I had already spent on two trips

- ask wim to represent me. I explained to him my plans to volumntarily submit to a lie detector test so that he and others would have no doubt concerning the truth of my innocence. I asked him to represent me on a contingency basis, explaining that I had not feel for legal costs. I also told him I had confidence he was an aggressive and extremely capable attorney who would act with dispatch. I also explained to him that I had seen his professional resume (attached as Exhibit A), his character references (attached as Exhibit B) and the Board of Supervisors resolution commending him (attached as Exhibit C).
- 7. When I met with Mr. Stoen at his office in San Francisco on April 21, 1978, I told him I wanted to proceed immediately.

 Many of the people I work with professionally had read the "Press Democrat" article, and I told Mr. Stoen I needed to respond without delay with a lawsuit to bring PEOPLES TEMPLE to justice. We looked in the telephone book yellow pages for the most reputable appearing polygraph firm. We set up an appointment with George Harmon, and I followed up with a letter written on my initiative to Mr. Marmon, a copy of which is attached hereto as Exhibit D and made a part hereof. I took the lie detector test on May 2, 1978.

On May 3, 1978, Mr. Harmon issued his report saying I was "telling the truth". That report is part of my lawsuit attached hereto.

8. On April 25, 1978, ex-members of PEOPLES TEMPLE held a "Concerned Relatives" meeting in Los Angeles at the Saint James Missionary Baptist Church. At the meeting were Wade and Mabel Medlock, who told us that PEOPLES TEMPLE had taken all of their property from them by means of threats made by Jim Jones personally that they would be killed. I was so upset after hearing their story that I went up to them at the end of the meeting and asked them to consider filing a suit, suggesting they talk to Tim Stoen. It was after this that they first contacted him about their case. I did, however, ask Mr. Stoen to put my case first because of the urgency of the situation regarding my reputation.

- 9. The purpose of this declaration is to state categorically that Mr. Stoen's involvement in my lawsuit originated with me, and that I am represented by Mr. Stoen at my request. He never solicited my case in any way. I believe my interests would be gravely comprised if he were not my attorney.
- 10. I hereby consent to Mr. Stoen disclosing all of the circumstances whereby he became by attorney and all of the information I have given him.

VERIFICATION 2 3 I, the undersigned, say: I am a declarant in this action;

EXECUTE: The above document is true of my own knowledge, except as to the matters that are stated in it on my information and belief, as as to those matters, I believe 7 them to be true. Executed on July 29 , 1978, at San 9 _, California. 10 Francisco 11 I declare under penalty of perjury that the above is 12 true and correct. 13 Shuma Katsapo 15 16 17 18 19 20 21 22 23

BB- 31-6-121

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1 PATRICK SARSFIELD HALLINAN Hallinan & Blum 2 345 Franklin Street San Francisco, California 94102 3 Telephone: (415) 861-1151 Attorney for Defendant 5 6 7 8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA 9 IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO 10 PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, a nonprofit corporation,) 740531 11 JEAN BROWN, and JAMES MCELVANE, DECLARATION BY DEFENDANT 12 Plaintiffs, OPPOSING APPLICATION FOR PRELIMINARY INJUNCTION 13 14 TIMOTHY OLIVER STOEN, (CCP \$ 527) Defendant. 16 17 I, Timothy Oliver Stoen, declare: 18

- 1. I am the defendant herein. This declaration is made in opposition to plaintiffs' application for a preliminary injunction.
- 2. Incorporated herein by reference are the following verified pleadings filed in this action on behalf of defendant:
 - a. Answer to Complaint;
- b. Declaration by Steven A. Katsaris, Opposing Application for Preliminary Injunction ("Katsaris Declaration");
- c. Declaration of Wade B. Medlock and Mabel M. Medlock,
 Opposing Application for Preliminary Injunction ("Medlock
 Declaration");

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 d. Declaration of James Cobb, Jr., Opposing Application of Preliminary Injunction ("Cobb Declaration").

3. I am an attorney admitted to practice law in the State of California.

4. As an attorney having a public trust, I am well aware of the rule pertaining to representation adverse to a former client. This rule has been stated by the California Supreme Court as follows:

The fact that an attorney has once acted in a professional capacity for a person does not preclude him from thereafter accepting a retainer to act adversely to his former client in a matter which has no reference to his previous employment ***.

Wutchumna Water Co. v. Bailey (1932) 216 C. 564, 571, 15 P.2d 505.

5. As an attorney I am well aware of another serious obligation, i.e., to represent "the cause of the defenseless or the oppressed." The California legislature, in enacting Section 6068 (h) of the California Business and Professions Code, made this an express duty:

It is the duty of an attorney:

- (h) Never to reject, for any consideration personal to himself, the cause of the defenseless or the oppressed.
- 6. James Warren Jones, also known as Jim Jones, is a necessary witness in these proceedings. Jim Jones was the president of plaintiff PEOPLES TEMPLE, and kept himself totally aware of all its business, until leaving the United States for Guyana in June 1977. Aside from me, only he was in a position to

1 know whether I ever acquired, in any legal capacity or in any 2 other capacity, any "confidential" or "secret" information 3 connected with the subject matters of the three lawsuits mentioned in the complaint herein as filed by me. If Jim Jones were called 5 to testify, and did so truthfully, he would testify that I was 6 never consulted by PEOPLES TEMPLE on any subject matter connected with the aforesaid lawsuits, and that I never acquired, in any 8 legal capacity or in any other capacity, from PEOPLES TEMPLE, or 9 any authorized member thereof, any "confidential" or "secret" 10 information connected with the aforesaid lawsuits. He would also 11 testify that from September 5, 1976, until the present time I 12 was never appointed, retained, or used as "counsel" for 13 PEOPLES TEMPLE on any matter. He would also testify that I have 14 never been retained or appointed as general counsel for PEOPLES 15 TEMPLE even though, pursuant to a general requirement of PEOPLES 16 TEMPLE, I donated my legal talents free of charge on routine 17 matters, as a member of PEOPLES TEMPLE and not in an attorney-18 client capacity. He would also testify that from March 2, 1970, 19 when I joined PEOPLES TEMPLE, until February, 1977, I had a 20 full-time job as an assistant district attorney.

7. On June 12, 1977, I terminated all communication with plaintiff PEOPLES TEMPLE and its members. Since that date I have not visited or set foot in any PEOPLES TEMPLE building or facility. Since that date I have not had any consultations with, nor given any advice to (except to demand the return of my son), nor received any information from (except to receive threats),

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plaintiffs PEOPLES TEMPLE or BROWN or McELVANE or any other member of PEOPLES TEMPLE.

8. In April and May of this year, 1978, I was approached by four oppressed victims of illegal and savage practices of plaintiffs PEOPLES TEMPLE, BROWN, and McELVANE. These victims were: Steven A. Katsaris, Wade B. Medlock, Mabel M. Medlock, and James Cobb, Jr. I did not in any way "solicit" any business or employment from any of them. I did not accept employment from them "out of spite" or any personal vendetta. Rather, upon being asked by each of these victims to file a lawsuit on his or her behalf, I researched each matter carefully and concluded that each had been greatly wronged, that the liabilities of PEOPLES TEMPLE, BROWN, and McELVANE were clear beyond all reasonable doubt, and that the only question for a trier of fact was the amount of damages suffered. Accordingly, I thereupon filed the following three complaints, each of them verified by plaintiffs under penalty of perjury:

- a. STEVEN A. KATSARIS vs. JAMES WARREN JONES, PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, et al ("Katsaris lawsuit"); filed on May 16, 1978, in the Superior Court for the County of Mendocino, Civil Case No. 39911;
- b. WADE B. MEDLOCK and MABEL M. MEDLOCK, husband and wife, vs. JAMES WARREN JONES, PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, JAMES MCELVANE, et al ("Medlock lawsuit"); filed on June 7, 1978, in the Superior Court for the County of Los Angeles, Civil Case No. C243292; and

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25 26 c. JAMES COBB, JR., vs. PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, JAMES WARREN JONES, JEAN F. BROWN, et al ("Cobb lawsuit"); filed on June 22, 1978, in the Superior Court for the City and County of San Francisco, Civil Case No. 739907.

A copy of the Katsaris lawsuit is attached to the Katsaris declaration. A copy of the Medlock lawsuit is attached to the Medlock declaration. A copy of the Cobb lawsuit is attached to the Cobb declaration.

- 9. I did not in any way use any "confidential" or "secret" information acquired from PEOPLES TEMPLE or any member thereof in preparing or filing any of the aforementioned lawsuits, nor will I be "called upon" to do so. This is clear from the Katsaris declaration, the Medlock declaration, the Cobb declaration, and an analysis of the dates alleged in the complaints for the unlawful acts of PEOPLES TEMPLE.
- 10. In the Katsaris lawsuit, the dates alleged for the unlawful acts of PEOPLES TEMPLE are:

First Cause of Action (Libel): May 10, 1978; Second Cause of Action (Libel): April 12, 1978; and Third Cause of Action (Slander): September 20, 1977.

11. In the Medlock lawsuit, the dates alleged for the unlawful acts of PEOPLES TEMPLE and McELVANE are:

Pirst Cause of Action (Conversion/Extortion): February
13, 1977;

Second Cause of Action (Intentional Infliction of Emotional Distress): January 20, 1978; and

Third Cause of Action (Intentional Infliction of Emotional Distress): March 26, 1978.

12. In the Cobb lawsuit, the dates alleged for the unlawful acts of PEOPLES TEMPLE and BROWN are:

First Cause of Action (Intentional Infliction of Emotional Distress): March 14, 1978;

Second Cause of Action (Intentional Infliction of Emotional Distress): March 14, 1978 and April 18, 1978; Third Cause of Action (Libel): March 14, 1978;

Fourth Cause of Action (Libel): May 10, 1978; and

Fifth Cause of Action (Libel): May 15, 1978.

action show, then, that all except one occurred long after I severed my relationship to PEOPLES TEMPLE on June 12, 1977. The only exception is the act of conversion and extortion alleged by Wade and Mabel Medlock to have occurred on February 13, 1977, in Los Angeles, California. The truth is that I never consulted at any time with the Medlocks about the transfer of their properties to PEOPLES TEMPLE or anyone else. The truth is that I have never consulted with PEOPLES TEMPLE, BROWN, McELVANE, or any other member of PEOPLES TEMPLE about the transfer of the Medlock's properties. I never saw or talked with either Wade Medlock or Mabel Medlock from September 5, 1976 (the last meeting of PEOPLES TEMPLE I ever attended in the United States and the last time I

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visited PEOPLES TEMPLE in Los Angeles) until seeing them at a meeting of "Concerned Relatives" in Los Angeles on April 25, 1978.

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14. The complaint for injunction herein alleges specific facts of misuse of confidential information solely with respect to the Katsaris lawsuit. (As the points and authorities make clear the failure of plaintiffs to allege specific facts as to the Medlock lawsuit and the Cobb lawsuit means no injunction may legally issue as to them.) Declarant hereby refers to the answer to complaint, which shows that the allegations of paragraph VI of the complaint are totally false, perjured, and verified by a person in no position to know their truth or falsity.

15. Maria Katsaris, a member of PEOPLES TEMPLE, is a necessary witness in these proceedings. Aside from me, only she is in a position to know whether I advised her "in April or May, 1977" that she "should go to Guyana to avoid the possibility of her father's instituting conservatorship proceedings against her. Aside from me, only she is in a position to know whether in consultations with her I "obtained confidential information concerning her relationship with her father ... and certain sexual adwances made by her father towards her when she was a child." These terribly serious charges constitute the only possible basis in the entire complaint for the issuance of an injunction, and ought not to be decided on the basis of hearsay, which is all Carol Stahl, as verifier of the complaint, had at best available to her.

If Maria Katsaris were called to testify, and did so truthfully, she would testify as follows: that I have not seen, consulted, or advised Maria Katsaris since leaving the United States on February 16, 1977; that she never mentioned to me ever any charge that her father molested her; that she and I never discussed conservatorships; that she was in the United States during all of April and May, 1977 (while I was out of the United States during all that time).

affidavit (unnotarized) signed by me which alleges that I was "unable" to sire a child and asked James Warren Jones to do so. Plaintiffs know that this document is totally false and spurious. (See birth certificate attached as Exhibit A; delivery room admission approval form attached as Exhibit B; urologist report attached as Exhibit C). Plaintiffs also know that this document is totally devoid of legal significance and that it could not be introduced in either of two custody proceedings, involving the same child, John Victor Stoen, brought in California and Guyana, respectively. (In the California proceeding, both Jones and I were named as parties before the Superior Court for San Francisco, which issued its order on November 18, 1977, awarding me joint legal custody along with my wife.)

In 1972 I signed the document at Jones' request as an act of trust and as a deterrent to my embarrassing the PEOPLES TEMPLE cause should I ever defect. As an idealist, I then believed that PEOPLES TEMPLE was the most promising organization to bring about

a utopian society. As a lawyer, I was well aware that there would be no legal effect to the document because it was signed after the birth of the child and because of the California law that a child born to husband and wife cohabiting together "is conclusively presumed to be a child of the marriage." California Evidence Code, \$621; California Civil Code, \$7004(a).

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17. I left Georgetown, Guyana, on June 12, 1977, with the intention of returning in two to six weeks. I came to the United States to take a vacation and see my family and friends. In the first part of July I met with my estranged wife, Grace, and others who had left PEOPLES TEMPLE. They informed me of things that convinced me that Jim Jones had changed and was no longer the person I had previously esteemed. Shortly thereafter an article appeared in "New West" magazine criticizing the church and its practices. (A copy of this article is attached as Exhibit D and made a part hereof.) I realized the charges were substantially true and that I could no longer defend PEOPLES TEMPLE or Jim Jones. I also knew that my failure to defend the church would result in my being very much distrusted upon my return to Guyana. I realized that Jones was becoming increasingly ruthless and that it would be very difficult, maybe impossible, to go to Guyana and bring my son back safely.

My plan was to defend Jones and PEOPLES TEMPLE on individual points when I could in good conscience do so, which I did. (See Exhibit A of complaint.) I thought Jones would soon be returning to the United States from Guyana and that he would need my services

as an intermediary. I hoped he would see that I had remained loyal to the values (espoused by PEOPLES TEMPLE) of social justice, economic fairness, and racial brotherhood even though I was no longer a member. In return for my services and my remaining loyal to these values, Jones would, I thought, bring my son back without a court fight. Jones never returned.

In late October I decided I would have to fight Jones and PEOPLES TEMPLE in the courts to get my son. On November 18, 1977 I testified accordingly in the above-mentioned action. Even before that, as soon as I had made it clear to Jones that I was taking this route, a number of harrassing events happened in my life, continuing up until the present, all of which I believe were caused by PEOPLES TEMPLE upon the instructions of Jim Jones.

I have not filed any lawsuit against plaintiffs because of any personal vendetta. I am, however, very much opposed to the practice of PEOPLES TEMPLE and Jim Jones. I believe that his members, including BROWN and McELVANE, are "mind-programmed" by Jones. I believe that Jim Jones has lost the capacity for self-criticism. I believe that he is willing to murder all 1100 people now living under his dictatorial control in Jonestown, Guyana. I believe Jim Jones and PEOPLES TEMPLE do not respect human rights or individual rights of any type, but that the collective is all-important. I believe that Jim Jones has delusions of grandeur and has a totally irrational and paranoid fear that everyone is out to get him. I do not wish Jim Jones or PEOPLES TEMPLE destroyed. What I want with all my heart is the return of my beloved son, John Victor Stoen. Secondly

I want the 1100 people in Guyana living under the control of Jones to be given the choice to return home.

Notwithstanding my hatred for the practices of Jim Jones and PEOPLES TEMPLE, I have purposefully remained rational and nonvindictive. I am aware of two cardinal principles: (1) "That which goes around comes around", and (2) vindictiveness breeds counterproductive judgments. Therefore I am working through the Congress, the State Department, the Guyana courts, and the public to pressure Jones to return my son. I have no intention to file unmeritorious suits and thereby risk losing the momentum already established. In fact, I was at first reluctant to file any of these suits, but I did so recognizing my obligation as an attorney to defend the oppressed, and as a human being to expose wrongdoing.

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VERIFICATION

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I, the undersigned, say:

I am a party to this action; the above document is true of my own knowledge, except as to the matters that are stated in it on my information and belief, as as to those matters, I believe them to be true.

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Executed on ____ August 3

_____, 1978, at San

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Francisco ____, California.

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I declare under penalty of perjury that the above is true and correct.

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Timothy Oliver Stoen

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WALTER C. CLOWERS, M.D. PUBLIC HEALTH CIFICER



SONOMA COUNTY PUBLIC HEALTH SERVICE

FEBRUARY 1, 1972

3313 CHANATE ROAD BANTA ROSA, CALIFORNIA 95404 PHONE: \$27-2605

IMPORTANT NOTICE: YOUR BABY'S BIRTH CENTIFICATE HAS BEEN FILED IN THIS OFFICE. THE INFORMATION BELOW IS A COPY OF PART OF THIS CERTIFICATE. IF THE INFORMATION SHOWN IS INCORRECT OR INCOMPLETE: PLEASE NOTIFY OUR VITAL STATISTICS SECTION WITHIN SEVEN DAYS OF ABOVE DATE. PHONE 527-2278.

Although this notice will not take the place of an official certified copy of the birth certificate, it may serve as a record for some purposes and should be preserved. An order form to use in ordering a certified copy is attached. There is a charge of \$2.00 for each certified copy.

In order to safeguard this birth record a permanent copy is kept in our records. The original certificate is sent to the State Registrar of Vital Statistics in Sacramento.

If you have any questions about these matters, I hope you will not hesitate to call upon us.

Very truly yours,

Walty Ollower Till

WAITER C. CLOWERS, H.D. Public Health Officer

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•				EXHIBIT A	<u> 188-31-</u>	6- 134		

CONSENT TO ADMISSION OF EXPECTANT FATHER TO DELIVERY ROOM

	SANTA ROSA MEMORIAL	Hospital during the birth of the child.
•	sted, the undersigned husband agrees to a the orders and directions of the attending	anform to all the rules and regulations of the Haspital physician
and procedures of the Ho of the medical procedure	spital in the delivery room and has been the as to be performed, and the undersigned re an and his associotes, of any and all respi	estructed by the attending physician as to the practices proughly informed as to the nature and consequences leases the Hospital, its employees and agents, as well possibility in the event the husband's attendance in the Husband Husband Wile (polient)
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Time: 1125 A.M	<u>·</u>	
•	CERTIFICATE OF ATTEN	DING PHYSICIAN

I hereby certify that I am the attending physician of the above-named patient, that I have examined the patient and conferred with both the patient and her husband, and that it is my opinion that the patient and her husband fully understand the nature of the husband's admission to the delivery room and the rules and regulations of the Hospital, as well as the nature and consequences of the medical procedures to be performed. It is my further opinion that the attendance

of the husband during the birth of the child will not be detrimental to the pottent, the child, or the husband.

BB-31-6-135

FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

Section 5	:52	Section 552a
(b)(1)	□ (b)(7)(A)	(d)(5)
☐ (b)(2)	☐ (b)(7)(B)	□ (j)(2)
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Inside Peoples Temple

By Marshall Kilduff and Phil Tracy

"... Jim Jones is one the state's most politically potent leaders. But who is he? And what's going on behind his church's locked doors?..."

For Rosalynn Carter, it was the last stop in an early September campaign tour that had taken her over half of California, a state where her husband Jimmy was weak. So Rosalynn gamely encouraged the crowd of 750 that had gathered for the grand opening of the San Francisco Democratic parity headquarters in a seedy downtown storefront. She smiled bravely despite the heat.

Mrs. Carter finished her little pep talk to mild applause. Several other Democratic higwigs got politic receptions, too. Only one speaker aroused the cnwd; he was the Reverend Jim Junes, the founding pastor of Peoples Temple, a small community church located in the city's Fillmore section. Jones spoke hriefly and avoided endorsing Carter directly. But his words were met with what seemed like a wall-pounding outpour. A minute and a half later the cheers died down.

"It was embarrassing," said a rally organizer, "The wife of a guy who was going to the White House was shown up by somebody named Jones."

If Rosalyan Carter was surprised, she shouldn't have been. The crowd belonged to Jones. Some 600 of the 750 listeners were delivered in temple buses an hour and a half before the raily. The organizer, who had called Jones for help, remembered how gratified she'd felt when she first saw the Jones followers spilling off the buses. "You should have seen it—old ladies on crutches, whole families, little kids, blacks, whites. Made to order," said the organizer, who had correctly feared that without Jones Mrs. Carter might have faced a half-empty room.

"Then we noticed things like the bodyguards," she continued. "Jones had his own security force [with him], and the Secret Service guys were having fits," she said. "They wanted to know who all these black guys were, standing outside with their arms folded."

The next morning more than 100 letters arrived. "They were really all the same." she said. "Thanks for the rally, and, say, that Jim Jones was so inspirational." Look, we never get mail, so we notice one letter, but 1007." She added, "They had to be mailed before the rally to arrive the next day."

But what surprised that organizer was really not that special. She just got a look at some of the methods Jim Jones has used to make himself one of the most politically potent religious leaders in the history of the state.

Jim Jones counts among his friends several of California's well-known public officials. San Francisco mayor George Moscone has made several visits to Jones's San Francisco temple, on Geary Street, as have the city's district attorney Joe Freitas and sheriff Richard Hongisto. And Governor Jerry Brown has visited at least once. Also. Los Angeles mayor Tom Bradley has been a guest at Jones's Los Angeles temple. Lieutenant Governor Mervyn Dymally went so far as to visit Jones's 27,000-acre agricultural station in Guyana, South America, and he pronounced himself impressed. What's more, when Walter Mondale came camnigning for the vice-presidency in San-Francisco last fall, Jim Jones was one of the few people invited abourd his chartered jet for a private visit. Last December Jones was appointed to head, the city's Housing Authority Commission. The source of Jones's political clout is

The source of Jones's political clout is not very difficult to divine. As one politically astute executive puts it: "He controls votes." And voters. During San Francisco's run-off election for mayor in December of 1975, some 150 temple

members walked precincts to get out the vote for George Moscone, who won by a slim 4,000 votes. "They're well-dressed, polite and they're all registered to vote." said one Moscone campaign official.

Can you win office in San Francisco without Jones? "In a tight race like the ones that George or Freitas or Hongisto had, forget it without Jones," said State Assemblyman Willie Bown, who describes himself as an admirer of Jones's.

Jones, who has several adopted children of differing racial backgrounds, is more than a political force. He and his church are noted for social and medical programs, which are centered in his three-story structure on Geary Street. Temple members support and staff a free diagnostic and outpatient clinic, a physical therapy facility, a drug program that claims to have rehabilitated some 300 addicts and a legal aid program for about 200 people a month. In addition, the temple's free dining hall is said to feed more indigents than the city's venerable St. Anthony's dining room. And temple spokesmen say that these services to the needy are financed internally, without a cent of government or foundation money.

Jones and his temple are also appliable of their ardeat support of a free press. Last September, Jones and his followers participated in a widely publicized demonstration in support of the four Fresno newsmen who went to juil rather than reveal their confidential news sources. The temple also contributed \$4,400 to twelve California news papers—including the San Franciscs Chronicle—for use "in the defense of free press," and once gave \$4,000 to the defense of Los Angeles Times reported Bill Farr, who also went to jail for refuling to name a news source.

In addition, at Jones's direction the

Francisco's run-off election for mayor in The addition, at Jones's direction to December of 1975, some 150 temple temple makes regular contributions

San Francisca Chronicle Reporter Marshall Kilduff and New West contributing eduse Phil Tracy were assisted by freelance newsman George Klineman.

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nt: At a 1976 temple lunch, Reverend Jones sat between two friends, S.E. mayor Moscone (left) and Licutenant Governor Dynally

several community groups, including the Telegraph Hill Neighborhood Center and Health Clinic, the NAACP, the ACLU and the farmworkers' union. When a local pet clinic was in trouble. Peoples Temple provided the money needed to keep it open. The temple has also set up a fund for the widows of slain policemen, and the congregation runs an escort service for senior citizens.

To many, the Reverend Jim Jones is the enitome of a selfless Christian.

The reverend was born James Thurman Jones, and grew up in the Indiana town of Lynn. While attending Butler University in Indianapolis, where he received his degree in education. Jones opened his first temple (in downtown Indianapolis). Although he had no formal training as a minister and was not affiliated with any church, his temple grew. It featured an active social program, including a "free" restaurant for the down-and-out. And the congregation was integrated, a courageous commitment in the years before Martin Luther King became a national figureparticularly in Indianapolis, once the site of the Ku Klux Klan's national

Then at around Christmas of 1961.

according to a former associate named Ross Case, Jones had a vision. He saw Indianapolis being consumed in a holocaust, presumably a nuclear explosion. Fortunately for him. Esquire had just run an article on the nine safest spots in the event of nuclear war. Eureka, California, was called the safest location; another safe area was Belo Horizante. Brazil, Jones headed for Belo Horizante. and Case went to Northern California.

Jones eventually returned and visited Case in Ukiah, Jones liked California, and twelve years ago this month, he and his wife Marceline incorporated Peoples Temple in California: Jones and some 100 faithful settled in Redwood Valley, a hamlet outside Ukiah.

Jones's congregation grew, and he soon became a political force in Men-docino County. In off-year elections, where the total vote was around 2,500. Jones could control 300 to 400 ballots, or nearly 16 percent of the vote. "I could show anybody the tallies by precinct and pick out the Jones vote," says Al Barhero, county supervisor from Redwood Valley.

Then, in 1970, Jones started holding services in San Francisco; one year later he bought the Geary Street temple. And later that same year, he expanded to Los

Angeles by taking over a synagogue on South Alvarado Street.

One success followed another, and his flock grew to an estimated 20,000. Jones's California mission seemed blessed

Although Jones's name is well-known. especially among the politicians and the powerful, he remains surrounded by mysters. For example, his Peoples Temple has two sets of locked doors, guards patroling the aisles during services and a policy of barring passersby from dropping by unannounced on Sunday mornings. His bimonthly newspaper, Peoples Forum, regularly exalts socialism, praises Huey Newton and Angela Davis and forecasts a government takeover by American Nazis, And though Jones is a white fundamentalist minister, his congregation is roughly 80 percent to 90 percent black

How does Jones manage to appeal to so many kinds of people? Where does he get the money to operate his church's programs, or maintain his fleet of buses, or support his agricultural outpost in Guyana? Why does he surround himself with bodyguards as many as fifteen at a time? And above all, what is going on behind the locked and guarded doors of Peoples Temple?

the Temple Speak Out Ten Who Quit

Beginning two months ago, when it became known that New Heat was researching an article on Peoples Temple. the magazine, its editors and advertisers were subjected to a bizarre fetter-andtelephone campaign. At its height, our editorial offices in San Francisco and Los Angeles were each receiving as many as 50 phone calls and 70 letters a day. The great majority of the letters and calls came from temple members and

Californians as Lieutenant Governor Mersyn Dymally, Delancey Street founder John Maher, San Francisco businessman Cyril Magnin, and savings and loan executive Anthony Frank. The messages were much the same: We hear New Hest is going to attack Jim Jones in print: don't do that. He's a good man who does

The flood of calls and letters attracted.

apporters, as well as such prominent, wide attention, which, in turn, prompted newsman Bill Barnes to report the campaign in the San Francisco Examiner. The Examiner also reported an unconfirmed break-in one week later at our San Francisco office.

After the Barnes article, we began getting phone calls from former temple members. At first, while insisting on anonymity, the callers volunteered "hackground" about Jim Jones's "cruel-

"... Peoples Temple members beat his sixteen-year-old daughter so badly, says Elmer Mertle, that 'her butt looked like hamburger' . . ."

ty" to congregation members, in addition to making several other specific charges

We told the callers that we were not interested in such anonymous whispers. But then a number of them, like Deanna and Elmer Mertle, called back and agreed to meet in person, to be photographed, and to tell their attributed

stories for publication

Based on what these people told us, life inside Peoples Temple was a mixture of Spartan regimentation, fear and selfimposed humiliation. As they told it, the Sunday services to which dignitaries were invited were orchestrated events. Actually, members were expected to attend services two, three, even four nights a week-with some sessions lasting until daybreak. Those members of the temple's governing council, called the Planning Commission, were often compelled to slay up all night and submit regularly to "catharsis"-an encounter process in which friends, even mates, would criticize the person who was "on the floor." In the last two years, we were told, these often humiliating sessions had begun to include physical beatings with a large wanden puddle, and boxing matches in which the person on the floor was occasionally knocked out by opponents selected by Jones himself. Also, during regularly scheduled "family meetings, attended by up to 1,000 of the most devoted followers, as many as 100 people were lined up to be paddled for such seemingly minor infractions as not being attentive enough during Jones's sermons. Church leaders also instructed certain members to write letters incriminating themselves in illegal and immoral acts that never happened. In addition, temple members were encouraged to turn over their money and property to the church and live communally in temple buildings; those who didn't ran the risk of being chastised severely during the catharsis sessions.

In all, we interviewed more than a dozen former temple members. Obviously they all had biases. (Grace Stoen, for example, has sued her husband, a temple member, for custody of their five-year-old son John. The child is reportedly in Guyana.) So we checked the verifiable facts of their accounts-the property transfers, the nursing and foster home records, political campaign contributions and other matters of public record. The details of their stories checked out.

One question, in particular, troubled us: Why did some of them remain members long after they became disen- more now that you've gone through this chanted with Jones's methods and even fearful of him and his bodyguards? Their answers were the same-they feared reprisal, and that their stories would not be believed.

The people we interviewed are real: their names are real. They all agreed to he tape-recorded and photographed while telling their side of the Jim Jones

Elmer and Deanna Mertie of Berkeley

After Elmer and Deanna Mertle joined the temple in Ukiah in Novem-



They beat his daughter badly: Elmer Mertle.

ber, 1969, he quit his job as a chemical technician for Standard Oil Company, sold the family's house in Hayward and moved up to Redwood Valley. Eventually five of the Mertle's children by previous marriages joined them there.

When we first went up Ito Redwood Valley]. Jim Jones was a very compassionale person." says Deanna. taught us to be compassionate to old people, to be tender to the children.

But skiwly the liwing atmosphere gave way to cruelty and physical punish-ments. Elmer said. The first forms of punishment were mental, where they would get up and totally disgrace and humiliate the person in front of the whole congregation. . . . Jim would then come over and put his arms around the person and say, I realize that you went through a lot, but it was for the like he preached, but I thought he was a cause. Father lowes you and you're a prophet," said Birdie Marable, a beautistronger person now. I can trust you cian who was first attracted to Jones in

and accepted this discipline."

The physical punishment increased. too. Both the Mertles claim they received public spankings as early as 1972-but they were hit with a belt only "about three times," Eventually, they said, the helt was replaced by a paddle and then by a large board dubbed "the board of education," and the number of times adults and finally children were struck increased to 12, 25, 50 and even 100 times in a row, Temple nurses treated the injured.

At first, the Mertles rationalized the beatings. "The [punished] child or adult would always say. 'Thank you, Father.' and then Jim would point out the next week how much better they were. In our minds we rationalized . . , that Jim must be doing the right thing because these people were testifying that the beatings had caused their life to make a reversal

in the right direction."

Then one night the Mertles' daughter Linda was called up for discipline because she had hugged and kissed a woman friend she hadn't seen in a long time. The woman was reputed to be a lesbian. The Mertles stood among the congregation of 600 or 700 while their daughter, who was then sixteen, was hit on her buttocks 75 times. "She was beaten so severely," said Elmer, "that the kids said her hutt looked like hamburger."

Linda, who is now eighteen, confirms that she was beaten: "I couldn't sit down for at least a week and a half."

The Mertles stayed in the church for more than a year after that public beating. "We had nothing on the outside to get started in." says Elmer. "We had ven [the church] all our money. We had given all of our property. We had given up our jobs.

Today the Mertles live in Berkeley. According to an affidavit they signed last October in the presence of attorney Harriet Thayer, they changed their names legally to Al and Jeanne Mills because, at the church's instruction. "we had signed blank sheets of paper, which could be used for any imaginable purpose, signed power of attorney papers. and written many unusual and incriminating statements [about themselves], all of which were untrue."

Birdie Marable of Uklah

"I never really thought he was God.

ailment. She had hoped Jones might be

the healer to save him.
On one of the trips to services in Redwood Valley. Marable noticed Jones's aides taking some children aside and asking. "What color house did my friend have, things like that." she says. "Then during the services, Jim called lone woman out and told her the answers that the children had given as shough no one had told him.

She became skeptical of Jones after that, and remained skeptical when her busband's health did not improve: the cancer "cures" Jones was performing seemed phony to her. Yet eventually she moved to Ukiah and ran a rest home for temple members at Jim's suggestion.

One summer she was talked into taking a three-week temple "vacation" through the South and East. "Everybody paid \$200 to go on the trip, but I sold them I wasn't able to do so." she added.

The temple buses were loaded up in San Francisco, and more members were packed abourd in Los Angeles. "It was terrible. It was overcrowded. There were people sitting on the floor, in the luggage rack, and sometimes people (were) undemeath in the compartment where they put the bags." she said. "I saw some things that really put me wise to everything," she added. "I saw how they treated the old people." The bathrooms were frequently stopped up. For food, sometimes a cold can of beans was opened and passed around,
"I decided to leave the church when I

got back. I said when I get through telling people about this trip, ain't nobody going to want to go no more. [But] as soon as we arrived back, Jim said. don't say nothing." She left the church in silence.

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Wayne Pietila of Petaluma And Jim and Terri Cobb of San Francisco

Wayne Pietila and Jim Cobb guarded the cancers. If anyone tried to touch them, we were supposed to eat the cancers or demolish the guy," said Cobb, who is six-feet, two-inches tall. Pictila was licensed by the Mendocino County Sheriff's Department to carry a concealed weapon; reportedly he was one of several Jones aides with such a permit.

It was during the Redwood Valley healing sessions in 1970, when nervous hope for relief from the pains of age spread among the congregation, that Cobb and Pictila would guard the cancers. Finally Jones would ask for someone who believed herself to be suffering from cancer. That was the signal for Cobb's sister, Terri, to slip into a side restroom and shoo out whoever might be

1968 because her husband had a liver—there. Then Jones's wife Marceline and a trembling excited old woman would disappear into the stall for a moment. Marceline would emerge holding a foulsmelling scrap of something cupped in a napking a cancer "passed." Marceline and the old woman would return to the main room to screams, applause, a thunder of music. Jim Jones had healed again.

But one time. Terri got a chance to look into the "cancer bag," "It was full of napkins and small hits of meat, individually wrapped. They keeked like chicken gizzards, I was shocked."

Wayne Pietila recalled another healing incident. On the eve of a trip to Seattle in 1970 or 1971, as Jones was leaving his house, a shot cracked out and he fell. "There was blood all around and people (were) screaming and crying, just hysterical." Jones was lifted to his feet and helped to his house. A few minutes



later. Jones walked out of the house with a clean shirt on. "He said he'd healed himself." Pictila said. "He used [the incident] for his preaching during the whole Seattle trip.

Bicki Touchette of San Francisco

The Touchette family followed Jones to California in 1970. They lived in Stockton for a while, then moved up to Redwood Valley, where they bought a house and converted it into a home for emotionally disturbed hows.

During 1972 and 1973 Micki and other temple members were expected to travel to Los Angeles services every other weekend. One of her jobs was to count the money after offerings Micki, a juniorcollege graduate, had the combination to the temple's Los Angeles safe. She says. "It was very simple to take in \$15,000 in a

weekend, and this was [four] years ago. [To encourage larger offerings, Jones] would say, 'We folks, we've only collected \$500 or \$700," and we would have lin reality] several thousand."

In addition to attending Wednesday night family meetings and weekend services. Micki also was part of fetterwriting efforts directed by church offi-cials. We'd write various politicians throughout the state, throughout the country, in praise of something that they had done. I wrote Nixon, wrote Tunney: I remember writing the chief of the San Francisco Police Department," she said. Micki, who lived in temple houses apart from her parents, would often be handed a sheet listing the points she would have to include in the letter. "It would tell you how and what to say and you'd word it yourself." She says she also would regularly use aliases she made up.

When Micki left the church in 1973 along with seven other young people, including Terri and Jim Cohb and Wayne Pietila, none warned their parents or other relatives. "We felt that our parents, our families . . . would just fight us and try to make us stay." Furthermore, they were all frightened. "At one point we had been told that any college student who was going to leave the church would be killed . . . not by not by Jones, but by some of his followers. Both Terri and Cobb recall the statement being made--by Jones.

Walter Jones of San Francisco

When Walt Jones, who never believed in the church, followed his wife Carol to Redwood Valley in 1974. Jim Jones asked them to take over a home for emotionally disturbed boys. The home belonged to Charles and Joyce Touchette. Micki Touchette's parents. Walt says he was told that the Touchettes were in Guyana, and that the people who had replaced them. Rick and Carol Stahl, had done such a poor job that "the care home, at that time, was under surveillance of the authorities because of the poor conditions. Some of the boys had scabies due to the filth.

in 1974 and early 1975, before Walt and his wife were granted a license to run the home, county checks (of approximately \$325 to \$350 per month for each child) for the upkeep of the boys were made out to the Touchettes and eashed by a church member who had their ower of attorney. "The checks," said Walt, "were turned over to someone in charge of all the funds (for the church's care homes) at the time. [The temple] allotted us what they felt were sufficient funds for the home and supplied us with foodstuffs and various articles of clothing." Jones says the food was mostly canned staples, and the clothes

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"... Jones held a snake close to the terrified old woman. 'Viola screamed,' said a member. 'And he still held that snake there'..."

were donations from other temple members. Walt is uncertain how much of the approximate total of \$2,000 a month of county funds earmarked for the upkeep of his boys actually ended up in his hands: his wife kept the books. But, he claimed, "it was very inadequate."

After the Joneses were granted their own license in 1975, the checks from the Alameda County Probation Department (which placed the boys in the home) were made out to him and his wife. "But still the church requested that we turn over what remained of the funds." says Walt Jones. "Approximately \$900 to \$1.000 [per month] were turned over to the church." And he added, "I do remember that there were times when all of the checks were signed over to the church."

Laura Cornelions of Oakland

Laura Cornelious was one of the privates in the Peoples Temple's army. She was in the temple about five years before leaving in 1975—just one of dozens of elderly black grandmothers who attend each meeting of the San Francisco Housing Authority Commission that Jim Jones chairs.

The first thing that bothered her was the constant requests for money. "After I was in some time," she says, "it was made known to us that we were supposed to pay 25 percent of our earnings the usual sum, according to practically all the former members that we interviewed]." It was called "the commitment." For those who could not meet the commitment, she says, there were alternatives, like baking cakes to sell at Sunday services—or donating their jewelry. "He said that we didn't need the watches—my best watch," she recalls sadly, "He said we didn't need homes—give the homes, furs, all of the best things you own."

Some blacks gave out of fear-fear that they could end up in concentration camps. The money was needed, she was told, "to build up this other place [Guyana-the 'promised land'], so we would have someplace to go whenever they [the fascists in this country] were going to destroy us like they did the Jews. [Jones said] that they would put [black people] in concentration camps, and that they would do us like the Jews... in the gas ovens."

Laura Cornelious was also bothered by the frisking of temple members (but never dignitaries) before each service. "You even were asked to raise up on your toes [to check] your shoes."

The final straw, she says, came the night Jones brought a snake into the services. "Viola... she was up in age, in her eighties, and she was so afraid of snakes and he held the snake close to her [chest] and she just sat there and screamed. And he still held it there."

Grace Stoon of San Francisco

Grace Stoen was a leader among the temple hierarchy, though she was never a true believer. Her husband Tim was the temple's top attorney, and one of its first prominent converts. Later, while still a church insider, he became an



They have her five-year-old boy: Grave Stoen

assistant D.A. of Mendocino County, and then an assistant D.A. under San Francisco D.A. Joe Freitas. Tim resigned to go to Jones's Guyana retreat in April of this year.

Grace agreed to join the temple when she married Tim in 1970, and gradually she acquired enormous authority. She was head counselor, and at the Wednesday night family meetings, she would pass to Jones the names of the members to be disciplined.

She was also the record keeper for seven temple businesses. She paid out from \$30,000 to \$50,000 per month for the auto and bus garage bills and also doled out the slim temple wages. And she was one of several church notaries. She kept a notary book, a kind of log of documents that she officially witnessed—pages of entries including power-of-attorney statements, deeds of trust, guardianship papers, and so on.

signed by temple members and officials.

She recalled why Jones decided to aim for Los Angeles and San Francisco.

aim for Los Angeles and San Francisco.
"Jim would say, 'If we stay here in the valley, we're wasted. We could make it to the big time in San Francisco."

the big time in San Francisco."

And expanding to Los Angeles, Jones told his aides, "was worth \$15,000 to \$25,000 a weekend."

During the expansion in 1972, members would pile into the buses at 5 P.M. on a Friday night in Redwood Valley, stop at the San Francisco temple for a meeting that might last until midnight and then drive through the night to arrive in Los Angeles Saturday in time for six-hour services. On Sunday, church would start at 11 A.M. and end at 5 P.M. Then, the Redwood Valley members would pile back on the buses for the long trip home: they would arrive by daybreak Monday.

Some of the inner circle, like Grace Stoen, rode on Jim's own bus, number seven. "The last two seats and the whole back seat were taken out and a door put across it," she said. "Inside there was a refrigerator, a sink, a bed and a plate of steel in the back so nobody could ever shoot Jim. The money was kept back there in a compartment." According to attendance slips she collected, the other 43-seat buses sometimes held 70 to 80 riders.

Jones's goal in San Francisco, Grace said, was to become a political force. His first move was to ingratiate himself with fellow liberal and leftist figures—D.A. Freitas, Sheriff Hongisto, Police Chief Charles Gain, Dennis Banks, Angela Davis.

Sometimes Jones nearly tripped up. Once, said Grace, when Freitas and his wife dropped in unexpectedly, temple aides quickly pulled them into a side nom and sent word to Jones in the upstairs meeting half. Just in time. The pastor was wrapped up in one of his "silly little things," said Grace. "He was having everybody shout "Shit! Shit! Shit! to teach them not to be so hypocritical." When Freitas was shown in, everyone just laughed at the puzzled district attorney. (D.A. Freitas confirms making an unexpected visit to the temple, but does not recall anyone using the word shit.)

Jones became impatient at the pace of his success. Eventually Mayor Moscone placed Jones on the Housing Authority Commission, and then intervened to assure him the chairmanship.

Strangely, as Jones's successes mounted, so did the pressures inside his

"... 'Jones would say that we could make it in the big time,' says Grace Stoen. 'Expanding to L.A. alone was worth \$15,000 a weekend'..."

temple. "We were going to more and more meetings." said Stoen. "[And] if anyone was getting too much sleep—say, six hours a night—they were in trouble." On one occasion, she said, a man was womited and urinated on.

in July of 1976, after a three-week

temple bus trip, her morale was ebbing lower, her friends were muttering about her, and there were rumors that Jones was unhappy with a number of members." packed my things and left [without telling Tim]. I couldn't trust him, He'd tell Jim."

She drove to Lake Tahoe and spent the July Fourth weekend lying on a warm beach. She dug her toes in the sand, stretched her arms and tried to relax. "But every time I turned over, I kooked around to see if any of the church members had tracked me down."

Why Jim Jones Should Be Investigated

It is literally impossible to guess how much money and property people gave Jim Jones in the twelve years since he moved his Peoples Temple to California. Some, like Laura Cornelious, gave small things like watches or rings. Others, like Walt Jones, sold their homes and gave the proceeds to the temple.

According to nearly all the former temple members that we have spoken with, extensive, continuous pressure was put on members to deed their homes to the temple. Many complied. A brief reading of the records on file at the Mendocino County recorder's office shows that some 30 pieces of property were transferred from individuals to the temple during the years 1968 to 1976. Nearly all these parcels were recorded as effective.

Interestingly, several of the "gifts" were signed or recorded improperly. The deed to a piece of property signed by Grace and Timothy Stoen was notarized on June 20, 1976. Grace Stoen told New West that on that date, when she was supposed to be in Mendocino signing the deed before a temple notary, she and several hundred temple members were in New York City, Grace Stoen said she signed the deed under pressure from her husband. Tim, months before it was notarized. And similar irregularities appear on a deed the Meriles turned over to the temple. A thorough investigation of the circumstances surrounding the transfers of the properties is clearly required.

In the last few issues of Peoples Furum, the temple newspaper, there are several references to the claim that 130 disturbed or incorrigible youths were being sent to the temple's Guyana mission. A church spokesman confirmed that these youngsters were released to the temple by "federal courts, state courts, prohation departments" and other agencies. An article in the July issue of the temple newspaper on the Guyana mission's youth program reports that. "In certain cases when a young person is testing the environment...physical discipline has

produced the necessary change." The article goes on to describe a "wrestling match" that sounds all too similar to the boxing matches" some former temple members described. If there is even the slightest chance of mistreatment of the 130 youths the temple claims to have under its guidance in Guyana, a complete investigation by both state and federal authorities would be required.

An investigation of the "care homes" run by the temple or temple members in Redwood Valley may also be in order. Both Walt Jones and Micki Touchette have stated that anywhere from \$800 to \$1,000 of the monthly funds provided by the state for the care of the six boys in the Touchette home were actually funneled to the temple. If those figures are accurate, as much as \$38,000 to \$48,000 may have been channeled into the church's coffers during the four years the Touchette home was open. It is known that at least two other homes"for boys were run by the church or its members. In addition, at least six residential homes licensed by Mendocino County were owned or operated by the temple. They housed from six to fourteen senior citizens each, and the county provided upwards of \$325 per month per individual. An investigation should be launched immediately to determine if any of the money paid for the care of the elderly actually went to the

Files at the Mendocino County recorder's office show that the temple has sold off a number of its properties. The Redwood Valley temple itself is currently for sale for an estimated \$225,000. The Los Angeles temple is also for sale. The three Mendocino "care homes" that are still operating are up for sale. Several former temple members believe Jones and a few hundred of his closest folkwers may be planning to leave for Guyana no later than September of this year. The ex-members we interviewed had the ability to walk away from the temple once they found the courage to do it. Whether the church will permit

produced the necessary change." The those who move to Guyana the oparticle goes on to describe a "wrestling tion of ever leaving is questionable.

Jones has been in Guyana for the last three weeks and was unavailable to us as this magazine article went to press. In a phone interview, two spokesmen for the temple. Mike Prokes and Gene Chaikin, denied all of the allegations made by the former temple members we interviewed. Specifically, they denied any harassment, coercion or physical abuse of temple members. They denied that the church attempted to force members to donate their property or homes. They also denied that Jones faked healings. They confirmed that the temple's churches and property in Redwood Valley and Los Angeles are for sale, but went on to deny that Jones's closest followers are planning to relocate in Guyana any time soon.

Finally, something must be said about the numerous public officials and political figures who openly courted and befriended Jim Jones. While it appears that none of the public officials from Governor Brown on down knew about the inner world of Peoples Temple, they have left the impression that they used Jones to deliver votes at election time and never asked any questions. They never asked about the bodyguards. Never asked about the bodyguards. Never asked about the church's locked doors. Never asked why Jones's followers were so obsessively protective of him. And apparently, some never asked because they didn't want to know.

The story of Jim Jones and his Peoples Temple is not over. In fact, it has only begun to be told, if there is any solace to be gained from the tale of exploitation and human foible told by the former temple members in these pages, it is that even such a power as Jim Jones cannot always contain his followers. Those who left had nowhere to go and every reason to fear pursuit. Yet they persevered. If Jones is ever to be stripped of his power, it will not be because of vendetta or persecution, but rather because of the courage of these people who stepped forward and spoke out.

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PATRICK SARSFIELD HALLINAN Capt of Glass, Goa Hallinan & Blum 345 Franklin Street San Francisco, California 94102 Telephone: (415) 861-1151 À Attorney for Defendant 5 7 8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA 9 IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO 10 11 PEOPLES TEMPLE OF THE DISCIPLES No. 740531 OF CHRIST, a nonprofit corpora-12 tion, JEAN BROWN, and JAMES NOTICE OF MOTION UNDER CCP \$
2019 (b)(1) FOR PROTECTIVE ORDER
THAT DEPOSITION NOT BE TAKEN AND McELVANE. 13 FOR REASONABLE EXPENSES AND ATTORNEY'S FEES, POINTS AND AUTH-ORITIES, SUPPORTING DECLARATION, AND APPLICATION FOR ORDER SHOR-Plaintiffs. 14 ν. TIMOTHY OLIVER STOEN, TENING TIME FOR SERVICE 16 Date: November 7, 1978 Time: 9:30 A.M. Defendant. 17 Department: 9 Law and Motion 18 19 To each party and to the attorney of record of each party in this 20 action: PLEASE TAKE NOTICE that on November 7, 1978, at 9:30 A.M., or 21 as soon thereafter as the matter can be heard, in Department 9 (Law 22 23 and Motion) of the Superior Court, 4th Floor, City Hall, San Francis-24 co, California, defendant Timothy Oliver Stoen will move the Court 25 for a protective order that the deposition of the persons named in 26 the Notice of Taking Deposition attached hereto, scheduled for Novem1 ber 9 and 10, 1978, not be taken, and for reasonable costs and expen-2 ses, including attorney's fees, incurred in this proceeding.

This motion is made on the ground that there is good cause for 4 the order sought in that (1) the items demanded are irrelevant, ren-5 dering the deposition a violation of CCP & 2016(b), and (2) the deposition is intended solely to cause, and will have the effect of causing, annoyance, embarrassment, and oppression, thereby violating 8 CCP \$ 2019(b)(1).

This motion is based on this notice, the Notice of Taking Depo-10 sition attached hereto as Exhibit A (three pages), the pleadings, 11 records, and files in this action, the attached memorandum of points 12 and authorities, the attached supporting declaration of defendant, and the attached order shortening time.

DATED: October 31, 1978. 14

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PATRICK SARSFIELD HALLINAN Attorney for Defendant

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APPLICATION FOR ORDER SHORTENING TIME FOR SERVICE OF MOTICE OF MOTION FOR PROTECTIVE ORDER AND ORDER

I am the attorney for defendant Timothy Oliver Stoen.

It is necessary that the time for service of the notice of motion for protective order, the supporting declaration of defendant, and the memorandum of points and authorities, be shortened so that the same may be served not later than five (5) days before the time set for hearing of the motion because of the following facts: the Notices of Taking Deposition filed by plaintiff are self-executing and gave defendant no opportunity to object to their issuance on the valid grounds set forth in defendant's memorandum of points and authorities attached hereto; given the press of business, there was insufficient time for defendant's protective order pleadings to be researched and prepared until October 31, 1978; and there will be no hardship on the counsel for PEOPLES TEMPLE because presumably they acquainted themselves with the appropriate discovery law before filing and serving the aforesaid Notices of Taking Deposition.

I declare under penalty of perjury that the above is true and 19 correct and that this declaration was executed on November 1, 1978, 20 at San Francisco, California.

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Patrick Sarsfield Hallinan Attorney for Defendant

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ORDER

Good cause appearing, IT IS ORDERED that the time for service of

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the notice of motion for protective order, supporting declaration, and memorandum of points and authorities is shortened so that the same may be served on plaintiff not later than five (5) days before the time set for the hearing of the motion for protective order. Dated: November 1, 1978.

FRANCIS W. MAYER

Judge

-4-

CHARLES R. GARRY, ESQ., GARRY, DREYFUS, McTERNAN, BROTSKY, HERNDON & PESONEN, 1256 MARKET STREET 1 SAN FRANCISCO, CA 94102 TEL,: 864-3131 3 ATTORNEY FOR PLAINTIFF NO APPEARANCE NECESSARY, RECORDS ONLY **IF YOU DESIRE COPIES CONTACT** GAGAN & McDANIELS, 9 FIRST ST. SAN FRANCISCO (PHONE 982-4766) 7 SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE CITY & COUNTY OF SAN FRANCISCO 8 9 PEOPLES TEMPLE OF THE DISCIPLES 10 OF CHRIST, a monprofit corporation.No. 740 531 et al. 11 NOTICE OF TAKING DEPOSITION 12 TIMOTHY OLIVER STOEN 13 SUBPENA DUCES TECUM 14 TO ALL PARTIES: PATRICK S. HALLINAN, ESQ., 345 FRANKLIN STREET 15 SAN FRANCISCO, CA 16 17 PLEASE TAKE NOTICE THAT THE depositions of Custodians 18 PLEASE TAKE NOTICE THAT THE depositions of Custodians of Records of: RE: TINOTHY O. (OLIVER) STOEN.; TORONTO DOMINION BANK CAMADA, ATTM: OPERATIONS OFFICER, SAME OF AMERICA, ATTM: OPERATIONS OFFICER, BANK OF AMERICA, ATTN: OPERATIONS OFFICER, 1301 MARKET STREET, S.F. CA., BARCLAYS BANK OF CALIFORNIA, ATTN: OPERATIONS OFFICER BANK OF NOVA SCOTIA, ATTN: OPERATIONS OFFICER, CHARTERED BANK OF LONDON, ATTM: OPERATIONS OFFICER, (SEE OVER Will be taken on behalf of defendant, 19 20 21 22 23 at 10:00 o'clock A.M. on THURSDAY the day of_ 24 NOVEMBER 1978 before a Notary Public, for the City and 25 County of San Francisco, State of California, at the offices of 26 GAGAN & McDANIELS, 9 First Street, Room 208, San Francisco, 27 California; said deposition will continue from said date and time 28 over Sundays and legal holidays until completed. 29 DATED this day of OCTOBER 19 78 30 31 Attorney at Law 32 Exhibit A (Page 1 of 3)

(RE: TIMOTHY O. (OLIVER) STOEN, EVERY DETAIL, EVERY ENTRY, EVERY TRANSACTION, EVERY DEPOSIT AND EVERY DISBURSEMENT RELATING TO THIS INDIVIDUAL, EITHER IN HIS OWN NAME OR AS TRUSTEE), SUTRO & CO., INC., ATTN: ARTHUR LENHARDT, VICE PRESIDENT, DEAN WITTER REYNOLDS, INC., ATTN: SALLY KRAFT, MARGIN DEPARTMENT, (RE: TIMOTHY O.(OLIVER) STOEN; COMPLETE AND ENTIRE RECORDS RELATING TO ALL TRANSACTIONS, STOCKS BOUGHT AND SOLD, ANY INSTRUCTIONS THEREIN AND THE DATES).

Exhibit A (Page 2 of 3)

	•
1	CHARLES R. GARRY, ESQ., GARRY, DREYFUS, NOTERNAN,
2	BROISKY, HERNDON & PESONEN, 1256 MARKET STREET
3	SAN FRANCISCO, CA 94102 TEL,: 864-3131
4	ATTORNEY FOR PLAINTIFF
5	NO APPEARANCE NECESSARY, RECORDS ONLY IF YOU DESIRE COPIES CONTACT
6	GAGAN & McDANIELS, 9 FIRST ST. SAN FRANCISCO (PHONE 982-4766)
7	SUPERIOR COURT OF THE STATE OF CALIFORNIA
8	FOR THE CITY & COUNTY OF SAN FRANCISCO
9	,
10	PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, a nonprofit corporation 740 531
11	et al.
12	NOTICE OF TAKING DEPOSITION
	j
13	TINOTHY OLIVER STOEN SUBPENA
14	DUCES TECUM
15	TO ALL PARTIES: PATRICK S. HALLINAN, ESQ., 345 FRANKLIN STREET
16	SAN FRANCISCO, CA
17	
18	PLEASE TAKE NOTICE THAT THE depositions of Custodians
	of Records of: RE: TINOTHY O. (GLIVER) STORM
19	BANK OF AMERICA, INTERNATIONAL DIVISION, ATTN: MR. MICHAEL LEDGERWOOD, 345 NONTGOMERY STREET, S.F.
20	CA 94104 (ANY AND ALL RECORDS RELATING TO TRANSACTIONS OF AND/OR WITH TIMOTHY O. (OLIVER) STOEN, INDIVIDUALLY AND/OR
21	AS TRUSTEE, INCLUDING ALL CORRESPONDENCE.
22	will be taken on behalf of defendant,
23	at 10:00 o'clock A.M. on FRIDAY the 10 day of
24	MOVENBER 19 78 before a Notary Public, for the City and
25	County of San Francisco, State of California, at the offices of
26	GAGAN & McDANIELS, 9 First Street, Room 208, San Francisco,
27	California; said deposition will continue from said date and time
28	over Sundays and legal holidays until completed.
29	DATED this 20 day of OCTOBER 1978.
30	
31	By Syllo
32	Attorney at Law

PROOF OF SERVICE BY MAIL

I am a citizen of the United States; my business address is 345 Franklin Street, San Francisco 94102. I am employed in the City and County of San Francisco, where this mailing occurs; I am over the age of eighteen years and not a party to the within cause. I served the within NOTICE OF MOTION FOR PROTECTIVE ORDER, MEMORANDUM OF POINTS AND AUTHORITIES, SUPPORTING DECLARATION OF DEFENDANT, AND ORDER SHORTENING TIME FOR SERVICE on the following person on the date set forth below, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Post Office mail box at San Francisco, California, addressed as follows:

Charles R. Garry, Esq. Garry, Dreyfus, HcTernan, Brotsky, Herndon & Pesonen 1256 Market Street San Francisco, CA 94102

I certify and declare under penalty of perjury that the foregoing is true and correct. Executed on November 1, 1978, at San 18 Francisco, California.

15/ PAULA E SMITH

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1 PATRICK SARSFIELD HALLINAN Hallinan & Blum 345 Franklin Street San Francisco, California 94102 CARL M. OLSEN, Che Telephone: (415) 861-1151 M. P. ANABU Attorney for Defendant IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO 11 PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, a nonprofit corpora-tion, JEAN BROWN, and JAMES McELVANE, No. 740531 DECLARATION OF DEFENDANT IN SUPPORT OF MOTION UNDER CCP \$
2019 (b) (1) FOR PROTECTIVE
ORDER THAT DEPOSITION NOT BE Plaintiffs, 14 v. TAKEN 15 TIMOTHY OLIVER STOEN. Date: November 7, 1978 Time: 9:30 A.M. Department: 9 Law and Motion 16 Defendant. 17 18 19 I, Timothy Oliver Stoen, declare: 20 1. I am the defendant in this action. I object to depositions 21 scheduled by PEOPLES TEMPLE for November 9 and 10, 1978, being taken.

2. I believe the purpose of plaintiff in taking said depositions

a. to discover the names of my clients and other individuals

23 is not legitimate but rather to annoy, embarrass, and oppress. I

26 who have had financial dealings with me for the purpose of intimida-

believe the real purposes of PEOPLES TEMPLE are as follows:

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BB-31-6-151

I ting them into terminating further contact with me; and

b. to engage in a "fishing expedition" for the purpose of acquiring information to be utilized, and falsely characterized, in a totally separate lawsuit it has already publicly announced, wherein it will allege (falsely) that I was an agent of the FBI and CIA while a member of PEOPLES TEMPLE.

- 3. In support of the aforesaid conclusions, I submit the following evidence:
- a. PEOPLES TEMPLE is not seeking information about my current financial condition only but also past financial transactions.
- b. PEOPLES TEMPLE has employed no discovery on questions of liability.
- c. PEOPLES TEMPLE knows that while I was a member thereof,
 my wife and I gave them our house and that for seven years I gave
 them my salary beyond my immediate needs. I hereby declare that
 my current net worth is less than zero. I own no real property. My
 automobile is a 1969 Toyota for which I paid \$675.00. I owe \$15,000.00
 to The First National Bank of Colorado Springs for a December 1977
 loan taken out to finance my efforts to regain custody of my son from
 PEOPLES TEMPLE.
- d. Since publicly declaring my opposition to PEOPLES TEMPLE,
 I have been subjected to numerous acts of harrassment designed to
 create ill will between myself and others. I believe these acts were
 committed by members of PEOPLES TEMPLE pursuant to a strategy of
 "divide and conquer". For example, in May 1978 a San Francisco newspaper reporter called me to inquire as to whether I was using his

1 name as supporting the sending of armed mercenaries to Guyana. He
2 said he had received both anonymous letters and letters from PEOPLES
3 TEMPLE members accusing me of using that reporter's name as being in
4 support of such a scheme. I assured the reporter I had never used
5 his name in that way.

- e. Employees of certain Congressional offices in Washington,
 D.C. have informed me that they received letters discrediting me
 shortly after PEOPLES TEMPLE learned their particular offices may
 be helping me.
- f. In May 1978 members of PEOPLES TEMPLE were ordered to
 write to governmental agencies protesting alleged harrassment. In
 neffort to discredit my standing with such agencies, PEOPLES TEMPLE
 leaders ordered their members to accuse me of various crimes and immoral acts, all of which were false. For example, attached as Exhibit A is an instruction issued to PEOPLES TEMPLE members for a letter
 to be sent to the State Franchise Tax Board accusing me of being a
 "terrorist."
- g. Also in May 1978, an extremely scurrilous open letter
 dated May 15, 1978 was sent to newspapers, television and radio stations, and governmental agencies throughout the United States. In
 an effort to create ill will between journalists and myself, this
 letter falsely stated that "Timothy Stoen * * Threatened to kill by
 poison a journalist who embarrassed him in the media." A copy of the
 relevant portions of that open letter is attached as Exhibit B.
- b. On October 3, 1978, PEOPLES TEMPLE held a news conference
 their San Francisco headquarters wherein their newly-acquired

1 | conspiracy-hunter Mark Lane made a number of ridiculous charges and threatened to file on behalf of PEOPLES TEMPLE a "multi-million-dollar suit" against the FBI, CIA, Department of State, etc. One of his associates, Donald Freed, apparently stated that I acted as the conduit to launder money through a foreign country "to finance the anti-Jones campaign." Attached as Exhibit C is an article from the San Francisco Examiner dated October 4, 1978 reporting said news conference. Attached as Exhibit D is an article from the San Francisco Progress dated October 4, 1978 reporting the same conference. PEOPLES TEMPLE is extremely skilled in constructing false theories 11 from minor pieces of information so as to divert public attention from its questionable practices. I believe that PEOPLES TEMPLE wishes 13 to learn everything possible about my financial history so as to construct a totally false theory to be publicized, by lawsuit and other-14 wise, in an effort to divers public attention from the charges made 15 by me and others to the effect that PEOPLES TEMPLE is operating a 16 concentration camp in Guyans, South America. 17 I declare under penalty of perjury that the foregoing is true 18 19 and correct.

Executed on October 31, 1978, at San Francisco, California.

Jimethy Oliver Stoen
Timothy Pliver Stoen

86-31-6-154

Er. Martin Huff, Executive Officer State Franchise Tax Board Sacramento, CA. 95867

Dear Mr. Ruff,

The recent problems caused for the Peoples Temple church with the Tax Board is only the latest example of merciless harasseent on the part of people with terrorist backgrounds and is financed by unethical means. Mr. Conn and Mr. Stoen, who went to the Tax Board, just threw up threats to the Disciples of Christ if they did not throw the Peoples Temple out of their ranks by May 1st. The denomination was incensed, and reported these actions immediately to the Temple.

Temples Temple.

Do not let the Tax Board take any part in hurting this remarkable church.

I look to your agency to reinstate the Temple's status immediately.

Sincerely yours,

Exhibit A

Dear Marger,

What you publicate in your business. But a bit of information on some of the people you are using as sources to spread lies about Peoples Temple might cause you to question the credibility of those sources. Given their backgrounds and past actions, their motives for attacking an interracial, highly constructive organization are obviously not "Concern" for their relatives which they claim to have in Guyana. A recent official statement of the U.S. Department of State proves once and for all that the allegations they are making are lies. What their true motives are, no one in the media seems interested in exploring and disclosing. But it does no credit to you as journalists that you take them at face value. Consider your sources. Their credits are listed below, and there are affidevits to back up every statement.

Timpthy Stoem:

Took \$5,000 from hard-working black people to finance a trip to France, London, Washington D.C., and New York.

Threatened to kill by poison a journalist who embarrassed him in the media.

There is much, such more. I personally know all these prople, and I saw their names rentioned on a petition presenting, themselves as loving, concerned relatives and friends of people; overrose at the Peoples Temple mission, and I felt I had to write something to you to inform you of what I know to be true of them.

Page 20-6.R EXAMINER ##C Wed., Oct. 4, 1978

People's Temple colony 'harassed'

People's Temple, its leader the Rev. Jim Jones and its Jonestown colony in Gryana are under a heavily limanced attack by the U.S. latelligence establishment, Mark Lane charged here.

Lane, a Washington trayer, educator and author whose works include "Rush To Judgment," a book on the John Kennedy assassibation, is a director of Citiens Commission Inquiry and was savised by its local chapter to look into temple affairs.

He appeared at a news conference at the temple here yesterday after a trip to Guyana.

Attacks on the colony, both in Guyana and in Congress, have been financed with large sums of money-flaundered through banks in neutral countries," and there is evidence of "a concerted effort by the U.S. intelligence establishment to destroy Jonestown," Lane said.

Included in the effort was a brans-jungle trek by a party of 20 men armed with rocket launchers and small arms, Lame said. He declined to name the leader of the group, whom he characterized as an employee of interpol, the international police coordinating agence.

He said the leader gave him a full statement because "he said he felt misused." The group had been sent to fire on the colony's generator building, darkening the compound, after cutting their way through the supposed barbed wire and minefields around the compound. After darkening the area, Lane said, they had planned to "free the children" from the supposed evil influences of the colony.

When they discovered there were no minefields nor harbed wire, Lane said, they contented themselves with aniping at the compound for six days. Lane related that the patrol leader told him he was amazed to be invited to visit the colony and stayed there several days.

"He told me he was satisfied that the 'concentration camp' charges against Jonestown were fabre and that he thought be had been misused," Lane said.

Lane declined to name the agent, but hinted that he might be asmed after the filing of a multi-million-follar suit against the government, which Lane said could be expected "within 90 days."

The suit will charge, he said, that a host of foderal agencies are doing all they can — much of it fliegally — to scuttle the Jonestown colony.

To be named as defendants, he said, are the FBI, CIA, Department of State, Internal Revenue Service, Treasury Department, Postal Service and virtually everybody but the Coast and Geodetic Survey.

The motive for the alleged government conspiracy, he said, is that the colony of 1,200 American experience is an embarramment to



MARK LANE Accuses U.S. agencies

the government because of his

As to charges that people once in the colony are not free to leave, he said that the U.S. Embany staff has on several occasions sent a car to the colony and offered anyone who wanted one a free ride to the alrport and a free flight home.

On the other hand, at another point in his dissertation, he said there are no roads to the colony but that transportation is available by boat or a complicated series of train trips or flights.

Lane was backed up by four persons who had recently returned from the colony, and by Jones wife, Marceline, also recently returned.

Mrs. Jones said that her hus band had remained in Gayana because of the advice of his attorneys and the advice of his attorneys and the advice his presence is needed theru.

Exhibit C

Attorney claims King

By E. Cahill Maloney Attorney Mark Lane, leading proponent of the theory that conspiracy was behind the assassinations of former President John Kennedy and Rev. Martin Luther King, claims the House Select Committee on Assassinations now knows

who killed Rev. King. Lane, who appeared at press conference called by People's Temple, 1895 Geary St., yesterday, alleged the com-mittee "has absolute proof" that the assassin

was not his client, James

Earl Ray.
He said be expects the congressional committee to release new information about the

King case in November. Should the committee fail to do so, Lane said he himself would reveal the names of the individuals involved in the King as-sassination at that time.

Lane was in San Francisco to announce that he has added People's Temple and its leader Rev. Jim Jones to his list of conspiracy victims.

ing Authority commissioner, left the City a year and a half ago when charges by former temple members involving phony cancer cures, bizarre temple rituals and unusual property acquisitions surfaced in the press

He fied to a remote jungle outpost in the in-terior of Guyana, South America where he and 1,200 of his followers have set up a temple ag-ricultural mission. The mission has been de-

Jones, a former Hous- scribed as an armed camp which prohibits freedom of movement and communication by former assistant district attorney Timothy Stoen and other relatives of mission residents.
Lane said a personal

investigation conducted by him and other mem-bers of the Citizens Committee of Inquiry, an independent organi-zation set up in the wake of the Kennedy assassination, has convinced him that none of the

charges against the ALCOHOLD IN THE PARTY

killer is known

temple mission are true.

Donald Freed, a researcher for the Committee on Inquiry, said the Jonestown study was an offshoot of ongoing investigation into the Central Intelligence Agency's presence in Latin America, specifically Jamaica and Guvana.

He said he had evidence to show that several hundred dollars "laundered through a meighboring neutral helped imance a campaign of harass-

ment against the People's Temple mis-sion in Jonestown, Guyana.

American intelligence organizations have played a major part in the effort to destroy Jones and Jones-town," Lane alleged.

Donald Freed, a re-searcher for the Committee on Inquiry, said the Jonestown study was an offshoot of an ongoing investigation into the Central Intelligence بيخة سناء

back to the early sixtics, Freed said.

Lane's conclusion that Jones is the butt of a government conspiracy is based on documentation of intervention in Jonestown affairs by a spate of government agencies, including the Post Office Department, which refused to forward social security checks to the mission. Agency's presence in the State Department, Latin America, specifi- the Federal Bureau of

cally Jamaica and Investigation the Treas-Guyana. Investigation the Treas-ury Department, and That presence dates petitions by 57 congressmen.

Lane said a man who identified himself as an Interpol agent con-firmed he had led an armed attack on the colony last year for the ostensible purpose of fre-eing the children.

Freed told The Progress Stoen acted as the conduit for money used to finance the anti-Jones campaign.

The only members of (Continued on Page 4) فتتبغم والتبناد الارتاء



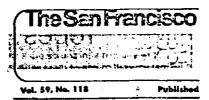
CITY NORTH

Wednesday, Friday and Sunday

15 Conts

Wednesday, October 4, 1978

Exhibit D (Page 1 of 2)



King

the conspiracy actually named by Lane are relatives of mission recisional gripes against Jones and the temple.

Lane called the Jonestown mission a remarktown mission a remarktown mission are marktown mission are mission are medical committy where one-time welfare recipients, drug addicts, alcoholics and prostitutes and people from the ghettoes "who were temper ment conspiracy when the temper and freedom.

According to Lane, the existence of such a community "is a great embarrassment for some people in the United States."

PATRICK SARSFIELD HALLINAN
Hallinan & Blum

345 Franklin Street
San Francisco, California 94102

Telephone: (415) 861-1151

Attorney for Defendant

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

10
11 PEOPLES TEMPLE OF THE DISCIPLES

No. 740531

OF CHRIST, a nonprofit corporation, JEAN BROWN, and JAMES McELVANE,

TIMOTHY OLIVER STOEN.

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No. 740531 MEMORANDUM OF POINTS AND AUTHOR-

ITIES IN SUPPORT OF MOTION FOR PROTECTIVE ORDER THAT DEPOSITION NOT BE TAKEN

Date: November 7, 1978 Time: 9:30 A.M.

Department: 9 Law and Motion

Defendant.

Plaintiffs.

Defendant submits the following points and authorities in support of his motion for a protective order that the deposition scheduled for November 9 and 10 not be taken and for reasonable expenses
and attorney's fees. Alternatively, defendant seeks a protective
order that the scope of examination of the deposition be limited to
current balances in the name of defendant, and for reasonable expenses and attorney's fees.

25 I. ON A SHOWING OF GOOD CAUSE, THE COURT MAY MAKE AN DISCOVERY 26 ORDER THAT JUSTICE REQUIRES TO PROTECT THE HOVING PARTY FROM ANNOY- 1 ANCE, EMBARRASSMENT, OR OPPRESSION.

A. Code of Civil Procedure, Section 2019 (b)(1):

"Upon motion seasonably made by any party or by the person to be examined or notified to produce books, documents, or other things and upon notice, or upon the court's own motion and after giving counsel an opportunity to be heard, and in either case for good cause shown, the court in which the action is pending may make an order that the deposition not be taken,..., or that certain matters shall not be inquired into, or that the scope of the examination shall be limited to certain matters, books, documents, or other things,...; or the court may make any other order which justice requires to protect the party or witness from annoyance, embarrassment, or oppression. In granting or refusing such order the court may impose upon either party or upon the witness the requirement to pay such costs and expenses, including attorney's fees, as the court may deem reasonable."

II. DISCOVERY IS RESTRICTED TO INFORMATION WHICH IS RELEVANT

14 TO THE SUBJECT MATTER INVOLVED IN THE PENDING ACTION.

A. Code of Civil Procedure, Section 2016 (b):

"Unless otherwise ordered by the court..., the deponent may be examined regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action... It is not ground for objection that the testimony will be inadmissible at the trial if the testimony sought appears reasonably calculated to lead to the discovery of admissible evidence."

B. The concept of subject matter relevancy is not unlimited.
Discovery may be denied as being irrelevant if the information sought
is so remote from the subject matter of the action that its disclosure would be of little or no practical benefit to the party seeking
it. Ryan v. Superior Court (1960) 186 CA2d 813, 9 CR 147, quoted
with approval in Columbia Broadcasting Sys., Inc. v. Superior Court

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1 (1968) 263 CA2d 12, 69 CR 348. Unless one of the issues in a law-2 suit requires apportionment of income or deposits (which is not the 3 situation in the instant case), the only financial records which are relevant are those which show current "financial condition and as-5 sets", and this would be solely on the issue of punitive damages. 6 See Doak v. Superior Court (1968) 257 CA2d 825, 65 CR 193.

III. A PROTECTIVE ORDER SHOULD ISSUE AGAINST THE PEOPLES TEMPLE 8 9 DEPOSITION BECAUSE THE INFORMATION SOUGHT FAR EXCEEDS CURRENT FINAN-CIAL CONDITION AND THE TIMING SHOWS ITS PURPOSE SOLELY IS TO AMROY, 11 EMBARRASS, AND OPPRESS.

A. It is apparent from the face of plaintiff's Notice of Dep-13 osition that it seeks private financial information far beyond current financial condition. The November 9 Notice is addressed to the Custodian of Records of five separate banks and asks for the following information from each:

> "Every detail, every entry, every transaction, every deposit and every disbursement relating to this individual [Timothy O. Stoen], either in his own name or as trustee * * * ; complete and entire records relating to all transactions, stocks bought and sold, any instructions therein and the dates.

21 The November 10 Notice asks for "all correspondence."

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22 There is absolutely no justification for the aforesaid requests. 23 They are designed to oppress defendant into taking the trouble and 24 expense of preparing and filing a protective order. Past deposits 25 and disbursements, instructions for stock purchases, correspondence--26 what possible relevance is such information as to defendant's finan-

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1 cial condition and ability to respond to punitive damages? There is none whatever.

Furthermore, defendant respectfully contends that even asset information is irrelevant at this point. The court's attention is called to all of the pleadings of plaintiff in this action, which suggest that the whole proceeding is shamful and oppressive. Given the discretion granted to a trial court by CCP § 2019 (b)(1), fairness requires that information which invades a defendant's financial privacy should be divulgable only after the deposing party has complete in good faith its discovery on issues of liability. The ulterior motives of Peoples Temple is suggested by the fact this is the very first deposition they have sought.

The declaration of defendant attached hereto indicates that the real purpose of Peoples Temple in seeking entries of past financial transactions is to learn the names of people defendant has been dealing with so that threats and other types of pressure can be applied to them in getting defendant to withdraw from the cases he has filed against Peoples Temple. Defendant's declaration shows his belief in a second oppressive purpose, i.e., for Peoples Temple to gain information for a totally separate lawsuit which it has publicly announced it plans to file against defendant, falsely alleging he was an agent 21 of the FBI and CIA while a member of Peoples Temple. 22

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- B. FOR THE AFORESAID REASONS, Defendant respectfully requests the following protective order from the Court:
- 1. That the deposition of the persons named in the Notices 25 26 of Deposition for November 9 and 10 not be taken; and

2. That defendant be awarded reasonable costs and attor-2 ney's fees incurred in this proceeding.

Alternatively, defendant respectfully requests that the following protective order be issued:

- 1. That the scope of examination of the depositions be 6 limited to existing balances in the name of defendant, and that the 7 date of taking such depositions be continued until such time as plaintiff files a notice that it has completed all discovery on questions of liability; and
- 2. That defendant be awarded reasonable costs and attor-11 ney's fees incurred in this proceeding.

DATED: October 31, 1978.

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Respectfully submitted,

PATRICK SARSFIELD HALLINAN Attorney for Defendant

Tes her an 9 %

CHARLES R. GARRY
GARRY, DREYFUS, MCTERNAN, BROTSKY,
HERNDON & PESONEN, INC.
1236 MARKET STREET AT CIVIC CENTER
SAN FRANCISCO, CALIFORNIA 84192
TEL: 844-3131

Attorneys for Plaintiffs

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

PEOPLES TEMPLE OF THE DISCIPLES
OF CHRIST, a nonprofit corporation, JEAN BROWN, and JAMES MCELVANE,

Plaintiffs.

NO. 740 531

DECLARATION AND
PLAINTIFFS' MEMORANDUM
OF POINTS AND AUTHORITIES IN OPPOSITION TO
DEFENDANT'S MOTION POR
PROTECTIVE ORDER

) PROTECTIVE ORDER) Date: Nov. 7, 1978) Time: 9:30 A.M.

}Time: 9:30 A.M.
)Dept.: Law and Motion
}

VE.

TIMOTHY OLIVER STOEN,

and seeking sanctions.

Defendant.

COME NOW plaintiffs through their undersigned counsel and submit the within Points and Authorities in Opposition to Defendant's motion under CCP § 2019(b)(l) for Protective Order, seeking to quash certain noticed depositions of the Custodian of Records of financial institutions in the City of San Prancisco.

The gist of this action turns on the acts of defendant, an attorney, in exploiting his prior confidential relationship with plaintiff for personal gain.

The records sought will demonstrate (1) that defendant

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enjoyed the confidence and trust of plaintiffs to the extent that defendant was entrusted with the most intimate and vulnerable aspects of plaintiffs' financial affairs while defendant was acting as counsel for plaintiffs and (2) that even before the events alleged in the complaint had occurred, defendant abused his position of trust and confidence for his personal gain.

The evidence sought by the noticed depositions is thus relevant and likely to lead to relevant evidence.

It is relevant directly to the issue of defendant's unlawful intentions respecting his future exploitation of his position of trust and confidence.

The records sought to be obtained may also lead to the discovery of relevant evidence in that any deposition of defendant Stoen can not be properly prepared without the records sought in the noticed depositions which are subject to this motion.

This latter purpose also disposes of defendant's suggestion that the court control the order of discovery and force plaintiffs to await completion of discovery on the liability case before seeking these records. The records are essential to plaintiffs' proper preparation of the case on liability.

There's no question that evidence of prior acts is admissible to show a subsequent intention. Evidence Code § 1101(b) 1104, 1105; People v. Alcalde, 24 C.2d 177, 185 (1944), Scott v. Times-Mirror Co., 181 Cal. 345 (1919), Wright v. Rogers, 172 C.A.2d 349, 363 (1959), State Rubbish Collectors Assoc. v. Siliznoff, 38 C.2d 330, 339 (1952).

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Code of Civil Procedure § 2019(b)(1), under which defendant brings the instant motion, requires that whether the motion be made by the party, the deponent, or the court itself, in each case the motion may only be granted "for good cause shown."

The accompanying Declaration of Charles R. Garry, establishes that the depositions which are subject to the motion are brought in good faith for the purpose of properly preparing the instant case, and not for collateral purposes. Defendant has made no showing of good case and presented nothing except intemperate speculation respecting the plaintiffs' motives. Such matter, verging on the contumnacious, can not support the drastic relief defendant now seeks.

Dated: November 2, 1978

Respectfully submitted,

GARRY, DREYFUS, MCTERNAN, BROTSKY, HERNDON & PESONEN, INC.

CHARLES R. GARRY
Attorney for Plaintiffs

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HENDON & PESONEN, BROYS

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TEL: 644-3131

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DECLARATION OF CHARLES R. GARRY IN OPPOSITION TO DEFENDANT'S MOTION FOR PROTECTIVE ORDER

I, CHARLES R. GARRY, declare:

I am an attorney at law duly admitted and licensed to practice before all courts of this state and I have my professional office at 1256 Market Street, San Francisco, CA.

I am one of the attorneys of record for plaintiffs in the above-entitled matter.

I am informed by my clients that for a number of years before the events alleged in the within complaint, defendant Timothy Oliver Stoen was entrusted with substantial funds belonging to plaintiffs for the purpose of investment and security. Upon information and belief substantial sums so entrusted to defendant remain unaccounted for.

It is my good faith belief that the records sought under the noticed depositions of the Custodians of Records of the Toronto Dominion Bank of Canada, the Bank of America (1301 Market Street office), Barclays Bank of California, the Bank of Nova Scotia, the Chartered Bank of London, and the Bank of America, International Division; will reveal evidence of a prior scheme, plan and intention by defendant Stoen to abuse his position of trust and confidence with plaintiffs to his own personal gain.

Further, upon receipt of the records sought in said depositions, I intend to notice the deposition of defendant Stoen.

I can not properly prepare for such a deposition without

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SAN FRANCISCO, CALIFORNIA 94192

the records sought to be suppressed by the present motion.

Executed on November 2 , 1978 at San Francisco, California

I declare under penalty of perjury that the foregoing is

true and correct.

Dated: November 3, 1978

By Charles R. GARRY

Attorney for Plaintiffs

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DECLARATION OF PERSONAL SERVICE (CCP \$ 415.10)

I, LOUISE HARDY, under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, a citizen of the United States, over the age of eighteen years, and not a party to this action; that I caused the within Declaration and Plaintiffs' Memorandum of Points and Authorities in Opposition to Defendant's Motion for Protective Order on the following person(s) on the date and at the address set forth below.

Patrick Sarsfield Hallinan Hallinan & Blum 345 Franklin Street San Francisco, CA. 94102

Executed on November 3, 1978, at San Francisco, California.

AND HARDY CANCELL

HERNDON PESONEN, INC.
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-v-

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA SECOND APPELLATE DISTRICT DIVISION JAMES WARREN JONES, also known as

JIM JONES; PEOPLES TEMPLE OF THE

DISCIPLES OF CHRIST, a non-profit corporation; ENOLA M. NELSON; HUGH FORTSYN; and JAMES MC ELVANE, Petitioners, أنبا الباطلان فالهم الكواعم سيميها سانفيا فيالمساويها 10 THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF LOS ANGELES, 12 13 [WADE B. MEDLOCK and MABEL M. MEDLOCK, Real Parties In Interest.] ·) PETITION FOR WRIT OF MANDATE 17 AND MEMORANDUM OF POINTS AND AUTHORITIES Motion to Vacate the Judgment of the Superior Court of the State of California in 20 and for the City and County of Los Angeles 21 CHARLES R. GARRY 22 GARRY, DREYFUS, MCTERNAN, BROTSKY, HERNDON & PESONEN, INC. 23 1256 Market Street San Francisco, CA. 94102 24 Telephone: (415) 864-3131 25 Attorneys for Petitioners 26

BAN FRANCISCO

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NO.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION

JAMES WARREN JONES, also known as JIM JONES: PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, a non-profit corporation; ENOLA M. NELSON; HUGH FORTSYN; and JAMES MC ELVANE,

Petitioners,

11 THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF LOS ANGELES.

Respondent,

(WADE B. MEDLOCK and MABEL M. MEDLOCK,

Real Parties In Interest.]

PETITION FOR WRIT OF MANDATE MEMORANDUM OF POINTS AND AUTHORITIES

The Petitioners petition this Court for a Writ of Mandate directed to the Respondent Superior Court In and For The County of Los Angeles, and by this petition allege:

Beneficial Interest of Petitioners

The Petitioners are defendants in a cause which was commenced in the Superior Court of the State of California in and for the County of Los Angeles entitled WADE B. MEDLOCK and

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MABEL M. MEDLOCK, husband and wife v. JAMES WARREN JONES, also known 2 as JIM JONES; PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, a nonprofit Corporation; ENOLA M. NELSON; ENOLA M. NELSON REALTY; HUGH FORTSYN; A JAMES MC ELVANE, and FIRST DOE through FIFTIETH DOE, inclusive, [(Los Angeles County Superior Court No. C24-3292); and seek relief 6 from the Respondent Superior Court's order dismissing the Petitionplers' motion for change of venue.

Capacity of Respondent

The Respondent is and has at all times mentioned herein in been a Superior Court of the State of California and was the 11 forum in which the Petitioners moved for a change of venue in the aforesaid action No. C24-3292, WADE B. MEDLOCK and MABEL M. MEDLOCK v. JAMES WARREN JONES and Others.

Beneficial Interest of the Real Parties In Interest

The Real Parties In Interest are and have at all material 16 times been the Plaintiffs in the aforesaid action No. C24-3292, 17 WADE B. MEDLOCK and MABEL N. MEDLOCK v. JAMES WARREN JONES and 18 Others.

19 4. Statement of Facts

20 On September 1, 1978 Petitioners filed a motion in the 21 Respondent Superior Court for a change of place of trial of the 22 aforesaid action No. C24-3292 entitled WADE B. MEDLOCK and MABEL N. 23 MEDLOCK v. JAMES WARREN JONES and Others on the grounds that. 24 pursuant to the provisions of the California Code of Civil 25 Procedure relating to the place of trial of civil actions, the 26 Respondent Superior Court in and for the County of Los Angeles

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was an improper court for the trial of the said action, and the Superior Court of the State of California In and For the County of San Francisco was and is a proper court. (Exhibit "A".)

On October 6, 1978 the Patitioners' said motion was heard and dismissed by the Honorable Jess Whitehill, Judge <u>Pro tem</u> in Department 88A of the Respondent Court. Notice of the Respondent Court's order dismissing the Patitioners' motion was received by the Patitioners on October 20, 1978.

9 5. Basis for Relief: By virtue of the provisions of the Califor10 nia Code of Civil Procedure relating to place of trial of civil
11 actions and the facts made known to the Respondent Court by the
12 Petitioners in their said motion for change of venue, the Respond13 ent Court erroneously determined that the Superior Court In and
14 For The County of Los Angeles is a proper forum for the trial of
15 the said action No. C24-3292.

Respondent Court has a clear and present judicial duty to order that the place of trial of the said action No. C24-3292 be changed from the Superior Court In and For the County of Los Angeles to the Superior Court In and For The County of San Francisco by reason of \$5 395, 397, and 398 of the California Code of Civil Procedure.

- 22 6. The Petitioners have performed all conditions precedent to
 23 the filing of this petition by moving for a change of venue in the
 24 Respondent Court on October 6, 1978, which motion was dismissed as
 25 aforesaid.
 - 7. This petition is made to this Honorable Court in the first

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linstance rather than to the Superior Court of the State of 2 California, County of Los Angeles, for the following reason, 3 namely, that pursuant to \$ 400 of the California Code of Civil Procedure the appropriate and sole method of obtaining relief from the Respondent Court's order denying their motion for change of venue is by way of a petition to the Court of Appeal for the district in which the Respondent Court is situated for a Writ of Mandate requiring trial of the case in the proper court.

WHEREFORE, the Petitioners pray that:

1. An alternative Writ of Mandate issue under the seal of 11 this Honorable Court commanding the Respondent Superior Court 12 In and For The County of Los Angeles, its officers, agents, and 13 all other persons acting on its behalf or through its orders to 14 vacate its said order of October 6, 1978 dismissing the Petitioners' motion for change of venue and to order that the trial of the said action No. C24-3292 between the Real Parties In Interest herein as Plaintiffs and the Petitioners herein as Defendants be transferred to the Superior Court of the State of California In and For The County of San Francisco, or to show cause before this Honorable Court at a time and place then or thereafter specified by court order, why a peremptory writ should not issue;

2. That on the return of the alternative writ and the hearing of this petition, this Honorable Court issue its peremptory writ of mandate commanding the Respondent Superior Court, its officers, agents and all other persons acting on its behalf or through its orders to vacate its said order of October 6, 1978 and

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to order that the trial of the said action No. C-24-3292 be transferred to the Superior Court of the State of California In and For The County of San Francisco;

For such other and further relief as this Honorable Court deems just and proper.

Dated: October 27, 1978

GARRY, DREYFUS, MCTERNAN, BROTSKY, HERNDON & PESONEN, INC.

CHARLES R. GARRY
Attorney for Petitioners

NEIL ROSENBAUM Barrister of Gray's Inn Attorney of New York and Pennsylvania Bars

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STATEMENT OF PACTS

On or about June 7, 1978 the Real Parties in Interest to this petition filed a complaint in the Superior Court of the State of California in and for the County of Los Angeles against, inter alia, the Petitioners.

The said complaint alleges three causes of action. The
first cause of action is an alleged conversion by the Petitioners
and and an additional defendant, namely, Enola M. Nelson Realty,
of property owned by the Real Parties in Interest. The second
and third causes of action are alleged conspiracies by the Petitioners, with the exceptions of Enola M. Nelson and Hugh Fortsyn
(in the third cause of action) intentionally to inflict emotional
distress and mental suffering on the Real Parties in Interest.

On September 1, 1978 the Petitioners filed a Notice of
Motion for Change of Venue in the Respondent Court. Filed with
the said Notice of Motion were: (1) a Memorandum of Points and
Authorities in Support of Motion for Change of Venue; (2) a Declaration of Merits and Residence in Support of Motion by James
McElvane; and (3) a Declaration of Herits and Residence in
Support of Motion by June Crym, Treasurer of the Peoples Temple
of the Desciples of Christ (hereinafter referred to as the "Peoples
Temple"). James McElvane's said Declaration was filed in the
Respondent Court on September 26, 1978.

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On or about October 1, 1978 the Real Parties in Interest filed "Plaintiffs' Points and Authorities in Opposition to Motion 3 for Change of Venue."

At about 9:00 a.m. on October 6, 1978 the Respondent Court, The Honorable Jess Whitehill presiding, dismissed the Petitioners' said Motion in the absence of counsel for the Patitioners. (Counsel's absence was due solely to an unanticipated and uncontrollable delay in air transport connections between San Francisco and Los Angeles.)

Upon his appearance before the Respondent Court, Petition-Il ers' counsel was informed by the Learned Judge that the said motion 12 had been dismissed on two grounds, namely, (1) that the Petition-13 ers had made no showing that Enola H. Nelson Realty was not a 14 resident of Los Angeles County at the time the action was commenced, and (2) that James McElvane did not state that he was a 16 resident of San Francisco at the time the complaint was filed.

Petitioners' counsel made an oral motion to vacate the 18 Respondent Court's ruling on the ground that, by reason of the 19 matters aforesaid, he had had no opportunity for oral argument in support of the said motion for change of venue. Counsel in-21 vited the Respondent Court's attention to James McElvane's said amended Declaration of Merits wherein McElvane stated that at the time the action was commenced he was not a resident of Los Angeles County.

Petitioners' Counsel further invited the Respondent Court's attention to 5.10162 of the California Business and Professions

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l Code and contended that, pursuant to the provisions of that section, 2 the situs of the Defendant party Enola M. Nelson Realty was, on the facts before the Respondent Court, not Los Angeles County, but Guyana.

The Respondent Court denied Petitioners' Counsel's motion to vacate its ruling, and augmented its reasons for so ruling as follows: (1) that James McElvane's declaration that, inter alia, 8 Enola M. Nelson resided in Guyana was inadmissible hearsay; and (2) that James McElvane was "involved" with Enola M. Nelson Realty 10 at the time of the alleged conversion.

The proceedings were not reported.

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ARGUMENT

THE PETITIONERS DISCHARGED THEIR BURDEN OF SHOWING THAT THE ACTION BROUGHT AGAINST THEM BY THE REAL PARTIES IN INTEREST WAS NOT PROPERLY TRIABLE IN LOS ANGELES COUNTY.

- 1. In the action brought against the Petitioners the Real Parties in Interest, joined as Defendants four (4) identified individuals (viz., James Warren Jones, High Fortsyn, Enola M. Nelson, and James McElvane), one corporation (People's Temple) and one party alleged in paragraph V.C of the Plaintiffs' Points and Authorities in Opposition to Motion for Change of Venue to constitute an unincorporated association for purposes of determining venue.
- 2. The county in which the Defendants or some of them reside at the commencement of the action is the proper county for the trial of the action: California Code of Civil Procedure, \$395.

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Where a corporation is joined as defendant in an action, the county in which the corporation has its principal place of business is also a proper county for the trial of the action:

4 California Code of Civil Procedure, \$ 395.5.

A similar rule applies to an unincorporated association, if it has filed a statement designating its principal office pursuant to Corporations Code \$ 24003: Ibid., \$395.2.

8 In relation to corporations and unincorporated associations
9 the <u>California Code of Civil Procedure</u> \$395.5 further provides
10 that an action may properly be tried in the county in which tort
11 liability arises.

However, when a plaintiff brings an action against several defendants, both individual and corporate (or an unincorporated association), in a county which is neither the residence nor the principal place of business of any defendant, an individual has a right upon proper showing to a change of venue to the county of his residence, even though venue as initially laid may otherwise be justifiable on the ground that liability in tort is alleged to have arisen there: Hosby v. Superior Court, 43 Cal.App. 3d 219, 117 Cal. Rptr. 588.

Consequently where Plaintiffs sue both individual defendants and a corporation and/or an unincorporated association, venue is restricted to (a) counties in which the individual defendants are resident, (b) counties in which the corporate defendant has its principal place of business, and (c) the county in which the unincorporated association has its principle place of business,

provided such association comes within the terms of \$ 395.2 of the Code of Civil Procedure.

3. The First Cause of Action.

The first cause of action in the said complaint aileges
liability for conversion against individual defendants, a corporation, and a party alleged to constitute an unincorporated association. By reason of the matters aforesaid, the action may properly
be tried in Los Angeles County only if that County was, at the
time the said action was commenced, the residence of at least
one of the individual defendants or the principal place of business
of the People's Temple, or the principal place of business of Enola
M. Nelson Realty, if, as a matter of law, Enola M. Nelson Realty
constituted an unincorporated association for purposes of determing venue.

Residence of Individual Defendants at Commencement of Action.

None of the four said individual defendants was, at the material time, a resident of Los Angeles County.

On September 18, 1978 Petitioner James McRivane declared under penalty of perjury and as a matter of his own knowledge that at the time the said action was commenced James Warren Jones, Enola M. Nelson and Hugh Fortsyn were not residents of Los Angeles County. McElvane's Declaration was filed in the Respondent Court on September 26, 1978 and was before the Learned Judge at the hearing of the Petitioners' motion for change of venue.

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The Respondent Court expressly omitted to take the said Declaration into account in deciding the Petitioners' Motion on the erroneous ground that McElvane's said declaration as to the residence of Jones, Nelson and Fortsyn was inadmissible hearsay. The Learned Judge gave no reasons for excluding the said declaration as inadmissible hearsay.

By statute, an affidavit or declaration under penalty of perjury may be used upon a motion: C.C.P. \$ 2009.

In respect of a motion for a change of venue,

"There is no statutory requirement of an affidavit of residence. [But] C.C.P. 3966 provides that the court may order a change of venue if, 'upon the hearing,' it 'appears' that the action was brought in the wrong county. Perhaps the defendant may make his entire showing by oral testimony or exhibits. But the practice is to file an affidavit or affidavits showing that the moving defendant is a resident of the County to which transer is sought, or is not a resident of the County in which the suit is brought." Witkin, California Procedure, (2d Ed.) Vol. 2, \$ 539, p. 1359.

Accordingly, if the Respondent Court based its ruling that McElvane's said declaration was inadmissible hearsay on the ground that residence or non-residence cannot properly be proved by affidavit (or declaration), then, for the foregoing reasons, the Respondent Court's ruling was in error.

Further or alternatively, if the Respondent Court based its ruling on the ground that James McElvane declaration was inadmissible hearsay insofar as it related to defendants other than heimself, then the Respondent Court was again in error.

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The Supreme Court of California has held that "one defendant in a personal action may make an affidavit as to the residence of all the defendants for their benefit on a motion for change of place of trial of the action; and such an affidavit is sufficient where it states that the residence of all the defendants was at the time of the commencement of the action and ever since has been in the county to which it is sought to move the action, even though the affidavit does not contain the negative averment that the defendants do not reside in the county where the action was brought." Stone v. Stone, 203 Cal. 197.

Moreover, "An affidavit showing that all defendants were 12 residents of a particular county is prima facia proof of that fact in the absence of any denial or contrary proof. Fielder v. 14 Superior Court of Shasta County, 213 Cal.App. 2d 60.

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The Real Parties in Interest have not at any time denied that Petitioners James Warren Jones, Hugh Fortsyn, and Enola M. Nelson were not residents of Los Angeles County at the time this action was commenced.

The Petitioners concede that the Real Parties in Interest, in Paragraph VI of their "Points and Authorities in Opposition to Motion for Change of Venue, " deny that Petitioner James McElvane was not resident of Los Angeles County at the material time, notwithstanding his said declaration to the contrary; but, to the Petitioners' knowledge and belief, the Real Parties in Interest have made no more than a bare dinieal, and at no time did they adduce before the Respondent Court any evidence to substantiate

their bare assertion that at the material time James McElvane was, in fact, a resident of Los Angeles County. No counter-affi-3 davits were filed by the Real Parties in Interest; nor, despite their assertion that "at the hearing herein [they] will present 5 proof" that McElvane was a resident of Los Angeles County, and the Real Parties in Interest present such proof. Alternatively, 7 if such proof was presented to the Respondent Court at the hearing 8 of the Petitioners' motion, the record of the Respondent Court, 9 as known to the Petitioners, is silent about it, and it was, in 10 any event, presented in the absence of the Patitioners' counsel. Il Accordingly, the Petitioners were denied any opportunity to deal 12 with such alleged proof.

By reason of the matters and authorities aforesaid, the 14 Petitioners respectfully submit that the burden of showing non-15 residence in Los Angeles County of each of the four said individual Defendants to this action was duly and sufficiently discharged at the time the Petitioners' motion for change of venue was heard 18 by the Respondent Court, and that the Respondent Court therefore 19 erred in its ruling as to the residence(s) of Petitioners Jones, 20 Fortsyn, Nelson and McElvane at the commencement of this action.

In the Petitioners' respectful submission, the Respondent 22 Court erred if, insofar as it denied the Patitioners' Motion for 23 Change of Venue on the ground of residence in Los Angeles County 24 of any of the said individual Defendants.

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5. Principal Place of Business of People's Temple at Commencement of Action.

If, at the acommencement of the said action, the principal place of business of The People's Temple (a non-profit corporation) had been Los Angeles County, then pursuant to 5.395.5 of the California Code of Civil Procedure, that county would be a proper place for the trial of the action.

At all material times, however, the principal place of business of The People's Temple was San Francisco County. Proof of this fact was filed by the Petitioners in the Respondent Court on September 1, 1978 in the form of a Declaration under Penalty of Perjury executed on August 28, 1978 by June Crym, Treasurer of the People's Temple.

To the Petitioners' knowlege and belief, the Real Parties in Interest did not dispute this fact at the hearing of the said motion. The Dismissal of the Petitioners' motion appears not to have been based upon the principal of business of The People's Temple.

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(a) If, at the material time, Enola M. Nelson Realty had been a <u>corporation</u> with its principal place of business in Los Angeles County, then Los Angeles County would be a proper place for the trial of this action: <u>California Code of Civil</u> Procedure, Sec. 395.5.

Enola M. Nelson Realty was not, however, a corporation at the time of commencement of this action or at any time. The Real Parties in Interest have not disputed that fact. Accordingly venue in Los Angeles County cannot validly be based on Sec. 395.5 of the said Code.

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(b) If, at the time of commencement of this action,
Enola M. Nelson Realty had been an unincorporated association
which had "filed a statement with the Secretary of State pursuant
to Section 24003 of the Corporations Code listing its principal
office in this state," then the county in which Enola M. Nelson
Realty had its principal office would be a proper place for
trial of the action: California Code of Civil Procedure,
Sec. 395.2.

For purposes of this Petition, the Petitioners concede that the principal office of Enola M. Nelson Realty was situated in Los Angeles County. Nevertheless:

"Section 395.2 does not apply unless the association ... has filed a statement designating its principal office in this State (in accordance with the) procedure for filing such a statement (as) prescribed by Corporations Code, Sec. 24003." 14 West's Annotated California Codes, Code of Civil Procedure Sec. 395.2, p. 329.

In the absence of such a statement an unincorporated association is not recognized as a jural entity for purposes of determining venue and may therefore be sued only in those counties where the plaintiff can sue the individual members of the association: <u>Juneau Spruce Corp.</u> v. <u>Int'l. Longshoremen's Union</u>, 37 Cal. 2d 760, 235 P. 2d 607 (1951).

Therefore, even if contrary to the Patitioners' contention, Enola M. Nelson Realty were an unincorporated association between Petitioners and McElvane within the meaning of Sec. 395.2 of the Code of Civil Procedure, by reason of the matters set out in this paragraph and in paragraph 4 hereinabove (relating to the residences of Enola M. Nelson and James McElvane), Enola M. Nelson Realty could not properly be sued in Los Angeles County, since no evidence has ever been produced, nor any suggestion ever made, by the Real Parties in Interest that a statement designating principal office in California was filed on behalf or in respect of Enola M. Nelson Realty prior to the commencement of this action.

Accordingly, even if, contrary to the Petitioners' contention, Enola M. Nelson Realty were an unincorporated association within the meaning of Sec. 395.2, venue in Los Angeles County would be improper.

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(c) Further or in the alternative, "Enola M. Nelson Realty" is not an association at all, but merely a trade name under which Petitioner Enola M. Nelson conducts the real estate

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brokerage business of which she is the sole proprietor and in which she is the sole participant.

Paragraph 4 of the complaint of the Real Parties in Interest alleges no more than that Petitioner McElvane was at the material time a licensed real estate salesman doing business for, inter alia, Enola M. Nelson Realty. In Paragraph V of their Memorandum of Points and Authorities in Opposition to Motion for Change of Venue the Real Parties in Interest contend that their allegations in said paragraph 4 are sufficient to establish that Enola M. Nelson Realty "is an organisation of two or more persons (i.e. Enola M. Nelson and James McElvane) and an association within the meaning of Section 395.5 of the Code of Civil Procedure."

In the Petitioners' respectful aubmission, the said allegations are insufficient for such purposes. Even if, which has not been admitted by the Petitioners, James McElvane was "doing business as a salesman for ... Enola M. Nelson Realty" at the material time, that fact would not bring Enola M. Nelson Realty within the ambit of the terms "unincorporated association" or "organization" as those terms have been construed by the Appellate Courts of this state.

The Supreme Court of California has held that the usual meaning of the term "association" is

"an unincorporated organization, composed of a body of men partaking in its general form and mode of procedure of the characteristics of a corporation." In re Irwin's Estate, 327 P. 1074, 196 C. 366.

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The Court of Appeal subsequently applied the abovesaid definition and noted that the term "association" "is often used as synonymous with 'company' or 'society.'" Law v. Crist, 107 P.2d 953, 41 C.A.2d 862.

The Petitioners submit that, even assuming the allegations made in said paragraph 4 of the said complaint to be true, the Respondent court could not reasonably have concluded as a matter of legal construction that Enola M. Nelson Realty was an unincorporated association at the material time.

The Respondent Court must, however, have assumed or concluded that Enola M. Nelson Realty was an unincorporated association (or a corporation) in order to have dismissed the Petitioners' motion on the ground, inter alia, that the defendants made no showing that Enola M. Nelson Realty was not a resident of Los Angeles County at the time the action was commenced.

By reason of the matters aforesaid, the Respondent Court erred in its ruling that venue in Los Angeles County was proper by virtue of the location in Los Angeles of Enola M. Nelson Realty's brokerage office.

- 7. The Petitioners respectfully submit that with regard to the first cause of action the Respondent Court could not reasonably have found any ground for deciding that Los Angeles County was a proper place of trial since:
- (a) The Petitioners adduced sufficient admissible evidence which established that none of the four named individual

Defendants was a resident of Los Angeles County at the material time;

- (b) The Real Parties in Interest did not dispute the fact that at the material time the principal place of business of the People's Temple was San Francisco County; and
- (c) Enola M. Nelson Realty was either not an unincorporated association at all, or, if it was an unincorporated association, it was not at the material time a jural entity for purposes of determining venue within the ambit of Sec. 395.2 of the Code of Civil Procedure.

In the premises, the Respondent Court erred in its ruling on the Petitioners' motion.

8. The Second and Third Causes of Action.

The second and third causes of action in the said complaint allege liability for intentional infliction of emotional distress and mental suffering against the People's Temple and Petitioners Jones, McElvane and Fortsyn.

Petitioner Enola M. Nelson and Enola M. Nelson Realty are expressly excluded as defendant parties to the second and third causes of action. No allegations are made against Petitioner Fortsyn in respect of the third cause of action.

9. Venue with Respect to the Second and Third Causes of Action.

Pursuant to Sections 395 and 395.5 of the Code of Civil Procedure, the said second cause of action can properly be tried in Los Angeles County only if at least one of the Patitioners

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BB- 31-6-190

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Jones, Fortsyn and McElvane was resident there when the action was commenced, or if the principal place of business of the People's Temple was in Los Angeles County at that time.

The said third cause of action can properly be tried in Los Angeles County only if, at the material time, either Petitioner Jones or McElvane resided there, or the People's Temple had its principal place of business in that county.

(a) The Petitioners repeat the matters and authorities set out in paragraph 4 hereinabove.

Petitioners submit that they duly and sufficiently discharged their burden of establishing that at the time the said action was commenced neither James Warren Jones, nor Hugh Fortsyn, nor James McElvane was a resident of Los Angeles County. The Respondent Court therefore erred in ruling that the residence(s) of the said Petitioners were not shown to have been other than Los Angeles County at that time and that for that reason the Petitioners' motion for change of venue with regard to the second and third causes of action must be denied.

(b) The Petitioners repeat the matters set out in paragraph 5 hereinabove. The Petitioners properly and sufficiently established at the hearing in the Respondent Court that the principal place of business of the People's Temple was San Francisco County at all material times.

In the premises, neither the second nor the third causes of action can properly be tried in Los Angeles County. The

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Petitioners are therefore entitled to a change of venue in respect of those causes of action.

10. Joinder of Transitory Actions.

The instant action by the Real Parties in Interest against the Petitioners is one in which three (3) transitory counts or claims for transitory relief are joined. If, in such cases, defendants are entitled to a change of venue to a residence county in respect of any one count or cause of action, then a motion to change venue as to the entire action will lie even though the defendants may not be entitled to such change in respect of other counts:

> *When several causes of actions are alleged in a complaint, a motion for change of venue must be granted on all causes if defendant is entitled to a change on any one." Quick v. Corsaro, 180 C.A.2d 831, 835; Johnson v. Superior Court, 232 C.A.2d 212,217.

"... if in (an action joining several transitory counts) the non-residence county in which the action was commenced is improper venue with respect to one of the counts, even though good as to the rest, the entire action will be " transferred on motion to the county of a defendant's residence..." Chadbourn, Grassman, & Van Alstyne, 1 California Pleading, S. 386, p. 349, citing Pacific Bal. Industries v. Northern Timber, 118 C.A.2d 815, 259 P.2d 465; Crofts and Anderson v. Johnson, 101 C.A.2d 418, 225 P.2d 594; Goosen v. Clifton, 75 C.A.2d 44, 170 P.2d 104.

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11. Since the Petitioners were entitled, by reason of the matters set out in paragraph 9 hereinabove, to a change of venue with respect to the second and third causes of action in the said complaint, they were equally entitled to a change of

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venue with respect to the entire action against them. The Petitioners respectfully submit that this is so entirely apart from the matters set out in paragraph 3 through 7, inclusive hereinabove.

Por these reasons, in addition to those set out in paragraphs 3 through 7 hereinabove, the Respondent Court's denial of the Petitioners' motion for a change of venue was in error.

CONCLUSION

For the foregoing reasons, the Petitioners respectfully urge this Honorable Court to grant a writ of mandate requiring the Respondent Court to order that the trial of the instant action be trasferred from Los Angeles County to San Francisco County.

DATED: October 27, 1978

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Respectfully submitted,

CHARLES R. GARRY
GARRY, DREYFUS, MCTERNAN, BROTSKY,
HERNDON & PESONEN, INC.

CHARLES R. GARRY
Attorneys for Petitioners

NEIL ROSENBAUM Barrister of Gray's Inn Attorney of New York and Pennsylvania Bars.

-17-

PROOF OF SERVICE BY MAIL---1013(a), 2015.5 C.C.P.

I am a citizen of the United States; my business address is 1256 Market Street at Civic Center, San Francisco 94102. I am employed in the City and County of San Francisco, where this mailing occurs; I am over the age of eighteen years and not a party to the within cause. I served the within

> Petition for Writ of Mandate and Memorandum of Points and Authorities

on the following person(s) on the date set forth below, by placing a true copy thereof enclosed in a scaled envelope with postage thereon fully prepaid, in the United States
Post Office mail box at San Francisco, California, addressed as follows:

Timothy Oliver Stoen 120 Montgomery Street Suite 1700 San Francisco, CA. 94104

Clerk of the Superior Court of Los Angeles County P. O. Box 151 Los Angeles, CA. 90053

I certify or declare under penalty of perjury that the foregoing is true and correct. Executed on October 27, 1978 at San Francisco, California.

Signature

URIGINAL FILED SEP 1978

COUNTY CLERK

CHARLES R. GARRY GARRY, DREYFUS, MCTERNAN, BROTSKY, HERNDON & PESONEN, INC. 1256 MARKET STREET AT CIVIC CENTER SAN PRANCISCO, CALIFORNIA 94192 TEL: 864-3131

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Attorneys for Defendants People's Temple of the Disciples of Christ, a nonprofit corporation, and James McElvane

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

WADE B. MEDLOCK AND MABEL M. MEDLOCK, husband and wife,

Plaintiffs.

NO. C243292

JAMES WARREN JONES, also known AB JIM JONES; PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST. a nonprofit corporation; ENOLA M. NELSON; ENOLA M. NELSON REALTY; HUGH FORTSYN; JAMES MCELVANE; AND PIRST DOE through FIFTIETH DOE, inclusive,

NOTICE OF MOTION FOR CHANGE OF VENUE [CCP \$ 397(1)]

Dept: Law and Motion Time: 9:00 A.M. Date: October 6, 1978

Defendants.

TO EACH PARTY AND TO THE ATTORNEY OF RECORD FOR EACH PARTY:

YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE THAT on October 6, 1978, at the hour of 9:00 A.M., or as soon thereafter as the matter may be heard, in the Law and Motion Department of the above-entitled Court, at 111 N. Hill Street, Los Angeles, California, defendant James McBlvane will move for an order changing the place of trial of this action to the Superior Court

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SEP 1 1978

of the State of California in and for the City accounting GEERK San Francisco.

Said motion will be based on this notice of motion, the attached declarations under penalty of perjury of June Crym and James McElvane, the attached memorandum of points and authorities, such supplemental affidavits, declarations and memoranda of points and authorities as may be filed subsequently herein, and such oral and documentary evidence as may be presented at the hearing of this motion.

Dated: August 28, 1978

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GARRY, DREYFUS, MCTERNAN, BROTSKY, HERNDON & PESONEN, INC.

Attorney for Defendants

COUNTY CLERK

SEP 11978

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CHARLES R. GARRY

GARRY, DREYFUS, MCTERNAN, BROTSKY, HERNDON & PESONEN, INC. 1256 MARKET STREET AT CIVIC CENTER SAN FRANCISCO, CALIFORNIA 64162 TEL: 644-3131

Attorneys for Defendants People's Temple of the Disciples of Christ, a nonprofit corporation, and James McElvane

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

WADE B. MEDLOCK AND MABEL N. MEDLOCK, husband and wife,

Plaintiffs,

NO. C243292

vs.

JAMES WARREN JONES, also known as JIM JONES; PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST. a nonprofit corporation; ENOLA M. NELSON: ENOLA M. NELSON REALTY: HUGH FORTSYN; JAMES MCELVANE; AND FIRST DOE through FIFTIETH DOE. inclusive.

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR CHANGE OF VENUE Department: Law & Motion Time: 9:00 A.M. Date: October 6, 1978

Defendants.

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WHEN A PLAINTIFF BRINGS A TORT ACTION AGAINST SEVERAL DEFENDANTS, BOTH INDIVIDUAL AND CORPORATE, IN A COUNTY WHICH IS NEITHER THE RESIDENCE NOR THE PRINCIPAL PLACE OF BUSINESS OF ANY DEFENDANT, NOR A COUNTY IN WHICH INJURY TO PERSON OR PROPERTY OCCURRED, AN INDIVIDUAL DEFENDANT HAS A RIGHT TO A CHANGE OF VENUE, EVEN THOUGH VENUE AS INITIALLY LAID MAY OTHERWISE BE JUSTIFIABLE IN AN ACTION AGAINST THE CORPORATION

> Griffin & Skelly Co. v. Magnolia & Healdsburg Fruit Cannery Co., 107 Cal. 378 (1895)

Carruth v. Superior Court, 80 C.A.3d 215, 220 (1978)

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Mosby v. Superior Court, 43 C.A. 3d 219; 226 (1974) CCP § 395.

II. UNDER THE CIRCUMSTANCES OUTLINED IN SECTION I ABOVE, AN INDIVIDUAL DEFENDANT IS ENTITLED TO A CHANGE OF VENUE TO THE PRINCIPAL PLACE OF BUSINESS OF THE CORPORATE DEFENDANT.

United Pac. Ins. Co. v. Superior Court, 254 C.A.2d 897, 899 (1967)

Walker v. Wells Pargo Bank & Union Trust Co., 24 C.A.2d 220, 222-223 (1937)

CCP \$ 395.

BARL WANT & MANAGEMENT & STANK WA

III. DEFENDANT MCELVANE IS ENTITLED TO A CHANGE OF VENUE TO THE CITY AND COUNTY OF SAN FRANCISCO BECAUSE NONE OF THE DEFENDANTS ARE RESIDENTS OF LOS ANGELES AND NO INJURY TO PERSON OR PERSONAL PROPERTY WITHIN THE MEANING OF CCP \$ 395 OCCURRED WITHIN THAT COUNTY, AND BECAUSE SAN FRANCISCO IS THE PRINCIPAL PLACE OF BUSINESS OF PEOPLE'S TEMPLE OF THE DISCIPLES OF CHRIST AND THE COUNTY OF RESIDENCE OF JAMES MCELVANE.

The complaint in the above-entitled action contains one cause of action for conversion and two for infliction of emotional distress. None of these causes of action are for injury to person or personal property within the meaning of CCP \$ 395.

The words "injury to person or property" as used in CCP \$ 395 are limited to physical or corporeal injury. California courts have frequently held that conversion is not the sort of injury encompassed by that phrase.

Spangenberg v. Spangenberg, 123 C.A. 387, 391 (1932)

Haurat v. Superior Court, 241 C.A. 2d 330 (1966)

Thus, the first cause of action is not one for injury to person or

personal property within the meaning of CCP § 395.

Similarly, the courts have held that a cause of action for infliction of emotional distress is not a cause of action for

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injury to person. This is true even where the complaint alleges some physical injury.

Lucas v. Lucas Ranching Co., 18 C.A.2d 453 (1937)
The Court explained the rationale for this rule as follows:

...the inspiration for the language we are considering was the 'situation brought about by the increasing use of motor vehicles. In motor vehicle accidents, as in other cases where physical injury is directly caused by what has happened, the injury occurs at the place where the happening occurs, and there is logic in having that place a proper one for the trial. In an action such as plaintiff's, however, the place where the injury occurs is not the locale of the events which, ultimately, cause the injury. She is injured not at the site of the events, but, brooding over the wrongs done her, at the place or places where worry and loss of sleep finally take their toll. No reason appears why an injury which has no definite situs should be given potency in determining the place of trial.

Id. at 456, quoted in Carruth, supra., at 219-220. Thus, plaintiffs' allegations of emotional and physical distress and injury in mind and body as a result of defendants' actions are insufficient to bring the second and third causes of action within the "injury to person or personal property" requirement of CCP \$ 395.

Since none of the causes of action are for injury to person or personal property, the action must be tried in the county of residence or principal place of business of one of the defendants.

Griffin & Skilly Co., supra.; CCP § 395(a).

But none of the defendants resides in the County of Los Angeles.

See Declarations of Crym and McElvane. Therefore, defendant

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McElvane's motion for change of venue to San Francisco, his residence and the principal place of business of defendant People's

Temple, must be granted.

In this case none of the causes of action is triable in

Los Angeles County. But it should be noted that defendant's

motion would have to be granted even if he was entitled to a change of venue for only one of these causes.

Johnson v. Superior Court, 232 C.A.2d 212 (1965)

Sanborn v. Pomona Pump Co., 131 C.A. 241 (1933).

For all of the reasons stated above, defendant's motion for change of venue must be granted.

Dated: August 28, 1978

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Respectfully submitted,

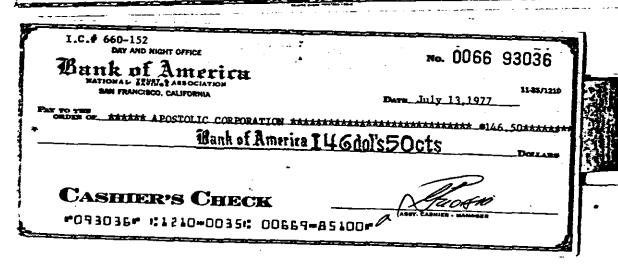
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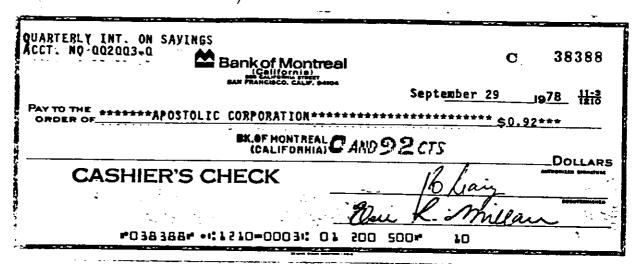
CHARLES R. GARRY
Attorney for Defendants

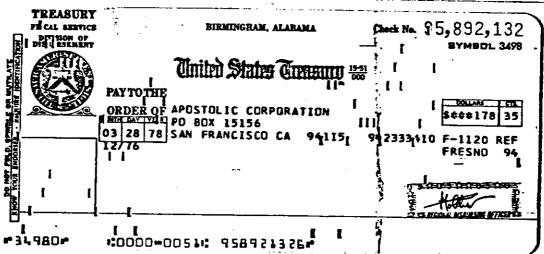
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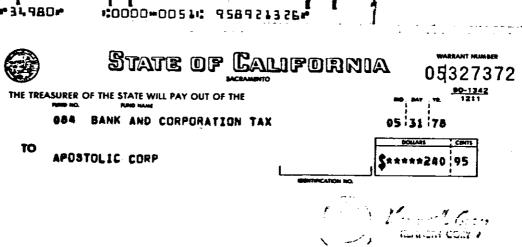
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726:LN:dw NOTICE OF ACTION ON CANCELLATION. CREDIT. OR REFUND

BATE 05 31 78
CLAIM NUMBER
BATE OF CLAIM
AMOUNT CLAIMED #
HICOME YEAR ENDED 01 31 77
STATUTE

Refund is due to a duplicate collection of the amount due for income year ended 06 76.

Serial No.	Date	Ten	/Fee	Prof. Tex		Punelty		Interest	_	Payments
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interest allowed_									\$	16.81
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PREVIOUSLY ASSESSED

ದಿಸ್ತಕ್ಕಾಗಿ ಎನ್ನೋಡಿಸಿಕೆ ಅಂಗ್ರಹ Internal Revenue Service Center 161 Date of This Notice P.O. BOX 12586 OCT. 10, 1977 9401 FRESNO, CA. 93778 Employer Identification Number If you inquire about e your account, please 05 94-2333410 05 942333410 02 7612 refer to these numbers or allach this Document Locator Number 94310-235-40000-7 APOSTOLIC CORPORATION Form Number Tax Period Ended PO BCX 15156 1120 DEC. 31, 1976 SAN FRANCISCO, CA 94115 Balance is Due By OCT. 20, 1977 CORPORATION INCOME TAX Request for Payment Tax Statement The statement at the right shows that a payment is due on your account. Please make the payment by 624.07 Total Tax on Return _\$ the due date shown above. 624-07-Total Credits If our statement does not agree with your records, the information on the back of this notice will tell you 159.14 Plus Penalty* _____ 18.44 Plus Interest* _____ what to do. Balance If we included any penalty or interest charges, an explanation will be found on the back. (Code numbers in the box at lower right will guide you to the explanations which are the control of the control Due IRS 177.58 Subtract Payments We Haven't Included . tions which apply.) Pay Adjusted Make your check or money order payable to Internal Revenue Service for the adjusted balance due. Please show your employer identification number on your payment and mail it with this notice in the envelope enclosed for your convenience. *See these code numbers on the back for Thank you for your cooperation. -C7-09 an explanation of: penalty or interest charges. 10 05 :1998 VERIFICATION #94-2333410 05 ·· 0271 41998 Caseier's Ceeck

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Bank of America

STATE OF CALIFORNIA
FRANCHISE TAX BOARD
SACRAMENTO CA 95857



NOTICE OF BALANCE DUE

Date: 09/09/77

Income Year Ended: 06/30/76

APOSTOLIC CORPORATION

Corporate No.: 7640140 AC5**

P O BX 15156 SN FRANCISCO CA 94115 ance Due: \$223.52

YOU HAVE AN UNPAID LIABILITY FOR THE INCOME YEAR ENDED 06/30/76. YOU SHOULD RESULVE THIS MATTER NOW BY PROMPT PAYMENT. PLEASE CONTACT US IF YOU HAVE ANY QUESTIONS. THE BALANCE DUE IS AS FOLLOWS.

SUMMARY OF BALANCE DUE

VERIFICATION STUB No. 0271 41523 ***223.52**** TASHIERES CHECK BRAWN ON Filteres CHECK S.0657 A DAY FROM THE DATE OF ***223.52*** TASHIERES CHECK BRAWN ON Filteres THE CHECK BRAWN ON FILTRES CHECK BRAWN ON FILTRE	BALANCE	REDITS		CHARGES	DATE	TION D/	DESCRIPTIO
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COPP#7640140 AC5 d be made payable to the Franchise Tax Board. Please return one copy of	this notice with your	return one copy of f	ax Board, Please	the Franchise T	d be made payable to	140 ACS	Carn#764014
The annual interest rate is 12%. VERSE SIDE FOR EXPLANATION OF TRANSACTION DESCRIPTION PARTY THEY. I	·	DESCRIPTION	F TRANSACTION			. <u>.</u>	· SER BY

STATE OF CAUFORMA
FRANCHISE TAX BOARD
SACRAMENTO CA 95857



NOTICE OF BALANCE DUE

Date: 10/21/77

Income Year Ended: 06/30/76

APOSTOLIC CORPORATION

Corporate No.: 7640140 AC5**

P D BX 15156 SN FRANCISCO CA 94115

Balance Due:

\$226.28

OUR PREVIOUS NOTICE REQUESTED PAYMENT OF THE LIABILITY FOR THE INCOME YEAR ENDED C6/30/76. FULL PAYMENT HAS NOT SEEN RECEIVED. WE UNGE YOU TO PAY THE FOLLOWING BALANCE DUE PROMPTLY TO AVOID FURTHER ACTION.

SUMMARY OF BALANCE DUE

TRANSACTION DESCRIPTION	TRANS.	CHARGES	CREDITS	BALANCE
SUPPLMT TAX	58/18/77	\$200.00	INTEREST TO DATE PAY THIS AMOUNT	\$200.00 \$26.28 \$226.28
ADCITIONAL	INTEREST ACCRUES AT	\$.0657	A DAY FROM THE DATE	E OF THIS NOTICE
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TAXPAYER SERVICE TELEPHONE (8GG) 852-7050

Checks and money orders should be made payable to the Franchise Tax Board. Please return one copy of this notice with your payment in the enclosed envelope. The annual interest rate is 12%.

SEE REVERSE SIDE FOR EXPLANATION OF TRANSACTION DESCRIPTION

FTB \$947-44 (\$-77)

STATE OF CALIFORNIA



FRANCHISE TAX BOARD SACRAMENTO, CALIFORNIA 95867

October 13, 1977

In reply refer to 342:RTF;JJ:uh

Apostolic Corporation
P. O. Pox 15156
San Prancisco, CA 94115

Corporate Busher 7640140

Enclosed is a tax clearance certificate valid to December 15, 1977. A copy has been forwarded to the Office of the Secretary of State today.

An inquiry should be directed to the Office of the Secretary of State, Sacracento, CA 95614, as to the necessary action to be taken to dissolve. Such proceedings are a function of that office.

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Tax Auditor
Tax Clearance Unit
Telephone (916) 355~0895
P. O. Box 1468
Sacrasento, CA 95807

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STARK, STEWART, SIMON & SPARROWE

EDBAR B. STEWART
PRANKLIN C. STARK
GARG. E. SHRON, JR.
JOHN F. WELLS
MED ROSMISCH
D. DOUGLAS DAVIES
OONALD L. EDDAR
RICHARD H. RANL
ROSERT C. FIELD
JECOMES F. DUNKER, JR.
ALFRED N. SERTHERHAN
MERRHLL J. SOHWART
WM. BARRY BALAMUTH
ROCHARD B. SEAUCHES
THOMAS R. OUFFY
JANET L. SWANS
D. SARRETT INWIN

BERHARD N. WOLF

ATTORNEYS AT LAW
FINANCIAL CENTER BUILDING
405 FOURTEENTH STREET
FRANKLIN AT FOURTEENTH
OAKLAND, CALIFORNIA 84812
TELEPHONE (4)5) 834-2200

MERBERT L. BREED (1878-1667)

BESTOR ROBINSON RETIRED)

STABLEY E. SPARROWE BETIRED)

MATHAN G. GRAY

OF COUNSEL

August 18, 1977

Apostolic Corporation c/o The People's Temple of the Disciples of Christ P. O. Box 15823 San Francisco, CA 94115

Attention Eugene Chaikin

Re: Apostolic Corporation Dissolution

Dear Gene:

Enclosed is an Officers' Certificate of Election to Wind Up and Dissolve for the purpose of formalizing the dissolution of Apostolic Corporation.

Please have the Secretary and President of the corporation certify that a majority of the members of the corporation presently entitled to vote has consented to the dissolution.

The decision to dissolve can be made either by a vote of the members or, if it will not be possible to gather the members for such a vote, by written consent to the dissolution.

Please return the executed certificate to this office and indicate whether or not the decision was made by vote or written consent. Please also verify that the corporation no longer has any assets. If any assets remain following payment of existing debts, they will have to be distributed in accordance with the Articles of Incorporation to either a 501(c)(3) or a 501(d) organization. OFFICERS' CERTIFICATE OF ELECTION TO WIND UP AND DISSOLVE
BY VOTE OR WRITTEN CONSENT OF MEMBERSHIP OF
APOSTOLIC CORPORATION

The undersigned certify that:

9.

- l. They are the President and the Secretary, respectively, of Apostolic Corporation, a California nonprofit corporation.
 - 2. The corporation has elected to wind up and dissolve.
- 3. The election was made by vote or written consent of members of the corporation; the total number of members entitled to vote on or consent to that election is

President	 		
	 -		
Secretary			

Each of the undersigned declares under penalty of perjury that the matters set forth in the foregoing certificate are true and correct of our own knowledge.

Executed at San Francisco, California, on August____, 1977.

October 16, 1978

Franchise Tax Board 345 Larkin Street San Francisco, California 94102

Re: Notice to Appear - Personal Income Tax Due LE S TEMPLE 1859 Geary, San Francisco 94115 350-86-8116 1976 76025114932

Dear Sirs:

This is to confirm a telephone conversation a representative of my client, Peoples Temple of the Disciples of Christ, had with your office Friday, October 13, 1978.

My client received the attached Notice to Appear and previous Demands for Payment of personal income tax for the tax year 1976 in the amount of \$4,341.97. Please note that the demands and notices received were addressed to LE and finally to LE S TEMPLE, with what appeared to be a social security number, leading to confusion on my client's part in identifying to whom the notices were directed. It was finally discovered that the social security number was actually my client's EIN number. Peoples Temple is a California nonprofit Corporation, and its 1976 Exempt Organization Annual Information Statement was filed with your office early this year. A copy is attached for your reference.

I hereby request an explanation in writing and would appreciate your correcting what appears to be a computer error in that Peoples Temple is exempt from such personal income tax. If you have any questions, please feel free to call me.

Sincerely,

MARSHALL R. BENTZMAN

jc Enc.



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EXEMPT ORGANIZATION ANNUAL INFORMATION STATEMENT

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People	s Temple of the Discip	les of Christ	
P.O. B	lox 15023		" " " "
	ancisco CA 94115		
kango on Jabol.	, e enem		CORPORATE OR ORGANIZATION NO.
		•	
•			5005440
		**************************************	PEDERAL EMPLOYER IDENTIFICATION NO.
PL.	EASE AFFIX PREADDRESSED LAB	L PRINT OR TYPE	EIN 35-0868116
			<u> </u>
	OMPLETE ONLY ONE OF TH	TIONS ON PEVERSE)	ABLE PARIS
PART L Ali churches,	apostolic organizations and reli	gious orders with exclusiv	ely religious activities complete th
part. (See Instru		_	RECEIVED
1. Indicate the various so	ources of this organization's receipts by	approximate percentage of ea	ch item.
e. Contributions, cifts.	or grants		APR 7 1070 . 94 %
b. Income from debt-f	inanced property (rental, lease, divider	nds, interest, etc.)	14%
c. Other income (desc	- · · · · · · · · · · · · · · · · · · ·		FRANCHISE TAX 2 %
		•	SAN FRANCISCO, CALIF.
PART II. Organization:	s controlled by State or Public	Body, check box [].	(See Instruction A (5)).
c. If gross receipts for over \$5,000, comple GROSS RECEIPTS F			luding the current year) is not
	ripts for reporting		
	TO BE COMPLETED I	BY ALL ORGANIZATIO	ON5
e. Describe primary o	and secondary activities (attach separat	te sheet if needed).	The second of the second of the second of
1 Principal	l: Religious worship a	<u>nd human service.</u>	
2 Secondars	. Christian Sunday Sc	hool, care for the	e aged & retarded child
h. If exempt under S		year (1) attempted to influenc	e any national, state, or local legislatio
Yes XX No tion with such oct	# "Yes," attach a detailed descri	otion of such activities and co	pies of any materials published in conn
	f for current year: Federal ☐ 990 are of ► Lactitia Leroy	☐ 990T ☐ 1120;	State 109 elephone Number: 922 6418
	San Francisco CA		
		duding exemperating schedules and	statements, and to the host of my knowledge of all information of which he has any knowled
	- Jan F. Brown	- Assistant	Kuchy California
3/31 <u>/7</u> 8	- Spring of oliver	Tab.	
			
Date	Equature of individual or firm propering this	s statement	Address

MAIL STATEMENT TO FRANCHISE TAX BOARD, SACRAMENTO, CALIFORNIA 1887 31-6-211





STATE OF CALIFORNIA
FRANCHISE TAX BOARD

345 LARKIN STREET
SAN FRENCISCO, CL 94102

: ;LE S TEMPLE 1859 GEARY SAN FRANCISCO LA 94115

TELEPHONE (600) 852-7050

Account Number

350-66-8116

Appointment date: 10-20-78

Tax Year(s)

1976 76025114932 03-27-78

-50

TOTAL AMOUNT DUE:

\$4,341.97

You are hereby directed to appear at this office between the hours of 8:00 a.m. and 4:00 p.m. on the date specified above. Taxpayers living autaide California are requested to telephone the above number on the date indicated.

This appointment is made to give you an opportunity to discuss payment of your taxes. Please bring this notice with you.

You do not need to appear if full payment is sent to this office prior to the appointment date. To assure proper identification, return this notice with your payment in the enclosed self-addressed envelope.

Failure to appear or pay the total amount due will result in an order to your employer to withhold the amount due from your earnings, the issuance of a warrant to the marshal or sheriff to enforce collection, and/or other legal action.

OPPORTUNITY FOR HEARING

If immediate payment in full will create an undue hardship, the amount has been previously paid or is not due, please contact us at once.

If you write please give your full name and account number a shown hereon. Bring the form if you call at any of our offices.

FTB 4971-M (8-73)

Collection Section

DEMAND FOR PAYMENT OF PERSONAL INCOME TAX
FAILURE TO PAY PROMPTLY MAY RESULT IN LEVY
ON YOUR MAGES, OTHER INCUME, OR PROPERTY.

THE ASSESSMENTS SHOWN BELOW ARE UNPAID

WYOU HAVE PAID THIS AMOUNT COMPLETE THE INFORMATION ON REVERSE SIDE

AND STANDARD TO THE AMOUNT, COMPLETE THE INFORMATION ON REVERSE SIDE

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PLEASE RETURN ORIGINAL WITH PAYA'ENT PAYABLE TO FRANCHISE TAX BOARD. ENTER YOUR SOC. SEC. NO. ON YOUR CHECK OR MONEY ORDER

FTB \$880-M (3-74)

BB-31-6-213.

FRANCHISE TAX BOARD SACRAMENTO, CALIFORNIA 95867



In reply refer to

3508681164

599-0-\$-034 350-86-8116 12/02/77

350868116 LE :

350-86-8116

1859 GEARY SAN FRANCISCO CA 94115

We cannot find a 1976 California personal income tax return in our files under your name, address, and social security number although information given us indicates you may be required to file. TO HELP US CLEAR OUR RECORDS, FOLLOW THE INSTRUCTIONS UNDER A, B, OR C BELOW. If you do not answer, we are authorized to assess tax on the basis of available information.

A-IF YOU HAVE FILED:

Please complete Section A on the reverse side of this letter and return it to us.

B.-IF YOU ARE NOT REQUIRED TO FILE:

Please complete Section B on the reverse side of this letter and return it to us. See enclosed "Income Tax Instructions" which show filing requirements.

C.-IF YOU ARE REQUIRED TO FILE BUT HAVE NOT FILED:

The Personal Income Tax Law requires that every individual who has a filing requirement shall file a tax return each year. Failure to file a return may result in a 25% penalty for failure to file when due and an additional 25% penalty for failure to file after this notification. Computation of this additional penalty does not allow credit for amounts withheld or other prepayments and can be avoided by completing and returning the enclosed Form 540 for 1976 within 10 days from the date of this notice.

If California State income tax was withheld from your wages, a copy of your W-2 must be attached to your delinquent return to support any amount claimed for California State income tax withheld.

If you were not a resident for the entire year of 1976, complete the schedule on page 10 of the enclosed instructions and complete in detail the nonresident portion of Section B on the back of this form. Attach both to your Form 540.

Your payment should include:

INTEREST at 6% from the due date of the return (April 15, 1977) for the first year of delinquency. Interest at 12% a year for the second and subsequent delinquent years to the date of payment (second delinquent year begins April 15, 1978).

PENALTY for delinquent filing at 25% of the balance of tax due after deducting any credits or California State Income tax withheld from your wages.

A REPLY IS REQUESTED WITHIN 10 DAYS.

FILING ENFORCEMENT Telephone (916) 355-0370 Enc

FTB 4600-M(6-77)

RETURN THIS COPY WITH YOUR RETURN OR REPLY

- 3. The tam package on Truth Enterprises was sent over this week with Georgia; I understand tonight that the brief case is found and as this envelope should be in it; Betty prepared it with blank tax forms and xeroxes of recep sheets of expenditures and income, etc. If anything further is meded let me know.
- 4. Franchise Tax Board Notice of Revocation and Forfeiture of Privileges sent to P.T. last week: Martha has probably also already written this one up, so this may be redundant. The Notice was sent supposedly because we had never filed the Forms 1995 for the years 1974, 1975 and 1976, information returns. Ed left instructions that these were to be done when he went overseas, but no one here knew how to do it because we didn't know what percentages to put in regarding donations, properties, etc. We had taken the forms to Buddy, and he was going to file them, and he was aware of the deadline. But he dight mention them again, and we failed to pick up on them also, and so the time passed and hedid not file them When we took the Revocation and Forfeitum notice into him, he fell back on the excuse that we had never given him figures to fill in the forms. Well, he should have had it calendared, but of course that does not excuse us from the responsibility of reminding him and being on top of the situation enough to fill out the forms before the deadline. The night we took the Notice in, we filled out the information returns in his office, comparing the previous years before 1974 to arrive at some percentages. Attached are copies of the informational returns. Buddy mailed them in with the attached letter, assuming all would work out. But we wanted to be sure and had Tom Adams take the forms personally to Sacramento, including a letter reserving the corporate name of Peoples Temple (which Dr. South had recommended was absolutelynecessary, whereas Buddy had not even mentioned it). Sacramento would not accept the reserve letter, and didnt give Tom any kind of receipt other than a stamp on the forms 1998. Later we had him take in duplicates to the San Francisco office of the Franchise Tax Board, and after several days of checking with them, during which time the Sacramento office informed us that we had submitted the forms after the regular computer time so that we would not be registered in the records as being back in action tilnext month. We finally hassled this one out with the SF dfice, who called the Sacto office and after much checking backand forth, we got a letter officialy lifting the forfeiture and revocation of privileges, and a certification from the Secretary of State reinstating our name. My impression from all of this is that Buddy is lackadasical, and talks big but doesnt produce.



STATE OF CALIFORNIA

FRANCHISE TAX BOARD

SACRAMENTO, CALIFORNIA 95857

April 27, 1978

In reply refer to 340:102:bg:vmb

PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST P. O. Box 15023 San Francisco, CA 94115

: CERTIFICATE OF RELIEF FROM SUSPENSION OR FORFEITURE

Corporate Name : PEOPLES TEMPLE OF THE DICIPLES OF CHRIST

Corporate Number: 500544 Effective Date : April 13, 1978

This corporation has been relieved of suspension or forfeiture and is now in good standing with the Franchise Tax Board.

Collection Section Telephone (916) 355-0520

PTB 2557 (3-76)



STATE OF CALIFORNIA

FRANCHISE TAX BOARD SACRAMENTO, CALIFORNIA 95857

April 13, 1978

Peoples Temple of the Disciples of Christ P.O. Box 15384 Sen Francisco, CA 94115

Subject

: CERTIFICATE OF RELIEF FROM SUSPENSION OR FORFEITURE

Corporate Name : PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST

Corporate Number: 5005440 PT20T

This corporation has been relieved of suspension or forfeiture and is now in good standing with the Franchise Tax Board.

Collection Section

Telephone

(415) 557-0796

FTB 2557 (3-76)

RECEIPT

Issuing Certificate of Reservation _ \$4.00 For Corporate Name .._...

Special Handling:

Jean F. Brown P.O. Box 15023 San Francisco, California 94115

No. 77704



Secretary of State

I, MARCH FONG EU, Secretary of State of the State of California, do hereby certify that the name:

PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST

is not one which is likely to mislead the public and is not the same as, and does not resemble, so closely as to tend to deceive the name of a corporation formed under the laws of this State, or the name of a corporation not incorporated under the laws of this State which is authorized to transact intrastate business in this State, or a name which is under reservation, as provided in Section 201 of the Corporations Code of this State, and that this name is hereby reserved for a period of sixty days commencing on the date hereof for the use of the applicant for this certificate.



April 10, 1978

March Force Eu

APR 7 1978

FRANCHISE TAX
BOARD

MAN PHANCIEGO, CALLE.

PEOPLES TEMPLE
OF THE DISCIPLES OF CHRIST
P.O. BOX 15384
SAN FRANCISCO. CALIF. 84115

Bank of Montreal

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TO THE OBDER Francise Tex Bond

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DELUXE - FORM WVC-3 V-2

4/7/18 Franchise Tox Board. Reviver Fee AMOUNT

BB- 31-6 -219

State of California
Franchise Tax Board
Sacramento, California 95857

Attention: Ms. Jackie Nance, Office Supervisor
Exempt Unit

Re: Peoples Temple of the Disciples of Christ (PT)
Corporate Number: 5005440

Dear Ms. Nance:

Parent Number: 0256780

Enclosed for your records and pursuant to our telephone conversation today are:

1). Application for Relief From Suspension.

 PT check number 989, dated April 5, 1978, in the amount of \$10.00 as payment of revivor fee.

3). Forms 199B for calendar year 1974, 1975, and 1976.

As you know, the Forms 1998 for 1974, 1975, and 1976 were filed on March 31, 1978, but had not been cleared by your computer records.

This letter also confirms our discussion of a January 23, 1978 letter from your office (symbols -- 344;GR/RPT: me) which relieved Peoples Temple of filing this Form 199B for calendar years after 1976. Therefore, no Form 199B must be filed for 1977 and thereafter due to our being included in our/organization's filing of their group returns.

Thank you for your cooperation in this matter.

Yours truly,

Marshall R. Bentzman

enclosures
cc: Peoples Temple

MBB/jfb

88-31-6-220

SACRAMENTO CA 95857



RECEIVED WITH REMITTANCE ASIR 71978 FRANCHISE TAX

NOTICE OF SUSPENSION OR FORFEITURE

PEOPLES: TEMPLE OF THE DISCIPLES OF CHR Corporate No.: 5005440 PT20T IST,

PO BX 214
REDWOOD VLY CA 95470

THE RIGHTS, POWERS, AND PRIVILEGES OF THIS CORPORATION HAVE BEEN SUSPENDED BECAUSE YOU HAVE NOT PAID THE AMOUNT DUE OR FILED THE REQUIRED RETURN.

YOUR RIGHT TO THE CORPORATE NAME HAS BEEN FORFEITED AND IT MAY BE NECESSARY TO SELECT A NEW CORPORATE NAME BEFORE THE CORPORATION CAN BE REVIVED TO GOOD STANDING.

IF THE CORPORATION INTENDS TO TRANSACT BUSINESS OR PROTECT THE CORPORATE NAME, IT MUST REVIVE TO GOOD STANDING IMMEDIATELY.

EXEMPT SECTION
TELEPHONE (916) 355-0392

BB- 31-6-221

FTB 2520-M (3-77)

(STATUS QUESTIONNAIRE and (APPLICATION FOR RELIEF FROM SUSPENSION OR FORFEITURE

Complete the following and return to the Franchise Tax Board, P.O. Box 1468, Sacramento, California 95807

•
Was active but ceased activity
Still active, began activity 165 (DATE)
If the corporation is to be relieved from suspension or forfeiture, check box and complete the following:
1 hereby make application to have the corporation relieved from suspension or forfeiture.
The corporation's annual accounting period ends <u>Rec- 31, 1977</u> . Accounting period must end on the last day of a month.
11 the corporation is to remain suspended or forfeited, complete the following:
2. List all real and/or personal property in which the corporation has an interest, equity
o: ownership.
o: ownersnip.
B. If assets have been distributed, when and to whom were distributions made?
B. If assets have been distributed, when and to whom were distributions made?
B. If assets have been distributed, when and to whom were distributions made?







or fiscal year begun					197
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<u></u>		SERIAL			
Γ		HO.			•
Peoples Temple of the Disc	ciples of Christ				
.P.O. Bask 15023	_	6	CA	^	<u>د</u> -
Indicate address San Francisco CA 94115			[ĺ	
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PLEASE AFFIX PREADDRESSED L	ABEL PRINT OR TYPE	PIN	35-08	<u> 368116</u>	
COMPLETE ONLY ONE OF (SEE 1915)	THE FOLLOWING APPL	ICABLE P	ARTS		
PART I. All churches, apostolic organizations and r	religious orders with exclus	ively religi	ous act	ivities c	omplete thi
Indicate the various sounces of this organization's receipts	· · by approximate percentage of ·	each item			
- · · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · ·		. : .		94 %
b. Income from debt-financed property (rental, lease, div					_4_%
c. Other income (describe)					<u>2</u> %
PART II. Organizations controlled by State or Pub	olic Body, check box 🕞	(See Inst	ruction A	(5)).	
\$5,000, Form 189 must be filed) complete to a. Gross receipts from dues, fees and assessment of memb. Total gross receipts	nbers	RI	CEIVED	ear) is no	
TO BE COMPLETED	D BY ALL ORGANIZAT	IONS	- Feft	<u>.</u>	
 a. Describe primary and secondary octivities (attach sept 1. Principal: Religious worship 2. Secondary: Christian Sunday 	and human service		& ret	ardec	l childre
 b. If exempt under Section 23701d, have you during the or (2) participated or intervened in any political can. Yes XX No. If "Yes," attach a detailed detailed in with such activities. 	mpaign? (See Instruction F for d	efinitions).	•		_
c. Check form(s) filed for current year: Federal ☐ 99 d. The books are in care of ➤ Lactitia Lero Located at ➤ Sas Francisco CA		State [Telephone N] 109 !umber:	922 6	418
	telellar annual and discount				
Under penelties of perjury, I declare that I have examined this statement, belief it is true, correct and complete. If prepared by a person other the					







EXEMPT ORGANIZATION ANNUAL INFORMATION STATEMENT

ror calendar or fiscal yea			1975, and ended				1976
			~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~		0 NOT U	SE THESE	SPACES
	<del>-</del> .			SERIAL NO.			
Indicate address	Peoples Temple of P.O. Box 15023 San Francisco CA	_	s of Christ	CY	4	^	cc
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					00544		CATION NO.
L	<b>-</b>			EIN	35-08	68116	
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	group report filed on behalf of	affiliated churches?	Yes 🔀 No If	"Yes," see I	nstruction		
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or (⊅) □ Ye	mpt under Section 23701d, ha participated or intervened in s 355 No If "Yes," attac with such activities.	any political compaigr		efinitions).			
c. Check	form(s) filed for current year	: Federal   990	☐ 990T ☐ 1120;	State [	<b> 109</b>		
Under penalties o belief it is true,	of perjury, I declare that I have exa- correct and complete. If prepared by	mined this statement, Includ a person other than texpo	ing accompanying schedules an eyer, his declaration is based o	i stutoments, c n all informa	and to the	best of my ich he has	y knowledge and any knowledge.
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MAIL STATEMENT TO FRANCHISE TAX BOARD, SACRAMENTO, CALIFORNIA 35857 31-6-224







# **EXEMPT ORGANIZATION ANNUAL INFORMATION STATEMENT**

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	ganizations co e Instruction A (5)		ate or Public I	Body, check b	o× [].		RECEIVE	D	
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MAIL STATEMENT TO FRANCHISE TAX BOARD, SACRAMENTO, CALIFORNIA 95857





# CALIFORNI..



## **EXEMPT ORGANIZATION ANNUAL INFORMATION STATEMENT**

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ganizations with gross receipts and assets of less than \$2,000, check box [] (see Specific		1 for F	orm 19	98).	
ganizations controlled by state or public body, check box [] (see Specific Instruction 2 for	Form 19	9B).			
LRT L. All churches, apostolic organizations and religious orders with excl	usively Form 10	religiou XX	nz (acti.	AITIES	combia
this part. (See Specific Instruction 3 for Form 1998.) Other religious organizations file					
Indicate the various sources of this organization's receipts by the approximate percentage of	t each it	em. (It y	ou cons	eger me	толу пе
duplicates in whole or in part another item of income, so indicate.)				PPROFUL	ATE %
And the state of the second second			9	7	
a — Contributions, gifts or grants					
b — Advertising income				4	
d — Royalties , , , , , , , , , , , , , , , , , , ,					
e — Rental or lease income from Debt Financed Property				<u>3</u>	
f—Other rental or lease income					
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h-Fund roising (describe) COMMISSION Stands, Better Stees, Community Distinguished in Income from services (describe)  Flease Note  This is form 199B, for 1975 -  Which we used Jon reference in	ds: Spe	nstruction normall cific Instruction	\$ \$	oup Retu 00 or I	rns less (wi orm 1991
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h-Fund raising (describe)	d less al l'As se Spe	nstruction normali cific instr ncluding	\$	Part III	ess (wi orm 199 on page
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h-Fund raising (describe)	d less al l'As se Spe	nstruction normali cific instr ncluding	\$	Part III	ess (wi orm 199 on page
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MAIL STATEMENT TO FRANCHISE TAX BOARD, SACRAMENTU, UALIFORNIA 9585

BB- 31-6-226

Page

one 2		Form 1998 (1973)
ART III. All organizations required to file this form,	except those with gross receipts and	assets less than \$2,000,
must also complete this part. (See Specific Instruction	5 for Form 1998,)	
e — Describe principal activities:	•	(
Religious Wordlip and Human S.	rvice.	
<b>,</b>	•	
<u> </u>	<u> </u>	<u></u>
and the second of the second o		
		-
b Describe secondary activities:		olikovo (vitoro ilianovi ili Vitoro ilianovi ilia
anstrain Sunday School		in 1976 a. Carriera
care for the Aged, Peterded		ga mendina ng pilipin
The live regent of tellinger	NO INVENT	
	·	
		rion imais where .
<ul> <li>c — If exempt under Section 23701d, have you during the y or (2) participated or intervened in any political camp</li> </ul>		ach a detailed description o
such activities and copies of any materials published d — Are you required to file Form 109 for this year (see I		
e What is the legal form of your organization (corporati	on, trust, unincorporated association, etc.)?	Chritanion
f - The books are in core of Fra H. Algh Located at School way, Redwood Valley	Collic Telephone No.	485-8613 (707)
g — Form number of federal form filed (2000) firm filed	or Esternal Assembly of the Christian a	und (Dusciales of Clarist)
h For organizations other than churches:	•	
<ol> <li>Do you receive rental or lease income from prope improvements on it? (It is not necessary that the for</li> </ol>		rchase property or to make
Yes No If "Yes," what is the annual	rental or lease income?	الاسترائيس بينته در
Social clubs, exempt under Section 23701g, enter dividend, royalties and rental income	the total of all income received from no	n-members plus all interest,
dividend, toyonias one rental income		
	· · · · · · · · · · · · · · · · · · ·	
en Millian i en la companya		The Late of the Control
LOCATION OF FRANCI	HISE TAX BOARD OFFICES	-
	TELEPHONE (916) 355-0392	
Address Zip Code Tolephone obersfield1001 17th Street73301 322-0540	Address Sente Ann	Zip Codo   Talophono
rese	Sente Berbara411 E. Canon Perdiel. Sente Rese447 College Avenue	Street 93101 963-1828
ns Angelos 3325 Wilshire Boulevard 90010 420-5400 Inhland 1976 Breadway 46612 464-0540	Southen 31 E Channel Street Von Noys B155 Van Nuys Boule	95202 948-0540
ocrumosta 920 23rd Street 95816 445-9540 on Bernerdine 303 W. Third Street 92401 283-4201	OUT-OF-STATE OFFICES	
on Diego	Chiongo, III	norices 60606 382-4025
on John 555 N. First Street 95112 998-1540	THE A	
·	1 -	
		. ~ -
k 1998 (1973)	BB-31-6-3	

## TRUTH ENTERPRISES

What are we supposed to do with Truth?! As I understood from many months ago we were going to dissolve it. Someone over there was going to give us instructions on how it was to done. Still no word and now the third quarter taxes are due.

We have not done any business under Truth since the date of the second quarter closing on taxes. However since we have not received any info on how to fill out credit applications under Vallye Enterpirses (officers etc.) we are ordering paper under our old Truth account but paying bills with VAlley checks. Other suppliers are on a cash basis. We need to have accounts with the paper company's in order to assure a supply of paper when we need it. So we are sitting on the fence waiting for instructions.

We need to know:

- a. What to tell the Franchise Tax Board
- b. What to tell the State Board of Equalization
- c. What to we do about officers signing on credit applications for Valley Enterprises, when they are all overseas?

Charg

# COUNTY OF SAN JOAQUIN

## Statement of DELINQUENT TAXES PARCEL NO.

	PARCEL NO.		SALE NO.
		STATE P	ROPERTY
	250-35		35726
Year 1972	SOLD FOR	TAXES, ASSMTS.	12916
	1.739.8	6% PENALTY	774
	Í	COSTS	300
Asst. No.		RED PEN 66%	
Year 1973	SOLD FOR	TAXES, ASSMITS	115 16
	\$ 125.06	6% PENALTY	690
	ŀ	COSTS	300
Asst. No.	<del>- </del>	RED PEN 54%	6218
Year 1974	SOLD FOR	TAXES, ASSMTS.	266
	\$ 5.80	6% PENALTY	14
	1	COSTS	300
Asst. No.		RED PEN 42%	111
Year 1975	SOLD FOR	TAXES, ASSMTS.	118 16
	1 78 24	6% PENALTY	708
		COSTS	I
Asst. No.	<u> </u>	RED PEN 30%	3 00 3 44
Year 1976	SOLD FOR	TAXES, ASSMTS.	11/82
	13/2/52	6% PENALTY	6 70
	j	COSTS	300
Asst. No.		RED PEN 18 %	2012
Year	SOLD FOR	TAXES, ASSAITS.	27 56
1977	\$ 32.20	6% PENALTY	164
		COSTS	300
Asst. No.		RED PEN GX	165
	STATE R	REDEMPTION FEE \$	
	it.	EDORUKIS FEE 👍	
20%	<b>:</b>	PARTIAL CREDIT \$	
OTAL AMOUNT TO RED	EEM AS OF	C 3 1070	766 3/

Remit by PERSONAL OR CASHIER'S CHECK or MONEY ORDER made payable to John A. Prowse, Tax Collector, and forward with this statement to P. O. Box

2169, Room 150, Court House, Stockton, California 95201.





		وبالمسوا فنتراه استراه فيسوا أفريها بهيها به	RATES AND DISTRIBUTION OF AMO	MINTS DER FACH TAXING AGENCY
	COUNTY OF EAN JOACHIN STATE OF CAMPORNIA SECURIO TAX STATEMENT LIEN D	1978 - 1979 ATE - 1201 AM. MARCH 1, 1979	TAXING AGENCY BASE	
	VALUATIONS LIEN D	PARCEL NUMBER	1	
	L 375 1 2 500	175-250-35 ANIE HOLD 18-049 35726	PROP. 13 MANDATE STOCKTON UNIF BONDS S J DELTA COLLEGE BD 1 STKN HETRO TRANSIT DIRECT ASSESSMENT	4.0000 15.00 .3642 1.33 .1133 .42 .0120 5.00
	S / S	ABOVE OR THE WORD "LIEN" IS PRINTED ABOVE - SEE INFOR- MATION PRINTED ON REVERSE.	TOTAL EXTENDED TAX	21,-82
1	GROSS TAX DUE		DIRECT ASSESSMENTS MAY	INCLUDE FEES
	HOMEOWNERS' EXEMPTION-			1
	STEE LATOR THE	21.82	4 !	1
	S46582 STATE OF Peoples temple C	CALIFORNIA of Disciples		
	FOR YOUR SAN FRANCISCO	CA 94115		
	SITUS ADDRESS ON REMARKS	DIRECT ABSESSMENT		1 1
	188 CLAYTON Stockton CA	AV 5.00		

, , , , , , , , , , , , , , , , , , ,	PARCEL NUMBE 175-250-35 1AX ARTE AREA 118-049 35 81L HUMBAN 546582 181 HISTALLMENT 10-91 8% PEN.	JOHN A PROWSE TACOLLECTOR P.O. BOX 2148, STOCKTON, CAL BESS!  1978 - 1979 SECURED PROPERTY TAX PAYMENT STUB	SN. P.H. COST	DETACH AND RETURN	;
	65 BFE DELINQUENT DATES ON REVERSE	STATE OF Peoples Temple of Disciples 2 P 0 BOX 15156  SAN FRANCISCO CA 94115  IF YOU DESIRE A RECEIPT - CHECK THIS BOX IT WILL BE MAILED BACK IN 4 TO 8 WEEKS	as PEN. COST 1 - 65	PEOPLES TEMPLE OF DISCIPLES  LE P O BOX 15156  SAN FRANCISCO CA 94115  IF YOU DESIRE A RECEIPT - CHECK THIS BOX IT WILL BE MAILED BACK IN 4 TO 8 WEEKS	

McFARLAND ENERGY, INC. box 3608, santa fe springs 10425 south painter avenue santa fe springs, california 90670 1 (213) 944-0181 (213) 685-3126

20 October 1978

Peoples Temple of the Disciples of Christ Post Office Box 15156 4 San Francisco, California 94115

Ra: South Stockton Prospect
San Joaquin County, California
Proposed Peoples Temple of the Disciples
in Christ Lease

#### Gentlemen:

According to the public records of San Joaquin County you own property south of the City of Stockton that we would like to lease for oil and gas exploration purposes. We have leases from adjoining owners, and we hope to have all of the lots in that neighborhood leased soon.

We are enclosing a lease set prepared for your signature. As you will see, the working period of the lease is five years. During that period this lease will be pooled with a group of other leases so that we will have a large enough block of land within which to drill a gas well. The drill-site will be on a larger parcel of land, not on any of the small lots.

The lease sets out a \$5.00 per acre rental for the first year and also for subsequent rentals during the five years. If we find production all of the lessors within the pooled area will share in the 1/6 landowner's royalty set forth in the lease. Single lots receive a flat \$10.00 rental.

We hope that you will decide to accept our offer. To do so, please sign the two bluebacked leases (both the short form and the long form) before a notary public. Please initial Article Mine of the long form lease. Enclosed is a stamped envelope for you to use for returning the leases to us. When they reach us we will mail you a check for \$10.00.

Thank you.

Very truly yours

Thomas J. Mi Juny

Thomas J. McInerney Assistant Land Manager

TJM:ct encs

	<del></del>		<del>-</del>
	•		S. Stockton #243
	•		175-25-35
•			
MCC	ORDING REQUESTED BY		
W41	EN RECORDER MAN. TO		
		}	
		1	
		[	
		• ]	
····			E FOR RECORDER'S USE
	OIL GA	S AND MINERAL LE	ASE
		(SHORT FORM)	
	•		
THIS LE	ASE AND AGREEMENT, mad	le and entered into	, 19
by and between	PROPIES TOMPLE O	OF THE DISCIPLES OF CHRIST, .	California corporation,
•			
	. 4 27	re), and McFarland Energy, Inc.	
owners ceff	SCI - Training ( Assertment dans on the		hereinafter called "Lessee,"
		WITHESSETH:	neremarker causes Center.
		see hereby leases from Lessor the land her	and a standard of the surrounce and
with the exclus	rive right of prospecting, explo	ring mining drilling and operating said	land for oil, gas, other hydrocarbons.
associated subs produced throu	rtances, sulphur, nitrogen, cart igh wells on said land, whethe	on dioxide, helium and other commercia or or not similar to the above-mentioned	substances. The land hereby leased in
extanted in	San Joaquin	_County, California, and is d	escribed as follows:
Con	PYUTUTT #45 attached	hereto and by reference made	a part hereof:
964	EANIMI A BEVOLUEG	101010 mm 13 101-1-1-1-1	,
			•

This lease is made for the term and upon and subject to much and all the terms, provisions, covenants and conditions set forth in the certain Oil, Gas and Mineral Lease of even date herewith between the parties hereto covering the and hereinshove described, and said Oil, Gas and Mineral Lease is hereby incorporated herein with the same force and effect as Jough herein set forth at length.

DI WITNESS WHEREOF, said parties have caused this lease to be duly executed as of the date first hereinshove written PEOPLES TEMPLE OF THE DISCIPLES
OF CHRIST

McFarland Energy, Inc.

OF CHRIST

BY:

President

Secretary

LESSEE

M. K. Sanford - Contract Agent

BB-31- b- 231

STATE OF CALIFORNIA	-} es.
	before me, the undersigned, a Notary Public in and for said
County and State, personally appeared	•
	known to me to be the person_whose hame
subscribed to the within instrument and schnowledged that	executed the same.
(SEAL)	NOTARY PUBLIC
My Commission Expires:	Type or Print Name of Notary
	·.
STATE OF CALIFORNIA COUNTY OF	-1 **
<u> </u>	before me, the undersigned, a Notary Public in and for said
County and State, personally appeared	inows to me to be the
President, and	known to me to be theSecretary
such corporation executed the same purposes to its by-laws or (SEAL)	NOTARY PUBLIC
My Commussion Expires:	Type or Print Name of Notary
STATE OF CALIFORNIA COUNTY OF	
COUNTY OF	before me, the undersigned, a Notary Public in and for said
COUNTY OF	-,
County and State, personally appeared	before me, the undersigned, a Notary Public in and for said
Country of	before me, the undersigned, a Notary Public in and for saidkmown to me to be thethown to me to be thethe
Country of	
County and State, personally appeared  President, and  Secretary of  corporation that executed the within instrument, and known behalf of the corporation therein named, and acknowledged to	

\$ 10 mm

#### EXHIBIT "A"

THE West 50 feet of the East 150 feet of the Morth 140 feet of the following described property:

A tract of land situated in the County of San Joaquin, State of California, in Sections 11 and 12 of C. M. Weber Grant, and being a portion of Lots 111 and 112 of MOSSWOOD PARK, as per map filed in Book of Maps, Volume 6 at Page 52, San Joaquin County Records, and more particularly described as follow, to-evit:

BECINNING at an iron pipe at the intersection of the East line of Odell Avenue shown on said Map of Mosswood Park, with the South line of Clayton Avenue as shown on Map "C" Mosswood Park, filed in Book of Maps, Volume 11, Page 4, San Joaquin County Records; thence along the said South line of Clayton Avenue, North 71° 08' East 308.68 feet to an iron pipe; thence along the Southerly extension of the West line of Mary Avenue, South 17° 52' East 340.47 feet to an iron pipe; thence South 26° 38' West 66.87 feet to an iron pipe; thence South 26° 38' West 66.87 feet to an iron pipe at the North west corner of the 25.00 acre tract shown on Map of Survey filed in Book of Surveys, Volume 6, at Page 145, San Joaquin County Records; thence along the Westerly line of said 25.00 acre tract, South 17° 52' East 202.65 feet to an iron pipe; thence South 71° 08' West 261.60 feet to a point in the East line of Odell Avenue; thence North 17° 52' Lest 590 feet to the point of beginning.

INITIAL

* RECORDING REQUESTED BY	S. Stockton #243
	(1)-2)-))
WHEN RECOMBED MAIL TO	
SPACE ABOVE THIS LINE FOR	h
4	R RECORDER'S USE
OIL GAS AND MINERAL LEAS	E
THIS LEASE AND AGREEMENT, made and entered into by and between FEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, a Califo	ornia corporation.
hereinafter called "Least" (whether one or more), and McFarland Energy, Inc.	
a California Corporation	hereinafter called "Leasec,"
WITNESSETE: Foreign in consideration of a rental paid in advance upon execution be acknowledged, and the invenants and agreements bereinafter contained on the part of Lesses does hereby lesse to Lague the land hereinafter described (herein sometimes called the "less to Lague the land hereinafter described (herein sometimes called the "less than the less than the l	reof, receipt of which is hereby to be kept and performed, Lessor sed land") for the purposes and
with the exclusive righted prospecting exploring mining drilling and operating the leased lar associated substances, supplur, nitrogen, carbon dioxide, belium and other commercially va- produced through wells in the leased land, whether not similar to the above-mentioned su	nd for oil, gea, other hydrocarbons, luable substances which may be
produces turough wens as the least and. Whether or no summing to the above-mentioned successful between the superior of the successful between the right of construct, erect, manufam, operate, use, repair, replace and remove mod power lines, tanks, smechnery, appliances, buildings and other structures, useful, necessary.	substances (neremarter collectively substances from the leased land, a ninelines, telephone, telephone
minums on the remove lains. The lift in citi filelent in the water and the tree lift of water so both	LORG LOWERGE WALRY TITEM LASKAY'S
wellal in operations on the leased land, and rights of way for passage over, upon and across an the leased land for any or all of the above-mentioned purposes. Any pipelines, pole lines or no also be used by it in its eperations on lands in the vicinity of the leased land. Lessor shall h	d install and expens to end from
the leased land in any smaner and to any extent not inconsistent with Lessee's rights or in it tions hereunder. The land hereby leased is situated in the County of San Joaquin	interference with Lessee's opera-
and is described as follows:	
See EXHIBIT "A" attached hereto and by reference made a pa	rt hereof:
	·
·	
together with such rights as Lessor may have in any roads, streets, alleys, waterways, canals, a rights and rights of way upon, within or adjoining the above-described property and contain	loughs, layees, ditches, easements, ing. O. 15.1 acres, more or less.
TO HAVE AND TOWIOLD the same for a term of 20 years from and after the date here shall conduct development (including, without limitation, drilling, redrilling, despening, repair operations on the leased-dand without creature for more than 90 consensitive days, at he control of the control	f and so long thereafter as Lessee ring and reworking) or producing scused therefrom as hereinafter
provided.  In consideration of the premises, the parties hereby agree as follows:	•
1 Co or before (1979 (5) years after the data hernot (the last day of said period	being hereinafter referred to as
the "working date"), Legue shall either commence "drilling operations" on the lessed land and with reasonable diligence until oil or gas or another of said substances is found in paying our which further drilling would in the judgment of Lessee be unprofitable, or quitchim and au- provided.	metities or a depth is reached at render this lesse as hereinafter
2 Lessee has paid issued rental in full hereunder for the first twelve (12) months not commonwed drilling operations on the lessed land or terminated this lesse within that time	of the term hereof. If Lessee has se, Lessee, commencing with the
expiration thereof, shall may or tender to Lessor annually in advance, as rental, the man of $\frac{fi}{ger}$ scre for so much of the above-described land as may then still be held under this lease at constnue such payments antil drilling operations are commenced or this lease terminated.	ve dollars (\$5.00) t the time of payment and shall
3. The payments required to be made by Lessee hereunder may be made by its check iss	ued and made payable as herein- uest of Lessee, unite in a written
designation of one person, bank or corporation as Lessor's agent to receive such payments, to required to make any payment otherwise than by one check, which check shall be payable to assume the burden and responsibility of making a proper distribution without expense to Le thereto. When such designation is made, said payments may be made by mailing such check to	the end that Lessee shall not be o but one payee, such payee to ssee among the persons entitled the naves at the address deter-
nated. Until such designation is made, such checks may be made payable and may be mailed to	
A waiver by Lessee of the provisions of this paragraph in the making of any payment or payments thereof with respect to asbisequent payments. If at any time there he no one person, bank or payments hereunder, the line for making such payments shall be extended until Lessee has been payments and the such payments and the payments are considered until Lessee has been payments.	corporation authorized to receive seen notified of such designation.
4. Any notice to begiven by either party to the other hereunder may be delivered in pe mell, postage prepaid, andressed to the party for whom intended as follows: to Lessor at	rson or by registered or certified
to Leave et 10425 South Painter Avenue, Santa Fe Springs, California 90	
Either party may from time to time, by written notice to the other, designate a different address.	ess which shall be substituted for

- 8. If oil, gas or another of said substances is not obtained in paying quantities in the first well drilled on the leased land. Leases, within 8 months after its completion or abandonment, shall commence drilling operations for a second well, and shall presecute the same with reasonable diligence until oil, gas or another of said substances is found in paying quantities, or until its drilled to a depth at which further drilling would, in the judgment of Lasee, he unpredicable; and Lessee shall in like manner continue its operations until oil, gas or another of said substances is found in paying quantities or this lease terminated provided, however, that nothing in this paragraph contained shall require the commencement of drilling operations for the second or any subsequent well (other than an effect well) before said working date, it, however, hefore said working date, there shall or any subsequent well (other than an effect well) before said working date, there shall be any period of more than 6 months between the completion or abandonment of any well and the commencement of drilling operations for the next well or the termination of this lease for which remain has not thereofore been paid, Lessee shall play operations for such period (except for time harvin allowed between wells) at the rate harvingabove set forth, in installments, quarterly in advance.
- 6. The leased land shall be deemed to have been "fully drilled" within the meaning bareof whenever there shall have been drilled thereon a number of wells equal to the number of acres then subject to this lease divided by 40 for oil, or \$40 for gas or gas and condensate, plus one additional well for any remaining major fraction. If oil is found in paying quantities in any well drilled by Lessee on the leased land, Lessee will continue to drill wells for oil with one string of tools, working with reasonable diligence, silowing not more than 8 months between the completion or abandonment of one and the commencement of operations for the next, until the leased land has been fully drilled. Lessee shall be given credit for so much of the time in each such 8 months drilling interval as in not utilize because of drilling by Lessee soner than required and such credit may be used to extend subsequent drilling intervals in such manner as Lessee and externme. After the leased land has been fully drilled. Lessee insy at any time drill further wells if it shall so sleet, but it shall not be required so to do. In the event gas of drilled. Lessee insy at any time drill further wells if it shall so elect, but it shall not be required so to do. In the event gas of the leased condensate in paying quantities is discovered in any such well, the leased also be considered as gas land and not as oil land until at some later date oil in paying quantities is discovered. While the leased alm be considered as gas land drilling for oil theil not be required, except to comply with the provisions of this lease relative to effect wells. Lessee shall, however, drill further wells for gas if there is an available market for gas at the well and if and to the extent that such drilling is requisite for the proper development of said land for fas; but it shall not be required to drill more wells than are necessary to supply such part of the market demand for gas from the field as may fairly and reasonably be apportioned to the leased land and shal
- T. If, before the leased land has been fully drilled, a well producing oil in paying quantities (hereinafter called an "outside well") is drilled upon adjacent land not owned or controlled by Lessor within 330 feet or producing gas in paying quantities within 1320 feet (hereinafter talled "offset distance") from a boundary of the leased land. Lessee shall offset such outside well by the commencement of drilling operations at a suitable offset location on the leased land within 6 months after it is ascertained by the commencement of drilling operations at a suitable offset location on the leased land within 6 months after it is ascertained that the production of oil or gas from such outside well is in paying quantities, except that (a) if a well it being drilled on the leased land, taid time shall be extended until 6 mothes after the completion or abandoursent of the well so being drilled on the leased land a well at a suitable offset location, it shall take the place of (b) if there already exists or is being drilled on the leased land a well at a suitable offset location, it shall take the place of the required offset well. A suitable offset location within the meaning hereof shall be one which is within the offset distance from the boundary and extended through the leased land. Offset wells shall be counted in determining when the leased land has been fully drilled.
- B. Except as herein otherwise provided, Lessee shall drill each well and operate each completed well in accordance with good oil field practice so long as such well shall produce oil or gas in paying quantities but in conformity with any reasonable good oil field practice so long as such well shall produce oil or gas in paying quantities but in conformity with any reasonable conservation of curtainment program affecting the druling of wells or the production of oil or gas or either thereof from said to which Lessee may voluntarily subscribe or accorded a rart, or with any conservation or curtailment program which may lead to which have been produced by law or by any appropriate when wells offset or to be reflet as being operated) may be ausgended while the operations betweender (except of offset wells when wells offset or to be reflet as being operated) may be ausgended while the operations betweender (except of offset wells when wells offset or to be reflet as being operated and is \$1.50 or less per barred at the well, or when there has no except the market for such oil at the well store said of any indicate the reason for any enterior of \$20 days after the reason for any enterior of \$20 days after the reason for any enterior of \$20 days after the reason for any enterior of \$20 days after the proson for any enterior of the store of the process of any federal, state or other stall, imply with all state, federal and local lesses and with the rules, reculations and orders of any federal, state or other spectrometrial acrony having jurisdetion in the premises with respect to the paying, drilling or producing of wells, or other governmental acrony having jurisdetion in the premises with respect to the paying, drilling or producing of wells, or other governmental acrony having jurisdetion in the premises with respect to the paying, drilling or producing of wells, or other governmental acrony having jurisdetion in the premises with respect to the paying, drilling or producing of wells, or other governmental acrony ha
  - 9. The term "royalty chare" as used herein means one-sixth (1/6).
- 17. Lessee shall pay Lessor as royalty on all the value of the royalty share of all all produced and removed from the lessed land, after making the customary adjustments for temperature, water and his at the posted available market price at the well for oil of like gravity and quality on the day the oil is so removed or, at Lessor's option, in lieu of such payment Lessee shell deliver the royalty chare of said oil, free of cost, into Lessor's tanks on the lessed land or into pipeline thereon designated shell deliver the royalty chare of said oil, free of cost, into Lessor's tanks on the lessed land or into pipeline thereon designated shell deliver the royalty chare of said oil, free of cost, into Lessor's tanks on the lessed land or into pipeline thereon designated shell deliver the royalty one of oil of the same of the said lessor of the said Lessor of the said lessor of the removal charge for the lessed is not the treated therewith before delivery to the said Lessor, in such event, shell pay a proportionate part of the cost of trestment. No royalty shall be cleasor for or account of oil used by Lessee in operations on the lessor land or lost through evaporation, leakage, fire or other casualty prior to the removal of the same or prior to delivery to Lessor if royalty shall be delivered in kind.
  - 11. Lesses shall pay Lessor as royalty on natural gas the royalty share of a value which shall be the ages of the follows:
  - 11. Leases shall pay Lessor as royalty on natural gas the royalty share of a value which shall be use agree or the natural state of a residual dry gas after extracting resulting and other content therefrom). Gas treated at a gazol'ine extraction plant not owned or operated by Lessee and for which Lessee receives a royalty from the operator of such plant shall be deemed sold in its natural state for an annual equal to the market value of the troyalty received by Lessee. Except as otherwise provided begin, gas used or consumed by Lessee inequal to the market value of the royalty received by Lessee. Except as otherwise provided begin, gas used or consumed by Lessee in experience than under this lease shall be deemed sold for the market value thereof. The value of ones and provides extractions other than under this lease shall be deemed sold for the market value thereof. The value of ones and provides extracted thereform, used or resource that the state of the state of
  - b) The market value at the extraction plant of all gasoline and other liquid hydrocurbons extracted and seved ural gas from the leased land as a result of processing such gas at a plant owned or operated by Leases, less the of a processing, which cost for the purposes hereof will be deemed to be sixty percent (60%) of said last-mentioned m
  - c? The market value, at the plant where extracted, of all gasoline and other liquid hydrocarbons received by Lessee as a result of the processing of natural gas from the lessed lend at a plant not owned or operated by Lessee (if such processing is not on a royalty basis) less the cost to Lessee of such processing

Nothing herein contained shall obligate Lesses to treat or process natural gas nor shall Lesses be obligated to save, sell or entered dispose of natural gas or residual dry gas, as the case may be, unless there is a market therefor at the well or resume plant at a price and under conditions which Lesses believes to be for the best interests of both parties hereto, or to royalty on any gas which is neither sold nor used.

- 12 Lessee shall pay Lessor as royalty the market value on the lessed land, in the condition as produced, of the royalty share of any substances covered by this lesse, other than oil and gas and the products thereof, which Lessee may elect to produce and save or market or utilize from the lessed land.
- 13. Settlement shall be made by Lessee on or before the last day of each calendar month for all royalties which accrued suring the preceding month and Lessee shall furnish Lessor monthly statements showing the computation of royalties. Lessor agrees to examine promptly each and all statements and remittances forwarded by Lessee to it hereunder and promptly advisa Lessee any objection thereto.
- 14. The rentals and royalties provided for in this lease are based on the whole of the oil and gas rights in the land described above. If Leasor owns less then the whole of the oil and gas rights in said land, the rentals and royalties accruing hereunder shall be proportioned by Leasor. If my clothen is asset of any action or proceeding instituted by Leasor, or by any third party claiming the leased land or any part thereof or any interest til every or in any production therefrom, adverse to Leasor or the lattice claimed in good faith by Leasee under this lease. then during the pendency of such controversy and until 80 days after final determination thereof, Leasor may defer or discontinue all operations on the leased land or, if it operates wells, it may deposit reyalties corruing hereunder in respect to the production therefrom in any bank in the State of California to abide the final determination of such controversy.

- 15. Lessee shall pay all taxes levied upon or assessed against its improvements, fixtures and personal property on the leased lend including Lessees so il stored thereon. Taxes sevied upon or assessed against the mineral and mineral rights subject to this lesse (or, it same shall not be separate.) assessed, such part of the taxes on the leased land as are due to the discovery of oil, gas or any of the audorementationed other substances on the insisted land or disable plants allowed intervol shall be post as follows: The gas or any of the audorementationed other substances on the insisted land or larger theirs to by an of the persons entitled to thate in the royalty bereunder, eccording to their several interests in said royalty and the remainder interest in Lessee. Any severance tax or other tax, assessment, or license now or hereaster levied or royalty and the remainder usered by the quantity or value of oil, natural gasoline, gas or and other substances produced from the leased land, imposed, messuaged by the quantity or value of oil. Datumal gasoline, gas or and other substances produced from the leased land, or any thereof, shall be borne by the parties in the same ratio as taxes on minerals and mineral rights. Leasee shall not be liable for any special assessment for local improvements or nearests.
- 16. Lesses, at its own cost and expense, shall pay for all labor performed and materials furnished in the operations of Lesses that project the lessed and from see hereunder and Lessor shall not be chargeable with, or liable for, any part thereof. Lesses shall project the lessed and from the new years that according to the lessed and notices to protect the lesses from the lessed and notices to protect the lesses from the lesses are the lesses and less of the lesses and lesses from the lesses are the lesses and lesses are the lesses are the lesses and lesses are the l
- 17. Upon written request of Lessor, Lessee shall lay all pipelines which it constructs through cultivated portions of the leased land below plant depth and upon summar request shall (since all sump holes and other excavations to saleguard livestock.
- Is. If leaser is the owner of the surface of the leased land, Leaser shall pay the amount of all damages to livestock, crops, fruit or not trees, timber, incres, ditches, timings and other improvements caused by Leasers operations on the leased land, fruit or not trees, timber, incres, ditches, timings and other improvements caused by Leasers operations on the leased land, whichever shall sustain such damage. All disputes as to the amount which payments shall be determined by arbitration. If Leasers is not the owner of such surface with hold Leaser harmless from all thereof shall be determined by arbitration. If Leasers is not the owner of such surface with hold Leasers operations nereunder which may be asserted by the owner of the surface or by any tenant of such surface.
- 18. Lessee whall not drill any well on said leased land within 100 feet of any then existing building thereon without written consent of the owner of such building, nor scall lessee drill any well upon lands occupied, used or held for railroad purposes.
- 20. Lessor, ast all reasonable times, may impact the leased land and the work done and in progress thereon, and the production their lenses are the books kept by Lessee in relation to the amount and character of the production their lenses are the leasest of the production from the lenses and and displacion thereof. Lessee, on written request of Lessor thereior, shall furnish to Lessor copies of logs of all wells drilled by Lessee on the leasen hand.
- 21. Lessee whall have the right at any time to remove from the leased land any machinery, righ, piping, casing and other property and suprovements belonging to or illimined by lessee, inclinang that instanted in wells or otherwise affixed to the property and suprovements belonging to or illimined by lessee, inclinang that instanted in wells or otherwise affixed to the land; provided shat, in the event of the termination of this lessee in its entirety, such removal shall be completed within 4 months the extra of the termination of the lesses as to a partial to the lesses is and, all such property not needed by Lessee for its operations on land relations under the lease shall be removed itum the lains as to which this lease is terminated within 4 months after the sterminated within 4 months after the stermination of the lease in its entirety. Lessee, size fermination of the lease, in the interest, lease, alter fermination of the lease in all of the called land and in other respects reside the leased land nearly to its original condition as is reasonably made by it on the leased land and in other respects reside the leased land nearly to its original condition as is reasonably practical, but Lessee shall not no obliged to resides anything for which it may therefore have made payment by way of damages.
- The same at its option, may at any time quitelaim and surrender all of the leased land, in which event this lease shall be at an end and Lessee snau he releved of all onlyations thereunder save and except the obligation to pay rents and royations theretolore accurated and any obligation series) implies for removal of equipment and restoration of the premises. Lessee, at theretolore accurated and any line, or item time to line, quite anni assurrelizer any part of the lease daind not desired by it, and in such event the amount of any rents, provided for in this lesse shall interested accurate only not be beautiful to the land not so in such event the amount of any rents, provided for in this lesse shall interested accurate only not be assured the land not so in such event the amount of any rents, provided for in this lesse shall interest the form to be some the beast of the land not so in such event the amount of any rents, provided for in this lesse shall therefore returned to the same dains of quicklimed that in the surrender returned to the easements and rights of which is existent to the easements and rights of which is evitting and any oil or gast wall which is evitting also lest of any weal relained to Lessee or being drilled by it.
- 23. Lesseemay at any time with respect to a designated part or all of the leased land, (a) surrender its right to produce oil, or (b) surameder its right to produce oil, or (b) surameder its right to produce oil shall include a surrender of the right to produce the sile which with necessarily be produced therewith. A surrender of oil rights in all the leased land will relieve produce the sile which to the oil of the right to right and the respect of further obligation to that ou wend. A surrender of oil rights are part only of the leased land will reduce the number Lease of further obligation to that ou wend. A surrender of oil rights are retained by Lease. A surrender of oil rights shall have no effect on obligations to drill for gas and a surrender of gas rights shall have no effect on obligations to drill for gas and a surrender of gas rights shall have no effect on obligations to drill for all.
- 24. Performance of covenants and conditions imposed upon Lessee hereunder shall be excused while, and to the extent that, Lessee as handered in or prevented from complying therewith, in whole or in part, by war, nots, strikes, lockouts, action that, Lessee as handered in or prevented from complying therewith in whole or in part, by war, nots, strikes, lockouts, action that, Lessee as handered in or prevented from complying the open market or to obtain transportation therefor, laws, rules and of the desired, regulations of siny tederal, that, managing or other 50, erimental agency or any other cause beyond the control of the Lessee, regulations of siny tederal, that, managing or other 50, erimental agency or any other cause beyond the control of the Lessee, regulations of siny tederal, that, managing or other 50, erimental agency or any other cause beyond the control of the Lessee,
- 25. a). If ansee shall fail to pay promptly any instalment of royalty or rent, and if such default shall continue for a period of 15 days after written demand incredut, then at the option of Lessor, this lease shall forthwith terminate; provided, however, that if there is a bona this dispute as to the amount one, and all undisputed amounts are pard, said 15 day period shall be extended until 5 days after such dispute is settled by final court decree, arbitration or mutual agreement.
- b) In case of default by Lessee with respect to any other condition or coverant hereof and continuance of such default for \$0 days atterwritten notice from Lesser to Lessee to perform such condition or coverant hereof and continuance of such default for \$0 days atterwritten notice from Lessor to Lessee to perform such condition or coverant, then at the option of Lessor this lesses shall inclinate the second that if any oil well has theretofore been drailed or is then being drilled and Lessee is not in default in connection ingressin, this lesses stail nevertheless continue in effect is to an area to be selected by Lessee to be excluded by Lessee to not exceeding 40 acres for each sum of wea, and if any gas well has theretofore been drailed or is being drilled and Lessee is not in default in Southerton ingressin, this lesses shall remain in effect for the production of gas and for development for gas (but in default in Southerton ingressin, this lesses shall remain in effect for the production of gas endicated with oil as to an area to be selected by Lessee not exceeding 600 acres for each such gas well. Lessee shall red, however, is described to de a default while work is in progress in good fains which when completed will constitute compliance with such count time of coverant. A destination of this lesse as to a part only of he lessed and as to which no such termination shall have occurred.

  So Should Lessee because the advance of the lessee is the state of the lessed into set to which no such termination shall have occurred.
- 26. Should Lessor hereurier acquire any additional right, title or interest in or to the leased land, it shall be subject to the provisions beseed to the same extent as n owner by Lessor at the date hereof. Lessor agrees that if Lesses shall make any payment on account of any tax not required to be paid by it under the condutions hereof or any morrigage or other lien on or against any of the lands subject to this lease, it small, in addition to the right of subrugation, have the right to reimburse itself end of any rogality or rentals accruing hereunder.
- The this lease shall be assigned as to a particular part or parts of the leased land, such division of the leasehold estate shall be constitute and create and categories are comply with and perform as thus divided, and the holder or owner of each rinth portion of the leased land shall be required to comply with and perform tensees to bigations under this state for, an only to the extent of, his portion of the leased land, provided that nothing hereinshall be constituted to enlarge or making, the dialong to remail observation, and provided ruther that the commencement of the shall be constituted in particular particul
- 28. Lessee shall have the right at its option, at any time and from time to time, either before or after the discovery of oil, gas or other substances on the leased land, but prior to the expiration of 20 years from the date of this lease, to combine and gas or other substances on the leased land, but prior to the expiration of 20 years from the date of this lease, to combine and good all or any part of the leased land or interest therein into one or more operating units with any other land or interest therein (whether held by Lessee or others and whether or not the surface of such other land may be used for oil or gas development purposes land to be pooled is located or within any section-baying a common boundary or corner with such section. Each operating unit may be of such size and shape as Lessee may destroy provided that no such unit created for oil development purposes shall exceed 45 acres in area and no such unit created for gas or gas and condensate development purposes shall exceed 550 acres in area. If any of the land to be pooled has not being gas or gas and condensate development purposes shall exceed 550 acres in area. If any of the land to be pooled has not being gas or gas and condensate development purposes shall exceed 550 acres in area. If any of the land to be pooled has not being gas or gas and condensate development purposes shall be determined sections thereon, following as nearly as practicable the agual Government system, and such projected sections shall be determed sections thereon, tollowing as nearly as practicable the agual Government system, and such projected sections shall be determed, the proposed the projected of this provision. The purpose of the gas of proposed sections thereon, tollowing as nearly as practicable the agual Government system, and such projected sections shall be determed. For the purpose of the purpose of the purpose of the gas of the such as a proposed therein, there are any lands or interests in lands within the exterior boundaries of any operating unit wh

here thereasine been commerced, and within the meaning of the requirements of this lesses any such well or sportures, if offthis lessed lend, shall be considered as having been commerced immediately after the effective date of such pooling. Production, drilling or reworking operations on once lessed land. There shall be allocated to the lessed land the proportion of the pooled production from any such operating operations on the lessed land. There shall be allocated to the lessed land that the number of surface across
tion from any such operating on the lessed land. There shall be allocated to the lessed land that the number of surface across
ton from any such operating on the production of such production or such production from the lessed land that the number of surface across
the remainder only upon that portion of such production on allocated, and as to product on from land is such unit production or only other repaired from any such operating unit, then the share of such taxes to be borne by Lesson
pooled substances underlying or produced from any such operating unit, then the share of such taxes to be borne by Lesson
see provided is this lesses thall be in proportion to the share of production from such unit allocated to the lessed land. Lesses
are provided as this less that he promote entitled thereto all or any part of the land in any such operating unit, and
of land in such unit not owning any interest in quitclaimed land, except by virtue of such pooling, shall have any interest and
of land in such unit not owning any interest in other lands therein, shall continue notwithstanding any quitclaim or other
mark, whether to the lessed land at in like manner to other lands therein, shall continue notwithstanding any quitclaim or other
want, whether to the lessed land of in like manner to other lands therein, shall continue notwithstanding any quitclaim or other
such land shall (or shall give others the right to) drill for or produce any of the pooled substanciation and shall likevise be excluded from

28. The words "drilling operations" as used in this lease include, in addition to actual drilling, any work undertaken or commenced in good faith if followed diligently and in due course by the construction of a derick or other necessary structures for the drilling of an oil or gas well, and by the actual operations of drilling in the ground.

20. In the event that Lessee drills a water well on the lessed land for the production of water for its operations on the lessed land. Lessee acrees that it said well is no longer desired by Lessee or upon the termination of this lesse it will remove the lessed land. Lessee acrees that it said well is no longer desired by Lessee or upon the termination of this lesse it will remove the lessed land. Lessee acrees that it said well is no longer desired by Lessee or upon the termination of this lesse it will remove the lessee and upon the remove the lessee it will remove the lessee it will lessee that the lessee it will lessee that the lessee it will lessee that lessee the lessee it will lessee that it is not condition that Lessee may subsequently equip the well for the production of water for Lesson's own use.

31. On the expiration or aroner termination of this lease Lessee shall quietly and peacefully surrender possession to Lessee and file for record a quitclaim deed, in the County Recorder's office of said County and State.

32. If more than one person is named as Lessor havein and one or more of them falls to execute this lesse, it shall, pavartheless (if sompled by Lessee) become effective as a lesse from each such Lessor as may have executed the same.

13. This lease may be executed in any number of counterparts and all such counterparts shall be deemed to counterpart and all such counterparts shall be deemed to counterpart and all such counterparts shall be deemed to counterpart by any Lasor shall have the same force and effect as if he had signed all the

34. This lease and all its terms, conditions and stipulations shall extend to end be hinding upon all the heirs, successors and assigns of said Lessor and Lessoe.

IN WITNESS WHEREOF, said parties have caused this issue to be duly executed as of the date first hereinshive written.

PROPLES TEMPLE OF THE DISCIPLES OF CHRIST	McFarland Energy, Inc.
BY:	
President	BY:
	M. K. Sanford - Contract Agent
BY:	LESE
Secretary LESSOR	
STATE OF CALIFORNIA	
~	before me, the undersigned, a Notary Public in and for said County and
State, personally appeared	had a second the
known to see to be the personwhose name.	subscribed to the within instrument and acknowledged their acuted the easts.
GEAL	Notary Public
	Type or Print Name of Notary
My Commission Expires:	Appendituation of the second o
STATE OF CALIFORNIA	<u> </u>
On	before me, the undersigned, a Notary Public in and for said County and
State, personally appeared	imown to me to be the
President, and	inown to me to be the
	ment, and known to me to be the persons who executed the within instrument or cknowledged to me that such corporation executed the same pursuant to its by-law
OL & Leadurgion of Mr posts of diseaser.	Notary Publi
(SEAL)	7
•	Type or Print Name of Notes
My Commission Expires:	

### EXHIBIT "A"

THE Mest 50 feet of the East 150 feet of the Worth 140 feet of the following described property:

A tract of land situated in the County of San Joaquin, State of California, in Sections 11 and 12 of C. M. Weber Crant, and being a portion of Lots 111 and 112 of MOSSWOOD PARK, as per map filed in Book of Maps. Volume 6 at Page 52, San Joaquin County Records, and more particularly described as follow, to-wit:

BECTIMING at an iron pipe at the intersection of the East line of Odell Avenue shown on said Map of Mosswood Park, with the South line of Clayton Avenue as shown on Map "C" Mosswood Park, filed in Book of Maps, Volume 11, Fage 4, San Joaquin County Records; thence along the said South line of Clayton Avenue, North 71° 08' East 308.68 feet to an iron pipe; thence along the Southerly extension of the West line of Mary Avenue, South 17° 52' East 340.47 feet to an iron pipe; thence South 26° 38' West 66.87 feet to an iron pipe at the North west corner of the 25.00 acre tract shown on Map of Survey filed in Book of Surveys, Volume 6, at Page 143. San Joaquin County Records; thence along the Westerly line of said 25.00 acre tract, South 17° 52' East 202.65 feet to an iron pipe; thence South 71° 08' West 261.80 feet to a point in the East line of Odell Avenue; thence North 17° 52' Zest 590 feet to the point of beginning.

INITIAL

**CALIFORNIA DEPARTMENT OF CORRECTIONS CERTIFICATE OF DISCHARGE** 

October 26, 1978

The above-named person has been discharged from the custody of the California Department of Corrections on all existing felony commitments as of this date.

DEPARTMENT OF CORRECTIONS

STATE OF CALIFORNIA

The card at left is your Certificate of Discharge which is to be kept in your presession. The back of the card lists the telephone numbers of the Regional Parole offices for your use. These offices may be contacted if you have any questions or problems.

The card is removed by tearing along the perforated lines.

Upon your discharge from any California Department of Corrections institution, certain services are available to you through the Parole Division of the Department of Corrections. These may be secured at any Parole Division office in any community where such an office is located.

The services that are available include assistance in securing bousing, employment and/or financial aid to purchase tools necessary to secure and/or maintain employment. Letters of reference and/or referral can also be written. Information regarding various agencies or persons who can provide

clarification of your legal status and present responsibilities can also be provided. Counseling or discussion of problems and concerns and potential educational and/or vocational referral is also offered.

Your successful re-entry into the community is our wish, and we offer those services and whatever form of assistance is possible to achieve that result.

DIRECTOR OF CORRECTIONS

COC 143 (1/77)

Department of the Treesury Internal Revenue Service Center

FRESMO, CA 93888

49672 54

Date of Thir Notice UCT . 23 , 1979

Social Security Number on Return 555-92-2939*

Dacument Locator Number 94263-266-60020-8

Form Number Year Ended

Wyou inquire about your account, place refer to these numbars.

SHANDA & & BRUCE OLIVER

# CHALKIN

PO MOX 15156 SAN FRANCISCO CA

94115

7841

# VERIFICATION OF YOUR SOCIAL SECURITY NUMBER OR NAME

We are unable to complete the processing of your income tax return for the above year because the social security number or last name on it is different from our records. Please supply the information requested below. If you filed a joint return, give information for the first person named above. Please reply soon, as it will take several weeks to make corrections, to issue any refund to you, or to credit your account. An addressed envelope is enclosed for your convenience. Thank you for your cooperation.

Z	55	5922939*	^	94 team print in d	OLIV		77	SOCIAL SECURITY MAN	MER	
1	1	FULL NAME		(First)		labelete, er me	tiel-if none, draw line-1	(Lest)		7
Ę (	Z	NAME AS SHOWN O LAST SOCIAL SECU IF UNKNOWN, YOU	N YOUR RITY CARD R NAME AT	BIRTH	First)	(MA)	ldia, or initial—if rome, draw line—)	(Last)		ζ .
	34.	54.75	(Martin)	(Day)	i —,————	(Year)	4 BIRTH DATE PREVI	OUSLY REPORTED IN MIN	rail from team 3/	<b>,</b>
•	5	OF BIRTH	(City)			unity)		6. SEX:	E FEMALE	<b>`</b>
)	7	MOTHER'S FULL NAME AT HER BIRTH (Mar minden name) FATHER'S FULL NAME (Regarders of minder hang or dead)								
	90	WHERE AND WHEN DID YOU GET YOUR FIRST SOCIAL	WHEN (State) (Year) SOCIAL SECURITY CARD?							<b>`</b>
		YOUR PRESENT (M MAILING ADDRESS	umber and Sz	red, Apt. No.,	P.O. Box, or I	lurei Routei	Kityl	(State)	(23P Cuda)	<b>`</b>
	į	TODAY'S DATE		NOTICE: W furnished fair or imprisorar	noster, with	intent to fall	Bify his or someone step's true in g for a social security number is	Sensity, sublituity furnishes o subject to a fine of age mor	China to be	
	12	TELEPHONE MUMBE		Spr YOUR NA			<u></u>			
		T55592	2939	77 2				<del></del>	Furm 2012 (Nav. 1	-70)
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Internal Revenue Service District Director

Department of the Treasury

October 24, 1978

Person to Contact: IA 7824 MY Contact Telephone Number:

(415) 556-3116 Office Address: 450 GOLDEN CATE AVERUE BOX 36030

SAN FRANCISCO CALIFORNIA \$4192

7512 Balance Due: 734.59

Apnette Jones # Eugene Chaiken ESQ PO Box 15156 San Francisco, CA 94115

We have been unable to reach you by telephone to discuss the tax liability indicated above.

It is important that you contact our office as soon as possible between the hours of 8:30 a.m. and 4:00 p.m. We can be reached at the above number.

It will not be necessary for you to call if you pay the balance due at the addmss shown above within 10 days.

If we do not hear from you or receive your payment, it may be necessary to collect this amount by attachment of your salary, bank account or other assets.

Sincerely yours,

C. Turner

450 Golden Gate Ave., San Francisco, CA 94102

FL-1623 (9-77)

When the monte of the Peasury
nternal Revenue
iervice Center

FRESNO, CA 93888

Date of This Notice

13868 21

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7841

OCT - 23 - 1978 Taxpayer Identifying Number 565-26-4945 Document Locator Number

If you inquire about 

✓ your account, please 
refer to these num 
bers or atlach this

HTIQS & YHMAD KUTULAS N EUGERE CHAIKIN ESO PO BOX 15156

SAN FRANCISCO CA

94247-248-701G2-8 Form Number Tax Period

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1040

DEC. 31, 1974

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## STATEMENT OF ADJUSTMENT TO YOUR ACCOUNT

BALANCE DUE ON ACCOUNT BEFORE ADJUSTMENT

94115

5.0ē

ADJUSTMENT COMPUTATION

TAX- DECREASE 519.96 PENALTY- DECREASE SEE EXPLANATION 01
PENALTY- DECREASE SEE EXPLANATION 30
REDUCTION OF INTEREST PREVIOUSLY CHARGED 5.31 7.80 58.02 NET ADJUSTMENT CREDIT

591.09

OVERPAYMENT

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\$591.09

The numbers at the left identify the codes on the back

24

of this notice that provide further explanations and instructions.

(	Department of the Treasury Internal Revenue Service				Č			
(	<u> </u>		Date of This	Letter	(			
(		If you inquire about your account, please refer to these numbers or attach this letter	1G-27-76 Social Securi 252-24-343 Document Lo 94247-243-	I JS ocator Number	(			
(	PATRICIA P CARTMELL ESO PO BOX 15156 SAN FRANCISCO. CA 94115	or attach this rener	502 A	89 9401	ſ			
•		<del>,</del>		<u>;</u>	•			
(	Dear Taxpayer:				C			
(	We have previously written to you about				•			
(	pay the total amount due within 10 days from	the date of this letter to avo	id additional interest	and penalties.	•			
! (	Please make your check or money order payable to the Internal Revenue Service and write your social security number on it. Include this letter with your payment so we can quickly identify and credit your account. If you think the amount shown below is incorrect because of a recent payment or for any							
. (	other reason, please send us the amount you believe is due and explain the difference on the back of this letter. Use the enclosed envelope to mail us your payment. The copy of this letter is for your records.							
•	If you cannot pay this amount in full, please refer to the enclosed copy of Publication 586A, The Collection Process (Income Tax Accounts), which provides information about our collection procedures							
(	and your rights in relation to them. If you have other questions about this bill, or want to discuss payment, please contact any Internal Revenue Service office within 10 days from the date of this letter. The telephone number is on the enclosed notice.							
(					(			
•		Sincerely yours,			C			
•		Director, Service Cente	er		•			
(	Enclosures:	Tax Form Numbe		· !	•			
(	Envelope Copy of this letter Publication 586A	Tax Period Ended	12-31-	75	•			
(	Telephone Number Notice	Balance of Prior A Late Payment Pen Interest	alty	39.60 .17 .19	ر. •			
(	Reply to: INTERNAL FEVENUE SERVICE P.O. BOX 12586	Total Amount Du	e \$	39.96	¢			
(	FRESNO. CA 93778	BB - 3	30-340	7512	(			
(			D3967 (Part 1) (	Rev. 8-77)	(			

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## 1004 CHICAGO TITLE INSURANCE COMPANY PRELIMINARY REPORT

At the date hereof exceptions to coverage, in addition to the printed exceptions and exclusions contained in said policy form, would be as follows:

Concral and special County taxes, including personal property taxes, if any, have been paid: Fiscal year 1977-1978 Licents for pro-ration purposes are: istel **\$607.63** 

First installment 303.52 Personal property taxes Fone Second installment 303.51

Code and Parcel 1198 6025-26-21

Such conserents or rights as the City of Los Angeles, successor to her angeles Gas and Electric Corporation, may have in or over that justion of said land stated herein, for pole lines, conduits and incidental purposes, as disclosed by a Declaration by the Dajurtrant of Water and Power of the City of Los Angeles, recorned in Ecok 15894 Fage 87 , Official Records.

Afficts : Rear 5 feet

3. Covenints, conditions and restrictions, (deleting therefrom any restrictions based on race, color, or creed), as provided in deed

Locatica in Ecok 18346 Page 41 , Official Records

Usid covenents, conditions and restrictions provide that a violation thereof shall not defeat nor render invalid the lien of any restyage or deed of trust made in good faith and for value.

A does of trust to secure an indebtedness.

Ascunt : \$15,900.00

Trustor Earnest Jones and Annie B. Jones,

husband and wife

Trubtee Title Incurance and Trust Company,

a California corporation

Demoficiary Santa Parbara Eutual Duilding and Lean

Association, a corporation of

September 6, 1963 Dated

Cotober 3, 1963 as Instrument No. 322, in Book 73258 Page 151, Official Records Recorded

A deed of trust to secure an indebtedness.

**Kunt** : \$3,100.00 Trustor

Earnest Jones and Annie J. Jones, husband and wife 6(3-5527 Trustee

Security First National Pank, a national 616 44cs banking association Kerbert K. Ponce and Carren S. Fonce, **Scheficiary** 

husband and wife, as joint tenants

Inted

September 5, 1963 October 3, 1963 as Instrument Po. 323, in Book T3288 Page 154, Official Records Focureed

Seld deed or trust, a trust mentioned in exception Seld deed of trust, by its terme, is made subject to the deed of CERRY COOKED FORM 2003 (m-04)

BB-31- L-

enue Service

IN REPLY REFER TO: 89630327 SEPT 27, 1978 LTR 125C N 7642

FORREST R & ABNES P JONES E PO BOX 15155 SAN FRANCISCO, CA 94115

167395

CERTIFIED MAIL

SCCIAL SECURITY NUMBER: 402-52-8880

FORM NUMBER: 1040

TAX PERIOD ENDED: DEC. 31, 1973

DEAR MR. 4 MRS. JONES:

WE ARE SORRY, BUT WE CANNOT ALLOW YOUR CLAIM, WHICH WE RECEIVED MAY 15, 1978. THIS IS YOUR LEGAL NOTICE THAT YOUR CLAIM IS DISALLOWED.

YOUR INCOME TAX RETURN, SHOWING AN OVERPAYMENT, WAS FILED MORE THAN 3 YEARS AFTER ITS DUE DATE. THE LAW DOES NOT PROVIDE FOR REFUNDING OR CREDITING TAX THAT WAS PAID MORE THAN 3 YEARS BEFORE THE FILING OF THE CLAIM (IN THIS CASE, YOUR RETURN). FOR THIS PURPOSE WITHHELD TAX AND ESTIMATED TAX, SHOWN AS CREDITS ON A RETURN, ARE CONSIDERED PAID ON THE DOME DATE OF THE RETURN.

IF YOU WISH TO BRING SUIT OR PROCEEDINGS FOR THE RECOVERY OF ANY TAX, PENALTIES, OR OTHER MONEYS FOR WHICH THIS DISALLOWANCE NOTICE IS ISSUED, YOU MAY DO SO BY FILING SUCH A SUIT WITH THE UNITED STATES DISTRICT COURT HAVING JURISDICTION, OR THE UNITED STATES COURT OF CLAIMS. THE LAW PERMITS YOU TO DO THIS WITHIN 2 YEARS FROM THE MAILING DATE OF THIS LETTER.

WE HOPE THIS INFORMATION WILL HELP YOU. IF YOU HAVE ANY QUESTIONS AND WISH TO CALL AT 209-468-6171, B. AREIA WILL BE ABLE TO HELP YOU. SINCE THERE WILL BE A LONG-DISTANCE CHARGE TO YOU IF YOU ARE BEYOND THE IMMEDIATE DIALING AREA OF THE SERVICE CENTER, YOU MAY PREFER TO WRITE US AT THE ADDRESS ON THIS LETTER OR CALL ANY INTERNAL REVENUE SERVICE OFFICE.

SINCERELY YOURS,

DIRECTOR, SERVICE CENTER

Department of the Treasury Internal Revenue Service FRESNO, CA 93888

IN REPLY REFER TO: 89630327 LTR 1250 N SEPT. 27, -1978

FORREST R & AGNES P JONES I PO BOX 15156 SAN FRANCISCO, CA 94115

147386

CERTIFIED MAIL

SOCIAL SECURITY NUMBER: 402-52-8880 FORM NUMBER: 1040 TAX PERIOD ENDED: DEC. 31, 1972

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WE HOPE THIS NEORMATION WILL HELP YOU. IF YOU HAVE ANY QUESTIONS AND WISH TO FALL AT 209-488-6171, B. AREIA WILL BE ABLE TO HELP YOU. SINCE THERE WILL BE A LONG-DISTANCE CHARGE TO YOU IF YOU ARE BEYONDETHE IMMEDIATE DIALING AREA OF THE SERVICE CENTER, YOU MAY PREFER TO WRITE US AT THE ADDRESS ON THIS LETTER OR CALL ANY INTERNAL REVENUE SERVICE OFFICE.

SINCERELY YOURS

FREDRIC F. PERDUE

DIRECTOR, SERVICE CENTER